

ENVIRONMENTAL CRIME IN FINLAND

Review 2024



National Working Group on Monitoring Environmental Crime

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Summary

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1 Introduction

In this Environmental Crime Report, incidents reported to the police, the Customs, and the Border Guard between 2019 and 2023 are presented by offence category. The statistics are compiled according to the offence type under which the act was investigated during the criminal inquiry. It should be noted that the offence classification may be subject to change when the case is submitted to the prosecution for consideration of charges, and again during judicial proceedings. The Report further provides illustrative examples of various environmental offences and includes statistical data compiled by both investigative authorities and the courts.

Compared to previous years, the total number of environmental offences referred to in Chapter 48 of the Criminal Code was higher in 2021. The number of environmental and natural resource offences under Chapter 48a of the Criminal Code also increased compared to the previous year. Offences endangering health and safety, as set out in Chapter 44 of the Criminal Code, include criminal acts that may have a significant impact on the environment. The number of such offences rose in 2023. Similarly, the number of violations classified as environmental offences increased in 2023. Overall, the number of offences statistically classified as environmental offences saw an upward trend in 2023. Approximately one in every three environmental offences investigated under Chapters 48a and 44 is referred to the prosecution authority.

The environmental supervision authorities and criminal investigation bodies have implemented the Environmental Crime Prevention Strategy and its Action Plan through inter-agency cooperation. The first revision of the Strategy was carried out at the beginning of 2021, and it remains in force until 2026. The fourth Action Plan was published concurrently.¹ An updated Strategy for the years 2023 – 2024 is scheduled to be prepared in autumn 2022. The Implementation Group, chaired by the Ministry of the Environment, monitors the Strategy's execution. Regional cooperation groups, established in 2016 by the authorities responsible for combating environmental crime, cover the entirety of the country. Thematic cooperation groups have likewise been formed and operate in close coordination with the regional bodies.

These groups have enhanced inter-agency collaboration and information exchange, organised joint training events, and planned and conducted joint operations which have led to the detection of environmental offences that would otherwise have gone unreported. As environmental crime largely consists of so-called dark figure crime — i.e. offences unreported and unrecorded — enhanced cooperation in detection has yielded positive results in solving such cases.

¹ [Environmental Crime Prevention Strategy 2021 – 2026 and the Action Plan 2021 – 2022 - Valto \(valtioneuvosto.fi\)](#)

As the authorities have become more organised during the implementation of the previous Strategy, the focus of environmental crime prevention will now shift towards improving the efficiency of operational-level activities. The aim is to prevent environmental crime by raising public awareness of obligations under environmental and nature conservation law, and by organising both informational and media campaigns on environmental crime-related themes.

The National Working Group on Monitoring Environmental Crime produces situational awareness regarding environmental crime in Finland. The Monitoring Group has issued annual reports on environmental crime since 1997. In 1998, it submitted its first report to the International Criminal Police Organization (INTERPOL). The development, monitoring, and annual reporting of environmental crime prevention in Finland have been internationally recognised as a unique example of best practices and a model for reporting.

Over the years, the Monitoring Group has made numerous recommendations to strengthen the fight against environmental crime, improve legislation, and enhance inter-agency cooperation. Many of these recommendations have been implemented in practice. Notably, the development of a national strategy to combat environmental crime was among the Monitoring Group's proposals and has since been realised.

The National Working Group on Monitoring Environmental Crime is chaired by Police Inspector Mikko Kiiski of the National Police Board, with Detective Chief Inspector Riku Lindqvist of the National Bureau of Investigation serving as secretary. The other members of the Working Group are:

- Chief Superintendent Juha Tuovinen, Ministry of the Interior
- Legal Adviser Leena Mäkipää, Ministry of Justice
- Legal Adviser Tia Laine-Ylijoki-Laakso, Ministry of the Environment
- Senior Customs Inspector Tarja Koskenlaakso, Customs, Crime Prevention Unit
- Senior Border Guard Inspector Silja Hallenberg, Border Guard Department, Ministry of the Interior
- District Prosecutor Heidi Nummela, South Finland Prosecution District
- Senior Adviser Hannele Nikander, Finnish Environment Institute
- Lawyer Ilona Varis, Häme Centre for Economic Development, Transport and the Environment
- Lawyer Heikki Holopainen, North Karelia Centre for Economic Development, Transport and the Environment

2 Collaboration between the Supervisory Authorities

The Centres for Economic Development, Transport and the Environment (ELY Centres) engage in regular collaboration with municipal environmental authorities in supervisory tasks, as their responsibilities are in part similar and occasionally overlapping. Environmental authorities, the police, Border Guard, the Customs, and rescue services cooperate in environmental matters both through established cooperation groups and on an ad hoc basis.

In recent years, the Customs has investigated several wide-ranging series of nature conservation offences. In the course of these investigations, the need for inter-agency cooperation between the Ministry of the Environment, the Finnish Environment Institute, the ELY Centres, and the Customs has become increasingly evident. This cooperation will be further consolidated and developed in the coming years. The expert roles of the Ministry of the Environment, the Finnish Environment Institute, and the ELY Centres intersect at many stages of the criminal investigation process. The Customs contributes to investigations with its expertise, cooperation with the prosecution, and international liaison. Regular information exchange and the development of joint training efforts are particularly necessary in view of the increasingly rapid impact of international criminal phenomena on Finland.

The Customs forms part of the European Union's customs system and thus serves as the supervisory authority for the import, export, and transit of goods. It is therefore only natural that Customs cooperates regularly with other environmental authorities in matters of enforcement and criminal investigation. Cooperation between the Customs and the Finnish Environment Institute is particularly crucial in the supervision and regulation of international waste shipments, in order to detect and prevent illegal transboundary movements.

In accordance with the National Inspection Plan, other supervisory authorities — namely the ELY Centres, municipal environmental authorities, and the police — will take a more active role in monitoring international waste shipments. Cooperation between the Customs and the Finnish Environment Institute also plays a significant role in the oversight of the transport of animals and plants subject to permit requirements, and in cases referred for criminal investigation concerning unlicensed or illegal transfers.

The Border Guard is the principal enforcement authority for ship-source pollution in Finnish sea areas. It is responsible for rescue operations in the event of oil and chemical discharges within Finland's territorial waters and exclusive economic zone (EEZ), and it also coordinates preparedness for such incidents. The Border Guard further decides on directing ships to places of refuge and draws up the corresponding plans in cooperation with the VTS service provider, the Finnish Transport and Communications Agency (Traficom), the Finnish Environment Institute, and

the Finnish Transport Infrastructure Agency.

Inter-agency cooperation is essential for both enforcement and prevention. In preventing environmental damage and detecting ship-source discharges, the main cooperating authorities are the Navy, rescue services, and Traficom. The Border Guard also works in close cooperation with the police, Traficom, and the Finnish Environment Institute in detecting ship discharges, both in establishing grounds for imposing administrative oil discharge charges and in criminal investigations.

Environmental offences are frequently committed for financial gain. Environmental obligations are often disregarded due to their perceived costliness. From the perspective of crime prevention, it is crucial not only to prevent offenders from profiting from environmental crime, but also to ensure that the proceeds of such offences are forfeited to the state. This reduces the financial incentive to neglect environmental responsibilities.

In environmental offences, the assessment of criminal proceeds is carried out through inter-agency cooperation. However, determining the amount of proceeds gained from crime is often challenging and constitutes one of the central issues in court proceedings. Only the additional profit obtained through the offence may be subject to forfeiture, as the forfeiture of criminal proceeds is not considered a punitive measure. Such proceeds may consist of additional income or savings generated, for example.

The principles of net and gross proceeds are frequently applied when calculating the correct amount. Courts must consider which expenses may be deducted in the assessment, in order to ensure that only the actual proceeds of crime are forfeited. Criminal proceeds must always be forfeited to the state, regardless of the gravity of the offence in question.

3 International and Police-to-Police Assistance

In 2023, the National Bureau of Investigation handled international requests for assistance and other exchanges of information in matters relating to environmental crime. To maintain global situational awareness, the National Bureau of Investigation and the Customs regularly exchange information with their foreign counterparts. INTERPOL and Europol also disseminate regular updates, reports, and communications on environmental crime to the law enforcement authorities of their member states.

4 Environmental Crime Related Threats

4.1 Situation in Finland

The environmental crime situation in Finland has remained largely unchanged for several years. In 2023, however, the number of environmental crime cases increased compared to the previous year. Environmental crime-related threats affecting Finland evolve as global circumstances change. In Central Europe in particular, the international transport and dumping of waste constitute serious and highly profitable forms of crime, in which organised criminal networks actively seek rapid financial gain. Based on investigated cases concerning illegal international waste shipments that have been referred to the prosecution authority, it may be concluded that Finland forms part of the Central European environmental crime landscape.

However, it is evident that only a fraction of environmental offences are reported to the criminal investigation authorities. Estimates of the dark figure of environmental crime are most often based on comparisons between Finnish crime statistics and those of Sweden and Norway. Statistically, there is more recorded environmental crime in Sweden than in Finland. It must be borne in mind, however, that national legal frameworks differ to some extent, and statistical data are not directly comparable. For example, the Swedish supervisory authority has a statutory obligation to report all suspected criminal activity to the police, which is not the case in Finland. Nevertheless, Swedish authorities estimate that the dark figure of environmental crime is also high in Sweden.

For years, the National Working Group on Monitoring Environmental Crime has highlighted the low risk of apprehension in environmental offences. One of the key threat and prevention concerns in the field of environmental crime is the risk that this low risk of apprehension encourages the growth of organised environmental crime committed as part of ordinary business activities in pursuit of financial gain.

In addition to this low likelihood of being caught, the sentencing practices of the courts appear to be relatively lenient in environmental crime cases. The most common sanction for impairment of the environment is a day-fine, while suspended prison sentences are imposed only in rare instances.

Sanctions imposed by the EU and other Western countries on Russian crude oil have affected oil transport in the Gulf of Finland and the wider Baltic Sea region. Maritime transport in and around Finland poses an environmental risk if vessel and cargo safety regulations are not complied with or are deliberately violated.

Following the imposition of sanctions, Russia has begun to operate a so-called "shadow fleet" to

transport oil by sea. The term refers to a fleet of tankers sailing under flags of convenience — that is flags other than those of sanctioning Western countries — used by Russia to circumvent the impact of the restrictions. Since May 2022, the Gulf of Finland Coast Guard has been monitoring changes in vessel traffic and the effect of sanctions on Russian oil product exports within its area of operations. The monitoring of tankers was intensified in late 2022, when the European Union extended its sanctions to cover Russian crude oil. One of the key aims of this monitoring is to assess the environmental risk posed by maritime traffic in the Gulf of Finland.

The risk of a marine environmental disaster in the Gulf of Finland is high due to oil tanker traffic to and from Russian ports across the Gulf of Finland. Based on the findings of the intensified monitoring, the volume of tanker traffic to Russia has not changed significantly since the start of the war in Ukraine on 24 February 2022, but significant and continuous changes have been noted in the flag states, the ownership base and insurances. It is also worth noting that the vessels Russia uses to transport oil are much older than before. The general condition of the ship's structures and equipment, which deteriorate with age, poses risks from a safety perspective. Based on the observed changes, it can also be noted that the number of vessels in the shadow fleet has increased. It is worth noting that some of these older vessels currently operating in the northern part of the Baltic Sea are sighted in the Gulf of Finland for the first time. During the monitoring period, approximately 25 per cent of the vessels over 20 years of age were observed in this sea area for the first time. The number of Russian oil tankers operating in the Gulf of Finland continues to increase, and it is likely that vessels over 20 years of age will continue to enter the area for the first time. These vessels further increase the risk of environmental disaster.

According to the Paris Memorandum of Understanding on Port State Control (Paris MoU) and its associated risk classification system, the number of sightings of vessels from third countries flying the flags of medium-risk states increased, particularly in the second half of 2022. Since the end of 2023, vessels flying the flag of Cameroon — classified as a high-risk flag state under the Paris MoU and included on the so-called black list — have been observed in the Gulf of Finland.

It is highly likely that, in the foreseeable future, vessels whose ownership cannot be fully established, as well as ageing vessels with incomplete insurance coverage, will continue to be sighted in the Gulf of Finland. Establishing responsible parties and enforcing liability in the event of an environmental incident is expected to be challenging, due to insufficient insurance policies and opaque ownership structures.

An additional challenge arises from the current security environment, which does not permit reliance on effective cooperation with Russia in the prevention and investigation of environmental disasters.

The Border Guard monitors vessel traffic in the Gulf of Finland with particular vigilance, incorporates observed changes into preparedness activities, and reports on them in quarterly reviews as part of inter-agency cooperation.

4.2 Situation in Neighbouring Countries

Environmental crime is globally recognised as a highly significant form of criminal activity. According to estimates, it generates the third-highest financial profit among criminal enterprises, following arms trafficking and drug crime. INTERPOL has estimated that environmental crime produces between 110 and 281 billion US dollars in criminal proceeds annually.² Actors involved in environmental crime are frequently connected through international networks, which is why international cooperation between law enforcement authorities is widely regarded as essential.

