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## The national social policy relating to mass influx of displaced persons from Ukraine: Finland.

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1. General framework. 2. Personal scope of applicable support measures. 3. Social policy measures for Ukrainians: financial support for housing, access to healthcare and education. 4. Social policy measures for Ukrainians: supporting professional activity. 5. Final considerations.

### 1. General framework.

The number of Ukrainian citizens in Finland has been growing since the 1990s. Particularly in the 2010s, after the outbreak of conflict in eastern Ukraine, the inflow of Ukrainian citizens to Finland has increased. In recent years, Finland has been an attractive destination for seasonal workers, including several thousand Ukrainians employed in agriculture and forestry. Before the Russian attack on Ukraine, there were about 7,000 Ukrainian citizens living in Finland. In 2022, Finland granted temporary protection residence permits to approximately 45,000 individuals who had fled from Ukraine.<sup>1</sup> According to the United Nations High Commissioner for Refugees (UNHCR), by 2023, 52,790 persons from Ukraine were registered for temporary protection or a similar scheme in Finland.<sup>2</sup> It is

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<sup>1</sup> Alho R., Eronen E., Paljakka M., Penttilä A., Simonen J., Välimäki M., Väyrynen T., *Ukrainalaiset Suomessa 2022*, E2 Research, Ministry of Interior & Sitra, 2022.

<sup>2</sup> UNCHR, *Operational data portal. Ukraine refugee situation*, 2023, <https://data.unhcr.org/en/situations/ukraine> (last accessed 5 April 2023).

estimated that in 2023, an additional 30,000-40,000 Ukrainians will be covered by temporary protection in Finland.<sup>3</sup> In comparison to some other countries, these numbers are small.

The Temporary Protection Directive<sup>4</sup> from 2001 was incorporated into Finnish Law through the Aliens Act (*Ulkomalaislaki*) on April 30, 2004 (301/2004).<sup>5</sup> The law came into force on May 1, 2001. The Act defines the main groups of beneficiaries. In response to the Council Implementing Decision (EU) 202/328 from March 4, 2022,<sup>6</sup> the Finnish Government made a decision, SM/2022/24, to grant temporary protection in response to the crisis in Ukraine. This decision came into force on March 7, 2022, and regulates the situation of persons who fled the war in Ukraine. A residence permit granted in Finland based on temporary protection is directly valid for as long as temporary protection continues in the EU. Residence permits are extended without a separate application.<sup>7</sup>

Access to the labour market, social security, and welfare for war migrants from Ukraine is regulated by already existing laws, such as:

- Act on the Promotion of Integration, further referred to as the Integration Act (*Laki kotoutumisen edistämisestä*), dated December 30, 2010 (1386/2010).<sup>8</sup> The Act came into force on September 1, 2011;
- Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings, further referred to as the Reception Act (*Laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta*), dated June 17, 2011 (746/2011).<sup>9</sup> The Act came into force on September 1, 2011;
- Employment Contracts Act (*Työsopimuslaki*), dated January 26, 2001 (55/2001).<sup>10</sup> The Act came into force on June 1, 2001;
- Social Welfare Act (*Sosiaalihuoltolaki*), dated December 30, 2014 (1301/2014).<sup>11</sup> The Act came into force on April 1, 2015.

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<sup>3</sup> Alho R. *et al.*, nt. (1).

<sup>4</sup> Council Directive 2001/55/EC of 20 July 2001 on *minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof* (later as: Directive 2001/55).

<sup>5</sup> Ulkomaalaislaki (Aliens Act) from 30 April 2004, 30.4.2004/301, available at: <https://www.finlex.fi/fi/laki/ajantasa/2004/20040301> (last accessed 20 March 2023).

<sup>6</sup> Council Implementing Decision (EU) 2022/382 of 4 March 2022 *establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Article 5 of Directive 2001/55/EC, and having the effect of introducing temporary protection* (later as: Decision 2022/382).

<sup>7</sup> Ministry of the Interior, *Temporary protection for people fleeing from Ukraine*, 2023, available at: <https://intermin.fi/en/ukraine/temporary-protection> (last accessed 30 March 2023).

<sup>8</sup> Laki kotoutumisen edistämisestä (Act on the Promotion of Integration) from 30 December 2010, 1386/2010, available at <https://www.finlex.fi/fi/laki/kaannokset/2010/en20101386.pdf> (accessed 30 March 2023).

