



ACTION PLAN FOR THE PREVENTION OF ILLEGAL IMMIGRATION AND RESIDENCE 2017–2020

1/2017

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Abstract Illegal immigration across the external borders of the EU, outside border crossing points, reached record-breaking levels in 2015. Illegal immigration to Europe has proliferated and become less predictable over a period of five years. Even in Finland, the operating environment has been transformed in the last year from the perspective of immigration prevention and maintaining security. Illegal residence in Finland is forecast to increase. The years 2017–2020 will be crucial from the perspective of controlled residence in the country and the prevention of illegal immigration. In addition to Finland's northern location, illegal immigration and residence in the country are probably less attractive because immigration control, the asylum process and the implementation of decisions on removal from the country, are known to be effective. In addition, there are no open shadow labour markets in Finland. These factors should help to prevent illegal immigration and residence in the country. However, individuals who have received a negative decision on their asylum applications are expected to form an entirely new group of people staying illegally in Finland. The consequences of this phenomenon will affect not only the Ministry of the Interior, but also the administrative branches of the Ministry of Social Affairs and Health, the Ministry of Economic Affairs and the Employment, the Ministry of Justice, the Ministry of the Environment and the Ministry for Foreign Affairs. The effects will also extend to municipalities and various organisations. The third Action Plan for the prevention of illegal immigration and residence focuses on the transformation of the operating environment during 2015–2016, and the resulting challenges. The recommended measures recorded in the Action Plan will assist in maintaining internal security regardless of the drastic changes in the immigration situation. Key aspects of the Action Plan include ensuring the exchange of information between authorities, the effectiveness of decisions on removal from the country and enhanced immigration control inland, in a way that corresponds to the new situation. The Action Plan includes 25 proposed measures, whose implementation is assigned to various authorities. Success in preventing illegal immigration is monitored and coordinated by a cross-sectoral working group of public officials engaged in combating illegal immigration. The working group also monitors the practical implementation of the action plan by various authorities, and reports on the implementation of measures to the Ministerial working group on migration at least once a year. The National Bureau of Investigation has prepared a threat assessment type review of the status of illegal immigration as background for the Action Plan (Action Plan sections 4–4.6). The review outlines the situation at national frontiers and at Europe's external borders in November 2016. The report also includes the viewpoints of the Ministry for Foreign Affairs, the Finnish Immigration Service and the Ministry of Social Affairs and Health on illegal entry and residence in the country.	

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1. INTRODUCTION

Illegal immigration across the external borders of the EU, outside border crossing points, reached record-breaking levels in 2015. According to Frontex, approximately 1.8 million illegal border crossings were observed, 880,000 of these on the route in the Eastern Mediterranean from Turkey to Greece. However, these figures include people counted several times, so the actual number of individuals who arrived to the EU area is about 1.1 million. In 2014, approximately 283,000 illegal border crossings were detected.

When the previous action plan on illegal immigration was being prepared in 2011, about 140,000 border crossings were entered in statistical records; even this indicated a growth of 35 per cent compared with 2010. Illegal immigration to Europe has proliferated and become less predictable over a period of five years.

Even in Finland, the operating environment has been transformed in the last year from the perspective of immigration prevention and maintaining security. However, illegal residence in Finland is not a new issue. In the past few years, the number of people residing in Finland illegally has been slightly more than 3,000 per year. According to statistics maintained by the National Bureau of Investigation, in 2014 a total of 2,933 aliens illegally resident in the country were found; in 2015, that figure was 14,286. In 2016, a total of 2,314 aliens illegally resident in the country were found.

However, illegal residence in the country is forecast to increase.

In previous years, the majority of illegal aliens found in Finland have been asylum seekers who have submitted their applications inland and have not had a document entitling them to immigrate to the country. Another significant group of illegal persons found in the country has been individuals suspected of violations of the Aliens Act.

Individuals who have received a negative decision on their asylum applications are expected to form an entirely new group of people staying illegally in Finland. The number of enforceable negative decisions will increase significantly in late 2017 and 2017, and it can be predicted that not all those who receive a negative decision will leave the country, even if they have an opportunity to do so.

Although the situation with asylum seekers has calmed down this year, one should be aware that the situation remains very sensitive. The issue with asylum seekers involves many different uncertainty factors globally and even within Europe's borders, which make it difficult to estimate the number of asylum seekers and those who illegally enter Finland and stay here in the future.

Measures aimed at the prevention of illegal immigration are not an attempt to prevent or exacerbate the entry of refugees or asylum seekers to Finland or their legal residence in the country.

Until this year, Finland was not an attractive country for illegal residence. The risk of a growing phenomenon has been identified, and the risk of its expansion is predicted to be 2017.

The years 2017–2020 will be crucial from the perspective of controlled residence in the country and the prevention of illegal immigration. In addition to Finland's northerly location, illegal entry and residence in the country are probably less attractive because immigration control, the asylum process and the implementation of decisions on removal from the country are known to be effective. In addition, there are no open shadow labour markets in Finland. These factors should help to prevent illegal immigration and residence in the country.

Upcoming years will show whether illegal residence in Finland will increase or whether such growth can be prevented through action by the authorities. By the beginning of October, the number of people found in Finland illegally does not seem to have increased by much.

The consequences of this phenomenon will affect not only the Ministry of the Interior, but also the administrative branches of the Ministry of Social Affairs and Health, the Ministry of Economic Affairs and the Employment, the Ministry of Justice, the Ministry of the Environment and the Ministry for Foreign Affairs. The effects will also extend to municipalities and various organisations.

Due to the legal status of illegal residents in the country, their right to receive services from society is limited. These services must be provided in a consistent manner, at the specified level, throughout the country. Supportive measures voluntarily arranged by various organisations must be noted with regard to this subject.

Identified risks involved in illegal residence in the country include:

- social exclusion
- the risk of becoming involved in criminal activities, abused by criminal groups, as a victim of an offence, or as a perpetrator
- illegal residence increases shadow employment and the grey economy
- increase in new kinds of criminal phenomena and collaboration between criminals across borders
- increase in the activities of extremist movements
- deterioration in public safety
- overload of social welfare and health care services.

Key aspects to maintaining controlled immigration and preventing illegal residence include a quick and efficient asylum process, effective supervision of aliens inland, the maintenance of border security and prevention of illegal border crossings, successful enforcement of deportation decisions, and the capability to analyse and discover potentially dangerous risky individuals among asylum seekers resident here who can have an impact on the internal security of Finland.

Social exclusion is one of the key threats to internal security. Illegal residents run an especially high risk of becoming excluded. They are also at risk of ending on a path of crime in order to survive, or of being exploited by criminal groups. If the number of illegal residents becomes large and ghetto areas spring up, this will also cause different threats to internal security. For both the individuals themselves and for social order, it is important to prevent illegal immigration and support measures that steer aliens to arrive in the country legally.

The goal with combating illegal immigration is to prevent and expose illegal immigration to Finland and its organisation, illegal residence in the country, human trafficking, and other cross-border crime. Finland has not been an especially attractive country to illegal immigrants. Indeed, the goal of preventing illegal immigration is to maintain the current, controllable situation and to develop preventive action as part of the cooperation between Member States of the European Union, the Schengen countries and countries of departure for illegal immigration. In addition, supervision of aliens inland must be further enhanced to monitor the large-scale immigration that occurred in the autumn of 2015, and to prevent any negative consequences that may ensue.

Cross-sectoral cooperation between various authorities is necessary for the prevention of illegal immigration, so the resources of the various organisations can be utilised as efficiently as possible. Maintaining high-quality official collaboration and developing cooperation and coordination is an important theme in this action plan.

The "ASYL" function, established in the National Bureau of Investigation to prevent illegal immigration and enhance cooperation between authorities proved its effectiveness and necessity in 2016. After asylum investigations were transferred to the Finnish Immigration Service on 1 March 2016 and matters on permits for foreigners on 1 January 2017, the significance of exchange of information between the Finnish Immigration Service and the police and other authorities, in particular, will be further emphasised. The ASYL function has and will have a preventive effect from the perspective of maintaining security.

Although this action plan for the prevention of illegal immigration and residence speaks a great deal about asylum seekers and crime possibly associated with them, one should remember that the majority of asylum seekers who have come to Finland behave without reproach while they are here, aiming to be a natural part of the society they have entered and where they have sought asylum. Also, illegal residence, as a phenomenon and in practice, does not merely involve aliens who have entered the country as asylum seekers.

This action plan was prepared by assignment from the ministerial working group on immigration appointed by the Government of Prime Minister Juha Sipilä. The working group on combating illegal immigration, under the leadership of the National Police Board, monitors the realisation of the Action Plan and reports on this to the ministerial working group.

The prevention of illegal immigration is most effective and most affordable for society, when illegal immigration can be prevented before access to the Schengen Area. According to an international estimate, preventing the illegal immigration of one person saves society EUR 30,000–50,000 in costs.

Of measures after the fact, the costs to the police for removal-from-country activities related to the enforcement of deportation decisions alone totalled approximately EUR 3.3 million in 2015. This amount resulted in about 3,180 removals from the country. The police participated in or implemented more than 6,600 cases of enforcement of deportation decisions in 2016. In 2016¹, the actual costs of deportations enforced by the police amounted to about EUR 5.3 million by the middle of November. Frontex, the European Border and Coast Guard Agency, pays compensation for deportation flights on the basis of various agreements that have been made. In 2016, the amount reimbursed by Frontex will be an estimated EUR 1.75 million. The costs of removal from the country are affected by, for example, the locations of such enforcement and the need for providing escorts.

In 2016, an estimated EUR 3 million will be spent on assistance and travel costs for voluntary returns. The International Organization for Migration, IOM, implemented a total of 2,113 voluntary returns in 2016, with 1,500 of these to Iraq.

Waiting for the enforcement of deportation decisions and removals from the country at reception centres and detention units cause millions of euros in costs every year.

Readiness related to large-scale illegal immigration must be maintained at an increased level, and attention must be paid to the following circumstances:

- With transfers of authority related to the asylum process and matters on permits for foreigners;
- cooperation between the police, the Border Guard and the Finnish Immigration Service must be significantly developed and enhanced;
- The organisational change within the National Police Board concerning the status of the Finnish Security Intelligence Service requires development and enhancement of cooperation between the Finnish Security Intelligence Service and the rest of the police;
- Collaboration between various authorities and the third sector must be developed, and the exchange of information must be made smoother;
- Employers' activity in verifying requirements for employment must be enhanced (incl. the prevention of the grey economy);
- The competence of the police and other authorities in matters related to illegal immigration must be improved, because this issue applies to a greater number of civil servants than before.
- The removal-from-country process must be efficient, and obstacles to such effectiveness must be eliminated.

In the prevention of illegal immigration, it is extremely important to observe fundamental and human rights and to take the legal security of individuals into consideration.

¹ The figures for the 2016 costs are unofficial and unconfirmed.

The third national Action Plan for the prevention of illegal immigration is aimed at implementing the goals mentioned above.

After the introduction, the second section of the action plan lists and describes the measures agreed to be implemented, during the programme period, for ensuring the prevention of illegal immigration and for maintaining the situation in controlled immigration.

The focus of the action plan comprises measures made inland for preventing illegal immigration and for ensuring internal security. The Action Plan includes 25 proposed measures, whose implementation is assigned to various authorities. Some of the measures are new, others were included in the earlier action plan, but their implementation has been deemed necessary to be continued further.

The action plan also describes the monitoring and reporting mechanism in place.

The National Bureau of Investigation has prepared a threat assessment type review of the status of illegal immigration as a background for the Action Plan (Action Plan sections 4-4.6). The review outlines the situation at national frontiers and at Europe's external borders in November 2016. It evaluates how the situation at Europe's external borders may affect Finland and presents an analysis of how the potential growth in the number of asylum seekers and the increase in illegal residence is estimated to affect illegal residence and immigration, and other crimes related to these.

The review section also includes the viewpoints of the Ministry for Foreign Affairs, the Finnish Immigration Service and the Ministry of Social Affairs and Health on illegal entry and residence in the country.

The final section of the action plan contains a numbered list of recommended measures.

1.1 WORKING GROUP ON COMBATING ILLEGAL IMMIGRATION

Success in preventing illegal immigration is monitored and coordinated by a cross-sectoral working group of public officials engaged in combating illegal immigration, working under the leadership of the National Police Board. The goal of this group's work is to monitor and develop illegal immigration, in all its sections.