International threats posed by environmental crime may appear distant to those living in Finland. As a welfare state, Finland is geographically positioned in a way that eliminates many forms of environmental crime. For example, there is no crime related to access to clean water, and incidents involving unauthorised logging are extremely rare.

According to INTERPOL, threats posed by environmental crime fall into the following categories: fisheries crime, forestry crime, pollution crime, and wildlife crime. In the Finnish context, the most significant threats are pollution crime and criminal activity related to inadequate waste management. At present, plastic waste crime is not known to be a problem in Finland, although it is recognised as a global concern.

In 2021, international requirements for plastic waste shipments were tightened under both the Basel Convention and the EU Waste Shipment Regulation. With the adoption of the new EU Waste Shipment Regulation, the conditions for exporting plastic waste from the EU are set to become even stricter in the coming years.

Illegal international waste shipments are among the major environmental crime threats in Europe. Such cases are detected across the continent, including in Finland. Environmental crime within the EU takes many forms and includes unlawful activities that harm the environment, water, air, land, soil, flora, and fauna. Some offences may also have long-term aggravating effects on climate change.

Environmental crime is often linked to other forms of international criminal activity, such as

² [INTERPOL makes public appeal to help track environmental fugitives.](#)

financial crime, document fraud, and organised crime. Many cross-border environmental crime cases involve organised criminal groups whose involvement can be difficult to detect. Moreover, EU Member States appear to have differing definitions of organised crime, which complicates the application of best practices.

According to the key findings of the Europol report *Environmental Crime in the Age of Climate Change*, the majority of those involved in environmental crime are opportunistic owners of legitimate businesses or operators who seek to increase profits through criminal activity.³ Money laundering is used to conceal illicit financial gain by exploiting the same legal business structures in which the perpetrators operate. The report identifies document fraud, the abuse of legal discrepancies, and widespread corruption as the cornerstones of environmental crime, and further states that EU-based criminal networks are increasingly focusing their activities on the illegal transport of waste generated in Western Europe to Central and Eastern Europe. European actors operating beyond EU borders are, for the most part, involved in the illegal smuggling of plastic waste and end-of-life ships to Southeast Asia. Electrical and electronic equipment classified as waste is also illegally exported from Europe to Africa. One of the report's key findings is that the EU serves as a hub for the global illegal wildlife trade. While Europe is a major destination for wildlife, many wild animals are also transported to other continents through the EU.

Environmental crime may also be connected to drug-related crime. According to the Europol report, waste generated in the production of synthetic drugs and their precursors is among the main sources of environmental harm caused by organised crime in the EU. Organised environmental crime is also considered a threat in Finland.

The Europol report further notes that environmental criminals within the EU are increasingly generating seemingly attractive investment opportunities through environmental protection projects — so-called green investments — thus luring victims into investing in 'sustainable funds'. Criminal networks are also exploiting energy certification processes and emissions trading schemes, and this type of fraudulent activity is expected to become more prevalent in the near future.

According to Europol, identifying the criminal networks at the core of environmental crime remains one of the main challenges for law enforcement authorities. Most environmental offences are committed by legitimate businesses, which makes such crimes less transparent and more difficult to detect. These businesses are often short-lived, and commercial routes change frequently. This

³ <https://www.europol.europa.eu/media-press/newsroom/news/what-we-know-about-dirty-business-of-environmental-crime-in-age-of-climate-change>

reflects the adaptability of criminal networks and their tendency to employ innovative schemes to conceal their operations.

The Europol report provides an in-depth examination of the main types of environmental crime investigated in the EU, including waste and pollution crime, wildlife trafficking, illegal fishing, forest offences, and the illegal trafficking of pets. Particular attention is given to acts that accelerate climate change and to phenomena indicating the involvement of organised crime.

The growing scarcity of natural resources is likely to increase the profitability of organised environmental crime, as scarcity raises the value of such resources on the illegal market.

According to the Shipment of Waste Enforcement Actions Project (SWEAP) of the EU Member States' Network for the Exchange of Information and Cooperation between Environmental Authorities (IMPEL), recent changes in global waste trade and new import restrictions imposed by many non-EU waste-receiving countries have contributed to the rerouting of waste flows and a rise in illegal waste shipments.

For example, despite expectations, the introduction of new classifications for plastic waste and an export ban has not led to a significant increase in plastic waste transfer permits within Europe. As a result, it remains unclear where some of the plastic waste generated in the EU has ended up.

There is also a risk that as circular economy requirements become more stringent, the definition of waste may become increasingly ambiguous. This could lead to illegal waste exports, for instance by classifying materials as 'no longer waste' without sufficient justification.

Sweden

In Sweden, approximately 4,000 to 6,000 environmental offences are reported each year. In 2023, the total number of reported environmental crimes was 4,991 — an increase of 54 cases compared to the previous year. Statistics on offences under the Swedish Criminal Code are published on the website of the Swedish National Council for Crime Prevention.⁴

In 2023, criminal investigations were initiated in 2,509 environmental crime cases. Of all reported cases, approximately 7 per cent were referred to the prosecution authority for consideration of charges.⁵

⁴ [Brå - Brottsförebyggande rådet \(bra.se\)](#)

⁵ [Processed offences \(bra.se\)](#)

According to the statistics, approximately 145 criminal cases concerning protected species were filed in Sweden in 2023. In Finland, such cases are classified as nature conservation offences.

Norway

At the time of writing this Report, no statistics on environmental offences committed in 2023 had yet been published. However, in 2022, a total of 6,857 environmental offences and infractions⁶ and 2,049 hunting and fishing offences or violations were reported in Norway. According to the statistics, 2,697 environmental offences or infractions and 573 hunting and fishing offences were solved.⁷

Statistics on offences under the Norwegian Criminal Code are available on the website of Statistics Norway. In Norway, the national specialist unit for environmental crime prevention operates under the Norwegian National Authority for Investigation and Prosecution of Economic and Environmental Crime (Økokrim).⁸ Økokrim also publishes the Miljøkrim e-magazine, which can be downloaded from its website.

In addition to Økokrim, environmental crime is also investigated by local police departments, where investigators have received specialised training in environmental crime investigation.

Estonia

Very few actual environmental offences are recorded in Estonia. According to the information received, Estonia's 2023 statistics include a total of 25 criminal cases. Of these:

- 9 concerned forest-related offences
- 2 involved negligence in nature conservation
- 6 were related to fishing and hunting
- 1 involved environmental permits
- 2 concerned environmental pollution
- 2 involved negligence in chemical and waste management
- 3 related to negligence in international waste shipments

In addition to the above criminal cases, Estonia recorded a total of 991 infringement-level cases,

⁶ Offences against nature and the environment, Poisoning as a danger to public health and serious environmental offences, Other offences against nature and the environment.

⁷ [Offences investigated - SSB](#)

⁸ www.okokrim.no

of which 409 concerned fishing.

5 International Aspects

5.1 International Inter-Agency Cooperation

A wide range of international organisations and networks are actively engaged in preventing environmental and natural resource crime. For law enforcement authorities, the most important of these include INTERPOL, Europol, and the World Customs Organization (WCO).

Other key bodies for information exchange and cooperation include the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as well as the CITES Secretariat, which is responsible for the Convention's implementation.

In the field of environmental crime, authorities also cooperate within the frameworks of IMPEL (European Union Network for the Implementation and Enforcement of Environmental Law), ENPE (European Network of Prosecutors for the Environment), and EUFJE (EU Forum of Judges for the Environment).

In 2018 – 2019, the European Commission drafted an Action Plan on Environmental Compliance Assurance in cooperation with the Member States. One of the actions included in the plan focused specifically on the prevention of environmental crime. As a result, a guide on best practices for strategies to prevent environmental offences and violations was published in 2020. The guide compiled good practices particularly in the areas of waste crime and wildlife crime prevention.

In December 2021, a more comprehensive guidance document was published to support the work of environmental supervision authorities, the police, the Customs, prosecutors, and judges.⁹ This document, titled the Environmental Compliance Manual, was accompanied by a summary version.¹⁰

INTERPOL's Environmental Crime Programme consists of three working groups, operating in the areas of pollution crime, wildlife crime, and fisheries crime. Finland holds a permanent seat in the Working Group on Pollution Crime. Further information on INTERPOL's initiatives in

⁹ [Combating environmental crimes and related infringements - Publications Office of the EU \(europa.eu\)](#)

¹⁰ [Combating environmental crimes and related infringements - Publications Office of the EU \(europa.eu\)](#)

environmental crime prevention is available on INTERPOL's website.¹¹

Similarly, Europol has established a cooperation body for the development of best practices in environmental crime prevention, known as EnviCrimeNet.¹² Finland has had a police representative participating in EnviCrimeNet meetings since the network's inception.

In 2016, environmental crime was included among the EU's top crime-fighting priorities as a priority area under EMPACT (European Multidisciplinary Platform Against Criminal Threats). Environmental crime remains one of EMPACT's priorities for the 2022 – 2025 cycle. More information on the EMPACT cooperation platform is available on the EMPACT website.¹³

Finland is also a member of the OSPAR Convention (Convention for the Protection of the Marine Environment of the North-East Atlantic), which includes a dedicated network of marine environmental crime investigators and prosecutors, known as NSN (North Sea Network of Investigators and Prosecutors). The Convention focuses primarily on the North Sea and cooperation between the authorities of the coastal states. Finland attended the 2023 meeting of the network as an observer.

5.2 Eurojust and Environmental Crime

Eurojust assists prosecutors in environmental crime cases with international dimensions and supports national law enforcement agencies and prosecutors in handling serious cross-border crime cases. Eurojust was established in 2002 to enhance cooperation between the national authorities of the Member States in preventing serious cross-border crime affecting the European Union.¹⁴

Eurojust has 26 national representatives, one from each Member State. In addition, Denmark has seconded a representative, and liaison officers from third countries also work at Eurojust. The representatives, based in The Hague, are experienced prosecutors, judges, or police officers with equivalent powers.

Eurojust coordinates cooperation between national authorities throughout the various stages of criminal investigation and prosecution. It also helps resolve practical challenges arising from

¹¹ [Environmental crime \(interpol.int\)](https://www.interpol.int/en/What-we-do/Cooperation/Environmental-crime)

¹² [Home - EnviCrimeNet](https://www.europol.europa.eu/envi-crime-net)

¹³ [EU Policy Cycle - EMPACT | Organised Crime | Europol \(europa.eu\)](https://www.europa.eu/en/policy-cycle/empact-organised-crime)

¹⁴ [History | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](https://www.eurojust.europa.eu/en/history)

differences between Member States' judicial systems.¹⁵

Eurojust has a Financial Crimes Unit, which includes an Environmental Crime Sub-Unit. The Sub-Unit is led by a prosecutor who serves as the contact point for environmental crime cases and works in close cooperation with major stakeholders, such as the European Commission, ENPE (European Network of Prosecutors for the Environment), EnviCrimeNet, Europol, IMPEL, and relevant projects initiated by these bodies, as well as other stakeholders.

Within its remit, Eurojust has assisted in dozens of criminal investigations into environmental offences. The number of such cases remains low in comparison to other types of crime in which Eurojust is involved, largely due to the same factors that explain the low number of recorded environmental offences at the national level. If an offence is neither identified nor investigated at the national level, it will not be referred to Eurojust. Environmental offences are also often obscured in statistical data, as they are recorded under other categories of crime.

The majority of environmental crime cases handled by Eurojust have concerned the illegal trade in protected species and the illegal transport of waste. Eurojust has supported these investigations by providing legal insight across the legislations of different Member States, assisting in the execution of mutual legal assistance requests, coordinating prosecution activities, and facilitating witness hearings between courts in different Member States.¹⁶

6 International Instruments and Finnish Legislation on Environmental Crime

6.1 International Treaties on Environmental Crime

Finland has ratified a number of international treaties concerning energy and the environment. These treaties cover a wide range of areas, including the protection of bodies of water and the atmosphere, the exploitation and conservation of natural resources, waste, flora and fauna, energy, and space.

Examples of multilateral treaties signed by Finland include:

¹⁵ [What we do | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

¹⁶ Report by district prosecutor Heidi Nummela, who was a national expert in an environmental crime working group of Eurojust between 01 March and 31 October, 2018.

- the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel, 22 March 1989; Finnish Treaty Series 44–45/1992);
- the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (Washington, 3 March 1973; Finnish Treaty Series 44–45/1976);
- the Protocol of 1978 relating to the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) (London, 2 November 1973; Finnish Treaty Series 51/1983);
- the Protocol on Environmental Protection to the Antarctic Treaty (Madrid, 4 October 1991; Finnish Treaty Series 5/1998); and
- the Helsinki Convention (HELCOM) on the Protection of the Marine Environment of the Baltic Sea Area (Finnish Treaty Series 2/2000).

A total of 180 countries have signed the CITES Convention, which covers approximately 30,000 plant species and more than 5,500 animal species. Trade in more than 900 of these species is completely prohibited, while trade in the remaining species is subject to licensing. In this context, "trade" refers to the import or export of specimens across national borders.