<sup>9</sup> Laki kansainvälistä suojelua hakevan vastaanotosta sekä ihmiskaupan uhrin tunnistamisesta ja auttamisesta (Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings) from 17 June 2011, 17.6.2011/746, available at <https://www.finlex.fi/fi/laki/ajantasa/2011/20110746#L3P16> (last accessed 20 March 2023) (later as: Reception Act).

<sup>10</sup> Työsopimuslaki (Employment Contracts Act) from 26 January 2001, 55/2001, available at: <https://www.finlex.fi/en/laki/kaannokset/2001/en20010055.pdf> (last accessed 30 March 2023).

<sup>11</sup> Sosiaalihuoltolaki (Social Welfare Act) from 30 December 2014, 1301/2014, available at: <https://www.finlex.fi/fi/laki/ajantasa/2014/20141301> (last accessed 5 April 2023).

On March 1, 2023, Amendments (1083/2022) to the Integration Act (1386/2010) and to the Reception Act came into force.<sup>12</sup> In accordance with the amendment to the Integration Act, municipalities and well-being counties can be reimbursed for the cost spent on providing services to the Ukrainian war migrants who have been granted a municipality of residence. The reimbursement costs are the same as in the case of compensation for beneficiaries of international protection. To receive the compensation, the municipality has to draw up an integration programme and conclude an agreement with the Centre for Economic Development, Transport and the Environment (ELY Centre). Ukrainians have the opportunity to apply for a home municipality residence (*kotikuntapaikka*) when they have been in Finland for a year starting from March 2023. This will enable an individual to access a broader spectrum of services offered by the municipality. After living for one year in Finland, it is also possible to apply for social security card and benefits. A survey conducted in 2022, however, shows that Ukrainians lack information about some of these possibilities.<sup>13</sup>

The amendments to the Reception Act specify how the reception service provision would end when a person residing under temporary protection is assigned to a municipality of residence.<sup>14</sup>

## 2. Personal scope of applicable support measures.

In Finland, temporary protection applies to a broader category of persons than that foreseen in Article 2(1) of the Decision 2022/382. According to Article 2(1) of Decision 2022/382, it applies to the following categories of persons displaced from Ukraine on or after 24 February 2022:

- a) Ukrainian nationals residing in Ukraine before February 24, 2022;
- b) stateless persons, and nationals of third countries other than Ukraine, who benefited from international protection or equivalent national protection in Ukraine before February 24, 2022; and,
- c) family members of the persons referred to in points (a) and (b).

Article 2(2) of the Decision 2022/382 enables Member States to choose between the application of temporary protection and a corresponding national permit category to stateless persons and nationals of third countries other than Ukraine who are legally residing in Ukraine. Finland has decided to apply temporary protection to these persons.

In addition to the persons listed in Article 2(1) of the Decision 2022/382, Finland recognises temporary protection for the following categories of persons:

- Ukrainian citizens and their family members who fled Ukraine shortly before February 24 and cannot return home because of the conflict;

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<sup>12</sup> Ministry of Economic Affairs and Employment of Finland, *Municipalities will be compensated for services promoting integration*, 19 January 2023, available at <https://tem.fi/en/-/municipalities-will-be-compensated-for-services-promoting-integration> (last accessed 5 April 2023).

<sup>13</sup> Alho R. *et al.*, nt. (1).

<sup>14</sup> Reception Act, nt. (9).

- Other Ukrainian citizens and their family members who are already living or have arrived in Finland;
- Third-country nationals who have resided legally (including on a short-term basis) in Ukraine and cannot return to their home countries.<sup>15</sup>

In Finland, temporary protection is recognised for the persons mentioned above through a swift process that is lighter than the one foreseen for asylum seekers.<sup>16</sup> The conditions and process of granting temporary protection are regulated in Sections 109-117 of the Aliens Act (*Ulkomaalaislaki*).<sup>17</sup> After the person has arrived in Finland, she/he needs to visit the police or a border control authority and inform them of the intention to benefit from temporary protection. Applying is free of charge. Applications for the confirmation of being beneficiaries of temporary protection are processed considerably faster than asylum applications.

