

NB: Unofficial translation
Ministry of the Interior

**Act on the Participation of Civilian Personnel in Crisis
Management
(1287/2004)**

Chapter 1 - **General Provisions**

Section 1 - *Purpose of the Act*

The purpose of this Act is to support Finland's participation in international crisis management in order:

- 1) to prevent and limit conflicts, to repair the damage caused by them and to restore the smooth functioning of society;
- 2) to alleviate damage caused by major accidents or natural catastrophes; and
- 3) to develop the crisis management capabilities of the European Union and international organizations.

Section 2 - *Scope of application*

- (1) This Act lays down provisions on:
 - 1) the participation of civilian personnel in crisis management abroad;
 - 2) national readiness required by participation in crisis management and its maintenance and development; and
 - 3) the rights and obligations of the civilian personnel participating in crisis management abroad.
- (2) This Act also applies to the humanitarian aid referred to in section 49 of the Rescue Services Act (468/2003). It does not apply to other humanitarian

aid, development cooperation or other activities funded by national budget appropriations for regular development cooperation, military crisis management or other activities referred to in the Act on Peace Support Operations (514/1984).

Section 3 - *Division of competence*

- (1) The Ministry for Foreign Affairs is responsible for issues concerning participation of civilian personnel in crisis management.
- (2) The Ministry of the Interior is responsible for issues concerning national readiness and issues concerning the provision of aid falling within the purview of rescue services under section 49 of the Rescue Services Act.

Section 4 - *National readiness*

National readiness comprises:

- 1) readiness to recruit civilian personnel to be sent on crisis management missions abroad;
- 2) material and logistic readiness;
- 3) provision of crisis management training for civilian personnel;
- 4) coordination of the preparation of issues mentioned in paragraphs 1-3 above in various administrative sectors; and
- 5) cooperation with non-governmental organizations in order to maintain and develop the issues mentioned in paragraphs 1-3 above.

Chapter 2 - **Rights and obligations of persons in employment relationships**

Section 5 - *Employment relationship governed by public law*

- (1) A person participating in crisis management abroad has a fixed-term employment relationship, governed by public law, with the State, which is represented as an employer by the Ministry of the Interior. The State as an employer is, however, represented by the Ministry for Foreign Affairs, if foreign and security policy considerations warrant it.
- (2) What is provided in this Act applies to the rights and obligations of persons in employment relationships. Other provisions on the legal status of persons in employment relationships are laid down in the State Civil Servants Act (750/1994).
- (3) The terms of an employment relationship referred to in this Act cannot be determined by collective agreement for civil servants, unless otherwise provided in this Act.

Section 6 - *Status of persons in employment relationships*

Persons appointed to employment relationships are operationally subject to the European Union, an international organization or an actor implementing a crisis management operation during the employment relationship.

Section 7 - *Leave of absence and continuation of an employment or civil service relationship*

- (1) Persons in central government service must be granted an unpaid leave of absence or a release from work obligations for the duration of an employment relationship referred to in this Act.

- (2) An employment or civil service relationship which a person to be appointed to an employment relationship referred to in this Act has at the time of the appointment must not be terminated by the person's employer on grounds of the latter employment relationship, nor must the employer give the person notice during this employment relationship.
- (3) When the employment relationship is terminated or interrupted, the person must be allowed to resume his/her previous employment or an equivalent employment observing, as appropriate, what is provided in the Act on the Continuation of the Employment and Civil Service Contracts of Persons Liable for Military Service Called to Service (570/1961).

Section 8 - *Holiday compensation*

Persons other than those referred to in section 7(1) are paid holiday compensation at the termination of an employment relationship referred to in this Act as provided in the Annual Holidays Act (272/1973).

Section 9 - *Family leave and sick leave*

The right of persons in employment relationships to sick leave, pay for the period of the sick leave and to absence from work related to childbirth and child care is determined in accordance with the general collective agreement for state civil servants and employees under contract.

Section 10 - *Group life insurance*

- (1) If a person in an employment relationship referred to in this Act dies, financial support equivalent to group life insurance is paid as agreed in the

collective agreement for state civil servants and employees under contract on benefits equivalent to group life insurance.

- (2) If a person in an employment relationship referred to in this Act dies and his/her successors in title are entitled to compensation paid on account of the death and on the basis of the same employment relationship by the European Union, an international organization or an actor implementing a crisis management operation, support referred to in subsection 1 is paid only to the extent it exceeds the said compensation.
- (3) The support is granted and paid on application by the State Treasury, following as appropriate the provisions in force on granting and paying financial support on account of the death of a person in central government service.

