



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Decision adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communication No. 214/2023\* \*\*

<i>Communication submitted by:</i>	M.R.K., Z.A., M.A., T.A. and O.A. (represented by counsel, Kirsi Hytinanti)
<i>Alleged victims:</i>	M.A., T.A. and O.A.
<i>State party:</i>	Finland
<i>Date of communication:</i>	7 February 2023
<i>Subject matter:</i>	Deportation of an Iraqi family to Greece
<i>Articles of the Convention:</i>	3, 6, 12, 22, 27, 28, 37 and 39

1. The authors of the communication are M.R.K., Z.A., M.A., T.A. and O.A., nationals of Iraq born on 2 December 1986, 4 November 1993, 2 April 2014, 13 May 2015 and 11 December 2017, respectively. They submit the communication on behalf of M.A., T.A. and O.A. They allege that the State party has violated the rights of M.A., T.A. and O.A. under articles 3, 6, 12, 22, 27, 28, 37 and 39 of the Convention. The authors are represented by counsel. The Optional Protocol entered into force for the State party on 12 February 2016.

2. The authors were registered as asylum-seekers and granted international protection in Greece, which expired in 2020 for Z.A., the mother of the children, and in 2022 for M.R.K., the father of the children, and the children themselves. The family left Greece due to threats received from other family members, as the parents had converted to Christianity, and because of dire reception conditions in Greece, including homelessness and an absence of social support and schooling. On 18 May 2022, the authors applied for asylum in Finland, invoking their situation in Greece, including their lack of access to healthcare in Greece for their health issues, including M.R.K.'s damaged knee and mental health problems, Z.A.'s deteriorating eyesight and M.A.'s psychological trauma. On 30 December 2022, the Finnish Immigration Service rejected their application and ordered their deportation to Greece. On 17 January 2023, the authors appealed the decision of the Finnish Immigration Service before the Helsinki Administrative Court and requested it to grant an interim measure to halt the deportation. On 18 January 2023, the Helsinki Administrative Court upheld the decision of the Finnish Immigration Service and rejected the authors' request for interim measures, without providing any reasoning.

\* Adopted by the Committee at its ninety-eighth session (13–31 January 2025).

\*\* The following members of the Committee participated in the examination of the communication: Suzanne Aho, Aïssatou Alassane Sidikou, Thuwayba Al Barwani, Hynd Ayoubi Idrissi, Mary Beloff, Rinchen Chopel, Rosaria Correa, Bragi Gudbrandsson, Philip Jaffé, Otani Mikiko, Luis Ernesto Pedernera Reyna, Ann Skelton, Velina Todorova, Benoit Van Keirsbilck and Ratou Zara.



3. On 10 February 2023, the Committee, acting through its working group on communications, registered the communication and granted interim measures under article 6 of the Optional Protocol.
4. On 6 April 2023, the State party submitted its observations on the admissibility of the communication, arguing that the communication was inadmissible under articles 5 (1) and 7 (c), (e) and (f) of the Optional Protocol and rule 16 (3) (g) of the rules of procedure under the Optional Protocol.
5. On 18 July 2023, the authors provided comments on the State party's observations. On 15 June 2024, the authors requested that the Committee discontinue its consideration of the communication, as the Finnish Immigration Service had granted them residence permits on humanitarian grounds, valid from 20 May 2024.
6. On 30 July 2024, the State party requested that the Committee discontinue its consideration of the case on the same grounds.
7. At a meeting on 27 January 2025, the Committee, taking into account that the authors had been granted residence permits and were therefore no longer at risk of being returned to Greece, considered that the case had become moot and decided to discontinue its consideration of communication No. 214/2023, in accordance with rule 26 of its rules of procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

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