The duties of the working group on combating illegal immigration are to

- a) monitor and exchange information on phenomena related to illegal immigration and residence
- b) develop cooperation and exchange of information between the authorities related to the prevention of illegal entry
- c) contribute to the development of the prevention of illegal immigration, and to make proposals on the development of such activities
- d) monitor, assess and report on the implementation of the action plan for the prevention of illegal immigration, and to start preparations for a new action plan in good time before the end of the current programme
- e) ensure that up-to-date information on the prevention of illegal immigration is available for the decision-making process. To fulfil these duties, the working group steers the preparation of the scenario drafted by the National Bureau of Investigation.

Besides the National Police Board, the working group includes the Finnish Security Intelligence Service, the Border Guard, Customs, the Finnish Immigration Service, the Ministry for Foreign Affairs, the Ministry of Social Affairs and Health, the Ministry of the Interior, the National Bureau of Investigation, the Helsinki Police Department, and the Finnish Prosecution Service.

The working group prepares an annual, cross-sectoral assessment report on the prevention of illegal immigration whose purpose is to produce up-to-date information about the status of such prevention at various authorities.

1.2 ILLEGAL IMMIGRATION AND RESIDENCE

The Aliens Act prescribes the preconditions on which aliens are allowed to reside in Finland. Illegal immigration and residence mean unauthorised entry and residence in the country, where an alien does not have a travel document, visa or residence permit required by the Aliens Act and/or the Schengen Borders Code, or another right to arrive and/or reside in Finland. Legal residence in the country may become illegal, for example, if a person stays in the country longer than permitted, changes the purpose of their residence without a permit required by an authority, or when an asylum seeker or another person does not leave the country after receiving a negative decision.

2 RECOMMENDED MEASURES

Illegal immigration and residence involve a phenomenon that crosses national borders. Combating and preventing it effectively require close cooperation between authorities and efficient exchange of information.

The third Action Plan for the prevention of illegal immigration and residence focuses on the transformation of the operating environment during 2015–2016, and the resulting challenges. The recommended measures recorded in the Action Plan will assist in maintaining internal security regardless of the drastic changes in the immigration situation. Key aspects of the Action Plan include ensuring the exchange of information between authorities, the effectiveness of decisions on removal from the country and enhanced immigration control inland, in a way that corresponds to the new situation.

The section on measures also lists projects that were not implemented during the previous action plan period but which are still deemed significant in terms of the prevention of illegal immigration.

Measures aimed at preventing illegal immigration or residence must always take account of the realisation of fundamental and human rights, and the right to seek international protection. Furthermore, in the context of enforcement of removal-from-country decisions, it is necessary to observe absolute prohibition decisions.

The recommended measures are numbered sequentially, and they include the party with principal responsibility for implementing the measure.

1. ASSESS THE NEEDS AND POSSIBILITIES FOR DEVELOPING LEGISLATION TO ENHANCE THE INVESTIGATION OF VIOLATIONS OF THE ALIENS ACT

Criminalisation of violations of the Aliens Act is not effective in all respects. The current maximum punishment for a violation of the Aliens Act is a fine, and current criminalisation does not enable effective measures according to the Coercive Measures Act, such as searches.

Repeated violation of prohibition on entry, mainly punished as a violation of the Aliens Act, is typical especially with persons who have been banned from entering the country on the basis of an offence. An ever greater number of violators of prohibition on entry are EU citizens, mostly Estonians. People suspected of violation of prohibition on entry commit a large number of other crimes while residing in Finland.

The measures on immigration policy passed by the Government on 11 September 2015 and the action plan on asylum policy published by the Government on 8 December 2015 require that a punishment of imprisonment be prescribed as a sanction for violating prohibition on entry, as is the case in the other Nordic countries.

The threat is that a group of illegally resident aliens will form in Finland, if asylum seekers who have been issued a decision on removal from the country cannot be forcibly returned to their home countries. Measures have been introduced into legislation that hopefully encourage people with a decision on removal from the country to leave Finland without measures by the authorities, because deportation to all countries with official measures is not possible. Such measures include, for instance, stopping reception services to people who can return to their home country voluntarily, and a system of assisted voluntary return where the return of those with a decision on removal from the country is supported financially. If an individual with a negative decision does not leave but stays in the country without a permit entitling residence, that person can be sentenced to a fine for a violation of the Aliens Act. Methods for investigating such violations are fairly limited; for example, the investigation of a violation of the Aliens Act does not enable a search of a person illegally resident in the country.

Recommended measure

The Ministry of Justice, together with the Ministry of the Interior, assesses the needs and possibilities for developing legislation to enhance the investigation of violations of the Aliens Act. The progress of measure No. 24 is taken into account in the preparations.

Principal responsibility

Ministry of Justice, Ministry of the Interior

2. TAKING POSSESSION OF A TRAVEL DOCUMENT FOR THE DURATION OF THE ASYLUM PROCESS

The need to take possession of an asylum seeker's travel document is related to securing the enforcement of removal-from-country decisions. Forced returns to most countries are extremely difficult, and to some countries impossible, without a national travel document. If a deportation decision cannot be enforced, this has a decisive effect on the completion of the asylum process in cases where an asylum seeker has received a negative decision. Also, the lack of a travel document can increase illegal residence in the country. There are several states that do not issue a home journey certificate to their own citizens who do not wish to return, so removal from Finland can be prevented if the original travel document has been lost.

If a person who has applied for international protection is unwilling to abide by a deportation decision, the risk exists that that person, in order to exacerbate their removal from Finland, intentionally disposes of their travel document at the point when the enforcement of the deportation decision begins. Consequently, if the authorities do not take possession of an asylum seeker's travel documents when they are found on them, the "loss" of the travel document during the process can prevent the enforcement of the deportation decision, and the applicant with a negative decision stays in the country illegally.

Preconditions for taking possession of a travel document according to the Aliens Act have been laid down in the following situations.

Pursuant to section 61 of the Aliens Act, the authorities may take temporary possession of an alien's travel document while a matter related to a visa, residence permit or travel document is being processed if it is necessary in order to verify the correctness of the alien's personal data or to enter a visa in the travel document. According to the provision, the travel document shall be returned to the alien as soon as its possession by the authorities is no longer necessary for processing the matter. The alien has the right to regain possession of the travel document temporarily for travelling or taking care of necessary affairs, and the authority must issue the alien with a certificate of a temporary possession of the travel document.

On the basis of section 132 of the Aliens Act, the authorities may take possession of a false or forged travel document, or a travel document intended to give false personal data.

As a security measure according to sections 117 and 119 of the Aliens Act, an alien may be ordered to hand over their travel document and travel ticket to police or border control authorities, if this is necessary to 1) establish the preconditions of the alien's immigration or residence; or 2) to prepare a decision on removing the alien from the country or secure enforcement, or to otherwise supervise the exit from the country.

Also, section 140 of the Aliens Act prescribes taking possession of an alien's passport and refugee travel documents by the authorities when a decision is made on cancellation of the document. The authorities may take temporary possession of the document before the decision on cancelling the document is issued if the document is damaged or entries in it have been altered, or if it is used or held by someone other than the person to whom it was issued.

A travel document should be taken into the possession of the authorities whenever this is possible within the framework of legislation, and especially when it is known or can be evaluated that the decision will be negative (such as a manifestly unfounded application, a Dublin case), and it is known that a return to the country in question requires the existence of a travel document.

Efficient enforcement of decisions on removal from the country is an extremely effective way to prevent illegal residence and immigration. For a long time, Finland has been one of the most efficient enforcers of deportation decisions in Europe. Such effectiveness is partially based on the fact that forced returns to many countries can have been implemented because the authorities have taken possession of travel documents.

On 1 March 2016, the Finnish Immigration Service launched an electronic procedure for the processing of documents, and since then the Service has not deemed it necessary to take possession of travel documents. However, after re-evaluating the matter, the Finnish Immigration Service, with a letter dated 30 June 2016, asked the police and the Border Guard, upon receiving an application for asylum, to take possession of an applicant's passport or travel document until the applicant is issued with a residence permit for Finland or the decision to remove the applicant from the country is enforceable.

The police and the Border Guard have fairly limited powers to take possession of an asylum seeker's passport before the deportation matter is initiated.

In a statement issued on the action plan, the Immigration Department of the Ministry of the Interior emphasized its view that asylum seekers must have the right to regain their travel documents if there are no immediate, statutory obstacles to this. Asylum seekers may need their travel documents to take care of their affairs and to work in Finland during the application and appeal process. The statement also emphasises that not all applicants will receive a negative decision. The National Police Board and the Border Guard have brought up the fact that there is an obvious need to take possession of passports, but the situation is quite challenging with regard to powers related to such possession. The authorities are probably not able to take possession of travel documents to secure a decision on removal from the country, at least, until the case for deporting the person has been initiated.

Taking possession of travel documents from all asylum seekers for the duration of the asylum process could require a comprehensive review of the general preconditions concerning security measures, before any project on amending legislation is started.

Recommended measure

Any possession of a travel document for the duration of the asylum process requires a review of the powers to do so.

Principal responsibility

Ministry of the Interior, Finnish Immigration Service, National Police Board, Border Guard

3. REFORM OF THE REGISTER OF ALIENS ACT TO COMBAT THE GREY ECONOMY

The goal is to tear down obstacles to the exchange of information between authorities, and to provide official registers flexibly for use by the authorities combating the grey economy. This requires improving the actuality and availability of register data, and expanding the rights to information by controllers of the register of aliens.

At the moment, no statistical or analytical information is being collected on applications for residence permits by self-employed persons on, for example, who their business partners are, and the names and business IDs used by these people to carry out business operations together. Besides determining preconditions for permits, the collection and processing of such information can also be used to combat the grey economy.

The Register of Aliens Act should be reformed to better fulfil the current requirements on legislation concerning registers. During the reform of the Register of Aliens Act, the Ministry of the Interior will determine the possibility for expanding the scope of the Register of Aliens Act to cover the financial standing of businesses and individual employers and the processing of information on their backgrounds.

Recommended measure

Full implementation of a service on the management of obligations regarding grounds for employment and self-employed persons' residence permits. In this context, an alternative way forward can be to assess whether the goal can be attained through closer contacts between UMA and existing registers. (Ministry of Economic Affairs and Employment)

Develop the collection and analysis of information on self-employed persons' applications for residence permits, from the perspective of combating the grey economy.

Principal responsibility

Ministry of the Interior

4. REFUSING A RESIDENCE PERMIT DUE TO THE DECEITFUL CONDUCT OF AN EMPLOYER

The employer of a foreign employer can, in its activity, be guilty of evading residency regulations, even if the applicant for a residence permit acts in good faith. This matter may be relevant in terms of the protection of foreign workers. An employer's representative may have been convicted of an offence involving occupational health and safety, human trafficking or usury, for example. It should be possible to refuse a residence permit also in a situation where the employer evades residency regulations or commits the aforementioned offences.

At the moment, the Aliens Act contains a similar provision (section 187), but it is linked only to issuing misleading information on terms of employment or duties, and the decision is made by a TE Office. The decision can be valid for a fixed term or until further notice. However, this provision has been used very infrequently.

For the sanction to be effective, it is necessary to assess whether the decision should be valid for a fixed term or until further notice, rather than applying to the processing of only one application for

a residence permit. A decision on the matter concerning a residence permit would be made by the Finnish Immigration Service.

Recommended measure

The Ministry of the Interior determines, in collaboration with the Ministry of Economic Affairs and Employment, the possibilities for amending the Aliens Act such that a residence permit could be rejected even when the employer of a foreign employee has evaded residence regulations or an employer's representative been convicted of an offence involving occupational health and safety, human trafficking or usury.

Principal responsibility

Ministry of the Interior, Ministry of Economic Affairs and Employment

5. IMPOSING A PROHIBITION ON ENTRY IN CASES OTHER THAN IN THE CONTEXT OF A DECISION ON DEPORTATION

According to the current Aliens Act, a prohibition on entry can be imposed on an alien only in the context of deportation when the alien resides in Finland. A prohibition on entry cannot be imposed on aliens who have already left Finland before a decision on removal from the country is made, even if this were necessary in terms of public order or security. The same applies to aliens applying for a residence permit to Finland. Aliens may attempt to acquire a residence permit on false grounds without being sanctioned. The possibility of a prohibition on entry would probably reduce attempts to obtain a residence permit on false grounds.