Common CITES legislation has been in force in the European Union since 1984 and, as amended, since 1997 (Council Regulation 338/97/EC). In addition to regulating imports and exports across the EU's external borders, the CITES Regulations issued by the Council and the Commission also govern trade between and within Member States. The EU's import provisions are stricter than those required under the CITES Convention, regulating a greater number of species than listed in the Convention's Appendices.

In 2018, the Ministry of the Environment published a guide examining the impact of international environmental treaties on Finland. The guide reviews key environmental treaties concluded under the auspices of the United Nations and the associated environmental cooperation carried out under their framework.¹⁷

In spring 2023, the Council of Europe began drafting a new convention on environmental crime. The convention is expected to be completed by the end of 2024.

6.2 EU Law on Environmental Crime

A significant part of Finnish environmental legislation originates from the European Union. As EU legislation is issued primarily in the form of directives, it must be transposed into national law through Acts of Parliament or government decrees. The directives are usually minimum

¹⁷ [YO_2018_Kansainvaliset_ymparistosopimukset.pdf \(valtioneuvosto.fi\)](#). Summary in English, text in Finnish only.

harmonisation directives in nature, meaning that stricter levels of protection may be exceeded by national legislation.

In December 2021, the Commission adopted a proposal for a new directive on environmental crime, and in spring 2024, Directive (EU) 2024/1203 on the protection of the environment through criminal law — replacing Directives 2008/99/EC and 2009/123/EC — was formally adopted. The new directive aims to improve the criminal investigation and prosecution of environmental offences by expanding its scope and clarifying the definition of environmental crime. It also seeks to ensure that effective, dissuasive, and proportionate sanctions are available to the authorities, and to facilitate cross-border investigations and prosecutions and to enhance informed decision-making by improving the collection and dissemination of statistical data. It also seeks to strengthen the operational efficiency of national criminal justice chains, thereby improving the investigation, prosecution, and sanctioning of environmental offences.

The Directive contains, *inter alia*, minimum requirements regarding the offences to be criminalised and their legal consequences. It also sets out additional obligations aimed at strengthening efforts to combat environmental crime, including the prevention of such crime, education and training, and the drafting of a national strategy against environmental crime.

The implementation period for the Directive is two years. A working group under the Ministry of Justice tasked with preparing the national implementation of the Directive was established in May 2024, with its mandate running until 31 May 2025.

The new EU Waste Shipment Regulation (2024/1157) entered into force on 20 May 2024. The revised Regulation aims to strengthen the circular economy in the EU and the EU's self-sufficiency in waste management. It also seeks to combat and detect illegal waste shipments more effectively.

To this end, a monitoring group on waste shipments will be established. The amendments to the Regulation will also necessitate changes to national waste legislation.

The Regulation introduces stricter requirements for the export of waste outside the EU and for the conditions governing the export of waste for disposal in another Member State. The permitting and monitoring of international waste shipments will be transitioned to an electronic system.

The Regulation also introduces mandatory notification to authorities of shipments of so-called green-listed waste. This will improve access to information on such shipments and facilitate more effective enforcement against suspected illegal shipments. In addition, the Regulation includes specific restrictions on the export of plastic waste from the EU.

Most provisions of the Regulation will apply two years after its entry into force, while the restrictions on the export of non-hazardous waste to non-OECD countries will apply three years after the

Regulation enters into force.

The European Commission also adopts implementing and delegated acts to clarify and supplement specific provisions of the Regulation.

National transposition measures complementing the provisions of the Ship Recycling Regulation (Regulation (EU) No 1257/2013) entered into force in Finland in September 2017. The Regulation is based on the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, which has not yet entered into force. A sufficient number of countries ratified the Convention during 2023, and it is scheduled to enter into force on 26 June 2025.

Finland is in the process of acceding to the treaty, and a government bill for the adoption of the treaty was submitted to Parliament in autumn 2024. The same bill will also include additional proposals aimed at preventing marine pollution, limiting discharges into the sea, and implementing related EU legislation.

In February 2024, the EU reached a political agreement on amendments to the so-called Ship-Source Pollution Directive. The amendments extend the scope of the directive to cover all discharges into water from ships that are prohibited under the MARPOL Convention. They include a partial ban on the discharge of residues from exhaust gas cleaning systems (sulphur scrubbers). The amendments also aim to enhance the enforcement of vessel discharge bans and the effectiveness of the directive's sanctioning system. The deadline for implementing the amended directive is within 30 months of its entry into force.

6.3 Finnish Legislation on Environmental Crime

Environmental offences are regulated both under the Criminal Code and under specific environmental legislation. The most serious offences, for which custodial sentences are possible, are set out in Chapter 48 of the Criminal Code. The applicable penalties range from a fine to imprisonment of up to six years, depending on the severity of the offence.

With regard to the criminal liability of legal persons, the provisions of Chapter 9 concerning corporate fines also apply to environmental offences under Chapter 48. The inclusion of penal provisions in the Criminal Code underscores the seriousness and reprehensibility of such offences.

In addition to the Criminal Code, sector-specific environmental laws, such as the Waste Act, the Water Act, the Nature Conservation Act and the Environmental Protection Act, provide for various violations punishable by fines.

Natural resource offences, as defined in Chapter 48a of the Criminal Code, are closely related to environmental offences. These are criminal acts relating to hunting, fishing, and forestry activities, for which custodial sentences may be imposed.

Except for the aggravated hunting offence defined in Chapter 48a, Section 1a, corporate fines are not applicable to these offences. Less serious violations are regulated under the Hunting Act, the Fishing Act, and the Forest Act.

Environmental offences and natural resource offences are also subject to the forfeiture provisions laid down in Chapter 10 of the Criminal Code. Illegally obtained proceeds must be ordered forfeited to the State. In practice, a corporate entity may be required to compensate for, for example, the waste processing costs it has avoided through unlawful conduct.

Subject to certain conditions, criminal proceeds, instruments used in the commission of a crime, as well as objects and property that have been produced, manufactured or brought about by way of an offence, or against which the offence was directed, may be ordered forfeited to the State. In the case of a poached animal or an illegally collected plant, a sum corresponding to the value of the specimen as a representative of its species may also be forfeited to the State.

6.4 Recent Major Changes in the EU Law and Finnish Environmental Legislation

The new Nature Conservation Act (9/2023), which was prepared in 2020–2021 and for which the Government proposal was adopted in 2022, entered into force on 01 June 2023. The new Act replaced the previous Nature Conservation Act (1096/1996). The revised Act updates the legislation and strengthens its impact in promoting biodiversity and the sustainable use of natural resources. Key improvements include enhanced protection of species and habitats, improved management of nature-related data, strengthened conservation planning (including provisions for voluntary conservation), and measures to support adaptation to climate change.

The Act also introduces a new Section on provisions related to criminal matters (Section 129), according to which the nature conservation supervisory authorities are required to report any suspected violations of the Act to the police. The same Section also establishes the status of the ELY Centre as an injured party in criminal proceedings.

The new Nature Conservation Act (9/2023), which was prepared in 2020 – 2021 and for which the government proposal was adopted in 2022, entered into force on 1 June 2023. The new Act replaced the previous Nature Conservation Act (1096/1996).

The revised Act strengthens nature protection and updates the legislative framework to better

promote biodiversity and the sustainable use of natural resources. Key improvements include:

- enhanced protection of species and habitats,
- improved management of nature-related data,
- strengthened conservation planning, including conditions for voluntary conservation, and
- measures to support adaptation to climate change.

The Act also introduces a new Section on provisions related to criminal matters (Section 129), which requires nature conservation supervisory authorities to report any suspected violations of the Act to the police. The same Section also establishes the status of the ELY Centre as an injured party in criminal proceedings.

7 Enforcement and Control

7.1 Enforcement of Environmental Laws

7.1.1 Duties of the ELY Centres (the Centres for Economic Development, Transport and the Environment) and Municipal Environmental Authorities

In Finland, the main supervisory authorities for environmental legislation are the Centres for Economic Development, Transport and the Environment (the ELY Centres) and the municipal environmental protection authorities. In addition, the Finnish Environment Institute (SYKE) and the Finnish Safety and Chemicals Agency (Tukes) have certain supervision duties.

The ELY Centres (15 centres) act as the State's regional administrative authorities, alongside the Regional State Administrative Agencies (6 agencies). The ELY Centres contribute to regional development by carrying out executive and developmental tasks of state administration within their respective areas of operation.

Duties of the ELY Centres are laid down in the Act on Centres for Economic Affairs, Transport and the Environment (897/2009). These duties include environmental protection, land use and construction management, nature and landscape conservation, monitoring the state of the environment together with the Finnish Environment Institute (SYKE), waste management, the use and management of water resources, and matters relating to fisheries and rural affairs. In addition, the ELY Centres supervise compliance with environmental and water permits issued by the Regional State Administrative Agencies and safeguard the public interest in other environmental and water resource matters.

The ELY Centre's role in environmental crime cases depends, among other things, on the nature of the offence and the legislation that has been violated. The role is often twofold. As one of the environmental authorities, the ELY Centre may act as an expert in certain cases, while in others it may have the status of an injured party.

In criminal cases under the Environmental Protection Act, the Waste Act, and the Water Act, the State supervisory authority is considered the injured party if the public interest has been violated. The scope of representation has been further extended, as the ELY Centre has acquired the status of an injured party in criminal cases under Section 129 of the Nature Conservation Act (9/2023), which entered into force on 1 June 2023.

In addition, the ELY Centre may act as a competent authority under specific legislation, for example as a fisheries authority in cases involving violations of the Water Act. In municipalities, the municipal environmental protection authority is responsible for carrying out licensing and monitoring tasks prescribed by or pursuant to environmental legislation. Tasks of municipal environmental protection authorities are frequently carried out by municipal environmental boards. The tasks can also be carried out by municipalities working together, in which case the authority's tasks are carried out by a joint body of several municipalities. The authority may delegate its powers by sub-delegating tasks assigned to it to a subordinate municipal environmental protection officer.

The tasks of the municipal environmental protection authority are laid down in the Municipal Environmental Protection Authority Act (64/1986). Provisions on its statutory tasks are laid down in the Environmental Protection Act, the Waste Act, the Water Act, the Nature Conservation Act, and the Soil Materials Act, among others.

Since the municipality's role is to ensure a healthy, pleasant, stimulating, and sustainable living environment for its residents by protecting, managing, and caring for nature and the environment, the municipal environmental protection authority also plays an important role in environmental crime matters. Other relevant municipal authorities involved in environmental offence matters may include the municipal building control authority and the municipal health protection authority.

The division of powers between the State supervisory authority and the municipal environmental protection authority may be distinct, overlapping, or parallel. For example, their powers overlap in matters under the Waste Act, whereas in matters under the Environmental Protection Act, the ELY Centre supports the municipal environmental protection authority in matters falling within its scope of operations. Nevertheless, when carrying out the tasks assigned to it, the municipal authority acts autonomously and independently. In environmental crime cases, both the ELY Centre and the municipal environmental protection authority are often involved at various stages of the

criminal process.

The Environmental Protection Act requires the ELY Centres and municipal environmental protection authorities to draw up a monitoring plan for regular environmental monitoring within their respective areas of operation. The monitoring plan must include information on the state of the environment in the area, activities posing a risk of pollution, as well as the resources and methods available for monitoring. The plan must also describe the organisational structure for monitoring activities, criteria for risk assessment, and cooperation between the authorities responsible for monitoring.

Monitoring plans drawn up by the ELY Centres usually cover monitoring under the Environmental Protection Act, the Chemicals Act, the Waste Act, and the Water Act, among others. The ELY Centres and municipal environmental protection authorities carry out inspections of facilities under their supervision in accordance with these monitoring plans, ensuring that all facilities are inspected at regular intervals. The targets and frequency of inspections are determined based on an environmental risk assessment conducted for each facility. Inspections are also carried out based on citizen reports and in response to incidents occurring at the sites.

When the ELY Centres or municipal environmental protection authorities detect a situation of non-compliance, they are obliged to take action to bring the matter into compliance with the provisions of the relevant Act and administrative law. In addition to administrative follow-up, the monitoring authorities must always assess whether there is a need to submit a request for a criminal investigation.

As a general rule, monitoring authorities must report any suspected acts or omissions in breach of environmental legislation to the police for criminal investigation. However, no such notification is required if the act is considered minor under the circumstances and the public interest does not necessitate the bringing of charges.

If an ELY Centre is the injured party in an environmental crime matter, it has the right to be heard during the criminal investigation and in court. It also has an independent right to bring charges and to appeal against court decisions.

Municipal environmental protection authorities and the ELY Centres cooperate with the police and prosecutors in suspected environmental crime cases. Cooperation has been further intensified and developed since the establishment of the Regional Environmental Crime Cooperation Groups in 2016. Where necessary, environmental enforcement authorities act as experts in environmental law during criminal investigations and often also serve as prosecutor's witnesses in court proceedings.