The police or border control authority registers the application and records the personal details and place of residence of the applicant. Details related to the applicant's arrival in Finland, travel route, and family members' details are also collected. The applicant needs to provide a photo, fingerprints, and a signature. The police or border control authority asks whether the person wishes to apply for confirmation of being a beneficiary of temporary protection only or also for asylum. The differences between the two are explained beforehand.

Following registration, the Finnish Immigration Service decides on the application to confirm the status of being a beneficiary of temporary protection. The applicant will be heard before a decision is made only if the Finnish Immigration Service considers there to be a particular reason to do so. The decision is issued in approximately one week and sent by post to the reception centre or other address where the applicant is staying. If the person does not receive the decision by post, she/he will be informed of the decision by the Finnish Immigration Service or the police.

After the person is granted confirmation of being a beneficiary of temporary protection, the Finnish Immigration Service will order a residence permit card for the applicant in approximately 2 weeks. The residence permit card is also sent by post. The applicant also receives a personal identity code, which will be indicated on the residence permit card.

If the person has also applied for asylum, the Finnish Immigration Service will suspend the processing of the asylum application for as long as the residence permit issued based on temporary protection is valid.<sup>18</sup>

In the case of people fleeing from Ukraine, residence permits are valid until the Decision 2022/382 is in force. Currently, all residence permits that are granted based on temporary

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<sup>15</sup> Valtioneuvoston päätös, SM/2022/24 tilapäisen suojelun antamisesta Ukrainan tilanteeseen vastaamiseksi, 7 March 2022, available at <https://valtioneuvosto.fi/maatokset/paatokset?decisionId=0900908r807a060e> (last accessed 20 March 2023); Ministry of the Interior Press Release, *Government decides on temporary protection category of people fleeing Ukraine*, 08 March 2022, available at [https://valtioneuvosto.fi/-/1410869/valtioneuvosto-paatti-ukrainasta-paenneiden-tilapaisen-suojelun-kohderyhmasta?languageId=en\\_US](https://valtioneuvosto.fi/-/1410869/valtioneuvosto-paatti-ukrainasta-paenneiden-tilapaisen-suojelun-kohderyhmasta?languageId=en_US) (last accessed 20 March 2023).

<sup>16</sup> Ministry of the Interior Press Release, *ibidem*.

<sup>17</sup> *Ulkomaalaislaki* (Aliens Act), nt. (5).

<sup>18</sup> Finnish Immigration Service, *Temporary protection for those fleeing Ukraine*, available at <https://migri.fi/en/temporary-protection> (last accessed 20 March 2023).

protection are valid until March 4, 2024. Starting from January 19, 2023, all residence permits granted on this basis are automatically extended until March 4, 2024.<sup>19</sup>

If a person who has applied for temporary protection leaves Finland and does not intend to return, she/he needs to cancel the application for the confirmation of being a beneficiary of temporary protection in Finland. This can be done by informing an official of the Finnish Immigration Service, the police or border control authority, or the director or deputy director of the reception centre. The person who is being covered by temporary protection can also cancel the temporary residence permit by personally notifying an official of the Finnish Immigration Service, the police, the border control authorities, or the director or the deputy director of a reception centre, filling in the cancellation form, and returning the residence permit card. If the person has left Finland, the residence permit can be cancelled in writing.<sup>20</sup>

A residence permit can also be cancelled by the authorities for the following reasons:

- Giving false information: residence permits may be cancelled if, at the time of application, the person has knowingly given false information about her/his identity or other factors affecting the decision or if she/he has concealed facts that could have prevented the granting of a residence permit.
- Changes in the grounds for a residence permit: if the grounds on which it was granted no longer exist, the residence permit may be cancelled. The EU residence permit will be cancelled if the person has lived outside the EU for a continuous period of two years or outside Finland for a continuous period of six years.
- Prohibition of entry into the Schengen area: residence permit may also be cancelled if another Schengen country requests Finland to do so. This may happen if the person has been prohibited from entering the Schengen area and ordered to be removed from it due to a crime or conduct that endangers safety.
- Moving away from Finland and living abroad: if the person moves permanently away from Finland or has lived outside Finland for a continuous period of two years, the residence permit will be cancelled.<sup>21</sup>

### **3. Social policy measures for Ukrainians: financial support for housing, access to healthcare and education.**

According to Article 13(1) of the Directive 2001/55, Member States are required to ensure that individuals enjoying temporary protection have access to suitable accommodation or, if necessary, receive the means to obtain housing. According to Article 13(2), Member States need to make sure that persons enjoying temporary protection receive necessary assistance in terms of social welfare and means of subsistence if they do not have sufficient resources, as well as medical care. The assistance necessary for medical care shall include at least

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<sup>19</sup> Ulkomaalaislaki (Aliens Act), nt. (5), Section 110a.