It should also be possible to impose a prohibition on entry in cases where an alien who has resided in the country has managed to leave Finland, by evading the authorities, before there has been time to make a decision on removal from the country and to impose a prohibition on entry. There are situations where an alien, who has usually committed offences in Finland, manages to leave Finland during the time when a proposal for removal from the country and the imposition of a prohibition on entry are pending.

The goal of the measure is that a prohibition on entry could be imposed on
a) a person who has left Finland and b) a person who applies for a residence permit from abroad. This would enable the authorities to interfere, more efficiently, with submission of false information upon an application for a residence permit abroad and thus endeavour to prevent illegal immigration. A prohibition on entry could be imposed on an alien who applies for a residence permit from abroad on false grounds, as well as for an alien who has left Finland (before a decision on removal from the country). The amendment would also be based on more suitable application of the provision to challenges brought by people coming from conflict areas and/or the "foreign combatant" problem.

Recommended measure

The Ministry of the Interior and the Finnish Security Intelligence Service determine whether the Aliens Act can be amended such that the imposition of a prohibition on entry would be possible, directly, in a matter on a residence permit, without a decision on removal from the country, and a prohibition on entry could be imposed on an applicant residing abroad also. The imposition of a prohibition on entry on a person residing abroad should also be possible for reasons related to national security. If such an amendment is possible, the changes required are made to the grounds for the imposition of a prohibition on entry.

Principal responsibility

Ministry of the Interior, Finnish Security Intelligence Service

6. CANCELLATION OF A RESIDENCE PERMIT WHEN A PERSON IS CONSIDERED A DANGER TO NATIONAL SECURITY, OR PUBLIC ORDER OR SECURITY

According to the valid Aliens Act, a residence permit cannot be cancelled even if a person is considered a danger to national security, or public order or safety. The possibility to cancel a residence permit would, for its part, respond to challenges brought by people coming to Finland from conflict areas and/or the "foreign combatant" problem. It should be possible to suspend a protection status according to the Aliens Act when a person goes to any country whatsoever in order to participate in military activity or the operation of a terrorist organisation.

Recommended measure

Determine whether legislation can be amended such that it would interfere with and prevent a person residing abroad from returning to Finland, by cancelling the permits issued to the person or by suspending the protection status, if the person is considered a danger to national security, or public order or security. Regulation should enable, at the very least, circumstances made possible by the Directive pertaining to the matter.

Principal responsibility

Ministry of the Interior, Finnish Security Intelligence Service

7. OPERATIONAL CAPABILITIES OF MISSIONS ARE FURTHER DEVELOPED, IN ORDER TO IDENTIFY ATTEMPTS AT ILLEGAL IMMIGRATION.

This includes training in Finland and the host state, and cooperation between authorities at the national level and between Member States.

Principal responsibility

Ministry for Foreign Affairs

8. IDENTIFICATION OF FORGED DOCUMENTS IS IMPROVED AT MISSIONS; THIS INCLUDES THE REPLACEMENT OF DOCUMENT EXAMINATION EQUIPMENT AND TRAINING AT SEVERAL MISSIONS.

Equipment purchases are included in the application for funds submitted to the European Union's Internal Security Fund (ISF) in the autumn of 2016.

Principal responsibility

Ministry for Foreign Affairs

9. ACTIVITIES OF LIAISON OFFICERS ABROAD

Activities concerning ILO Immigration liaison officers in the immigration sector are developed further. Civil servants from the Finnish Immigration Service should work at missions that process applications for family reunification from persons who receive international protection.

Maintenance of a liaison officer network of the police and the Border Guard at the biggest and most important stations, in cooperation with national central authorities.

Applications for funding should be sent to, for example, EU funds and joint projects of Member States should be utilised where possible.

Recommended measure

The parties responsible develop new and cost-efficient operating models in the activities of liaison officers.

Principal responsibility

Ministry for Foreign Affairs, Finnish Immigration Service, Border Guard, National Police Board

10. ENHANCEMENT OF COOPERATION BETWEEN THE AUTHORITIES AND CARRIERS

The goal is that the operators of air and sea traffic to Finland are aware of the risks of illegal immigration and, for their part, prevent illegal entry to the country. The obligations of carriers in traffic within borders was assessed in a "hybrid project" (SM013:00/2016 Amendments to legislation on the Border Guard in preparation for hybrid threats).

Recommended measure

The Border Guard continues to provide advanced training to carriers upon the opening of new flight connections from airports at risky areas in terms of illegal immigration.

Aim to increase shipping companies' awareness of illegal immigration within the Schengen Area, by means of training and close cooperation.

Carriers should also be subject to obligations on traffic across external borders once border control (border inspections) have been temporarily reassigned to them. Carriers should be obliged to inspect documents required for entering the country, transport the individuals back, and submit passenger and crew lists in advance. Also, a financial penalty on carriers (cf. section 179 of the Aliens Act) should be enacted for application. This requires amendments to the Aliens Act.

Principal responsibility

Ministry of the Interior, Border Guard

11. COOPERATION WITH NEARBY REGIONS AND NEIGHBOURING COUNTRIES, AND ACCESS TO INFORMATION

In order to improve situational awareness and draw up preparation plans, up-to-date information must be obtained on negative decisions made by other countries, their direct/indirect effects on the situation with asylum seekers in Finland and on the situation with illegal residence.

Negative decisions may cause a considerable increase in "Dublin returns", and it should be possible to prepare for this. This closely involves enabling "Dublin returns" to Sweden, via the land border in the North.

Recommended measure

The Finnish Immigration Service develops an overall picture of the situation in countries in nearby regions so as to ensure that up-to-date preparation plans can be maintained. Aim to discuss the possibility of "Dublin returns" to Sweden, via the land border in the North.

Principal responsibility

Finnish Immigration Service

12. PARTICIPATION IN THE ACTIVITIES OF FRONTEX AND EUROPOL

Take an active part in joint operations of Frontex and Europol (especially Guest Officer activity) related to the prevention of illegal immigration in focus areas of illegal immigration, on the external borders of the European Union.

The police give a strong contribution to Europol's activities for preventing illegal immigration. Establish a national Passenger Information Unit (PIU). The party responsible for these activities is the criminal intelligence and analysis unit (PCB) at the National Bureau of Investigation.

Principal responsibility

Border Guard, National Police Board, National Bureau of Investigation

13. SMART BORDERS

Finland takes an active part in the preparation and implementation of Smart borders entity, in terms of both legislative work and the coordination of processes and practical functions.

Principal responsibility

Border Guard

14. INCREASING AWARENESS OF PROHIBITED ETHNIC PROFILING

Supervision of aliens is one of the statutory duties of the police and the Border Guard. When the risk of increased illegal residence is high, it is important to perform continuous supervision as part of the basic activities of the authorities, and as specific thematic supervision based on analysis. This activity must be coherent throughout the country.

Instructors for commanding officers at the police, as well as part-time instructors, on the prevention of illegal immigration and human trafficking are trained on specific questions related to the prohibition of ethnic profiling in the supervision of aliens. Border Guard employees who take part in the supervision of aliens are also provided with training.

Instructions issued by the National Police Board and the Border Guard on the supervision of aliens prohibit the use of ethnic profiling. An amendment to the Aliens Act, which entered into force in May 2015, introduced an even stronger prohibition of ethnic profiling because, according to the Act, supervision of aliens may not be based on ethnic profiling.

Despite these instructions, forbidden ethnic profiling has come up in observations of the police by legality control authorities, and the Non-Discrimination Ombudsman most recently paid attention to this issue in April 2016. According to international studies, ethnic profiling has a negative impact on the trust those profiled have in the police and in the authorities in general. Prevention of illegal immigration should take place in a way that increases internal security in society, but does not diminish trust within population groups residing in the country legally, thereby compromising security.

Recommended measure

On the basis of feedback received, the Non-Discrimination Ombudsman continues to distribute information on good practices in the implementation of the prohibition of discriminatory ethnic profiling to the police and the Border Guard.

Principal responsibility

Non-Discrimination Ombudsman, National Police Board, Border Guard

15. DEVELOPMENT OF COOPERATION BETWEEN SOCIAL WELFARE AUTHORITIES, THE SOCIAL INSURANCE INSTITUTION OF FINLAND (KELA), THE POLICE AND OTHER AUTHORITIES WHO PROCESS MATTERS ON ALIENS BY IMPROVING THE EXCHANGE OF INFORMATION.

The goal is to enhance the exchange of information and cooperation between social welfare authorities and authorities who manage matters regarding aliens.

Clear, sectorally coherent policies must be created for the practical application of rules on the exchange of information. People who apply rules on the exchange of information, and sometimes even experts, seem to have different views of the dimensions of sectoral legislation.

Recommended measure

The Ministry of Social Affairs and Health and the Ministry of the Interior together survey problems related to the exchange of information and cooperation between authorities, and create policies for these on the basis of valid legislation or, if necessary, propose amendments to legislation. This work should be supported by, at least, the Social Insurance Institution of Finland, the Finnish Immigration Service, the police, the Border Guard, municipal social welfare and health care authorities, the Association of Finnish Local and Regional Authorities, and the Ministry for Foreign Affairs.

Principal responsibility

Ministry of the Interior, Ministry of Social Affairs and Health, Finnish Immigration Service, Social Insurance Institution of Finland

16. ENSURE SUFFICIENT ACCOMMODATION CAPACITY FOR PEOPLE DETAINED ON THE BASIS OF THE ALIENS ACT.

Holding in detention according to the Aliens Act is an important, albeit always the ultimate, precautionary measure in the establishment of preconditions of immigration and the enforcement of decisions on removal from the country. An alien can be held in detention, as referred to in the Aliens Act, in a detention unit specifically established for this purpose when other precautionary measures are not sufficient for establishing the alien's identity or ensuring the enforcement of a decision on removal from the country.

In the present situation, when the detention units in Metsälä and Joutseno, intended as the location for those detained, are full, a person held in detention must be held on the premises of the police. International actors in human rights have issued complaints to Finland for holding people detained on the basis of the Aliens Act on the premises of the police.

The lack of sufficient detention capacity also affects the speed of the enforcement of deportation decisions. Efficient enforcement of decisions on removal from the country helps prevent illegal

immigration for its part. Detention capacity should be utilised as cost-efficiently as possible, through timely and brief detention periods, to secure the enforcement of removals from the country.

The detention capacity should match the estimated growth in the number of asylum seekers, to an average of 10,000 per year. The current capacity corresponds to the number of approximately 4,000 asylum seekers.

Recommended measure

Increase detention capacity primarily by adding to the number of beds at the Metsälä or Joutseno detention units or, if necessary, be establishing a new detention unit.

Detention capacity for aliens is increased by 38–40 beds. With the proposed increase in detention capacity, the total capacity of the Joutseno detention unit would be 68–70 beds. Nationwide detention capacity would increase from 70 to 108–110 beds. This would also help eliminate prevailing problems that hinder the operation and arise from the scarcity of public facilities at the detention unit; there have been complaints about these by, for example, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

Principal responsibility

Ministry of the Interior

17. DRAW UP COOPERATION PROTOCOLS WITH COUNTRIES THAT ARE SIGNIFICANT WITH REGARD TO DECISIONS ON REMOVAL FROM THE COUNTRY, BUT WHERE ENFORCEMENT IS CHALLENGING; DEVELOP AND MAINTAIN COOPERATION BETWEEN AUTHORITIES TO ENSURE EFFICIENT ENFORCEMENT OF DEPORTATION DECISIONS.

Speed and efficiency of decisions on removal from the country are important both with regard to the client's legal security and from the perspective of the prevention of illegal immigration. Effective enforcement of decisions acts as a signal effect, showing that those who have received a negative decision cannot stay and reside in Finland without the right to do so. Quick returns help prevent those with a negative decision from becoming frustrated and possibly radicalized.

Recommended measure

Aim to draw up cooperation protocols with countries where returns are a challenge, especially Iraq and Somalia. Such agreements should especially include the possibility of "forced returns". Alongside the preparation of such cooperation protocols, develop cooperation of practical operators between the authorities in countries of departure, Frontex and other EU actors.

Principal responsibility

Ministry of the Interior, Ministry for Foreign Affairs, police

18. THE COMPETENCE AND POWERS OF THE POLICE AND OTHER AUTHORITIES IN MATTERS RELATED TO ILLEGAL IMMIGRATION MUST BE IMPROVED, BECAUSE THIS ISSUE APPLIES TO A GREATER NUMBER OF CIVIL SERVANTS THAN BEFORE.