In 2023, the ELY Centres submitted a total of 42 criminal investigation requests related to the enforcement of environmental legislation, the figure being slightly higher than in 2022 (34 requests) and corresponds to the average annual number of such requests made by the ELY Centres (approximately 40 per year). The requests concerned suspected offences under the Nature Conservation Act (28 %), the Water Act (24 %), the Environmental Protection Act (22 %), the Waste Act (18 %), the Land Extraction Act (6 %), and the Land Use and Building Act (2 %).



7.1.2 Duties of the Finnish Environment Institute (SYKE)

Under the Waste Shipment Regulation (EC) No 1013/2006, the Finnish Environment Institute is the licensing and supervisory authority for international waste shipments. It is also responsible for cooperation with other competent authorities in the supervision of such shipments. The supervision and enforcement measures are based on the National Inspection Plan referred to in the EU Waste Shipment Regulation. Focus areas for inspections are selected on the basis of a risk assessment. All types of waste are subject to inspection at the location where the waste is generated and, depending on the type of waste, during collection, transport, or processing.

The Finnish Environment Institute serves as the competent authority under the Ozone Regulation (EU) No 590/2024 and the F-Gas Regulation (EU) No 573/2024, and acts as the national market surveillance authority for the substances covered by these Regulations and for the equipment containing them. The Customs is responsible for supervising their importation. Supervisory authorities referred to in the Environmental Protection Act monitor the maintenance of refrigeration equipment as part of their wider statutory duties.

The Finnish Environment Institute is also the competent authority responsible for overseeing the use of certain internationally traded hazardous chemicals regulated under the POPs Regulation (EU) No 2019/1021 and the PIC Regulation (EU) No 649/2012. In addition, it monitors compliance with the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (Finnish Treaty Series 107/2004).

The Finnish Environment Institute is the designated licensing authority under the CITES Regulation (EC) No 338/97. The Regulation implements the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), and sets out provisions and permit requirements for activities involving CITES-listed species both within the EU and at national level. The Finnish Environment Institute is also the licensing authority as defined in the Act on the Protection of Whales and Arctic Seals (1112/1982).

The Finnish Environment Institute cooperates with Traficom to prevent the circumvention and infringement of the Ship Recycling Regulation (EU) No 1257/2013 and is responsible for the enforcement of the Regulation in Finland.

Finland is preparing to accede to the Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea. Parties receiving hazardous or noxious substances transported by sea as bulk cargo are required to report any cargo received in excess of the threshold value to the Finnish Environment Institute.

The Finnish Environment Institute acts as the competent authority under both the Government Decree on Quality Requirements for Motor Petrol, Diesel Oil and Certain Other Liquid Fuels (883/2022) and the Government Decree on the Sulphur Content of Heavy and Light Fuel Oil (908/2022).

The Finnish Environment Institute is responsible for the enforcement of these Regulations and provides the European Commission with the required information on the samples analysed under them.

The Customs is responsible for the collection and analysis of fuel and oil samples from

warehouses and distribution points, and informs the Finnish Environment Institute of the analysis results.

The Finnish Environment Institute also supervises the placing on the market of products covered by the Fuel Decree, as laid down in Section 24a, subSection 2 of the Environmental Protection Act. The powers of the market surveillance authorities are set out in Section 24b of the same Act.

7.1.3 Duties of the Finnish Safety and Chemicals Agency (Tukes)

To ensure technical safety, the Finnish Safety and Chemicals Agency (Tukes) is responsible for, among other things, supervising, inspecting, and issuing permits for the large-scale industrial handling and storage of hazardous chemicals. The agency investigates and records industrial accidents in the Damage and Accident Register (VARO).

The Finnish Safety and Chemicals Agency also maintains the qualifications register for refrigeration professionals and monitors compliance with their competence requirements.

7.2 The Police

The police are the general authority for crime prevention. They investigate crimes regardless of the nature of the criminal act. The police receive information about potential environmental crime through three main channels: from private individuals, from enforcement agencies or through their own findings, for example during routine law enforcement duties or in the course of a criminal investigation. As a rule, supervisory authorities are required to report any suspected offences they detect. A report is not required, however, if the criminal act is of minor significance and it has not violated the public interest.

The police must carry out a criminal investigation into a reported case if there is reason to believe that a crime has been committed. Criminal investigation is usually conducted by the local police, but it may be taken over by the National Bureau of Investigation, if so required by the nature of the case. When investigating environmental offences, criminal investigation authorities are nearly always required to make an advance notification to the prosecutor, as criminal investigations also often require close cooperation between the police and the prosecution authority. The Customs and the Border Guard also investigate environmental offences within their jurisdictions.

Approximately one in three environmental offences reported to the police is solved through criminal investigation. Once the investigation is complete, the case is referred to the prosecution authority. As a general rule, the prosecutor is required to bring charges if they consider the act to constitute a criminal offence under the law, there is probable cause to support the suspect's guilt,

and the other statutory requirements for prosecution are fulfilled. The prosecutor may, under certain conditions, decide not to prosecute a case.

If charges are brought, the case is heard by a District Court. If the decision is appealed, the matter is reviewed by a Court of Appeal, and, in some cases, may proceed to the Supreme Court.

7.3 The Border Guard

7.3.1 Duties of the Border Guard

Alongside its other statutory duties, the Border Guard has investigative competence regarding environmental offences and natural resource offences. In practice, the Border Guard primarily investigates natural resource offences, most commonly hunting and fishing offences, as well as petty violations of the above-mentioned substantive Acts falling under the supervisory remit of the Border Guard. The Border Guard also plays a key role in preventing and combating marine environmental crime.

The threshold for the Border Guard to initiate a criminal investigation into environmental offences is low. All environmental offences detected in the course of the Border Guard's own activities are investigated. Where possible, such cases are investigated by the agency itself, or, if necessary, referred to the police due to the scope of the investigation or limited investigative resources. Offences falling outside the Border Guard's jurisdiction are reported to the appropriate criminal investigation authority, namely the police or the Customs.

The Border Guard has responsibility for leading maritime rescue operations in response to accidents at sea. In practice, the Border Guard leads response operations in cases of oil and chemical discharges from vessels occurring in Finland's territorial waters, sea areas, and exclusive economic zone. It is the lead authority for monitoring discharges from vessels in Finland's territorial waters, as provided for in the Act on Environmental Protection in Maritime Transport.

In accordance with the Rescue Act (379/2011), the Border Guard is also responsible for preventing environmental damage. On the coast and in the archipelago, rescue services are responsible for leading the response to oil and chemical discharges from vessels.

The purpose of detecting oil discharges is to prevent and interrupt illegal discharges in Finland's territorial waters, to initiate oil spill response measures, to support the investigation of administrative oil discharge fees, and to ensure the conduct of criminal investigations where applicable.

The Border Guard's Dornier aircraft conduct patrol flights over Finnish waters on a near-daily basis. These flights comprehensively cover both Finland's territorial waters and its exclusive economic zone. Aerial patrols are coordinated with the Swedish and Estonian authorities, and the Border Guard also monitors parts of the territorial waters of these neighbouring countries.

The Dornier aircraft have been specially equipped in cooperation with the Finnish Environment Institute for the purpose of detecting oil discharges. The extensive detection efforts also serve as a deterrent. The system is complemented by the European Maritime Safety Agency's (EMSA) CleanSeaNet satellite imaging service, which provides satellite imagery of Finland's territorial waters. Similar to the airborne detection systems, satellite images enable the detection of potential oil discharges even at night and in cloudy weather conditions.

Satellite images and suspected oil discharges identified from them are forwarded to the Border Guard. The images are analysed by the Command Centre of the West Finland Coast Guard District. If necessary, the Command Centre dispatches an aircraft or another unit to verify the findings and to determine whether the substance observed is oil or another material.

The Border Guard also participates in the detection of airborne emissions from ships and the use of harmful anti-fouling systems applied to ship hulls.

The Control Regulation (EC) No 1224/2009, establishing a control system for ensuring compliance with the rules of the Common Fisheries Policy, requires all Member States to maintain Fisheries Monitoring Centres tasked with monitoring professional fishing activities and fishing effort. The Border Guard performs the duties of the Fisheries Monitoring Centre required under the Regulation.

The Border Guard also participates in the enforcement of Chapter 2a of the Marine Environmental Protection Act, which entered into force on 01 January 2022. The chapter governs the ship-to-ship transfer of harmful or dangerous cargoes and the transfer of fuel between vessels in Finnish waters and the exclusive economic zone.

In addition, the Border Guard enforces the obligation of such ships — those outside the scope of Title X, Article 1 of Directive 2002/59/EC of the European Parliament and of the Council (the "Tracking Directive") — to deliver ship-generated waste to port reception facilities in Finnish territorial waters and the exclusive economic zone.

7.3.2 Administrative Oil Discharge Fee

Under the Act on Environmental Protection in Maritime Transport, the Border Guard is the sole authority empowered to impose an administrative oil discharge fee. The legislation of Åland

extends the application of oil discharge fee provisions to its own territory, and the Border Guard is also responsible for imposing such fees in the region of Åland.

An amendment to the Act, which entered into force on 1 July 2021, extended the scope of the administrative oil discharge fee to also cover inland waters. The fee is imposed at the request of the police, who are responsible for detecting and investigating discharges from ships in inland waters.

According to the Act, a violation of the prohibition on discharging oil, oily mixtures, similar hydrocarbons, or other harmful substances used on board ships in Finnish waters or the exclusive economic zone is subject to an oil discharge fee, unless the spill is considered minor in both volume and environmental impact. Only discharges that are minor in both respects may be exempted from the fee.

However, an oil discharge fee will be imposed on a foreign ship in transit through Finland's exclusive economic zone only if the discharge causes or threatens to cause substantial damage to Finland's coastline, related interests, or the natural resources of Finland's territorial waters or exclusive economic zone.

The fee may also be waived or reduced in exceptional circumstances, such as when the discharge has occurred due to an emergency or accident in order to save human life, or another comparable reason.

The amount of the oil discharge fee is determined on the basis of the volume of oil discharged and the gross tonnage of the vessel, in accordance with the rates set out in the Annex to the Act on Environmental Protection in Maritime Transport.

The imposition of the administrative oil discharge fee does not require the identification of the individual responsible for the discharge on board the vessel, nor is it necessary to establish whether the act was intentional or negligent. However, the Border Guard must collect impartial evidence that the discharge originated from a specific vessel and that it did not result from the aforementioned exceptional circumstances.

The Border Guard conducts the investigation required for the administrative oil discharge fee procedure. If necessary, opinions regarding the environmental impact of oil discharges are requested from the Finnish Environment Institute. The Forensic Laboratory of the National Bureau of Investigation may be requested to analyse oil samples and provide expert opinions.

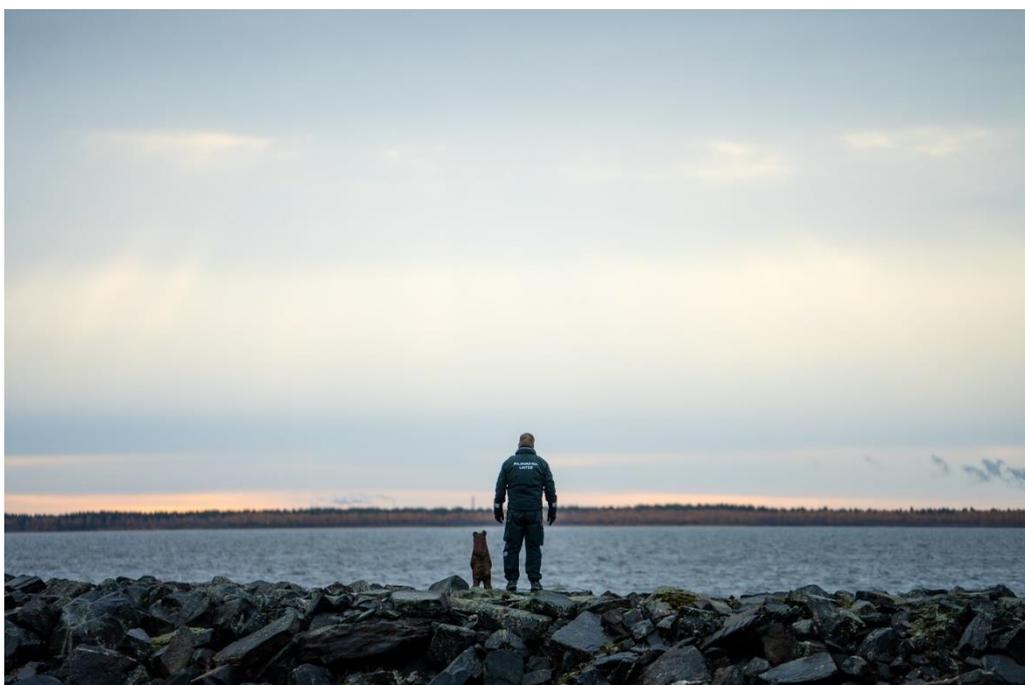
Responsibility for the administrative oil discharge fee procedure has been delegated to the West Finland Coast Guard in Turku, which leads the required investigations. All units of the Air Patrol

Squadron and the Gulf of Finland Coast Guard support the West Finland Coast Guard in these investigations.

