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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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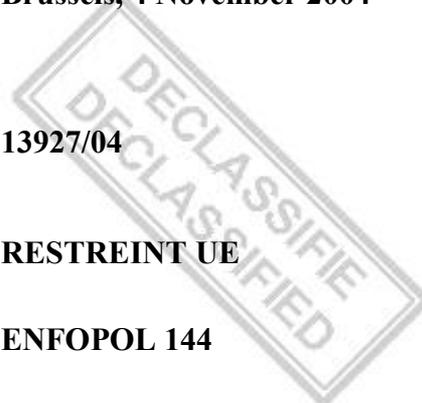
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NOTE

from: General Secretariat
to: Working Party on Terrorism

Subject : Evaluation of National Anti-Terrorist Arrangements
Report about Finland, 9 to 12 March 2004

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Evaluation of Finland 9-12 March 2004-10-26

SUMMARY



| | |
|---|----------|
| 1. Terrorism Situation | 3 |
| 1.1. Domestic Terrorism | 3 |
| 1.2. International Terrorism | 3 |
| 2. Structure of Authorities | 4 |
| 2.1. General Situation | 4 |
| 2.2. Political and Security Structure | 6 |
| 3. Conclusions | 7 |
| 3.1. Good Practices | 7 |
| 3.1.1. SUPO-Counter-Terrorism Unit | 7 |
| 3.1.2. Aircraft Security | 7 |
| 3.1.3. Prosecutor-General | 7 |
| 3.1.4. Joint Consultative Committee | 8 |
| 3.1.5. Liaison Officer | 8 |
| 3.1.6. Border Cooperation | 8 |
| 3.2. Recommendations | 8 |
| 3.2.1. National Crisis Centre | 8 |
| 3.2.2. Covert Investigation Techniques | 9 |

RESTREINT UE

1. Terrorism Situation

By international standards, Finland as regards international terrorism is still a safe country although the process of internationalisation has brought new forms of crime into the country.

No imminent threat of international terrorism exists in Finland nor is Finland considered a likely or priority target for terrorists. The possibility of terrorist attacks may not, however, be entirely excluded. The possible threat of terrorism has been taken into account in the precautionary measures which have been introduced or are being planned by various authorities. In this respect, particular attention has been paid to the strengthening of cooperation among the different sectors of administration.

1.1 Domestic Terrorism

Internally, radical groups and movements, and groups representing alternative sub-cultures come under the Security Police's supervision if and when their activities are considered to be illegal, or when they are deemed to include elements likely to endanger State security. In Finland, such criminal activities based on political, religious or other similar motives remained marginal and were mainly directed to violating the rights of individuals.

1.2 International Terrorism

The Finnish Security Police has operated in accordance with an accentuated threat level ever since 9/11, in order to monitor national and international extremist and terrorist groups considered to have the potential to endanger State security. Thus far, there have been no incidences of international terrorism, although individual members of terrorist organisations and extremist religious groups have been resident in Finland.

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However, the rapid internationalisation of crime has had its impact on Finland. Criminal elements from the neighbouring regions have become active within the jurisdiction of Finland. In this light and with a view to reinforcing crime prevention on all fields, the Finnish Police has entered into crime prevention agreements with its counterparts in Russia, Estonia, Latvia, Lithuania and Poland.

For the time being, no case of terrorism or related crime has been investigated in Finland.

2. Structure of Authorities

2.1 General Situation

Independent since 1917, Finland was part of the Swedish realm for some 600 years up to 1809, and then attached to the Russian empire for just over a century. In 1919, the Constitution was adopted and Finland became a republic. Finland joined the UN in 1955 and became a member of the EU in 1995. The present Constitution entered into force on 1 March 2000.

Finland has two official languages: Finnish, a Finno-Ugric language, is spoken by some 90 %, and Swedish, spoken by some 5 % of the population. Sami (Lappish) is the mother tongue of about 1.700 people.

Finland has about 5.2 million inhabitants, that is about 17 inhabitants per square kilometre. Helsinki, the capital and biggest city has about 560.000 inhabitants. In the Helsinki region the density is 1.200 people per square kilometre, while the average figure for Finnish Lapland is only 2. The great variation in population density in different parts of the country affects how the country is divided up to the administration units.

Finland has 5 provinces plus the autonomous Province of Åland; provinces are made up of one or more regions, all together 19, which are made up of 448 municipalities.

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A national mandatory identification document does not exist in Finland. When a Finnish child is born he/she will be given a personal identity number. That number is unique and remains unchanged with a person all his/her life thus functioning as identification of each individual. This number is printed on the person's health insurance card, driver's licence, passport etc. A foreigner residing in Finland over a year, and in some cases shorter time as well, is given the same kind of personal identity number. The personal identity number has been used in Finland over 30 years.

The Government is to be understood, on the one hand, as the body which convenes for the general governing of the country, consisting of the Prime Minister and other Ministers, and, on the other hand, the decision-making body for governmental and administrative matters consisting of the Government plenary session and the Ministries.

The 'security deficit' caused by the free movement of people, goods, services and capital within the EU area is offset by improving the cooperation between Member States in the fields of justice and home affairs to establish an area of freedom, security and justice.

Finland has ratified all twelve UN conventions and protocols related to acts of terrorism.