<sup>20</sup> Finnish Immigration Service, *If you have applied for temporary protection and will leave Finland permanently*, available at <https://migri.fi/en/withdrawal-of-applications-or-permits> (last accessed 20 March 2023).

<sup>21</sup> Finnish Immigration Service, *Withdrawal of residence permits*, <https://migri.fi/en/cancellation-of-a-permit> (last accessed 20 March 2023); Ulkomaalaislaki (Aliens Act), nt. (5), Section 58.

emergency care and essential treatment of illness. Article 13(3) foresees that in cases where individuals under temporary protection are engaged in employed or self-employed activities, their ability to meet their own needs should be considered when determining the proposed level of assistance. Article 13(4) requires Member States to provide necessary medical or other assistance to persons enjoying temporary protection who have special needs, such as unaccompanied minors or persons who have undergone torture, rape or other serious forms of psychological, physical or sexual violence.

In Finland, the housing of individuals who have applied for confirmations of being beneficiaries of temporary protection is regulated in Sections 16-18 of the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings.<sup>22</sup>

Individuals applying for confirmations of being beneficiaries of temporary protection can live in a reception centre or private accommodation. The persons that need accommodation are accommodated at a reception centre that has room. The reception centre will provide the person with the needed reception services. Families are accommodated in a separate apartment or a room. Others are offered communal accommodation where women and men live in separate rooms or apartments.

The person applying for confirmations of being beneficiaries of temporary protection can also arrange the accommodation by her/himself and stay with friends or relatives, for example. In this case, the person will still be registered at a reception centre that will provide the person with the needed reception services. In case the person chooses to live somewhere else than in a reception centre, she/he must be able to pay for the accommodation by her/himself. The person needs to notify the reception centre of a new address without delay to maintain the right to reception services.

Unaccompanied children are usually provided with accommodation in a group home. Children may also stay in private accommodation with relatives, for example. The decision about the accommodation of the unaccompanied child to a private accommodation will be made by the director of the reception centre after hearing the child, her/his legal representative and social worker.<sup>23</sup>

The right of an individual applying for confirmation as a beneficiary of temporary protection in Finland to receive financial support depends on her/his income and assets. If the person and her/his family members do not have enough income and funds to cover the immediate basic needs, such as food and clothing, the person can get a reception allowance. The amount of reception allowance depends on the person's financial resources, income, and the fact on whether the person stays at a reception centre, lives in private accommodation, or lives in private accommodation with other people. The basic amounts of reception allowance are:

- 290 EUR per month for an adult living alone or a single parent; 85 EUR per month if food is provided at the reception centre;

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<sup>22</sup> Reception Act, nt. (9).

<sup>23</sup> *Ibidem*, Sections 16-18; Finnish Immigration Service, *Accommodation*, <https://migri.fi/en/accommodation> (last accessed 20 March 2023).

- 245 EUR per month for an adult other than those mentioned above; 70 EUR per month if food is provided at the reception centre;
- 185 EUR per month for a child; 55 EUR per month if food is provided at the reception centre.

If the reception centre takes care of the child, the child is granted “pocket money” of 25-45 EUR per month.<sup>24</sup>

Sections 25 and 26 of the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings regulate the rights of individuals enjoying temporary protection to social insurance and medical care. Persons applying for confirmations of being beneficiaries of temporary protection or that have already received it have the right to specific social services outlined in Section 14 of the Social Welfare Act<sup>25</sup> in the same way as Finnish nationals if the official of the social services regards these as inevitable.

These services include:

1. Social services organised by municipalities, such as:

- social work,
- social guidance,
- social rehabilitation,
- family work,
- home service,
- home care,
- housing services,
- institutional services,
- services supporting mobility,
- drugs abuse work,
- mental health work,
- educational and family counselling,
- supervision of appointments between the child and the parent,
- the freedom of a person caring for relatives and close relatives, and
- other social services necessary for the well-being of such a person that meet the requirements outlined in Section 11.