Provisions on the administrative oil discharge fee were first introduced in the Act on the Prevention of Pollution from Ships (300/1979), which entered into force on 1 April 2006. When the general reform of legislation on discharges from vessels was implemented at the beginning of 2010, and the Act on Environmental Protection in Maritime Transport entered into force, only minor changes were made to the oil discharge fee provisions.

The administrative oil discharge fee is a considerably more severe financial sanction than a fine imposed under the Criminal Code. The legislation was largely modelled on the Swedish system. The key difference is that in Sweden, the amount of the oil discharge fee is based on annually adjustable rate criteria (*prisbasbelopp*) specified in national legislation, which allows for annual increases as needed. In Finland, by contrast, the oil discharge fees have remained unchanged since the entry into force of the Act. As they are based on the rate schedule annexed to the Act, any increase in the amount of the fee would require a legislative amendment.

According to a 2022 comparison, the oil discharge fee rates in Finland and Sweden were still very close to one another. In Sweden, the increase from the 2019 level to the year 2022 was 171 euros. However, between 2022 and 2024, the increase was considerably higher, amounting to 773 euros (SEK 9,000). In practical terms, this means that, for example, a discharge of 1,000 litres of oil from a 3,000 GT vessel in Sweden would incur an oil discharge fee of 9,846 euros, while in Finland the fee for the same discharge would be 8,556 euros. Although the difference may appear modest, it should be noted that as both the gross tonnage of the vessel and the volume of oil discharged increase, the difference in total fees becomes more pronounced, as illustrated in the accompanying table.



The Border Guard considers it important that the oil discharge fees in the two countries remain aligned, so that it does not become more economically advantageous to discharge oil in the territorial waters of one country rather than the other.

7.3.3 Criminal Sanctions and the Administrative Oil Discharge Fee

The criminal justice system takes precedence over the administrative oil discharge fee procedure. Where a court finds a person guilty of impairment of the environment, for example for an unlawful discharge of oil into the sea, no administrative oil discharge fee may be imposed on the defendant. If an administrative oil discharge fee has been imposed on such a party prior to the ruling, it must be annulled upon appeal.

To date, no administrative oil discharge fees imposed by the Border Guard have been annulled.

7.4 The Customs

7.4.1 Duties of the Customs

The Customs is tasked with facilitating lawful trade in goods and with protecting society, the environment, and citizens within its operational field. The Customs is responsible for the collection of customs duties, the customs control of imports, exports, and international transport, other customs clearance procedures, and the compilation of statistics on foreign trade.

The Customs is also a competent criminal investigation authority for offences falling within its jurisdiction.

To carry out its principal tasks, the Customs is organised into the Foreign Trade and Taxation Department, the Supervision Department, the Administrative Department, and the Customs Office Department.

The Customs comprises seven independent customs offices, each with its own subordinate offices. These are the Maritime Customs, the Airport Customs, the Vaalimaa Customs, the Nuijamaa Customs, the Imatra Customs, the Tornio Customs, and the Mariehamn Customs.

The Customs is part of the EU customs system. It is a government agency overseen by the Ministry of Finance through performance management.

The Customs cooperates with the private sector and with both domestic and foreign authorities.

7.4.2 Supervision and Control of the Import, Export and Transit of Endangered Species of Plants and Animals

The import, export and transit of endangered plant and animal species, and the products derived from them, as specified in the Annex to the EU CITES Regulation (338/97/EC), are subject to licensing requirements.

A significant proportion of CITES-listed products is imported into the European Union from third countries, and therefore the import restrictions serve to protect the environment and biodiversity of those countries. Conversely, the CITES-related export restrictions protect the environment of the European Union itself.

EU Regulation (338/97/EC) also governs activities involving these species both between Member States and within each Member State.

In Finland, the Customs is responsible for monitoring compliance with the regulations governing the international trade in endangered plant and animal species, as specified in the above-mentioned EU legislation.

7.4.3 Supervision and Control of the Transport of Dangerous Goods and Radioactive Substances

The Customs also plays a significant role in protecting the environment as the supervisory authority responsible for monitoring the transport of radioactive and hazardous substances. Shipments entering and leaving Finland are inspected at border crossing points by both customs officers on duty and mobile control teams. Effective control seeks to ensure that shipments in violation of the regulations are identified and addressed immediately at the border.

All major border crossing points are equipped with fixed radiation detection instruments — so-called radiation gates — for both passenger and freight traffic. In addition to these gates, the Customs also employs portable radiation meters.

In the early 2000s, some radioactive shipments were still returned to their countries of departure, but no such cases have occurred since then. A few alarms are triggered annually by vehicles passing through the gates; however, the levels of radiation detected have always been so low that locating the source has not been possible. Such alarms have typically been caused by materials such as calcium chloride, pottery, and fertilisers.

To date, no illegal shipments of actual nuclear materials (such as plutonium or uranium) have been detected.

The Customs has organised targeted inspections of the road transport of hazardous substances and has taken part in EU/EEA-wide waste shipment control operations coordinated by the Finnish Environment Institute.

Border controls in Finland are considered among the most effective in Europe, and the control systems have been significantly enhanced in recent years.

7.4.4 Monitoring and Control of Substances that Deplete the Ozone layer and Fluorinated Greenhouse Gases

To protect the ozone layer, the manufacturing, use, import, and export of substances that deplete the ozone layer are principally prohibited. The import and export restrictions enforced by the Customs apply both to substances that deplete the ozone layer and to products containing such substances. The restrictions apply equally to new, regenerated, and recycled substances.

The import of fluorinated gases into the European Union, whether as chemicals or incorporated in devices, is regulated and requires either a quota or a licence to use a quota. One of the duties of the Customs is to monitor and enforce the regulations concerning the import and export of the above-mentioned substances and devices containing such substances.

The Finnish Environment Institute is notified of any illegal substances and devices identified through control activities, and a criminal investigation is initiated, if necessary. The Finnish Environment Institute subsequently reports the illegal trade in substances that deplete the ozone layer and fluorinated gases to the European Commission.

7.4.5 Enforcement of International Waste Shipments

The Customs also enforces Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on Shipments of Waste (the Waste Shipment Regulation).

Section 22 of the Waste Act (646/2011) stipulates that the Finnish Environment Institute is the competent enforcement authority referred to in Article 53 of the Waste Shipment Regulation in Finland. It is also responsible for the enforcement of regulations governing cross-border waste shipments. The Finnish Environment Institute also serves as the contact point under the Waste Shipment Regulation.

Pursuant to Section 25 of the Waste Act, the Finnish Environment Institute enforces the provisions on international shipments of waste in cooperation with the Customs. Enforcement is based on

the national inspection plan referred to in the EU Waste Shipment Regulation.¹⁸

Customs authorities have focused on waste streams believed or found to be connected to illegal activities. These include scrap cars and their spare parts, as well as electrical and electronic scrap equipment. Inspecting export containers demands significant manpower, as the containers are fully loaded and it is often only after inspection that one can determine which parts of a shipment constitute scrap. It is not uncommon for certain items to be missing from export declarations or reported with insufficient detail. The Customs is also responsible for enforcing regulations and laws on international waste shipments.¹⁹

Gathering evidence can take a considerable amount of time, and the exporter is liable for any storage costs arising during that time. This is particularly relevant when a container is returned to Finland from another country, as transport and storage costs can become substantial.

Pursuant to the EU Waste Shipment Regulation, the Finnish Environment Institute may require the exporter to ensure that the waste is delivered for processing within a specified period. Should the exporter fail to comply, the Finnish Environment Institute may arrange for the waste to be delivered at the exporter's expense.

Under the EU Waste Shipment Regulation, exporters must be able to demonstrate that their shipments do not constitute waste. Second-hand goods may be considered waste unless sufficient evidence is provided to show otherwise.

The supervisory authority may request a detailed account of the goods from the exporter within a given timeframe. Failure to do so, or the submission of an insufficient account, may result in the shipment being treated as an illegal waste export.

Effective detection of illegal international waste shipments relies on smooth national cooperation between the Finnish Environment Institute and the Customs. In addition to domestic coordination and information exchange, the authorities also support international cooperation through various joint agency initiatives.

7.5 The National Prosecution Authority

The National Prosecution Authority comprises the Office of the Prosecutor General, which serves as the general administrative unit, and five prosecution districts: the Prosecution Districts of

¹⁸ [Kansainvälisten jätesiiirtojen tarkastussuunnitelma 2023_2025_0.pdf](#)

¹⁹ [Inspection plan for international shipments of waste 2023 - 2025](#)

Southern Finland, Western Finland, Northern Finland, Eastern Finland, and Åland. The National Prosecution Service has 30 offices across Finland.

The National Prosecution Authority operates a national system of specialisation. There are posts for specialised senior prosecutors, whose principal task is to prosecute the most challenging cases within their field of specialisation, regardless of the prosecution district in which they work. Based on the safeguarded legal interests, the areas of specialisation are divided into three categories: offences against economic life, offences against individual persons, and, more broadly, offences against interests relating to security and safety.

Environmental offences are classified as offences against interests relating to security and safety. There are currently three senior prosecutors specialised in environmental offences, alongside other prosecutors specialising in environmental offences who work within the prosecution districts. Each district also has an Environmental Crime Team, comprising prosecutors with a special interest in environmental crime, which enables the development of professional skills.²⁰

8 Environmental Offences Reported to the Authorities

The environmental crimes set out in this report are presented by offence type. The authorities responsible for investigating environmental crime are the police, the Customs and the Border Guard. The statistics on environmental crime are based on the offence under which each case was investigated. When cases are referred for prosecution and brought before the courts, the offence classification may change. The statistics do not fully reflect the actual state of environmental crime or provide information on threats to the environment, as the dark figure of environmental crime is considerable and the unreported volume of offences is unlikely to be detected by the authorities.

8.1 Environmental offences under the Criminal Code

Provisions on environmental offences are set out in Chapter 48 of the Criminal Code. These include *impairment of the environment*, *aggravated impairment of the environment*, *environmental infraction*, *negligent impairment of the environment*, *nature conservation offence*, *aggravated nature conservation offence*, and *building protection offence*. The minimum penalty is a fine, and

²⁰ [Frontpage | Syyttäjälaitos](#)

the maximum penalty ranges from six months' imprisonment to six years' imprisonment.

Environmental offences under the Criminal Code	2019	2020	2021	2022	2023
Impairment of the environment (Criminal Code, Chapter 48, Section 1)	188	210	182	179	225
Aggravated impairment of the environment (Criminal Code, Chapter 48, Section 2)	6	7	5	7	7
Negligent impairment of the environment (Criminal Code, Chapter 48, Section 4)	0	2	4	4	3
Environmental infraction (Chapter 48, Section 3)	222	269	212	179	166
Nature conservation offence (Criminal Code, Chapter 48, Section 5)	63	56	37	62	55
Aggravated nature conservation offence, (Criminal Code, Chapter 48, Section 5a)	1	0	1	0	0
Building protection offence (Criminal Code, Chapter 48, Section 6)	1	2	6	0	2
Total	481	546	447	431	460

Table 1. Environmental offences under Chapter 48 of the Criminal Code filed by the criminal investigation authorities in 2019 – 2023.

8.2 Impairment of the environment (Criminal Code, Chapter 48, Section 1)

Impairment of the environment refers, among other things, to placing, discharging or leaving an object or substance in the environment, or by breaching certain obligations set out in environmental or waste legislation, in a manner likely to cause pollution or a hazard to health. The statutory definition of the offence is highly complex, setting out various modi operandi together with numerous references to material environmental legislation. The offence is punishable when committed either intentionally or through gross negligence. Impairment of the environment is punishable by a fine or by imprisonment for up to two years.

The majority of suspected cases are investigated by the police, usually by the financial crime unit of a local police department. Environmental offences under investigation usually involve, among other things, the unauthorised disposal or storage of various types of waste on the premises of residential or industrial properties.

In addition to the police, the Customs and the Border Guard are also competent authorities to conduct criminal investigations into suspected cases of impairment of the environment. With regard to cases investigated by the Border Guard, this offence type mainly relates to illegal

discharges of oil from ships.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48, Section 1: Impairment of the Environment**

Varsinais-Suomi District Court, 27 June 2023, PK 23/126743, Case Ref. R 23/186

The defendant had operated under the business name "X", which had since ceased to exist. The company had been registered as a retailer of motor vehicle parts and accessories (excluding tyres). The Regional Environment Agency had withdrawn the environmental permit issued to the defendant. The decision to withdraw the permit, which became final following a decision by the Supreme Administrative Court, included provisions requiring the closure of the car dismantling business. After the decision became final, the dismantling of vehicles had to cease immediately, and the site was to be cleared of all waste within three months.

The defendant did not comply but continued his activities. Without a permit, he had professionally but unlawfully disposed of waste, including hundreds of car wrecks, tyres, and other scrap such as refrigerators and laundry machines, on his property and on a neighbouring property without the owner's permission. He neglected to clear the site as required. His actions caused littering and were likely to cause pollution.