Section 11 - *Pension rights*

- (1) Provisions concerning pension rights arising from an employment relationship referred to in this Act are laid down in the State Employees' Pensions Act (280/1966) and the State Employees Survivors' Pensions Act (774/1968).
- (2) If the beneficiary is in employment as referred to in section 8(4)(1-3) of the State Employees' Pensions Act when an employment relationship referred to in this Act begins and ends, and, during the employment relationship, is on leave of absence or has been released from the first-mentioned employment, the employment referred to in this Act can be taken into account in accordance with section 10(3) of the State Employees' Pensions Act when determining the pension of the said beneficiary.

Section 12 - *General retirement age*

The general retirement age laid down in the State Civil Servants Act does not apply to employment relationships referred to in this Act.

Section 13 - *Basic salary*

- (1) The basic salary of persons appointed to employment relationships is determined according to the salary class based on the requirements of the employment.
- (2) Provisions on the salary classes are issued by a decree of the Ministry of the Interior.

Section 14 - *Compensation for conditions*

- (1) Persons appointed to employment relationships are paid compensation for conditions in order to cover special costs and increases in living costs, unless the daily allowances paid by the European Union, an international organization or an actor implementing a crisis management operation, or other compensations cover them.
- (2) Provisions on the amount of the compensation for conditions are issued by a decree of the Ministry of the Interior.

Section 15 - *Compensation for certain costs*

- (1) Persons appointed to employment relationships are paid compensation for additional costs incurred in carrying out their assignments, unless compensations paid by the European Union, an international organization or an actor implementing a crisis management operation cover them.

- (2) Provisions on the procedure to be followed in compensating for costs are issued by a decree of the Ministry of the Interior.

Section 16 - *Termination of employment relationships*

In addition to what is provided in the State Civil Servants Act on the termination of civil service relationships, an employment relationship referred to in this Act can be terminated if the assignment to which the person was appointed ceases to exist.

Chapter 3 - **Register of experts**

Section 17 - *Purpose of the register and the registrar*

- (1) The register of experts is a personal data file maintained through automatic data processing.
- (2) The data entered in the register may be used when recruiting persons for crisis management referred to in this Act.
- (3) The registrar is the Ministry of the Interior.

Section 18 - *Data sources and contents*

- (1) Persons may register themselves and enter in the register of experts:
 - 1) their name, date of birth and contact information;
 - 2) information on their education and training;
 - 3) information on their work experience;
 - 4) information on what kind of assignments they are interested in; and

- 5) their personal assessment of the adequacy of their health status in respect of said assignments.
- (2) The registrar is not responsible for the correctness of the data referred to in subsection 1 and entered in the register. The data entered in the register can be checked with the consent of the registered person from a data source reported by this person.
- (3) The registrar may enter information in the register on a person's participation in crisis management training provided by the Ministry of the Interior, on the beginning and ending dates of employment relationships referred to in this Act and on the assignments and posts of persons during employment relationships.

Section 19 - *Disclosure of data*

Necessary data entered in the register of experts may be disclosed for purposes of recruitment to the Ministry for Foreign Affairs, the European Union, international organizations or actors implementing crisis management operations, also through a technical interface.

Section 20 - *Data storage period*

- (1) Data entered in the register of experts are removed when two years have passed from registration, unless the person in question requests that the data concerning him/her be removed sooner.
- (2) Data concerning a person who is or has been in an employment relationship referred to in this Act are, however, kept in the register for two years after the termination of the last employment relationship.

- (3) The registrar is entitled to remove data entered in the register if they do not include the contact information of the person who has entered them or if the data are obviously incorrect.

Section 21 - *Other processing of data*

In other respects, the Act on the Openness of Government Activities (621/1999) applies to confidentiality and disclosure of data, and the Personal Data Act (523/1999) applies to the processing of personal data.

Chapter 4 - **Miscellaneous provisions and entry into force**

Section 22 - *Application of other provisions*

What is provided in the Accident Compensation for Civil Servants Act (449/1990) and in the Occupational Diseases Act (1343/1988) applies to the right to accident compensation of persons in employment relationships referred to in this Act.

Section 23 - *Entry into force*

- (1) This Act enters into force on 1 January 2005.
- (2) The provisions of chapter 2 of this Act apply to employment relationships to which persons have been appointed after the entry into force of the Act.