The new Finnish legislation on terrorist crimes¹, which is in force since 1 March 2003, implements the EU Framework Decision on Terrorism of 13 June 2002 in full.

¹ It added to the Penal Code a new chapter (34a - Terrorist Crimes) with sections on crimes committed with a terrorist purpose (section 1), preparation of such a crime (section 2), leading a terrorist group (section 3), participation in the activities of a terrorist group (section 4) and financing of terrorism (Section 5). In addition there are modifications on sections criminalising the infringement of the ban on biological weapons (chapter 11, section 7b), failure to report an aggravated crime (chapter 15, section 10) and hijacking (chapter 34, section 11). The modifications also add terrorist crimes in the prerequisites of the telecommunications interception (Coercive Measures Act, chapter 5a, section 2), telecommunications monitoring (CMA, chapter 5a, section 3) as well as technical surveillance (CMA, chapter 5a, section 4) and preparation and recording of DNA profiles (CMA, chapter 6, section 5).

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Finland cooperates closely with security authorities in neighbouring countries and EU. Moreover, the Ministry of the Interior is carrying out several projects which aim to assist police, immigration, border control and rescue authorities in the Baltic States, in particular in developing their operations.

2.2 Political and Security Structure

The Finnish Ministry of the Interior is responsible for immigration and refugee matters, and for national preparatory work on police and border control cooperation.

There is only one centralised police organisation in Finland which comes under the jurisdiction of the Ministry of the Interior. As such, its Police Department, acting as the Supreme Police Command, coordinates police operations across the whole country.

Finland has 5 provinces, each with an own Provincial Police Command², which has its local police units, divided into 90 State Local District police forces, plus the Helsinki Police District. The autonomous Province of Åland has its own police district.

The Supreme Police Command is superior to the Central Criminal Police³, the Security Police, and to the Provincial Police Commands and the Helsinki District Police. The Police District of Åland answers to the administrative authorities of Åland.

In the aftermath of 9/11, the Finnish Security Police got an additional budget for counter terrorism purposes.

² subordinate to the Supreme Police Command

³ Keskus Rikos Poliisi - KRP

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3. Conclusions

The Government of Finland introduced a wide range of measures after 9/11, and, at the same time, such action against terrorism as had already been on the agenda within international cooperation for a considerable time, was given renewed attention.

3.1 Good Practices

3.1.1 SUPO-Counter-Terrorism Unit

SUPO has an own Counter Terrorism Unit (CTU) dealing on full time basis among other things with Islamic extremist terrorist groups and their activities. CTU has intelligence gathering and police function and contact with similar units in other Member States. It participates in all EU fora, be they security or law enforcement related and thus gathers all relevant information in one unit.

3.1.2 Aircraft Security

The national airline company has made a decision that bullet-proof security cockpit doors will be installed in all its carriers. Steps to implement this decision have been taken from September 2002 onwards.

3.1.3 Prosecutor-General

According to the new legislation the prosecution in terrorist cases the decision to bring charges of a terrorist offence is always taken by the Prosecutor General, who assigns a prosecutor to the case. The reason is that the consideration of charges to prosecute or not to prosecute an act as terrorist crime involves deliberations on basic civil rights and liberties under the Constitution, and also on the existence of terrorist purpose in the criminal act in question. Moreover, vesting the right to bring charges with the supreme prosecutor also ensures uniform prosecution guidelines.

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3.1.4 Joint Consultative Committee

The Joint Consultative Committee of officers of the National Bureau of Investigation and the Prosecution Service, set up since 2001, has proven very effective in developing the cooperation of the police and the prosecutors in its various aspects, e.g. pre-trial investigations, witness protection and the chain of criminal proceedings.

3.1.5 Liaison Officer

The yearly mutual exchange of an officer of the Central Criminal Police with the Office of the Prosecutor has been reported as successful and useful for both parties and is reported to be continued.

3.1.6 Border Cooperation

Very positive practice was reported in the flexible management of external borders and coordination between all law enforcement and security services (Police, Customs and Frontier Guard), in particular the establishment of joint border stations (Customs and Frontier Guard) and the mutual assistance and replacement in their respective tasks (Customs performing person checks and Frontier Guards performing controls on goods according to their liability of human resources). SUPO provides intelligence regularly in order to have intelligence-lead checks at the borders, in return SUPO is provided with daily reports on all incidents occurring at the borders.

3.2 Recommendations

3.2.1 National Crisis Centre

Finnish authorities should reflect about a national alert system, and whether to operate a national permanent crisis or situation centre, with internal links to all relevant domestic security bodies and as a permanent point of contact for other Member States, to duly be prepared for international cooperation in case of a terrorist attack.

3.2.2 Covert Investigation Techniques

The specific covert investigation techniques mentioned in the current Police Act do not give the police, including the SUPO, the right of access to all associated data necessary for preventing terrorist offences, nor do they allow the police to bug⁴ with a view to prevent or uncover preparations for terrorist offences. Moreover, SUPO is not allowed to use interception of telecommunications in order to prevent or uncover terrorist offences. Finnish authorities should reflect about improving the legal possibilities of at least the SUPO to prevent terrorist offences by all possible covert technical means as legally used in most EU Member States.

⁴ Intrusive surveillance in the shape of installing a radio transmitter in a flat