The goal is that supervision of aliens inland is efficient and consistent throughout the country.

Recommended measure

Training on alien affairs is directed at basic police activities, so the competence and practices of the police on the supervision of aliens and the prevention of illegal immigration are consistent, and supervision of aliens can be performed as part of basic police activities.

Maintain and further develop the activities of networks of people responsible for the prevention of illegal immigration, under the leadership of the National Police Board.

Enhance the supervision of aliens inland such that it meets the preconditions imposed by the changed operating environment. Such enhancement of supervision ensure active monitoring of the status and number of illegal residents and effective removal from the country. Furthermore, the effects of illegal residents and parties that take advantage of them regarding the security situation must be actively monitored.

Principal responsibility

National Police Board, Ministry of the Interior

19. INCREASE THE EXPERTISE OF PROSECUTORS

Expertise on illegal immigration at the Finnish Prosecutor Service should be increased.

Previously, cases concerning the organisation of illegal immigration were concentrated at border crossing localities. The increasing number of asylum seekers has led to an increase in the number of offences related to illegal immigration at other localities also. For this reason, systematic training of prosecutors on cases involving the organisation of illegal immigration was started in late 2015 as regional training at prosecutor's offices, which covers all members of staff at the same time. The instructors are a special prosecutor and the chief investigator at the crime combating unit of the Border Guard. Thus far, employees at five prosecutor's offices have been trained, with the rest scheduled for training in 2016 and 2017.

In addition, a three-day course intended for prosecutors and all stakeholders is arranged every other year, as training by the Office of the Prosecutor General, dealing with offences and criminal phenomena closely associated with illegal immigration. The next course will be organised in 2017.

In a project called "Taito", which is a plan for developing the specialisation system of prosecutors, individuals, the economy and security have been outlined as areas of specialisation. Offices of special prosecutors will be established for these areas. The most serious offences related to the organisation of illegal immigration are handled by special prosecutors dealing with security and human trafficking crimes by special prosecutors dealing with individuals. The goal is to have the new special prosecutor system enter into effect at the beginning of 2018.

Recommended measure

Train prosecutors on the specific characteristics of offences associated with illegal immigration. Emphasise the importance of cooperation during pre-investigation and awareness of the phenomenon.

Add the management of ordinary criminal matters related to illegal immigration as part of the core competence of prosecutors. In the upcoming specialisation system, the most serious offences related to illegal immigration are part of the area of specialisation on security.

Principal responsibility

Office of the Prosecutor General

20. DEVELOP THE APPLICATION PROCESSES OF FOREIGN STUDENTS, ESPECIALLY IN COUNTRIES THAT ARE SUSPECT IN TERMS OF ILLEGAL IMMIGRATION

The goal is that a student's resident permit issued to an alien is not used for the purpose of illegal immigration.

In order to prevent abuses, it would be important to develop admission procedures which ensure that those admitted have sufficient prior competence, language skills and motivation in terms of their studies. It is equally important to have in place sufficient methods for ensuring the identity of a person admitted as a student. Tuition fees for students who come from outside the EU/EEA and study in higher education leading to a foreign-language degree, to be adopted in 2017, require a new kind of cooperation and exchange of information between universities and immigration authorities for verifying the applicants' ability to support themselves and the validity of their right of study.

Recommended measure

Create best practices between educational institutions that recruit foreign students and the authorities, with regard to admission procedures and practices on visas and residence permits. Special attention should be paid to operating models when recruiting students from "suspect countries with regard to illegal immigration".

For its part, the National Board of Education endeavours to help upper secondary level institutions, in particular, to create practices similar to those used by higher level institutions in the admission of students.

Principal responsibility

Ministry of Education and Culture, National Board of Education, Ministry for Foreign Affairs, Finnish Immigration Service

21. ENHANCE THE OPPORTUNITIES TO USE BIOMETRICS IN THE PREVENTION OF ILLEGAL IMMIGRATION

The goal is to ensure efficient use of methods introduced by the EU's Residence Permit Regulation and the proposed amendment to it, and national legislation.

From the perspective of preventing illegal immigration, it is crucial that the authorities have the technical capabilities for using biometrics in ways enabled by legislation.

Fingerprints stored in the UMA system should be compared with other clients, thus verifying that an applicant is not already in Finland with another identity. Comparison of fingerprints between the UMA and police registers should also be possible.

Recommended measure

The Finnish Immigration Service develops its information systems, in cooperation with relevant authorities and within current legislation, in a direction where the utilisation of biometrics is more efficient than before.

This requires funding.

Principal responsibility

Finnish Immigration Service, Ministry of the Interior

22. ENHANCING THE ACQUISITION OF INFORMATION AND ENSURING THE EX-CHANGE OF INFORMATION AFTER THE TRANSFER OF AUTHORITY ON ALIEN AFFAIRS

In order to expose and prevent the organisation of criminal activity, such as illegal immigration, systematic acquisition of information, managed and coordinated between police units, and supervision should be directed at groups of people entering the country who are key in terms of combating crime.

The organisation of illegal immigration and serious offences possibly associated with entry to Finland comprise unreported crime, and exposing these requires the police to acquire information. As part of such acquisition of information, it is necessary to monitor potential radicalization and networking where the purpose is the commission of offences.

The transfer of asylum investigation from the police and the Border Guard to the Finnish Immigration Service has already created closer cooperation and need for the exchange of information between authorities, for maintaining situational awareness of illegal immigration, for instance.

On 1 January 2017, matters on permits for aliens were transferred from the police to the Finnish Immigration Service. Asylum investigation has, in practice, already been transferred away from the police. Helsinki Police Department alone has approximately 50,000 client contacts per year on matters of permits for aliens. During such visits by the clients, the police have exercised out supervision of aliens' right of residence. These client contacts with aliens will cease with the transfer of authority.

In the future, continuing exchange of information should be ensured such that the police have sufficient information on aliens residing in Finland in order to maintain security, expose and resolve offences, and to reach potentially risky individuals.

The Finnish Security Intelligence Service is responsible for reviewing preconditions for immigration and residence to protect national security.

The significance of permit-related affairs in the supervision of aliens should be developed when matters regarding residence permits are transferred to the Finnish Immigration Service. The capability of the police to prevent and expose offences and potential threats to security deteriorates due to fewer contacts with clients.

Cooperation with the Finnish Immigration Service must be flexible, efficient and diversified.

Recommended measures

Develop and enhance the cooperation between the Finnish Security Intelligence Service and other police units. Ensure the quality and scope of such cooperation in a cooperation agreement between the Finnish Security Intelligence Service and the police administration.

The ASYL function in the National Bureau of Investigation should be effectively utilised by various authorities.

The Finnish Immigration Service creates a coherent and effective operating model that can be used for the active, retrospective supervision of permits.

Increase the training of employees working in customer service at the Finnish Immigration Service in order to develop the supervision of permits.

Ensure that, when residence permits are processed, in the future the goals of the supervision of aliens are implemented and that the Finnish Immigration Service has sufficient powers to do this and the right to report its observations to the police.

Principal responsibility

Finnish Immigration Service, National Police Board, Finnish Security Intelligence Service

23. DEVELOPING THE FUNCTIONALITY OF THE UMA REGISTER

The UMA register should be developed so as to enhance the supervision of aliens in the field such that, with one quick glance, supervisors get an idea of whether the subject of supervision is in the country legally or not. Also, interaction between the UMA register and PolStat (the statistical information system of the police) should be developed, to enable running more detailed and precise statistics to maintain situational awareness of the enforcement of decisions on removal from the country and illegal residence.

Real-time information about the number and citizenship of people with decisions waiting to be deported would promote the prevention of illegal residence. Furthermore, up-to-date information would help enhance and develop the identification of people to be deported and the acquisition of travel documents, and discussions with other countries on problems and implementation possibilities related to removal from the country.

In the development of the UMA register, special attention should be paid so as to ensure that any additional functionalities do not lead to action without reliable verification of the accuracy and timeliness of information contained in UMA.

Recommended measure

Traffic lights, for example, should be taken into use on the cover page of the section concerning the person in question in the UMA register. The cover page could have a clear field where the colour green would indicate that the alien is in Finland legally, the colour red that the alien has no legal right to reside in Finland, and the colour yellow that the matter is being considered, incomplete or in a state requiring more detailed information. The purpose of the recommended measure is to clarify the expression of the client's residence status in UMA.

The UMA register should be developed such that information about aliens with an enforceable decision on removal from the country, waiting for implementation, can be read and printed from the register.

In training on UMA, attention should be paid to the accuracy of basic work, i.e. the entries in the register.

Principal responsibility

Finnish Immigration Service

24. ARRIVAL OF PEOPLE WITH A PROHIBITION ON ENTRY INTO FINLAND

The goal is to clarify the process concerning the arrival of people with a prohibition on entry into Finland, when a person should attend a trial as, for example, a witness or defendant in a criminal

matter, and to improve the flow of information between authorities (Finnish Immigration Service/police/Border Guard/Ministry for Foreign Affairs) in the process in question.

Pursuant to section 150(4) of the Aliens Act, a prohibition on entry may be revoked on the basis of a change in circumstances or for important personal reasons.

According to section 170(2) of the Aliens Act, a prohibition on entry imposed on an EU citizen may be revoked in full or in part for the aforementioned reasons.

For a citizen of a third country, a prohibition on entry cannot be revoked in part. According to the present situation, a citizen of a third country must visit a mission to apply for a regionally restricted visa (VLTV visa) in order to enter Finland for a trial, a valid prohibition on entry notwithstanding. The Finnish Immigration Service or the police are not automatically informed of the issue of any VLTV visa.

If a prohibition on entry for an EU citizen is revoked in part, or a citizen of a third country arrives in Finland with a VLTV visa in order to attend a trial, the Finnish Immigration Service or the police do not receive information about the person's scheduled date of arrival, the means of transport used, the border crossing point, or the date of departure from the country. In such a case also, the police cannot supervise the person's residence in the country during the trial or departure from the country.

A decision concerning a partial revocation of a prohibition on entry is served to the applicant and/or their legal representative. The police are not automatically informed of such a decision.

Cases have emerged where a person with a prohibition on entry, who is arriving or has arrived here for a trial, has gone missing during residence in Finland. In such a case, the person has often left Finland and travelled elsewhere in the Schengen Area.

In preparations for this recommended measure, attention must be paid to recommended measure no. 1 and its progress. According to the recommendation, more severe punishments should be enacted for violations of a prohibition on entry, instead of the current fines. Making the penal latitude more severe probably means that violations of a prohibition on entry must be referred for processing by courts of law, instead of summary penal proceedings.

In light of the current situation, it is unclear how a defendant being charged with a violation of a prohibition on entry, who may have returned to their home country, can be brought to Finland for a trial in the future, if this requires either the revocation of the prohibition on entry (EU citizen) or having the applicant with a prohibition on entry apply for a specific VLTV visa for the trial (a citizen of a third country).

Recommended measure

Develop cooperation between authorities and determine whether there is need for legislative amendments also.

Assess whether the Aliens Act should be amended such that even a prohibition on entry for a citizen of a third country could be revoked in part, with amendments to legislation made if necessary. In such a case, a citizen of a third country would not need to apply for a regionally restricted visa in order to enter Finland. When issuing a VLTV visa, a mission should, in any case, record an entry of the issue of such a visa in UMA. The police and the Ministry for Foreign Affairs should agree that the police are informed of the issue of a visa where necessary.

A person applying for a revocation of a prohibition on entry should, in their application, report a precise travel plan that would indicate, at the very least, the scheduled date of arrival, the means of transportation used, the border crossing point, and the date of departure from the country. The Finnish Immigration Service should register this information in UMA.

An amendment to legislation should be considered, so that criminal sanctions could be imposed on a person or, for instance, extend the prohibition on entry if the person goes missing after arriving in Finland. With regard to any legislative amendments, it should be determined how they are related to EU legislation and how their added value is related to resources required by the arrangement.

It should also be determined what kinds of sanctions such cases would involve, in practice, and the preconditions on which they could be imposed, considering how to impose sanctions on a person who cannot be reached.

If a prohibition on entry is revoked in part because of a trial and a person has previously been considered a threat to public order and security, the Finnish Immigration Service should report the decision to the relevant police department.

In the implementation of the recommended measure, required changes to the UMA information system, for example, should be ensured.