2. Social services for certain types of groups organised by municipalities.

Municipalities also bear responsibility for organising child and youth welfare, providing special care for the mentally handicapped, offering services and support for people with disabilities, delivering services related to substance abusers' treatment, fulfilling the statutory functions of child welfare officers, conducting investigations and establishing paternity, providing adoption counselling, facilitating family conciliation, managing measures about

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<sup>24</sup> Reception Act, nt. (9), sections 19-21; Finnish Immigration Service, *Financial support*, <https://migri.fi/en/financial-support> (last accessed 20 March 2023).

<sup>25</sup> Sosiaalihuoltolaki from 20 March 2015, 30.12.2014/1301.

conciliation related to the enforcement of decisions on child custody and visiting rights, and offering expert services related to court conciliation of matters concerning child custody and visitation rights. Municipalities are also responsible for providing support for informal care and other social services as mandated by the Act on Rehabilitative Work, in accordance with any additional provisions established for these services.

Social work, referred to in the Social Welfare Act, is performed by a social care professional at the reception centre. Section 25 of the Act on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings states that this work includes counselling, guidance, social problem-solving, and other support activities that maintain and promote the safety and performance of individuals and families, as well as the functioning of communities.

Individuals who have been granted a residence permit based on temporary protection in Finland are entitled to the same healthcare services as permanent residents.<sup>26</sup> Finland has implemented Article 13(2) of the Directive 2001/55 broadly, providing temporary protection beneficiaries with access not only to emergency care and essential treatment of illnesses but also to healthcare services on par with permanent residents.

Article 14 of the Directive 2001/55 regulates the access to education for individuals enjoying temporary protection. According to Article 14(1), Member States need to grant individuals under 18 years of age enjoying temporary protection access to the education system under the same conditions as host Member State nationals. Member States may stipulate that such access must be limited to the state education system. According to Article 14(2), Member States may also allow adults enjoying temporary protection access to the general education system.

In Finland, individuals granted a residence permit based on temporary protection may pursue studies without limitations. Children enjoy the same rights to early childhood education and care as resident Finnish children. Individuals are free to apply for vocational education, training, and general upper secondary education on the same terms as Finnish citizens.<sup>27</sup> Finland provides access to general education for both minors and adults. Individuals with granted temporary protection can also apply for higher education. Regarding vocational education, language requirements for entry into VET programmes have been revised in favour of immigrant applicants.<sup>28</sup> Both levels of institutions offer a variety of programmes supporting immigrants in entering vocational and/or higher education, with program specifics varying by institution.<sup>29</sup>

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<sup>26</sup> Reception Act, nt. (9), section 26.

<sup>27</sup> Ministry of Education and Culture, *Ministry of Education and Culture*, available at <https://okm.fi/en/ukraine> (last accessed 20 March 2023).

<sup>28</sup> Ministry of Education and Culture, *Maahanmuuttajien koulutuspolut ja integrointi. Kipupisteet ja toimenpide III*, Helsinki, 2019, available at <http://urn.fi/URN:ISBN:978-952-263-613-3> (last accessed 05 April 2023).

<sup>29</sup> See for example, University of Jyväskylä, JYU.INTEGRA, <https://movi.jyu.fi/en/development/integra> (last accessed 6 April 2023).

#### 4. Social policy measures for Ukrainians: supporting professional activity.

Article 12 of the Directive 2001/55 foresees that Member States need to authorise, for the period of temporary protection, protected persons to engage in employed or self-employed activities. This authorization is subject to the rules relevant to the profession, as well as to educational opportunities for adults, vocational training, and practical workplace experience. Member States may give priority to EU citizens and citizens of the European Economic Area and to legally resident third-country nationals who receive unemployment benefits. The general laws in force within the Member States, applicable to remuneration, access to social security systems concerning employed or self-employed activities, and other conditions of employment, should be applied.