8.2.1 Aggravated Impairment of the environment (Criminal Code, Chapter 48, Section 2)

Aggravated impairment of the environment is the more serious form of the offence of impairment of the environment. If the damage caused by impairment of the environment, or the risk of such damage, was particularly high, or if the offence was committed for substantial financial gain or in a particularly methodical manner, the offender may be convicted of aggravated impairment of the environment. The offence carries a sentence of imprisonment for not less than four months and not more than six years.

The criminal investigation authorities filed seven cases of aggravated impairment of the environment in 2023. In that year, most of the requests for a criminal investigation into suspected cases of aggravated impairment of the environment were made by the environmental authorities. The majority of cases involved littering the environment with various types of waste, although some investigations also concerned the unlicensed or unlawful use of soil materials.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48, Section 2: Aggravated Impairment of the Environment**

West Uusimaa District Court, 30 May 2023, PK 23/122308, Case Ref. R 23/1908

The case was handled through guilty plea proceedings under Chapter 5b of the Criminal Procedure Act. The defendant was X Oy's logistics coordinator. He also acted as a key representative of the company and had agreed and arranged the export of waste to Estonia. He coordinated transportation with carriers, arranged for the waste to be moved from Z Oy's waste treatment plants to Estonia, and notified the waste shipment to the authorities. As the actual operator, the defendant was responsible for ensuring compliance with the legislation in force.

Some 70 shipments of waste, amounting to 1,686.46 tons, were transported to Estonia under a false export permit. According to the charge, the damage caused to the environment or health, or the risk of such damage, was particularly serious in view of the uncontrolled disposal of a large quantity of waste and the resulting risks of littering and soil contamination, with an obvious risk of widespread and long-term environmental damage. A real risk already existed when the waste was shipped from Finland without a lawful destination for the waste at that time.

The defendant pleaded guilty and was sentenced to a suspended imprisonment of three months, applying the reduced scale. **(Decision is final.)**



8.2.2 Environmental Infraction (Chapter 48, Section 3)

Where the impairment of the environment referred to in Chapter 48, Section 1 of the Criminal Code is deemed petty when assessed as a whole, the offender shall be sentenced for an environmental

infraction. The offence carries a penalty ranging from a fine to imprisonment for up to six months.

Almost without exception, suspected environmental infractions reported to the police concern small quantities of waste or scrap discarded or disposed of in inappropriate locations. The offenders are usually unknown at the time the offence is reported. Where the offender is identified, the most common sanction is a fine imposed by the police.

Environmental infractions investigated by the Border Guard mainly concerned illegal oil discharges from ships that were deemed petty when assessed as a whole.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48, Section 3: Environmental Infraction**

Varsinais-Suomi District Court, 1 September 2023, PK 23/133060, Case Ref. R 23/842

The defendant used an angle grinder to cut the piping of a refrigerator in a company's yard, causing refrigerants and ammonia to leak out. Taking into account the minimal risk and damage caused to the environment or health, and the other circumstances surrounding the offence, it was considered petty as a whole. The District Court imposed 40 day-fines on the defendant for the environmental infraction and for two other offences punishable by a fine. **(Decision is final.)**

8.2.3 Negligent impairment of the environment (Criminal Code, Chapter 48, Section 4)

The penal provision on negligent impairment of the environment renders certain negligent acts punishable, even though they would not otherwise meet the threshold for impairment of the environment due to the requirement of imputability. According to the basic statutory definition, impairment of the environment constitutes a criminal offence only when committed intentionally or through gross negligence.

The application of this provision requires that the damage, or the risk of damage, caused to health or the environment is particularly serious. The offence carries a penalty ranging from a fine to imprisonment for up to one year.

Negligent impairment of the environment is a rare offence, with only a few criminal investigations conducted by the police each year. In 2023, three cases of negligent impairment of the environment were filed.

8.2.4 Nature conservation offence (Criminal Code, Chapter 48, Section 5)

Anyone who unlawfully destroys or impairs a natural area, an animal, a plant, or another natural

object protected under the Nature Conservation Act, or protected, restricted or placed under an injunction based thereon, shall be sentenced for a nature conservation offence. Other criminal offences include the import or export of protected plant or animal species in violation of the CITES Convention. The offence carries a penalty ranging from a fine to imprisonment for up to two years.

Nature conservation offences investigated by the police usually involve the unlawful destruction of plant or animal species, or unauthorised logging in protected areas. Many of the suspected cases concerned the killing of protected barnacle geese, nesting seagulls, or Siberian flying squirrels. Such cases are most often detected in international mail and passenger traffic, with online purchases in particular found to include unlawful products.

Nature conservation offence (Criminal Code, Chapter 48, Section 5)	2019	2020	2021	2022	2023
Police	58	52	34	61	53
Customs	4	4	2	2	3
Border Guard	1	0	1	0	1
Total	63	56	37	63	57

Table 2. Nature conservation offences under Chapter 48 of the Criminal Code filed by the criminal investigation authorities in 2019 – 2023.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48, Section 5: Nature Conservation Offence**

Helsinki District Court, 30 May 2023, PK 23/122030, Case Ref. R 22/5525

The defendant unlawfully disposed of an animal protected under the Nature Conservation Act. The defendant removed a seagull’s nest containing two eggs from the balcony of their flat. The seagull is classified as a protected bird.

The court imposed 25 day-fines on the defendant and ordered the forfeiture of 101 euros as the value of the nest, treated as criminal proceeds.

8.2.5 Aggravated nature conservation offence, Criminal Code, Chapter 48, Section 5 a

A nature conservation offence is deemed aggravated where, when assessed as a whole, it placed nature at serious risk, was committed for financial gain, or was carried out in a particularly premeditated manner. The offence carries a penalty of imprisonment ranging from four months to up to four years.

8.2.6 Building protection offence (Criminal Code, Chapter 48, Section 6)

Anyone who intentionally or through gross negligence, and without a permit required by law, demolishes, damages, impairs or covers a protected object in the built environment which is protected under the Land Use and Building Act shall be sentenced for a building protection offence.

In addition to the protection of actual buildings, the provision also applies to the destruction of relics referred to in the Act on Archaeological Remains, among other things. The offence carries a penalty ranging from a fine to imprisonment for up to two years.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48, Section 6: Building Protection Offence**

Lapland District Court, 4 October 2023, 23/138697, Case Ref. R 23/633

The defendant was charged with having demolished, destroyed and damaged a protected relic referred to in the Antiquities Act (295/63) without the permit required by law. Without an excavation permit under the Antiquities Act, he excavated a deserted winter settlement, parts of which are estimated to date from the 1600s to the 1800s, and some even earlier. The site was a unique relic protected by the Finnish Heritage Agency.

There were at least 21 pits in total, some of which were dug by the defendant using a shovel, others by removing the turf covering the relic. He excavated nearly all visible structures and their surroundings, causing extensive damage. The defendant found and took with him 120 ancient metal items, most of which dated from the 17th and 18th centuries. The artefacts included a salmon trident, several axe heads, arrowheads, firestrickers, lead balls for firearms, parts of shaman drums, buttons and rings.

The defendant continued to unearth and move the artefacts, taking them with him, even though he had reason to believe that doing so might damage them. He was aware that the objects were at least 100 years old and that his actions were likely to cause significant and irreversible damage to the site.

However, he contributed to the investigation and preservation of the artefacts by returning them to the Finnish Heritage Agency through a friend. The District Court imposed 40 day-fines on the defendant as a just punishment for his actions. **(Decision is final.)**

8.3 Natural Resources Offences under the Criminal Code

Chapter 48a of the Criminal Code sets out provisions on natural resource offences, which are

listed in Table 3. The penal provisions apply to hunting, fishing, forestry and timber-related activities, as well as the protection of the Antarctic. The Chapter also provides for a hunting ban with a minimum duration of one year and a maximum of five years. The number of natural resource offences recorded in 2022 was significantly higher than in the previous year.

Natural resources offences under the Criminal Code	2019	2020	2021	2022	2023
Hunting offence, Criminal Code, Chapter 48a, Section 1	120	149	135	138	126
Hunting offence, Criminal Code, Chapter 48a, Section 1	12	25	14	17	38
Fishing offence, Criminal Code, Chapter 48(a), Section 2	2	3	6	9	3
Forestry offence, Chapter 48a, Section 3	6	9	1	5	7
Unlawful exploitation of mineral resources in the Antarctic, Criminal Code, Chapter 48a, Section 3 a	0	0	0	0	0
Timber offence, Criminal Code, Chapter 48a, Section 3 b	0	0	0	0	0
Aggravated concealing pouched game, Criminal Code, Chapter 48a, Section 4	0	1	0	1	0
Aggravated concealing pouched game, Criminal Code, Chapter 48a, Section 4a	0	0	1	1	3
Total	140	187	157	171	177

Table 3. Natural resources offences filed by the criminal investigation authorities in 2019 – 2023.

8.3.1 Hunting offence, Criminal Code, Chapter 48a, Section 1

Anyone who intentionally or through gross negligence hunts using a prohibited trap or trapping method, hunts in violation of an order issued for the protection of game or without a hunting permit, or, when hunting, endangers or harms another person or their property, shall be sentenced for a hunting offence. The offence carries a penalty ranging from a fine to imprisonment for up to two years.

Hunting offences investigated by the Border Guard are committed in a wide variety of ways. Investigations begun in 2023 concerned suspected offences involving elk and wildfowl. Cases involving the use of hunting devices and methods prohibited under the Hunting Act were also investigated as hunting offences.

Hunting offence, Criminal Code, Chapter 48a, Section 1	2019	2020	2021	2022	2023
Police	116	141	124	131	113
Border Guard	4	8	11	7	13
Total	120	149	135	138	126

Table 4. Hunting offences filed by criminal investigation authorities in 2019 – 2023.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48a, Section 1: Hunting Offence**

North Savonia District Court, 6 June 2023, PK 23/123427, Case Ref. R 22/854

The defendant hunted in breach of the restriction on the use of motor vehicles laid down in Section 32 of the Hunting Act by shooting at a black grouse with a rifle immediately after stopping the car at a distance of approximately 20 to 30 metres – and in any event well under 100 metres – while the engine was still running, thereby taking advantage of the protection provided by the car. The black grouse was struck by the rifle shot.

8.3.2 Aggravated hunting offence, Criminal Code, Chapter 48

A hunting offence is deemed aggravated if it is committed in a particularly brutal or cruel manner, or if it involves a large quantity of game. An offence committed in a premeditated manner or with the aim of considerable financial gain may also be considered aggravated. The killing of certain species, such as wolverine, lynx, bear, deer, otter, or wolf, may also constitute an aggravated hunting offence, provided that the offence is deemed aggravated when assessed as a whole.

The media has extensively reported on the widespread hostility towards wolves, as well as the poaching of wolves and other large predators, in recent years.

In 2023, the criminal investigation authorities filed a total of 38 suspected cases of aggravated hunting offences. The police launched criminal investigations into 33 cases, and the Border Guard into 5 cases. Notable cases of aggravated hunting offences in 2023 concerned bears and wolves.

Hunting offences, such as hunting without the required permits and the unlawful killing of animals, are not always reported to the criminal investigation authorities. It is estimated that the detection and criminal investigation of hunting offences is also hindered by a 'law of silence' that may be observed by local residents and members of the hunting community.

Aggravated hunting offence, Criminal Code, Chapter 48	2019	2020	2021	2022	2023
Police	11	10	8	13	33
Border Guard	1	15	6	4	5
Total	12	25	14	17	38

Table 5. Aggravated hunting offences filed by criminal investigation authorities in 2019 – 2023.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48a, Section 1a: Aggravated Hunting Offence**

Lapland District Court, 6 July 2023, 23/127856, Case Ref. R 22/2264

The defendant had, contrary to the provisions of the Hunting Act, hunted a fully protected wolverine using a motor vehicle. He tracked the wolverine on a snowmobile for about 10 kilometres, and then aggressively chased it for about four kilometres, exhausting it. With the intention of killing the animal, he ran it over with the snowmobile and shot it in the head.

He then attempted to hide the wolverine by sinking it into a ditch through a hole made in the ice. The wolverine was still alive at that time. The defendant also tried to cover his tracks at the crime scene with the intention of evading criminal and civil liability.

According to the charge, since the offence involved the killing of a wolverine and was committed in a particularly brutal and cruel manner, it was to be considered aggravated as a whole, taking into account the way in which it was committed and the fact that the hunt took place over a long period of time and distance, causing considerable suffering to the animal.

The District Court sentenced the defendant to one year's suspended imprisonment and imposed 70 day-fines. He was banned from hunting for five years, ordered to surrender his hunting card to the game management association, and to pay 12,000 euros to the state as compensation for the value of the wolverine. The snowmobile was returned to the defendant on equitable grounds, as it had remained in the possession of the criminal investigation authority for two and a half years, despite the seizure having expired. **(Decision is final.)**



8.3.3 Fishing Offence, Criminal Code, Chapter 48a, Section 2

Anyone who fishes extensively in violation of an order issued concerning the protection of fish or crayfish, fishing gear, or the minimum size requirements for fish or crayfish shall be sentenced for a fishing offence. The offence carries a penalty ranging from a fine to imprisonment for up to two years.

