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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. 202/2022*, *****Communication submitted by:* A.H.A. (represented by counsel, Hannah Laari)*Alleged victims:* M.A.A.*State party:* Finland*Date of communication:* 8 June 2022*Subject matter:* Family reunification*Articles of the Convention:* 2, 3, 6, 9, 10, 12 and 16

1. The authors of the communication are A.H.A., a Finnish and Somalian national and M.A.A., her daughter, a Somalian national born in 2002. The authors allege that the State party has violated their rights under articles 2, 3, 6, 9, 10, 12 and 16 of the Convention by deciding not to grant a residence permit to M.M.A.

2. On 6 October 2008, A.H.A arrived in Finland as an asylum seeker. On 1 April 2011, the Finnish Immigration Service granted her a residence permit based on family ties to her husband. On 24 November 2011, A.H.A. applied for a residence permit for M.A.A. on the basis of family ties. On 22 January 2014, the Finnish Immigration Service rejected her application as M.A.A. was not considered to be a family member of A.H.A. as defined in the Aliens Act. The decision of the Finnish Immigration Service was appealed to the Helsinki Administrative Court, which dismissed the appeal on 18 June 2015. The latter decision was not appealed and became final. On 1 March 2019, a second application for a residence permit on the basis of family ties was submitted by M.M.A and rejected by the Finnish Immigration Service on 23 December 2019. The decision was appealed to the Helsinki Administrative Court, which dismissed the appeal on 16 March 2021. On 31 August 2021, the Supreme Administrative Court did not grant leave to appeal the decision of the Helsinki Administrative Court.

3. On 1 December 2022, the Committee, acting through its Working Group on Communications, registered the communication. On 1 February 2023, the State party submitted its observations on the admissibility of the communication and requested that the admissibility be examined separately from the merits.

* Adopted by the Committee at its one-hundredth session (12-30 January 2026).

** The following members of the Committee participated in the consideration of the communication: Suzanne Aho, Thuwayba Al Barwani, Hynd Ayoubi Idrissi, Mary Beloff, Rosaria Correa, Timothy Ekesa, Bragi Gudbrandsson, Mariana Ianachevici, Philip Jaffe, Sopio Kiladze, Cephas Lumina, Benyam Dawit Mezmur, Aissatou Alassane Sidikou, Juliana Scerri Ferrante, Zeinebou Taleb Moussa, and Benoit Van Keirsbilck.

4. On 14 April 2023, the authors provided their comments on the State party's observations. On 20 July 2023, the Committee, acting through its Working Group on Communications, decided, pursuant to rule 18, paragraph 6, of its Rules of Procedure under the Optional Protocol, to examine the admissibility of the communication together with its merits.

5. On 20 November 2023, the State party submitted its observations on the admissibility and merits of the communication. On 13 May 2024, the authors provided their comments on the State party's observations.

6. On 10 January 2025, the State party informed the Committee that, in July 2024, M.A.A. had been granted international protection and a residence permit in Greece. On 15 August 2024, M.A.A. applied for international protection in Finland. On 3 January 2025, the Finnish Immigration Service granted M.M.A. continuous residence permit on a discretionary basis on humanitarian grounds under section 52 of the Aliens Act, valid for one year from the date of the decision. The State party therefore requested the Committee to discontinue its consideration of the communication. On 10 March 2025, the authors informed the Committee that they disagreed with the State party's request and asked the Committee to continue the consideration of the communication. The authors explained that the negative decisions made in the two-family reunification processes between 24 November 2011 and 31 August 2021 have led to an unjust and prolonged separation of the authors.

7. On 23 May 2025, the State party submitted further observations on the communication and reiterated its request to the Committee to discontinue its consideration of the communication.

8. At its meeting on 30 January 2026, the Committee, taking into account that M.M.A. had been granted residence permits, considered that the case had become moot and decided to discontinue its consideration of communication No. 202/2022, 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.