In Finland, according to Section 78(3) of the Aliens Act, individuals granted a temporary residence permit based on temporary protection or other humanitarian immigration are allowed to work.<sup>30</sup> This unrestricted right to work is expressed in the decision on temporary protection and the residence permit card.<sup>31</sup> As soon as a person registers their application for temporary protection recognition with the police or the border control authority, they gain the unrestricted right to work or be self-employed in Finland. The police or border control authority provides a certificate of the pending application, and the Finnish Immigration Service aims to issue decisions quickly and without undue delay.<sup>32</sup> After receiving the card, the Finnish Immigration Service is required to provide a brochure titled 'Welcome to Finland' where information on workers' rights can be found. The brochure is available in several languages, including Ukrainian and Russian.<sup>33</sup>

There are no separate regulations concerning self-employed individuals displaced from Ukraine who wish to apply for a residence permit in Finland. In this case, Section 76 of the Aliens Act applies, according to which the intended business activities have to be profitable and obtain sufficient financial resources.<sup>34</sup> Finland has robust employment legislation that guarantees adequate working conditions, equal treatment, and non-discrimination for all workers, including immigrants or refugees. The posting of individuals enjoying temporary protection is not separately regulated. As a general rule, Ukrainian war migrants with temporary protection (and a work permit) can be posted by their employers to other EU countries, and *vice versa*. However, as the time of travelling in the Schengen area without a visa is restricted to 90 days during the 180-day period, the maximum time for posting is

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<sup>30</sup> Ulkomaalaislaki (Aliens Act), nt. (5), Section 78.

<sup>31</sup> Ministry of Economic Affairs and Employment of Finland, *Those granted temporary protection can work immediately after receiving permit decision – Leaflet by the MEAE advises people fleeing Ukraine on finding employment*, 5 April 2022, available at [https://intermin.fi/en/-/1410877/those-granted-temporary-protection-can-work-immediately-after-receiving-permit-decision-leaflet-by-the-ministry-of-economic-affairs-and-employment-advises-people-fleeing-ukraine-on-finding-employment?languageId=en\\_US](https://intermin.fi/en/-/1410877/those-granted-temporary-protection-can-work-immediately-after-receiving-permit-decision-leaflet-by-the-ministry-of-economic-affairs-and-employment-advises-people-fleeing-ukraine-on-finding-employment?languageId=en_US) (last accessed 3 April 2023).

<sup>32</sup> Finnish Government, *People fleeing Ukraine may start working immediately after applying for temporary protection*, 11 April 2022, available at <https://valtioneuvosto.fi/en/-/1410869/people-fleeing-ukraine-may-start-working-immediately-after-applying-for-temporary-protection> (last accessed 13 April 2023).

<sup>33</sup> Ministry of Economic Affairs and Employment of Finland, *Welcome to Finland guide*, 2023, available at <https://tem.fi/en/welcome-to-finland> (last accessed 5 April 2023).

<sup>34</sup> Ulkomaalaislaki (Aliens Act), nt. (5), Section 76.

limited,<sup>35</sup> Posting legislation at the EU level (Directive on the posting of workers)<sup>36</sup> and the Finnish Act on Posting Workers (447/2016), with amendments from 2020,<sup>37</sup> apply to both EU and non-EU citizens.<sup>38</sup> Nevertheless, research conducted under the auspices of the SMUG<sup>39</sup> project – *Uncovering Gaps in the Social Protection of Posted Workers (2021-2022)* shows that social protection, work conditions and safety of posted workers especially from third countries need improvement. Usually, these workers are at the bottom of posting hierarchies and the easiest to be abused. This can be explained by workers' dependency on their employers and a lack of context-specific knowledge.<sup>40</sup> One of the experts reflected on it as follows: “If posted worker is coming from Ukraine or Poland the information search skills are quite poor. If you ask ‘do you belong to trade union?’ they do not know what a trade union is and if they belong to it, they do not know what a collective agreement, pension or social security is and about nothing as such.” The same expert comments, later, that this information can be also difficult to be found and, at least during spring 2022, this key information for posted workers was not available either in Ukrainian or in Russian. Furthermore, awareness of salary levels in Finland may be lacking, leading posted workers to be satisfied with lower wages. Contacts of Ukrainian posted workers are often limited to their employers and own country nationals, which may further perpetuate inadequate information. However, Ukrainian workers seemed to be aware of their disadvantaged position. One of the interviewees in the SMUG project commented: “On the surface, it wasn’t too bad, but you could tell that the attitude as a bit humiliating, they definitively make a difference between those that were from Ukraine and the rest. Firstly, when they give you a job, it’s going to be a dirtier one, a job that people with EU passport did not want to do.”

Currently, Ukrainians come to Finland on different terms. However, it can be predicted that the attitudes towards what kind of job and salary is appropriate for migrants with this background may also apply in the case of Ukrainians staying in Finland based on temporary protection.