Fishing offence, Criminal Code, Chapter 48a, Section 2	2019	2020	2021	2022	2023
Police	1	2	6	9	3
Border Guard	1	1	0	0	0
Total	2	3	6	9	3

Table 6. Fishing offences filed by the criminal investigation authorities in 2019 – 2023.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48a, Section 2: Fishing Offence**

Central Finland District Court, 12 June 2023, PK 23/124423, Case Ref. R 122/536

The defendant was fishing on a large scale in breach of the provisions governing individual fishing limits by using a total of 40 nets on the lake, whereas only 8 nets were permitted for recreational fishing. The District Court imposed 25 day-fines on the defendant. **(Decision is final.)**

8.3.4 Forestry and Timber offences, Criminal Code, Chapter 48a, Sections 3 and 3b

Anyone who violates a provision of the Forest Act relating to protected forest areas or other protected areas, or harms a natural environment that is particularly important from the perspective of natural forest biodiversity, shall be sentenced for a forestry offence.

Anyone who, in violation of the EU Timber Regulation, places unlawfully harvested timber or products manufactured from such timber on the market shall be sentenced for a timber offence.

The maximum sentence for a forestry offence is imprisonment for up to two years, and for a timber offence, imprisonment for up to six months.

➤ **Summary of a Selected Court Case, 2023 - Criminal Code, Chapter 48a, Section 3: Forestry Offence**

Central Finland District Court, 20 June 2023, PK 23/125965, Case Ref. 22/2826

The defendant, acting as a contractor for a forestry company, had acquired a 1.3-hectare plot of land. On one of the parcels, there was a natural or semi-natural habitat of particular importance for forest biodiversity, namely a small water habitat or spring referred to in Section 10 of the Forest Act.

Through intermediate felling, the defendant damaged the habitat to such an extent that its characteristics practically disappeared. The felling had been conducted in such a way that the immediate surroundings of the spring were cleared. The protected area had been known in advance but was difficult to detect in the forest.

The defendant was found guilty of a forestry offence, and in assessing the sentence, the long time that had elapsed since the offence and the fact that the defendant himself had reported the offence were taken into account. The District Court imposed 10 day-fines on the defendant and ordered the forfeiture of €1,000 from the forestry company as criminal proceeds. **(Decision is final.)**

8.3.5 Concealing of Poached Game and Aggravated Concealing of Poached game, Criminal Code, Chapter 48a, Sections 4 and 4a

Anyone who hides, obtains, transports, or markets game obtained through a hunting offence or fishing offence shall be sentenced for concealing of poached game.

The offence carries a penalty ranging from a fine to imprisonment for up to one year, and in the case of an aggravated offence, from a fine to imprisonment for up to three years.

8.4 Environment-related Offences Endangering Health and Safety under the Criminal Code

The offences endangering health and safety listed under Chapter 44 of the Criminal Code also include criminal acts that may have a significant impact on the environment. The protected interests under these provisions include human life and health, as well as personal property. Other penal provisions of the Criminal Code, as referred to above, may also apply to environmental offences.

In 2023, the total number of offences endangering health and safety increased significantly compared to previous years.

Offences endangering health and safety under the Criminal Code	2019	2020	2021	2022	2023
Health offence, Criminal Code, Chapter 44, Section 1	11	28	15	29	49
Endangerment of health, Criminal Code, Chapter 44, Section 1	0	4	8	3	5
Aggravated endangerment of health, Criminal Code, Chapter 34, Section 5	0	0	0	0	3
Unlicensed practice of veterinary medicine, Criminal Code, Chapter 44, Section 4a	10	7	12	12	10
Genetic technology offence, Criminal Code, Chapter 44, Section 9	0	0	0	0	0
Nuclear energy use offence, Criminal Code, Chapter 44, Section 10	0	0	0	0	0
Explosives offence, Criminal Code, Chapter 44, Section 11	145	133	133	142	154
Careless handling, Criminal Code, Chapter 44, Section 12	318	341	368	365	424
Radioactive material possession offence, Criminal Code, Chapter 44, Section 12 a	0	1	0	0	0
Transport of dangerous substances offence, Criminal Code, Chapter 44, Section 13	3	4	3	13	12
Total	487	518	539	564	657

Table 7. Offences endangering health and safety provided for in Chapters 34 and 44 of the Criminal Code filed by the criminal authorities in 2019 – 2023.

8.5 Violations under the Water Act

The penal provisions under the Water Act are set out in Chapter 16 of the Act. The criminal acts comprise the violation of a permit under the Water Act and violation of the Water Act itself, unless a more severe punishment for the conduct in question is provided for in the Criminal Code.

Permit violations include undertaking a water resources management project requiring authorisation without a permit granted by the competent authority, while violations of the Water Act include obstructing the free flow of water in a body of water and neglecting to inform the authorities.

Penal provisions of the Water Act, Chapter 16, Sections 2-3	2019	2020	2021	2022	2023
Violation of a permit under the Water Act, Chapter 16, Section 2	4	5	3	3	5
Violation of the Water Act, Chapter 16, Section 3	8	12	8	5	8
Total	12	17	11	8	13

Table 8. Offences under the Water Act filed by the police in 2019 – 2023.

8.6 Other Penal Provisions related to the Environment

In addition to the penal provisions presented above, there are more than two dozen provisions that apply directly to the environment or are otherwise related to it. Examples include Section 147 of the Waste Act, Section 225 of the Environmental Protection Act, Section 118 of the Fishing Act, Section 25 of the Off-Road Traffic Act, Section 58 of the Nature Conservation Act, Section 17 of the Land Extraction Act, and Section 7 of the Act on Fishing in the River Tornionjoki Fishing Region, all of which contain penal provisions.

Compared to the number of environmental and natural resources offences set out in the Criminal Code, the total number of minor offences is clearly higher. Table 9 shows violations reported to the criminal investigation authorities between 2019 and 2023. The authorities filed 160 violations of the Waste Act in 2023. In the same year, the police filed 393 violations of the Fishing Act.

A closer look at individual penal provisions reveals that some offences are rarely encountered in practice. Such acts include the Chemicals Act, the Act on the Protection of Buildings, and the Antiquities Act. Penal provisions that are very rarely applied have not been included in the table below.

Offences under other Acts	2019	2020	2021	2022	2023
Violations of the Waste Act	174	219	187	142	160
Fishing violation	430	506	362	402	393
Off-road traffic violation	174	160	195	180	158
Nature conservation violation	27	45	40	22	39
Violation of the Extractable Land Resources Act	4	3	3	4	3
Violation of the Act on Fishing on the Tornionjoki Fishing Zone	0	0	0	0	0
Violation of the Environmental Protection Act	28	13	16	23	14
An offence during the transport of dangerous goods	325	374	378	313	165
Building violation	42	33	23	29	33
Building protection violation	0	0	2	0	0
Violation of the Antiquities Act	0	1	1	0	0
Hunting violation	106	102	115	101	96
Forest infringement	25	90	63	53	38
Violation of the Hunting Act	129	188	166	160	139
Total	1464	1734	1551	1429	1238

Table 9. Other environmental violations filed by the criminal investigation authorities in 2019 – 2023.

➤ **Summary of a Selected Court Case, 2023 - Environmental Protection Act, Section 225: Violation of the Environmental Protection Act**

Kanta-Häme District Court, 6 July 2023, Case Ref. R 23/163

The defendant was the chair of the board of his own company and was responsible for its operations. The company held an environmental permit for the treatment and storage of surplus soil, as well as construction and demolition waste, on property owned by the company.

The defendant negligently failed to comply with the obligations set out in the environmental permit, by breaching provisions No 2 and No 10 as follows:

Under provision No 10 of the environmental permit, waste and surplus soil brought to the site could

be stored for less than three years. However, the company had been storing, at a minimum, concrete and electric poles on the site for more than three years, in violation of this provision.

Under provision No 2, the crushing of aggregates during phase 1 and the chipping of timber were permitted in the upper field. However, the company had carried out chipping of timber in the area between the upper and lower fields, thus violating the permit conditions.

There was approximately 900 m³ of wood waste on the site ready for chipping.

The defendant was found guilty of a violation of the Environmental Protection Act within the meaning of Section 225, Subsection 1, Paragraph 2 of the Act. The District Court imposed 20 day-fines on the defendant. **(Decision is final.)**

➤ **Summary of a Selected Court Case, 2023 - Land Use and Building Act, Section 185: Building Violation**

Kanta-Häme District Court, 30 May 2023, PK 23/122030, Case Ref. R 23/51

The defendant, without the authorisation or notification required under the Land Use and Building Act, commenced construction or took other action contrary to the Act or to the provisions and regulations issued thereunder. He also failed to comply with his obligations concerning construction and environmental management laid down in or imposed under the Act.

The defendant failed to obtain a building permit for the sauna buildings constructed on the property, as required under Section 125 of the Land Use and Building Act, and for the covered terrace under construction on the shoreline, as required under Section 126 of the Act.

The District Court imposed 35 day-fines on the defendant for two building violations. **(Decision is final.)**

➤ **Summary of a Selected Court Case, 2023 - Hunting Act, Section 74: Hunting Violation**

Varsinais-Suomi District Court, 26 October 2023, PK 23/142533, Case Ref. R 23/1241

The defendant hunted white-tailed deer without a hunting permit for the animal concerned, organised the hunt without appointing a hunting master, and hunted outside the area designated by the hunting permit.

The District Court imposed 20 day-fines on the defendant. **(Decision is final.)**

➤ **Summary of a Selected Court Case, 2023 - Fishing Act, Section 118: Fishing Violation**

Oulu District Court, 2 November 2023, 23/143818, Case Ref. R 23/2121

The defendants had, intentionally or through negligence, poached fish in violation of the provision on the minimum size of fish set out in the Fishing Act or provisions adopted under it. The defendants had deployed six 30-metre fishing nets in the lake and had caught at least 15 undersized trout. The minimum size for trout with adipose fins is 60 cm, and for those without, 50 cm. The defendants had shared the catch.

The District Court found that the fishing gear used was standard fishing gear and that it would have been difficult to avoid the unlawful catch. The overall number of fish (15) was not considered significant when assessed as a whole, and no financial gain had been sought through the offence.

The defendants were ordered, jointly and severally, to forfeit to the State a total of €6,080 as the value of the trout they had caught, and each was sentenced to 15 day-fines. **(Decision is final.)**

➤ **Summary of a Selected Court Case, 2023 - Forest Act, Section 74: Forest Infringement**

Oulu District Court, 6 November 2023, Decision No. 23/144233, Case Ref. R 23/1224

The defendant had neglected to submit a forest use declaration to the Finnish Forestry Centre. The landowners had authorised a forestry management association to handle a timber sale on their behalf. The defendant carried out the task on behalf of the association. An area of 10.4 hectares had been logged.

Under the agreement, the responsibility for filing the forest use declaration rested with the defendant. Logging took place between 15 and 20 July 2021. The declaration was submitted only on 6 August 2021.

As the defendant's work involved timber sales, he was considered to have had an enhanced duty of care in ensuring the forest use declaration was submitted, and the act was therefore considered to have been committed through gross negligence.

The defendant stated plausibly that he had submitted the declaration and the relevant form, but that the submission had not been recorded in the system. He also argued that he had contacted the Finnish Forestry Centre to resolve the matter.

The District Court found that the evidence presented was insufficient to prove that the defendant had failed to comply with essential duties of care, or that the omission had resulted from gross negligence. The charge of forest infringement was therefore dismissed. **(Decision is final.)**

8.6.1 Violation of the Waste Act

The majority of incidents reported by environmental authorities or private individuals are recorded as violations of the Waste Act. These typically involve littering, illegal dumping, or the uncontrolled handling of waste.

Private individuals or companies have neglected their duty to manage their own waste, and the waste – such as household waste, furniture, appliances, or construction debris – has been dumped in forests or other inappropriate locations.

The costs of collecting such waste are often borne by society, and in some cases by private property owners.

➤ **Summary of a Selected Court Case, 2023 - Waste Act, Section 147: Violation of the Waste Act**

Oulu District Court, 12 October 2023, Decision No. 23/140067, Case Ref. R 23/493

The defendants had jointly infringed the prohibition on littering under Section 72 of the Waste Act by disposing of waste in the environment in a manner that caused untidiness, a loss of amenity, and other comparable hazards and nuisances.

They had unlawfully been shooting clay pigeons and other practice targets on property owned by X Oy, which was used for sand and gravel extraction. More than a minimal amount of clay pigeon fragments, shotgun shells, and other debris was found in the soil of the property.

The District Court imposed 15 day-fines on each of the defendants and ordered them to reimburse the company concerned for the cleaning costs. **(Decision is final.)**

8.6.2 Oil Discharges and Spills Detected, and Oil Discharge Fees Imposed

In addition to Finnish territorial waters and the exclusive economic zone, the Border Guard also enforces laws and regulations on oil discharges from vessels operating in Estonian waters in the Gulf of Finland and Swedish waters in the Gulf of Bothnia.