Principal responsibility

Ministry of the Interior, Finnish Immigration Service, Ministry for Foreign Affairs, National Police Board

25. IMPROVE THE IDENTIFICATION OF UNAUTHORISED TRANSFER OF WORK PERMITS FOR FOREIGN EMPLOYEES AND ILLEGAL FEES CHARGED FOR THEM, AND THE ORGANISATION OF ILLEGAL IMMIGRATION, IN COUNTRIES OF DEPARTURE

The goal is to prevent abuse of workers coming from certain countries of departure with low income levels, even before they arrive in Finland.

Principal responsibility

Ministry for Foreign Affairs, Ministry of the Interior

3 IMPLEMENTATION AND MONITORING OF THE ACTION PLAN

The intention is to carry out these measures within the appropriations available in the budget, and with any other funding available. The economic effects of the measures must be estimated during preparations.

The working group on combating illegal immigration, under the leadership of the National Police Board, monitors the implementation of the action plan at various authorities.

The working group reports on the implementation of the measures to the ministerial working group on immigration on an annual basis, at the very least.

Furthermore, the working group on combating illegal immigration prepares or asks the National Bureau of Investigation for an evaluation report that includes an assessment of the situation on prevention at various authorities, as well as a status review of illegal immigration to Finland.

At the beginning of 2019, the working group will evaluate the need for a new action plan and specify the responsibility for preparing the programme contained in it.

4 STATUS OF ILLEGAL IMMIGRATION AND RESIDENCE IN FINLAND

Besides the present situation regarding illegal immigration and residence in Finland, the status review describes² the situation on the external borders of Europe. The description especially focuses on immigration phenomena possibly caused by the influx of asylum seekers in autumn 2015 and early spring 2016, from the perspective of crime prevention. The status review was mostly prepared by the National Bureau of Investigation, up to section 4.6.

The end of the status review contains an overview of the situation with illegal immigration by the Ministry for Foreign Affairs from the perspective of Finnish missions, a review by the Finnish Immigration Service of cases observed where immigration provisions have been evaded during the residence permit process, and a section prepared by the Ministry of Social Affairs and Health of measures underway at the Occupational Safety and Health Administration in Finland.

4.1. PERSPECTIVES BY THE NATIONAL BUREAU OF INVESTIGATION ON THE STATUS OF ILLEGAL IMMIGRATION AND RESIDENCE, AND POTENTIAL THREATS

4.1.1 Status of illegal immigration on the external borders of the EU

Illegal immigration across the external borders of the EU, outside border crossing points, reached record-breaking levels in 2015. According to Frontex, approximately 1.8 million illegal border crossings were observed, 880,000 of these on the route of the Eastern Mediterranean from Turkey to Greece. However, these figures include people counted several times, so the actual number of individuals who arrived in the EU area is about 1.1 million. In 2014, approximately 283,000 illegal border crossings were detected.

In early 2016, there were fewer illegal immigrants in the eastern Mediterranean compared with the previous year, as practically all countries along the Western Balkans route restricted entry and the EU and Turkey reached an agreement on returning immigrants to Turkey. Also, the number of illegal border crossings on the land border between Turkey and Bulgaria has remained low. However, movement from Bulgaria towards Serbia suggests that there are more immigrants from Turkey to Bulgaria across the land border than have been observed. In practice, Greece has accumulated a considerable number of asylum seekers attempting to reach other parts of the EU area and aliens illegally resident in the country. If movement from Greece elsewhere became easier, it would increase the number of crossings of the sea border between Turkey and Greece. At the moment, Turkey has approximately 3.5 million refugees, of whom 90 per cent live in cities and towns outside of camps.

The current main path for illegal immigration to the EU area is the central Mediterranean route from Libya and Egypt to Italy. The majority of the immigrants using this route come from countries in Western Africa, Eritrea and Somalia. No shift from the eastern Mediterranean has been observed thus far, but the pressure to find alternative routes is strong and new routes are being tested all the time. According to the International Organization for Migration, approximately 132,000 immigrants arrived in Italy in 2016. During late summer, several thousand immigrants arrived in Italy every week.

² Illegal immigration and illegal residence have been specified in the action plan for the prevention of illegal immigration prepared for 2012–2015, for example. According to this plan, they mean unauthorised entry and residence in the country, where an alien does not have a travel document, visa or residence permit required by the Aliens Act and/or the Schengen Borders Code, or another right to arrive and/or reside in Finland. Illegal immigration refers to activity where international or national agreements, laws and regulations on immigration, residence or departure from the country are violated either temporarily or permanently. Legal immigration turns into illegal residence if an individual stays in the country for longer than permissible or changes the purpose of residence without a permit required by an authority.

From November 2015 to February 2016, about 1,750 asylum seekers arrived from Russia to Finland along the northern route across the border crossing points of Raja-Jooseppi and Salla. The status at Finland's eastern border settled down in February–March 2016, after the Russian border guard service restricted access to the border area. The situation has remained calm, with practically no asylum seekers arriving in the country.

On the EU's eastern land borders, the status has remained peaceful, but the problem is abuse of "legal travel channels". This year, Poland has already deported approximately 43,000 Russian citizens, mostly with a Chechen background, at the border crossing in Terespol (the same individuals can be deported several times). In the context of this phenomenon, about 6,600 people have sought asylum in Poland. The background is these individuals' attempt to take advantage of the asylum process to reach the EU area. The ultimate destination of the Chechens is mostly Germany, and to a lesser extent France and the other EU countries.

4.1.2 Status at the internal borders

Illegal immigration to the Nordic countries across the internal borders has remained at a moderate level due to internal border inspections adopted in late autumn 2015. These inspections still continue, and the Council of Europe has confirmed that inspections at internal borders can be continued from February 2016 onwards.

4.1.3 Status in Finland

In this context, asylum seekers legally resident in the country applies to individuals who have received a negative asylum decision but who cannot be returned and do not leave the country independently even if voluntary return is possible, or asylum seekers who disappear from the sphere of the reception system before or after a negative decision.

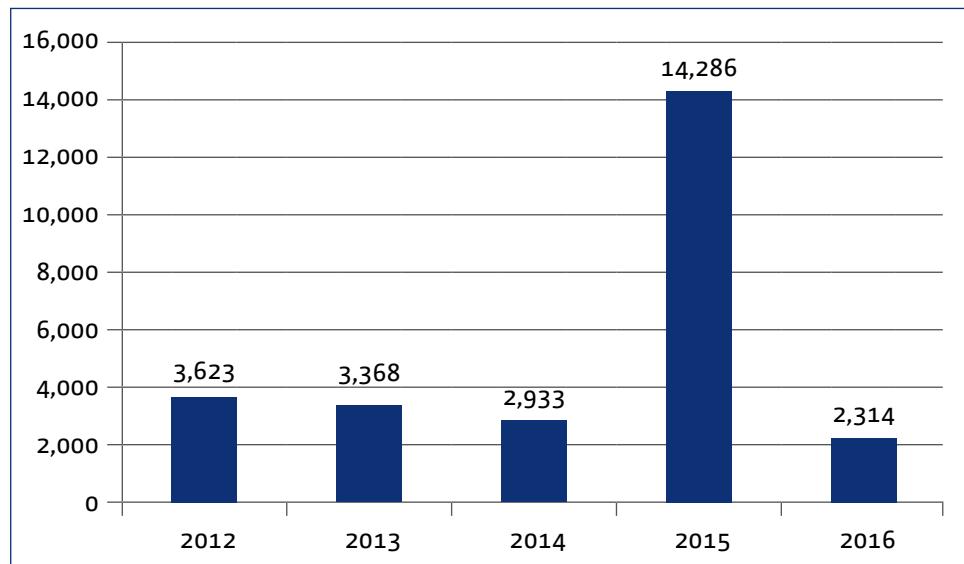
In previous years, the majority of illegal aliens found in Finland have been asylum seekers who have submitted their applications inland and have not had a document entitling them to enter the country. Another significant group of persons found illegally in the country has been individuals suspected of violations of the Aliens Act.

Individuals who have received a negative decision on their asylum applications are expected to form an entirely new group of people staying illegally in Finland. The number of enforceable negative decisions will increase significantly in late 2016 and 2017, and it can be predicted that not all those who receive a deportation decision will leave the country, even if they have an opportunity to do so.

There have been groups like this in Europe for a long time. Of aliens who have received a decision on removal from the country, 60–70% have been removed through action by the authorities. However, it seems that many of those issued with a negative decision, who have not been deported from Finland, have left the country on their own initiative and gone either to their home country or elsewhere in Europe. For those who stay in Finland, keeping out of sight of the authorities is in their best interests. In terms of geography, people who stay in the country illegally are believed to live in large cities.

In the past few years, the number of people residing in Finland illegally has been slightly more than 3,000 per year. According to statistics maintained by the National Bureau of Investigation, in 2014 a total of 2,933 aliens illegally resident in the country were found; in 2015, that figure was 14,286. In 2016, the police and the Border Guard confronted a total of 2,314 aliens who were illegally resident in the country. Citizens of the following countries were most often illegal residents in Finland in 2016: Iraq, Syria, Russia, Somalia, and Estonia.

Persons found to be residing in Finland illegally in 2012–2016



The number of people found to be residing in the country illegally is calculated for the PATJA system of the law enforcement authorities from reports recorded from asylum investigation or violations of the Aliens Act.³ According to international treaties and Finnish legislation, asylum seekers have the right to arrive in Finland without a passport, residence permit or visa, but an asylum application must be submitted to the police or a border inspection authority upon arrival in the country or as quickly as possible after this. In 2015, approximately 32,500 asylum seekers arrived in Finland. There were 5,651 such applicants in 2016. Most of the applicants came from Iraq (1,247) and Afghanistan (757). The next-largest groups of applicants are from Syria, Somalia, and Eritrea.

At the moment, the Finnish asylum situation, and illegal immigration at the same time, at the internal borders is materially influenced by measures taken by Swedish authorities, in particular, at the border between Sweden and Denmark, and by how the Russian authorities control potential asylum seekers on the Finnish-Russian border.

In 2015–2016, the Finnish Immigration Service made approximately 26,400 asylum decisions by the end of September; of these, 9,300 (37%) were negative. According to a forecast, at the end of the year there will be about 16,400 people with a negative decision in the first instance. At the end of September 2016, the reception system had 8,600 individuals with a negative decision, with approx. 5,900 people involved in the appeal process. A total of 8,250 people had left the country. In 2015 and 2016, approx. 4,200 asylum seekers disappeared from the reception system.

Until this year, Finland was not an attractive country for illegal residence. The risk of a growing phenomenon has been identified, and the risk for its expansion is dated for the year 2017.

³ With regard to asylum investigation, the number includes individuals who have been found inland **without a document that proves their identity and who are not EU citizens**. The 2015 figure contains a large number of asylum seekers who were led directly from the border crossing point in Tornio to the registration centre and registered as asylum seekers. The residence of an alien who has arrived in Finland without documents entitling entry becomes legal after the alien has submitted an asylum application. Since the beginning of 2016, asylum applications filed at the registration centre have been excluded from the number of persons found in the country illegally. Individuals who stated that they sought asylum at the border from where they were led directly to the registration centre for submitting an asylum applications have, in technical terms, filed their application at the border upon arrival in the country, so they have not resided in the country illegally. The

4.2 TREND IN THE NUMBER OF CASES OF ILLEGAL IMMIGRATION AND ASYLUM SEEKERS IN 2015–2016

Illegal immigration to Finland through internal borders has decreased significantly since December 2015. People who enter the country seeking asylum in Europe find it more difficult than before to travel to Finland without registration in countries of transit, but Finland has also reduced its attractiveness through domestic measures, such as amendments to national legislation and country policies updated by the Finnish Immigration Service.

The adoption of internal border inspections in Finland clearly exacerbated transit to Finland. In traffic between Denmark and Sweden, identities have been inspected since the beginning of January, and Denmark has also restored control of internal borders to its border with Germany. Internal border policies in Germany and Austria also reduce transit volumes. Large-scale, uncontrolled movement through the Nordic countries towards Finland is unlikely, thanks to inspections at internal borders. Thus far, the use of the Baltic route has been prevented by efficient measures carried out by authorities in the Baltic countries. As the use of a direct ferry connection from Germany has become more difficult due to the visa requirement, people aiming to travel to Finland are mostly left with air routes.