Most of the Ukrainian war migrants, 30,000 individuals, are of working age and they live in different regions of Finland. About 8,000 (30%) of these working-aged Ukrainians have applied for job seeker services, but the uncompleted or invalidity in Finland of degrees completed in Ukraine, as well as deficiencies in language skills hinder employment.<sup>41</sup> Those benefiting from temporary protection also spend their time addressing practical issues, which

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<sup>35</sup> Finnish Immigration Service, *Traveling from Finland*, <https://migri.fi/en/traveling-from-finland> (last accessed 10 April 2023).

<sup>36</sup> Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 *concerning the posting of workers in the framework of the provision of services*, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1414663758884&uri=CELEX:31996L0071> (last accessed 11 April 2023).

<sup>37</sup> Act on Posting Workers (447/2016, amendments up to 62/2022 included), available at <https://www.finlex.fi/en/laki/kaannokset/2016/en20160447.pdf> (last accessed 11 April 2023).

<sup>38</sup> Your Europe, *Posting staff abroad*, 2023, available at [https://europa.eu/youreurope/business/human-resources/posted-workers/posting-staff-abroad/index\\_en.htm](https://europa.eu/youreurope/business/human-resources/posted-workers/posting-staff-abroad/index_en.htm) (last accessed 11 April 2023).

<sup>39</sup> University of Jyväskylä, *Secure mobility: Uncovering Gaps in the Social Protection of Posted Workers (SMUG)*, 15 July 2022.

<sup>40</sup> Lillie N., Kärkkäinen K., Ndomo Q., *Posting, short-term labour migration and social rights access: how to rework an alienating system?*, Policy Brief 2022/10, European Centre, Wien, 2022.

<sup>41</sup> Aihio R. *et al.*, nt. (1).

slow down the job search and employment. Integration into the labour market is also challenged by the unclarity of future plans of people under temporary protection and the lack of adequate information related to employment and employment services.<sup>42</sup>

There are no specific guidelines released for the recognition of qualifications, diplomas, or education for displaced individuals from Ukraine. To seek recognition of their professional qualifications or education, displaced persons from Ukraine, like any other foreign individuals, must apply for qualification recognition with the Finnish National Agency for Education (EDUFI), relevant authorities in their field, private sector employers, or higher education institutions.<sup>43</sup> EDUFI makes decisions on:

- the comparability of higher education studies and eligibility of foreign qualifications for posts requiring a higher education degree or specific education, such as positions in education and early childhood education;
- the recognition of professional qualifications obtained abroad, which often requires proof of professional experience in the field, an adaptation period and an aptitude test;
- issuing statements regarding vocational qualifications obtained abroad. These statements confirm the completion of certain qualifications in another country but do not give eligibility for applying for certain positions.

The right to practice a so-called regulated profession (eg., practical nurse) or use a professional title is granted by field-specific authorities, such as the National Supervisory Authority for Welfare and Health, Valvira.<sup>44</sup> Educational institutions, including higher education institutions, decide on their own whether foreign qualifications or studies give eligibility for further studies in Finland. Individuals have the right to apply for recognition of prior learning in both higher education<sup>45</sup> and vocational education<sup>46</sup> (Cedefop, 2023). Following the Vocational Education and Training Act (531/2017)<sup>47</sup> and Decree (673/2017)<sup>48</sup>, each student is required to have a competence development plan that includes a note on the possible recognition of learning gained in formal, non-formal and informal contexts. Private sector employers have a right to assess themselves the competence presented through a foreign qualification. The decision-making process, the processing of applications for recognition of qualifications and studies completed abroad, as well as the

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<sup>42</sup> Ssynarenko A., Koptsyukh A., *The situation of Ukrainians in Finland who fled the war: Survey results*, Migration: Publications of the Ministry of the Interior, 2022:34, Helsinki, 2022, available at [https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164318/SM\\_2022\\_34.pdf?sequence=1](https://julkaisut.valtioneuvosto.fi/bitstream/handle/10024/164318/SM_2022_34.pdf?sequence=1) (last accessed 5 April 2023).

<sup>43</sup> Finnish National Agency for Education (EDUFI), *Recognition of foreign qualifications in Finland*, Libris Oy, Helsinki, 2017.