A high percentage of oil discharges detected in territorial waters and the exclusive economic zone are promptly verified through surveillance. The responsible parties are subsequently subjected to the administrative oil discharge fee procedure.

The Border Guard participates in international cooperation with the Baltic Sea countries, in accordance with the principles agreed under the Baltic Marine Environment Protection Commission (HELCOM). This cooperation in oil discharge detection has proven effective in

practice. The busiest shipping routes are monitored in close cooperation with Sweden and Estonia.

Cross-border cooperation is particularly important in the Gulf of Finland, where vessels sail along the boundary between the Estonian and Finnish exclusive economic zones. Finland also actively participates in international operations in which specific sea areas are monitored by patrol aircraft deployed by several countries.

In 2023, a total of 37 sightings of potential oil spills were reported, and 23 oil discharges from ships were confirmed. Most of the confirmed spills occurred near ports or coastlines and were very small in volume. Oil discharge detection efforts focus on Finland's exclusive economic zone and territorial waters. As in previous years, the number of oil discharges in these areas remained low.

In 2023, six administrative investigations were initiated to assess the conditions for imposing an oil discharge fee. Three of these investigations were closed during the year, and the remaining three will be concluded in 2024.

A decision was made to impose an oil discharge fee in six cases. In two of these, the fee was waived under Chapter 2, Section 2 and Chapter 3, Section 1 of the Marine Environmental Protection Act.

In one case, an oil discharge fine of 11,292 euros was imposed on a foreign vessel.

8.6.3 Investigation of Oil Discharges and Administrative Proceedings

The Border Guard and the National Police Board agreed that, from the beginning of 2011, the Border Guard would assume responsibility for the criminal investigation of oil discharges from ships. The agreement covers criminal investigations within Finland's territorial waters and exclusive economic zone.

The Border Guard conducts criminal investigations into offences referred to in Chapter 13, Section 3 of the Marine Environmental Protection Act, as well as offences under Chapter 48, Sections 1 to 4 of the Criminal Code. It also investigates maritime environmental protection infringements involving non-compliance with provisions where it is the designated enforcement authority.

The police remain responsible for criminal investigations into ship-source discharges occurring in inland waterways.

During the year under review, no requests were made to refer a criminal investigation to the police.

The Border Guard has centralised the investigation of oil discharges from ships, together with

administrative investigations concerning oil discharge fees, within the West Finland Coast Guard. Criminal investigations into maritime environmental offences are carried out by the Head of Criminal Investigation and a criminal investigator, both of whom are specialised in the field. The Gulf of Finland Coast Guard and the Air Patrol Squadron also support the West Finland Coast Guard in measures related to the criminal investigation of oil discharges from ships.

In 2023, two criminal investigations into impairment of the environment involving oil discharges were initiated. In one case, the investigation will not be completed until 2024 due to its scope, whereas the other case was closed on a "no crime" basis.

Three cases were investigated as environmental infringements, and fines were imposed. In addition to oil discharges from ships, eight cases were referred for preliminary analysis under the Criminal Investigation Act. However, some of these investigations were closed because the essential elements of an offence were not met or the discharge was deemed minor. In some cases, criminal investigations were also discontinued because the suspected source of the discharge could not be identified.

In 2023, a criminal investigation was initiated into one case as a maritime environmental protection infringement. The case remains under investigation and is awaiting a statement from the Finnish Environment Institute. In this case, the vessel is suspected of having discharged pine oil into the sea.

8.7 Environmental Offences Referred to Prosecution and the Courts of Law

According to the statistics of the Prosecution Authority, the annual number of environmental and natural resources offences (collectively referred to as environmental offences) received by prosecutors is as follows:

Environmental offences	2019	2020	2021	2022	2023
Impairment of the environment (Criminal Code, Chapter 48, Section 1)	71	77	85	109	87
Aggravated impairment of the environment (Criminal Code, Chapter 48, Section 2)	7	3	9	13	3
Environmental infraction (Criminal Code, Chapter 48, Section 3)	30	37	26	15	22
Negligent impairment of the environment (Criminal Code, Chapter 48, Section 4)	0	3	0	5	2

Nature conservation offence (Criminal Code, Chapter 48, Section 5)	19	20	19	7	26
Building protection offence (Criminal Code, Chapter 48, Section 6)	1	1	1	9	0
Total	128	141	140	158	140

Table 10. Environmental offences and infractions referred to prosecution in 2019 – 2023.

Natural resource offences under the Criminal Code	2019	2020	2021	2022	2023
Hunting offence (Criminal Code, Chapter 48a, Section 1)	39	37	36	33	34
Aggravated hunting offence (Criminal Code, Chapter 48a, Section 1a)	7	7	8	5	16
Fishing offence (Criminal Code, Chapter 48a, Section 2)	1	0	3	0	3
Forestry offence (Chapter 48a, Section 3)	0	4	2	3	3
Unlawful exploitation of mineral resources in the Antarctic (Criminal Code, Chapter 48a, Section 3 a)	0	0	0	0	0
Timber offence (Criminal Code, Chapter 48a, Section 3 b)	0	0	0	0	0
Concealing poached game (Criminal Code, Chapter 48a, Section 4)	0	0	0	0	0
Aggravated concealing poached game (Criminal Code, Chapter 48a, Section 4 a)	0	0	0	0	0
Total	47	48	49	41	56

Table 11. Natural resources offences referred to prosecution in 2019 – 2023.

Offences endangering health and safety under the Criminal Code	2019	2020	2021	2022	2023
Health offence (Criminal Code, Chapter 44, Section 1)	7	8	6	7	9
Endangerment of health (Criminal Code, Chapter 34, Section 4)	0	1	1	6	3
Aggravated endangerment of health (Criminal Code, Chapter 34, Section 5)	0	0	0	0	1

Causing a risk of spreading an animal disease (Criminal Code, Chapter 44, Section 4a)	2	1	1	0	3
Genetic technology offence (Criminal Code, Chapter 44, Section 9)	0	0	0	0	0
Nuclear energy use offence (Criminal Code, Chapter 44, Section 10)	0	0	0	0	0
Explosives offence (Criminal Code, Chapter 44, Section 11)	42	47	40	55	44
Careless handling (Criminal Code, Chapter 44, Section 12)	63	59	63	52	80
Radioactive material possession offence (Criminal Code, Chapter 44, Section 12a)	0	0	0	0	0
Transport of dangerous substances offence (Criminal Code, Chapter 44, Section 13)	5	1	5	9	8
Total	119	117	116	129	148

Table 12. Offences endangering health and safety referred to prosecution in 2019 – 2023.

Penal provisions included in the Water Act	2019	2020	2021	2022	2023
Violation of a permit under the Water Act (Chapter 16, Section 2)	1	2	1	2	1
Violation of the Water Act (Chapter 16, Section 3)	3	3	3	0	0
Total	4	5	4	2	1

Table 13: Offences under the Water Act referred to prosecution in 2019 – 2023.

Offences under other Acts	2019	2020	2021	2022	2023
Violations of the Waste Act	12	24	25	20	10
Fishing violation	12	21	12	15	11
Off-road traffic violation	4	4	3	7	5
Violation of the Nature Conservation Act	4	9	6	7	3
Hunting violation	13	0	0	8	5
Forest infringement	4	0	0	13	9
Violation of the Environmental Protection Act	7	3	5	4	3

Transport violations (hazardous substances)	5	5	2	1	2
Building violation	12	14	6	13	10
Violation of the Extractable Land Resources Act	4	3	2	0	2
Total	77	83	61	88	60

Table 14: Other environmental offences referred to prosecution in 2019 – 2023.

In 2023, prosecutors brought charges for offences under Chapter 48 of the Criminal Code in 86 cases, representing 63.70% of cases. The average duration of the consideration of charges was 8.48 months.

A total of 42 charges were brought for offences under Chapter 48a of the Criminal Code, accounting for 69.05% of cases. In these cases, the average duration of the consideration of charges was 5.04 months.

The reported dismissal rate is subject to statistical uncertainties.

Year	Sentenced as charged	Charge dismissed in full or in part	%	All decisions
2019	135	49	26.63	184
2020	118	35	22.88	153
2021	138	48	25.81	186
2022	152	46	21.76	192
2023	70	46	39.66	116

Table 15: Trends in the number and percentage of charges for environmental offences and natural resources offences dismissed in whole or in part 2019 – 2023.

The average fine imposed for offences under Chapter 48, Section 1 of the Criminal Code was approximately 50 day-fines.²¹

²¹ Statistics Finland.

9 Conclusions

The National Working Group on Monitoring Environmental Crime has been monitoring environmental crime in Finland since 1997.

Where an environmental offence may carry a sentence of imprisonment, the relevant penal provisions have been incorporated into the Criminal Code. Various other Acts also contain more lenient penal provisions. This, together with the classification criteria for environmental offences, affects the monitoring of environmental crime. Finnish legislation provides for several criminal acts that also concern environmental matters.

Accordingly, it is difficult to take into account all instances of neglect and criminal acts related to the environment when monitoring environmental crime. This Report primarily focuses on monitoring environmental offences punishable under the Criminal Code.

Aggravated impairment of the environment typically occurs in the context of business activities and usually relates to the storing, handling, or dumping of waste materials, waste soil, and various chemicals, as well as unlawful excavation or the handling and storage of soil materials. Cases involving the handling of liquid manure, animal carcasses, and crops intended for destruction have also been recorded.

It is typical of environmental impairment committed in business activities that cases involve considerable criminal proceeds, damages, and significantly high restoration costs.

Environmental values are prioritised in assessing the seriousness of environmental offences and constitute the primary objects of protection. Greater weight could be placed on the costs of repairing environmental damage and potential restoration expenses when assessing the seriousness of environmental offences and the significance of environmental values. Restoration costs in even relatively minor environmental offences can be quite high. Failure to take this into account distorts the comparison between different types of crime and may result in legal practice that deviates from the principle of proportionality when compared to other offences. Moreover, in assessing the seriousness of such offences, it must be recognised that restoration does not always return the environment to its original state, nor can previously untouched nature be fully restored.

In April 2024, the European Union adopted a new Environmental Crime Directive, which entered into force on 20 May 2024. The implementation period for the Directive is two years.

The Directive introduces new criminalisation obligations and far more detailed rules on sanctions applicable to natural and legal persons, as well as requirements concerning limitation periods and jurisdiction. In addition, the Directive requires Member States, inter alia, to ensure periodic training

for relevant authorities on environmental crime and to prepare a national strategy to combat environmental crime in line with the Directive.

The implementation of the Directive is expected to strengthen both the fight against environmental crime and international cooperation.

Criminal activities related to technologies used in the circular economy are expected to increase. Criminal investigation authorities have, for example, investigated cases relating to biofuels in Western European countries. In any society, organised crime tends to penetrate those sectors where potential proceeds are highest.

Based on the overall picture of environmental crime, particular emphasis is placed on the smooth cooperation between supervisory and criminal investigation authorities, the prevention and detection of criminal offences, the confiscation of criminal proceeds, informing the public, and the implementation of the Environmental Crime Prevention Strategy and Action Plan.

The fight against environmental crime is pursued through environmental crime prevention strategies and operational action plans. Environmental supervision authorities play a key role in developing environmental protection and control, and therefore in the prevention of environmental offences.

Accordingly, a network of environmental crime prevention liaison officers has been established to share expertise and good practice. Successful prevention reduces the number of environmental offences reported to and detected by the criminal investigation authorities.

The active role of regional cooperation groups is emphasised in developing inter-agency cooperation between the authorities. Each police department has its own regional working group focused on environmental crime, and these groups have contributed significantly to inter-agency cooperation and to building the overall picture of environmental offences in Finland. Through effective regional cooperation, authorities aim to respond to unlawful acts swiftly and efficiently.

Environmental crime may produce considerable financial and other illegal benefits. To prevent such crime from being profitable to the perpetrator, specific attention should be paid to tracing and recovering criminal proceeds at the criminal investigation stage. Active inter-agency cooperation is essential in tracing and recovering the proceeds of crime. The evaluation of criminal proceeds is not always straightforward when a request for investigation is made. At the beginning of the criminal investigation, possible proceeds are not always known or have not been clearly specified. The amount of criminal proceeds is assessed throughout the criminal process. Proceeds, or a part thereof, may remain unclaimed if they are not properly presented and emphasised in the request for investigation.

Releasing information to the public on measures taken by different authorities, the results of investigations, and court decisions can contribute to the prevention of environmental crime in general. Training and guidance in matters relating to environmental crime should be an ongoing process. The National Monitoring Group emphasises the need to raise the level of expertise on environmental crime among authorities and to allocate resources in a manner that enhances specialist expertise in environmental crime prevention.

The unstable situation in Europe and the sanctions imposed on Russian crude oil call for the further strengthening and intensification of cooperation between authorities in preventing, detecting, investigating, minimising damage, and holding perpetrators accountable for environmental crimes committed in the context of local or international conflicts.

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