From October 2015 until the end of February 2016, asylum seekers arrived in Finland from Russia through the border in the North. A large number of people aiming to reach Europe reside in Russia, but the majority of movement through Russia to Finland comprises transit through Russia. The routes asylum seekers use to arrive in Russia vary, but most frequently they arrive by air from the country of departure or transit to Moscow, continuing from there to Murmansk and further to the border via various connections. People from Afghanistan, on the other hand, have arrived in Russia along the land route through the republics in Central Asia.

Entry from Russia to Finland was limited to the northern part of the border to the East; in the South the Russian border control service acted as usual, preventing illegal immigrants gaining access to the border area. If crossing borders on the Mediterranean routes becomes more difficult, control in countries in Central Europe increases and access to the Nordic countries is more complicated, the significance of the Russian route may again increase. However, the use of this route depends very much on the activities of the Russian authorities. In late February, the President of Russia ordered the FSB to control more closely individuals who arrive in Russia and attempt to pass to Europe through Russia. Soon after this, the arrival of asylum seekers to border crossing points in the North dried up. Russian authorities have also enhanced their actions specifically to prevent organised human smuggling.

The EU Commission has endeavoured to solve the immigration crisis with, for example, a border package published in 2015. The package's proposals on the establishment of the European Border and Coast Guard system and an amendment of the Schengen Border Code to enhance register inspections have proceeded. The goal of the Commission's proposals is to strengthen the control of the external borders of the Schengen Area and to enhance returns of arrivals. In political terms, the most significant item in the package is the Commission's proposal for the establishment of the European Border and Coast Guard (EBCG) system. The EBCG would consist of measures by Frontex, which coordinates the system, and border and coast guard authorities in Member States. Under normal circumstances responsibility would rest with Member States, but in times of crises they would be under an obligation to provide and accept support. The duties and powers of Frontex would be extended, and it would be re-named as the European Border and Coast Guard Agency.

In the reform of the Dublin system and the Smart Borders proposal, the Commission is conducting negotiations with Member States. The maximum time for restoring control of internal borders, six months, expired for Germany and Austria in May, and this period has been extended by several months at the Commission's suggestion.

statistics on violations of the Aliens Act includes persons who are not EU citizens, unless the reason for their violation is a breach of a prohibition on entry. Even then, the precondition is that the EU citizen has been found inland.

At the EU-Turkey summit in early March, a preliminary agreement was signed with Turkey that the country would accept all individuals who have arrived in Greece illegally. In exchange, Turkey was promised more financial support for taking care of the refugees and that people from Syria would be placed in EU countries from Turkey. Greece, on the other hand, was promised crisis assistance as well as support for the control of the external borders and for ensuring the operation of registration centres. Also, internal transfers of asylum seekers from Greece to other EU countries should be accelerated.

Large-scale movement of refugees involves organised crime that attempts to increase its profits at the expense of people in distress. The need for criminal investigation of both the organisation of illegal immigration and human trafficking is increasing. Movements of asylum seekers have shown that their journeys are organised by a large number of operators who arrange for people to arrive in EU countries and observe those countries' practices in asylum matters. Even trips of asylum seekers who have arrived in Finland through Russia have clearly been arranged by organisers of illegal immigration.

4.3 ESTIMATE OF ASYLUM SEEKERS ARRIVING IN FINLAND

Any detailed estimate of the number of asylum seekers involves multiple uncertainty factors; in any case, Europe is under significant pressure from illegal immigration. The greatest impact on the number of arrivals in Finland has been made by enhanced control of internal borders in neighbouring countries, which has prevented transit to the Finnish border in the West and reduced the number of applicants from the record-breaking numbers in autumn 2015 to more typical, earlier levels. Diaspora communities that have already been formed in Finland and strengthened with new asylum seekers increase people's interest in trying to reach Finland. It is possible that, in the current situation, the share of Iraqis of such arrivals will decrease and the share of Afghans will increase if women and children account for a greater share of immigrants; illegal immigration from Africa across the Mediterranean to Europe will probably increase the number of African asylum seekers in Finland.

Information about Finnish circumstances, spreading among those leaving the country on their own initiative, may help reduce interest in attempts to enter Finland. However, a significant share of asylum seekers who already arrived here have disappeared from the reception system, and some of them have stayed illegally either in Finland or elsewhere in the Schengen Area. Preparations should be made for the growth and prevention of problems and offences associated with illegal residence in the country.

4.4 ON THE REASON FOR THE INCREASING NUMBER OF ASYLUM SEEKERS

4.4.1 Status in areas of departure

The trend in the number of immigrants headed for Europe largely depends on crises in the areas of departure and political decisions made in the EU area. There are millions of people in the various continents who endeavour to get to Europe. Because of the civil war in Syria, approximately 4.8 million Syrians live as refugees in neighbouring countries, with almost seven million as internally displaced people. Nor has the situation improved in other significant countries of departure, such as Afghanistan, Somalia, and Eritrea. The status is unstable in sub-Saharan Central African countries, as well. This trend is affected by the fact that several countries, such as Turkey, Jordan, and Lebanon, where large numbers of refugees reside, have begun to limit new arrivals. New conflicts are also a possibility.

According to the former Russian immigration agency (FSM)⁴, there are currently 10 million foreign citizens living in Russia, most of them immigrant workers from ICS countries and Georgia. The weak trend in the Russian economy and stricter work permit practices have diminished immigrants' job opportunities but, at least for now, the situation has not increased movement of citizens from ICS countries to the West. A more likely group of people leaving comprises citizens of third countries who reside in Russia longer, such as Syrians, Afghans or Vietnamese, some of whom have arrived in Finland through the border in the North.

4.4.2 Interest in Finland

Although illegal immigrations to Finland through our internal borders has been significantly reduced, no major changes have occurred in the attractiveness factors of Finland. Interest in Finland is increased by the high standard of social security, safety and security, and information spreading among smugglers and people smuggled that Finland would issue residence permits more quickly and easily than the other EU countries. Other reasons cited for trying to access Finland include the high standard and reliability of legal security, manifested as compliance with international agreements, for instance. The attractiveness of Finland is also increased by communities established here previously (diaspora), on whose assistance and support people can rely upon arrival in the country and subsequently. However, the diaspora communities in Finland are still considerably smaller than those in Sweden, for example.

Many asylum seekers want to submit their application to a country they deem as good and easy as possible, in terms of being granted asylum. Finland has updated assessments of the security situation in certain key countries of departure, conditions for family reunification has been tightened, and the grounds for humanitarian protection have been eliminated from legislation. Furthermore, Finland is planning to introduce limitations to social security for people with a residence permit and endeavours to actively communicate these measures.

4.5 EFFECTS OF MOVEMENTS OF POPULATION AND CONFLICTS ON CRIME AND DISORDER

With large-scale migration, confrontations between religious, political and armed groups from the area of departure as well as interests and norms of various communities transfer to target countries. Conflicts, violent and sexual crime observed among the arrivals on this basis and effects on organised crime are consequences that have been and continue to be anticipated.

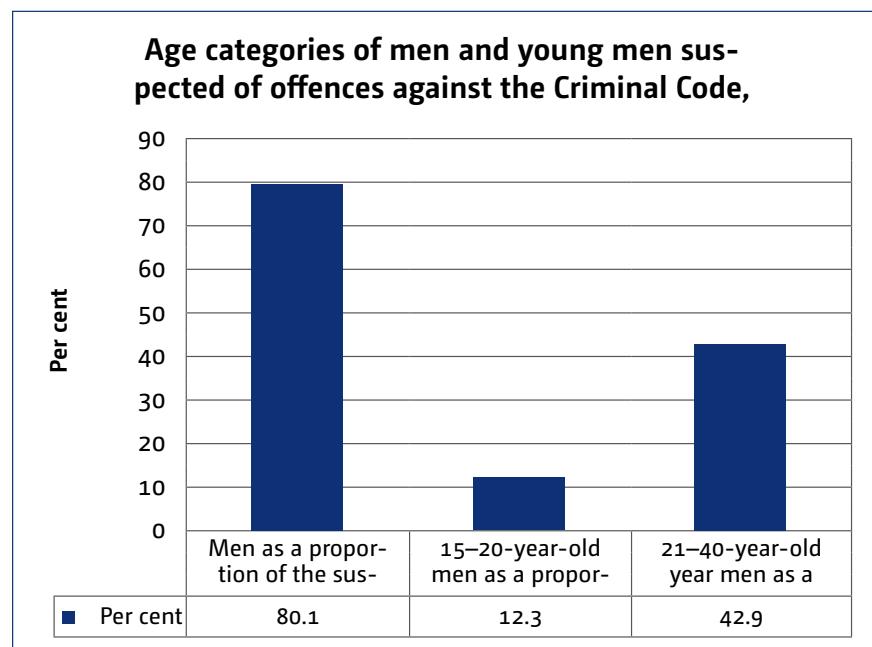
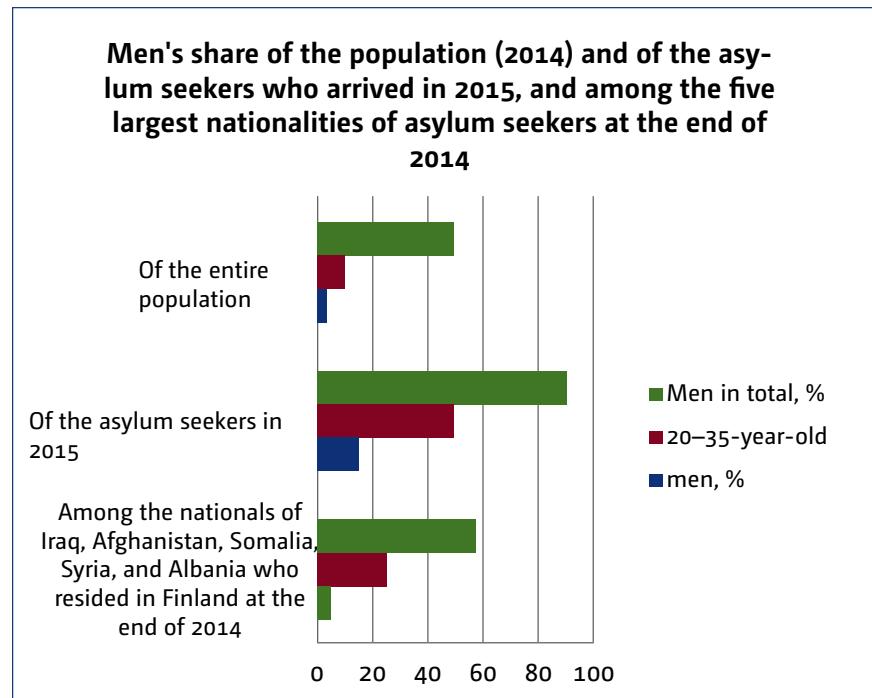
The growth of population coming from crisis areas inevitably increases certain type of criminal activity. However, thus far the shares of suspects of crime among the largest citizen groups of asylum seekers have usually grown less than one would assume on the basis of the prior proclivity to commit offences of these groups of citizens and the exceptionally high share of young men among asylum seekers.

Among the most common nationalities of asylum seekers who arrived in Finland in 2015 and early 2016, such as Iraqis and Afghans, the share proportional to population, especially of suspects of sexual and violent offences, is rather high on the basis of the available data on crime. When forecasting criminal activity among different groups of citizens, one should take account of background factors that impact criminality in the population group in question.

⁴ Merged with the Russian Ministry of the Interior

4.5.2 Effect of age structure on criminality among a population group

The proclivity of foreign nationals to become suspected criminals, which is higher than the proportional average, is explained to a significant extent by the age structure of these nationality groups: in many groups of arrivals, young men account for a considerably higher share than the average share of population and, according to crime statistics, it is precisely those among younger age groups and men who commit the majority of all offences.



Among asylum seekers, young men account for a much larger share than among the largest nationality groups of those already residing here, although even amongst them there are clearly many more young men than in the population on average.

4.5.3 State of conflict and war as the premise for some arrivals

A background as a combatant and participation in military action are factors that normalize the use of violence and, as part thereof, also sexual offences as an individual's operating methods: a combatant's background increases their readiness for violent and sexual crimes and aggressive criminal activity. Organised crime with a background in the West Balkans, which has its breeding ground in the long-term migration trend to Sweden from a crisis area, is a good example of this. Crime researchers have long been aware of the growth of crime in the post-war years: subsequent studies have shown that violence of one's own military reference group⁵ makes people quickly accustomed to violence and its use, besides making those who participated in military action well versed in the use of firearms and explosives.