<sup>44</sup> Finnish National Agency for Education (EDUFI), *Regulated professions in Finland*, 2023, available at <https://www.oph.fi/en/services/regulated-professions-finland> (last accessed 5 April 2023).

<sup>45</sup> Universities Finland UNIFI and the Rectors' Conference of Finnish Universities of Applied Sciences, 2009.

<sup>46</sup> Cedefop, *Vocational education and training in Finland*, 2019, available at: <https://www.cedefop.europa.eu/en/publications/4176> (last accessed 5 April 2023).

<sup>47</sup> Vocational Education and Training Act, 531/2017, available at: <https://www.finlex.fi/en/laki/kaannokset/2017/en20170531.pdf> (last accessed 5 April 2023).

<sup>48</sup> Vocational Education and Training Decree, 673/2017, available at: <https://www.finlex.fi/fi/laki/alkup/2017/20170673> (last accessed 5 April 2023).

statements regarding completed vocational qualifications abroad, are subject to an administrative fee.

There are many challenges related to the recognition of foreign qualifications, especially for third-country nationals in the Finnish labour market and by Finnish employers. On one hand, migrants are welcomed workers and appreciated for their willingness to work and good communication skills. On the other hand, they are suspected of not having adequate skills.<sup>49</sup> Earlier studies have highlighted the importance of language skills and cultural background in making one's knowledge and skills visible.<sup>50</sup>

There is no precise information available concerning the educational background of Ukrainians covered by temporary protection in Finland. According to the last reports, many Ukrainian job seekers hold secondary or higher education degrees.<sup>51</sup>

## 5. Final considerations.

Further inflow of Ukrainians to Finland is expected. The situation and measures in other European countries are monitored, as this may influence the extent of the future inflow of Ukrainians to Finland. The longer the war in Ukraine continues, the more likely Ukrainians will remain in the countries they have fled to. Many also do not have a home to return to. It is, therefore, expected that Ukrainians will form a large immigrant group in the future in Finland.<sup>52</sup>

According to one of the recent reports Finns are rather positive about the reception of Ukrainians.<sup>53</sup> However, cases of negative attitudes (negligence, rudeness), for example among reception centre personnel, were also reported.<sup>54</sup> Finland has broadened temporary protection to a larger group of Ukrainians than foreseen in the Decision 2022/382. Finland does not apply full social protection to the persons who are covered by temporary protection. Nevertheless, the necessary housing and social services are provided, a monthly reception allowance is paid, and Finnish healthcare services are granted to refugees. War migrants have access to primary, secondary, vocational, and higher education, they can work as an employee and/or act as an entrepreneur.

However, there are also many challenges related to the residence of Ukrainians in Finland. Though Ukrainians can work and participate in education, this is seldom the case. Insufficient proficiency in the official languages of Finland and difficulties in applying for education owned by Ukrainian war migrants in the labour market are some of the main

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<sup>49</sup> Näre L., *Ideal workers and suspects*, in *Nordic Journal of Migration Research*, 3, 2, 2013, 72-80.

<sup>50</sup> Ahmad A., *When the Name Matters: An Experimental Investigation of Ethnic Discrimination in the Finnish Labor Market*, in *Sociological Inquiry*, 2020, 90, 3, 468-496; Kärkkäinen K., *Learning, teaching and integration of adult migrants in Finland*, University of Jyväskylä, 2017, available at <http://urn.fi/URN:ISBN:978-951-39-7212-7> (last accessed 12 April 2023); Olakivi A., *The problematic recruitment of migrant labor: A relational perspective on the agency of care work managers*, in *Current Sociology*, 68, 3, 2020, 333-352.

<sup>51</sup> Alho R. *et al.*, nt. (1).

<sup>52</sup> *Ibidem.*

<sup>53</sup> *Ibidem.*

<sup>54</sup> Svyarenko A., Koptsyukh A., nt. (42).

problems. Implementation of some good initiatives, such as the possibility to apply for residence in the municipality and for certain services, recognition of qualification and earlier studies or even the possibility of undertaking studies in Finland, is challenged by Ukrainians lacking information on such opportunities and their advantages. Living in-between space and on hold accompanied by the lack of specified future plans and the spontaneous trips to Ukraine make some measures ineffective despite good intentions. Adequate information on existing opportunities and services can be one of the keys to increase the effectiveness of undertaken initiatives.