4.5.4 Effects of the status of fundamental rights

The poor status of fundamental rights in areas of departure and among groups operating there which support conservative and authoritarian social-policy objectives, have an impact on the trend of the status in sexual crime but, also more broadly, in violent criminality. Western practices that are part of equality are often foreign to new arrivals, but among them are also people who have adopted interests and manners in their background community that have no reference in, for example, women's equal position in society. In family and other relationships, such views of fundamental rights can lead to an increase in violence in close relationships and honour-based violence.

According to several reports, sexual harassment and violence against women is common in many countries in the Middle East: it is extremely common in Egypt and common in Afghanistan, Pakistan, and Iran, for instance.

4.5.5 Conflicts and interests move with people

The interests of representatives of armed groups and their political objectives targeted at Western countries can lead to illegal activity in a country that accepts refugees; besides funding of armed action by criminal methods, even recruitment and pressure become more prevalent, and the threat of terrorist activity increases. In Iraq, for example, state organs are weak and the country has multiple armed militia groups whose participants have been found among refugees also. Individuals who are familiar with combat action and the manufacture and use of explosives are capable of attacks that have immense destructive impacts.

Refugees' possibilities to live in the West signify a threat the many parties active in conflict areas. Even violent confrontations among arrivals have been a typical phenomenon: in areas of departure, people have become used to arbitrary and aggressive action to ensure their own interests and safety since, in practice, there has been no police authority. Negative asylum decisions will probably increase the number of individual emergencies, at least.

4.5.6 Organised crime associated with diaspora communities

All over the world, significant criminal activity has been observed among people who belong to the largest groups of new arrivals in Finland.

⁵ See, e.g. Neitzel and Welzer, Sotilaat. Taistelemisesta, tappamisesta ja kuolemisesta. Translated into Finnish in 2013.

Potential for violence determines the possibilities for the success of criminals.

Gang killings have become more common as the number of competing gangs increases in Sweden and Denmark.

Of the areas of departure for the largest groups of arrivals, organised crime and the illegal economy have become more intense as the machinery of power collapsed in the 2000s in Iraq, for example. Organised crime has grown due to the prevailing instability in the country, lack of internal control, political competition, and efforts to acquire funds for various groupings. Criminal activity covers all the typical, most serious forms of organised crime, such as kidnapping, extortion, robbery, human trafficking and corruption.⁶ Criminal activity emerging in diaspora communities abroad is fuelled by the poor capacity of some arrivals for making a living by legal means for various reasons, but also by attempts by those already involved in criminal activity to utilize opportunities presented in Western countries for profitable criminal activities.

For example, drug-related crime based on cooperation networks of Iraqi criminals in Europe is on a large scale, and their activities also include major investment and financing fraud, property crimes and money laundering. Large-scale Iraqi-led drug offences have been revealed in Finland also.

In Finland, competition for markets between gangs and violent confrontations among criminal groups with foreign backgrounds will be more likely in the future unless the growth of organised crime can be prevented.

Gang culture based on ethnic background is typical in organised crime among immigrants who have moved from Afghanistan to countries in the West. In Canada, where approximately 23,000 Afghans lived in 2013, the trend in gang culture led to violent and multi-sectoral organised crime among Afghans that was led in a Mafia style. Large numbers of crimes associated with Afghan communities have been revealed in Europe also.

The recent growth in illegal immigration from Africa, across the Mediterranean, to Europe has focused special attention, at the EU level for instance, to Nigerian-organised crime that is especially significant in sex-based human trafficking. Girls and young women are attracted with job offers, but often they end up in sex work through Libya, first to Italy, and then recycled from there to other EU countries. The Nigerian sex business is strengthening its foothold in Finland too.

4.5.7 Illegal residents as a growth factor in crime

The most important goal of action by the authorities concerning immigrants who have received a residence permit is successful integration, so the arrivals would be capable of acquiring legal means of support and become integrated in Finnish society. Lack of language and professional skills and prejudices against people with foreign backgrounds diminish the arrivals' capability to obtain legal means of support and to become part of Finnish society. Successful integration also helps prevent networks engaged in criminal activity from becoming embedded in diaspora communities.

The number of people who stay in the country illegally will probably grow in the near future, as individuals disappear from the reception system even before their asylum application is decided

6 With regard to forecasting the most serious, violent crimes and the threat caused by arrivals with a combatant background, a useful point of comparison can be found in Sweden and the criminality of individuals who settled there from the West Balkans. A significant number of men used to military action have lived among Balkan nationals, and this is clearly manifested in the criminality of that section of the population. The activities of criminals from the West Balkans in Sweden have proved viable and difficult to combat. Typically, these offenders have refused to be subordinated to others but efficiently take advantage of other criminals. The organisational structures of West Balkan criminals are decentralised and networked, and operations are led by influential and wealthy crime bosses on the basis of their own interests. The persistent continuity of such criminal activity has been guaranteed by the fact that there is a constant supply of young men who are skilled in using firearms and explosives, experience in terms of tactics, and willing to commit crimes.

on and after they receive a negative decision. Withdrawing reception services from people with a decision on removal from the country is also evaluated to impact the growth in the number of illegal residents, although incentives for a voluntary return have been increased. For example, Finland and Iraq do not have an agreement on non-voluntary return of people who come from Iraq and receive a negative asylum or residence permit decision from Finland; at the moment, this is making it difficult to return those with a negative decision.

According to statistics, approximately 4,200 people disappeared from the Finnish reception system in 2015 and 2016. Some of them leave Finland, but others stay in the country or in the Schengen Area; many become asylum seekers again.

Illegal residents are particularly susceptible to abuse by criminals because they have few possibilities for making a living legally. Many European cities have meeting places that are common knowledge, where illegal residents are recruited for shadow employment. The Non-Discrimination Ombudsman has emphasised that people who have received a negative decision and been victims of human trafficking should not be returned, without making sure that they are not victimized again.

One form of illegal residence, not associated with the refugee situation, is violation of prohibitions on entry imposed on criminals who move across borders. In practice, the implementation of prohibitions on entry imposed on criminals in the free-movement zone, in particular, requires efficient supervision and effective cross-border cooperation between authorities. The use of false identities is a favourite method for criminals to evade a prohibition on entry and avoid apprehension on the basis of profiling. In Finland, prohibitions on entry have been imposed especially on Estonian criminals, and a fairly high number of people with such a prohibition are found here.

In 2015, 487 violations of a prohibition on entry were reported to the police, considerably more than in previous years. In 2014, 352 violations of a prohibition on entry were reported to the police, and in 2013 that figure was 273. In 2010, only 85 violations of a prohibition on entry were reported to the police. In the context of criminal investigations, it has been observed that some individuals with a prohibition on entry reside in Finland for long periods at a time.

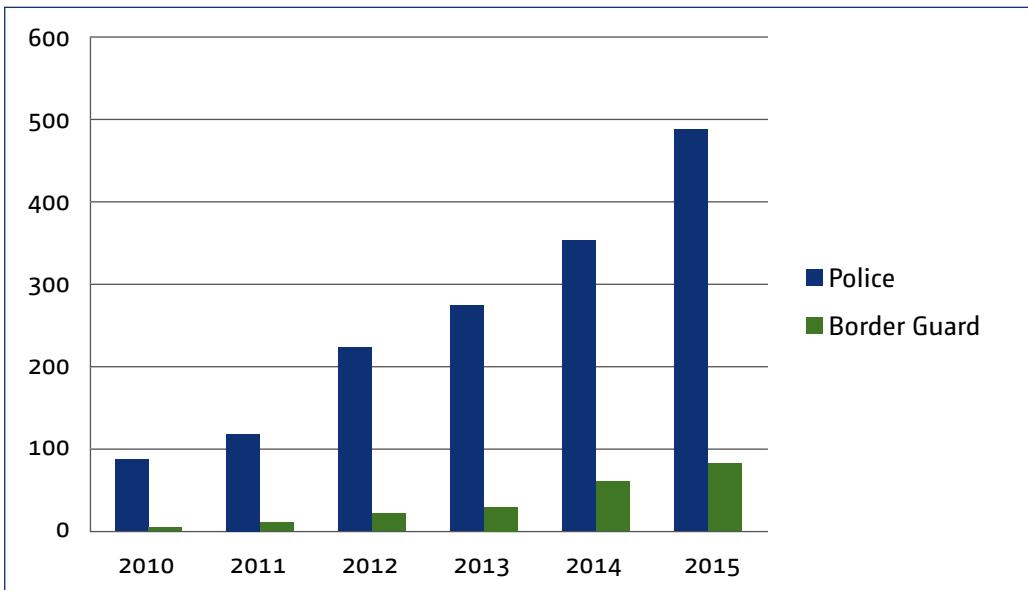
On the other hand, with regard to people who violate a prohibition on entry, it has been noted that the prohibition does not seem to be very relevant, especially among Estonian perpetrators. Many people violate the prohibition repeatedly.

In 2015 there were a total of 23 individuals who were caught at least five times for a violation of a prohibition on entry. These 23 persons violated a prohibition on entry 158 times in total. At most, the same individual was observed violating a prohibition on entry 11–12 times. Several people violated a prohibition 2–4 times. The majority (approx. 83%) of those who violated a prohibition on entry were Estonians.

People who violated a prohibition on entry repeatedly (5–12 times) were often apprehended in the context of another offence. In all, people caught for violating a prohibition on entry in 2015 are suspected of having committed a total of 539 offences in Finland. A total of 51 different crimes were recorded in reports. The most common crimes included theft, giving false identifying information, operation of a vehicle without a licence, petty theft, unlawful use of narcotics, driving while intoxicated, and driving while seriously intoxicated.

There are certainly many more repeated violators of a prohibition on entry than have been reported to the police. The risk of getting caught is very low because inland border ports, for example, do not have continuous supervision.

Violations of prohibition on entry reported to the police and the Border Guard in 2010–2015



(Source: PolStat)

4.5.8 Criminals with a foreign background change organised crime in Europe

Criminal gangs that operate in Finland and wear insignia have some members with a foreign background. The contacts of such foreign members can be utilized in criminal collaboration and the acquisition of firearms, for example.

In many European countries, established criminal gangs have tried to recruit suitable arrivals; however, in Germany, Denmark and even Sweden, new and strongly growing violent and insignia-wearing gangs have formed very quickly which, at worst, are engaged in bloody competition with other criminal parties. Finland should prepare to combat such a trend as the communities of new arrivals grow.

Especially in the context of illegal immigration across the central Mediterranean to Europe, it has been observed that criminals take advantage of the situation of people in distress and systems created to help them, directing their activities at lucrative markets thus offered, such as human trafficking and other opportunities for criminal activity offered. According to information distributed by Europol, for example, mobile criminals use the asylum system to enable residence in the target countries of their property crimes. The operating method of Nigerian-led human trafficking from Libya, through Italy, to Europe is to utilize the services of other human traffickers in the transportation of women recruited as prostitutes to Europe; women are instructed to apply for asylum, after which they are collected from reception centres to work in the sex industry. There are also indications of the utilization of an asylum seeker's status for terrorist purposes.

4.6 AN ASSESSMENT BY THE NATIONAL BUREAU OF INVESTIGATION OF THE TREND IN ILLEGAL IMMIGRATION AND ITS POTENTIAL IMPACTS

Continuing conflicts around the world maintain the efforts of large numbers of people to move to EU countries, even illegally. Financial distress, lack of prospects, and especially changes in the environment increase the immigration trend to Europe much more than conflicts, according to some estimates by experts. One should prepare for a growth of illegal immigration and the side-effects associated with it.

People who enter the country by illegal means are often in a distressed position after becoming indebted to criminals, for example, and because many of them have poor capabilities for making a living legally. At its worst, the situation can mean that a new arrival becomes a victim of human trafficking, which can also mean utilizing the victim as a perpetrator, so particular attention should be paid to identifying any cases of victimization. According to Europol, the number of minor victims of human trafficking has been growing of late in EU countries.

In light of information received from other parts of the world, it can be anticipated that new types of crime, even serious forms, will enter the country with growing new groups of population. Reliable identification of immigrants and residents, verification of their backgrounds and movements, and efficient surveillance and analysis of them are necessary for controlling the situation and for combatting crime. Identification documents and certificates issued by crisis countries involve a great number of uncertainty factors. Creation of shared preconditions and practices for specifying the acceptability of personal documents in the EU area is necessary, so people move and reside in EU countries in controlled ways and on correct grounds.

With regard to public order and security, it is important to make every asylum decision in the future on the basis of careful background work. It is necessary to identify especially representatives and networks of armed, mutually hostile groups without delay: efficient criminal intelligence also requires a new kind of expertise. Also, extremist groups disseminate goals they are ready to achieve by violent means and which are in contradiction with the values of a Western society.

Criminal activity that violates the rules of society must be dealt with efficiently and without delay, through the methods of intelligence and investigation, in order to prevent the development of powerful criminal organisations, trained in the use of violence, in ethnic communities. Quick employment and integration of people who stay in the country is extremely important.

With regard to the prevention of illegal immigration, attention should also be paid to the increase of the ultra-national movement opposed to immigration and its side-effects, such as "street patrols" that have manifested clearly racist activities. Attention should also be paid to the actions of extremist movements opposed to the party mentioned above and counter-demonstrators. Some acts of violence have occurred within these phenomena. Misleading communication by extremist groups is conducive to instigating fear among groups of the population and fear of new arrivals by citizens, and to diminishing their sense of security and trust in the authorities. At the same time, such misleading communication enhances the operational capabilities of the criminal element.

Action by the authorities which maintains the citizens' sense of security also enhances the preconditions for a successful integration of the arrivals. In the assessment of the sufficiency of law enforcement resources, attention should be paid to both the impact made by law enforcement and its credibility, in particular.

4.7 VIEWS OF THE MINISTRY FOR FOREIGN AFFAIRS OF THE STATUS OF ILLEGAL IMMIGRATION AND THE NEED FOR DEVELOPMENT AT FINNISH FOREIGN MISSIONS

A significant pressure of illegal immigration is targeted at Finland and other Schengen states from several countries of departure and transit concerning large-scale, illegal immigration. Missions operating in these countries face continuous challenges as they try to prevent the abuse of legal methods of immigration during the investigation of visas, residence and work permits, without delaying the processing of other applications. With regard to visa applications, such investigations are carried out at missions, for other permits these are done mostly in Finland.

For each country of departure, missions in Schengen states have joint requirements for attachments to a visa application. These joint requirements for documents have been dimensioned according to the circumstances in each country of departure, and they are aimed at responding to attempts at abuse. Interviews with visa applicants and verification of the accuracy of attachments presented are key factors in assessing the purpose of a journey and the applicants' returns to their home countries after the trip. Checks of register entries are launched automatically during an investigation of a visa applications, but naturally they do not yield any hits with new applicants. The most important factor in the investigation of visa applications of applicants who belong to risk groups is familiarity with the local circumstances in the host country, clarification of the applicants' backgrounds, and establishment of the correctness of the key attachments from the issuing authority.

In cases of abuse that have occurred, it is thought that in many countries of departure the backdrop includes organised crime, representatives of unauthorised employment agents, and forgers of documents. Organisation of illegal immigration is expensive, and the funds required are mostly acquired from loan sharks, if the arrival or their family have no regular income in their home country. These abusers especially victimize young recent graduates who have, in vain, tried to find a job in the home country and who have no money, and other individuals in search of work and a livelihood.

Missions can affect illegal entry to the country in advance through their actions. Such prevention is efficient, economical and important in terms of public order and security. Special attentions should be paid to ensure sufficient resources for missions and maintenance of the employees' professional skills in the prevention of illegal entry. The missions' resources in the prevention of illegal entry is of paramount importance. Effective prevention of illegal entry requires that the missions conduct high-quality interviews in a reasonable time, investigate the original documents, and possess local knowledge.

Since 1990, the majority of visa applications to Finland have come from Russia, more than 90 per cent at times. Due to changes in the financial situation in Russia, the total number of visa applications received by Finnish missions has decreased for three years in a row. The peak year was 2013 when more than 1.5 million people applied for a visa to Finland. Since then the figures have been as follows – in 2014: 1.2 million applicants; in 2015: 785,000 applicants; for 2016, the total number of visa applicants is estimated to decrease, albeit less sharply.

In 2015, negative decisions on visa applications received by Finnish missions accounted for 1.2% of the total number of applications. The range of negative decisions between the various stations was 0.2%–49.1 % at Finnish missions; the figures are similar at missions of other Schengen countries.

The reason for the wide variation in the number of negative decisions between the various stations is an assessment of the risk that the visa applicant will remain in the Schengen Area. The highest number of negative visa decisions are issued at missions operating in countries of departure and transit for large-scale illegal immigration, such as in Northern and Central Africa, the Middle East or the Far East. In these countries, the share of negative decisions ranges from 14% to 49%. However, the total number of visa applications in these locations is relatively low.

In countries of departure with a small risk of illegal immigration, such as Russia or China, all member countries have a high number of visa applications but the figure for negative decisions is fairly low, 0.2%–1%. Since the number of applications is high, applicants from these countries account for clearly more than half of all the applicants who are issued a negative visa decision by Finland.

Some missions operating in EU Member States outside of the Schengen Area also have a rather high share of negative decisions; examples include Nicosia with 234 applicants and 43.7% of negative decisions, and London with 2,135 applicants 2.1% of whom were denied a visa. The applicants are citizens of non-EU countries who, for example, do not have valid permits for their country of residence or whose temporary permits do not authorise them to return to their country of residence after the journey.

The shared Visa Information System (VIS) of the Schengen countries, which includes biometric identification of visa applicants, has been used in all countries of departure since 29 February 2016 at the external borders of the Schengen countries and within the Schengen Area. The distribution of the VIS system to the missions of member countries began in the autumn of 2011 and was completed four years later, last in high-volume countries of departure, such as China, India, and Russia.

Entries in the VIS register are stored for five years; the register currently holds details on approx. 20 million visa applicants, and approx. 15 million new applications for a visa accumulate every year, some of these by the same applicants. Thus far, the largest missions have no significant experience of identification of cases of abuse by means of VIS fingerprints. At some stations, such as ones in countries in North Africa where fingerprints have been in use for a longer time, the benefit obtained from them has been verified with applications for a new visa. According to estimates, this has increased attempts at abuse of permits entitling entry to the Schengen Area, such as residence permits and cards.

Local cooperation between missions of Schengen countries should be further developed, especially in countries of departure and transit for most extensive illegal immigration. This will require cooperation between all national authorities responsible and the EU's working groups. For its part, Finland has enhanced training at its missions in these areas through regional training events and field trips by the working group on combating illegal immigration; national authorities responsible have participated in both of these, and experts from other Member States were met with in those contexts.

4.8 PERSPECTIVES OF THE FINNISH IMMIGRATION SERVICE ON ILLEGAL ENTRY AND STAY IN THE COUNTRY; EVASION OF ENTRY REGULATIONS IN RESIDENCE PERMIT PROCESSES

The Finnish Immigration Service was asked for a review of abuses observed in permit processes and the key challenges related to the prevention of abuses, from the perspective of illegal entry.

The Finnish Immigration Service has made observations on abuses in the residence permit process in the context of the following categories, for instance. Abuses related to family reunification have been observed in the form of marriages of convenience. In these cases, a marriage was concluded to obtain a residence permit, not to lead a family life. Some people also attempted to obtain permits based on family ties by evading the regulations. In such cases, it must be noted that an application based on family ties can be rejected even if the family tie in question is real, if the sponsor received their own permit by evading the entry regulations. Also, abuse of minors who enter the country alone as a tool for the immigration of the rest of the family is a typical form of abuse in family reunification situations. The Supreme Administrative Court has accepted the interpretation that a permit can be rejected if there is justified reason to suspect that custodians sent a child to Finland in order to gain entry to the country afterwards. The custodians acted with awareness that continuing to lead a family life in Finland was uncertain.

Abuses of employed persons' residence permits have involved cases in which there was reason to suspect professional skills reported or when an applicant was not coming to work on the terms of employment reported. Getting "other family members" (incl. grandparents and adult children) to Finland on the basis of family ties is difficult. These situations have involved attempts at ostensibly hiring a grandparent, for example, as a nanny, although the intention was to bring the family member to Finland to lead a family life.

An applicant's application history is also relevant to the case. An employed person's residence permit can be rejected on the basis of evasion of regulations even if the employment relationship and the intention to work are real. It has been deemed that an applicant cannot obtain unjustified benefit from residence in Finland based on fraudulent activity, and ties to Finland generated during such

residence, such as a new job, cannot be considered in their interest. Supreme Administrative Court (KHO:2016:31): an employed person's application for a residence permit could be rejected, despite a genuine employment relationship, on the basis of section 36(2) of the Aliens Act, considering A's prior actions and application history.

Abuses of a student's residence permit often involve suspicious information about means of support or the equivalent, or it becomes evident during or after the application process that the individual intends to use a student's residence permit for purposes of working.

Abuses concerning the asylum procedure involve false grounds, false identifying information and false documents that exacerbate and slow down the resolution of the matter and can mean that a residence permit is issued without cause and that an impediment to a residence permit is ignored. In addition to these, the asylum procedure is also used as a way to enter the country in situations where the applicant's real intention is to come to Finland to look for work or stay with the family, for example. In these cases, the applicant does not necessarily even claim to be in need of international protection but may, during an asylum interview, directly state having arrived in the country for another reason.

There have also been cases of abuse of the asylum procedure where the applicant has resided illegally in the country for a long time before submitting an asylum application and only applied for asylum after having been apprehended for illegal residence.

Decisions made by the citizenship unit indicate the results of prior abuses by various individuals. Typical situations include personal data changed after naturalisation. Abuses of the family reunification process are manifested such that a person who has arrived as a wife proves to be a sister or grandmother. Forgeries of documents also become apparent in the naturalisation phase: a person has presented forged Iraqi citizenship certificates and identity cards.

Suspicion and risk of abuse is also strong in a situation where citizens of Finland and another state visit a Finnish mission abroad to obtain a Finnish passport, and these people have no reliable identity documents or speak no Finnish or Swedish at all, but moving notifications on them from Finland to another EU state have been made a few years earlier.

4.9 PERSPECTIVES OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION ON THE PREVENTION OF ILLEGAL ENTRY

Activities of the Occupational Safety and Health Administration are defined by a four-year framework plan (2016–2019) that was prepared in cooperation with the key stakeholders of the Occupational Safety and Health Administration. These activities are specified by means of performance agreements on an annual basis.

The Occupational Safety and Health Administration carries out its activities mainly through workplace inspections. The goal of areas of responsibility for occupational safety and health at Regional State Administrative Agencies is 30,000 inspections every year. During the four-year period, a total of approximately 60,000 objects of supervision are reached. The Occupational Safety and Health Administration supervises workplaces of all sizes.

As societal changes, the Occupational Safety and Health Administration seeks a decrease in the number of workplace accidents and occupational diseases, compliance with the terms of employment relationships, a reduction in the volume of the grey economy, compliance with the Act on the Contractor's Obligations and Liability when Work is Contracted Out, a decrease in the share of uninsured wages and salaries, and a reduction in the number of violations of driving time and rest periods.

The Occupational Safety and Health Administration engages in cooperation with other operators promoting occupational safety on matters where their goals are consistent. The forms of collaboration include projects and enforcement of supervision. The significance of cooperation with authorities is emphasised in the supervision of aliens and some inspections related to combatting the grey economy.

Vera Supervision, the information system of the Occupational Safety and Health Administration, is a key tool in the management and surveillance of the quality of such supervision. In the long term, the impact of this supervision is assessed by monitoring changes in working conditions at workplaces.

Use of financial penalties when hiring workers who are illegally resident in the country - joint and several liability

An employer that hires a citizen of third country who is an illegal resident in the country may be liable to pay a financial penalty of EUR 1,000–30,000 imposed by the Finnish Immigration Service. "Citizens of third countries" mean citizens of countries other than the Nordic countries, EU countries, Liechtenstein or Switzerland.

A principal client or another subcontractor who acts as a client is liable to pay, with joint and several liability, together with the worker's employer, a financial penalty and costs arising from the payment of receivables to a foreign country, if they have been aware of the worker's illegal residence in the Finland, as well as costs for a return if they have affected the entry or residence of an illegal worker.

Supervision by the Occupational Safety and Health Administration of preconditions for work done by foreign employees, as part of the fight against the grey economy and supervision of terms of employment relationships

Minimum terms based on legislation and collective agreements have been specified for all employment relationships. In addition, both employers and employees have rights and obligation both during an employment relationship and upon its termination.

Supervision carried out by the Occupational Safety and Health Administration aims to ensure that all employees in Finland have terms of employment, working hours, wages and salaries that comply with legislation.

From the perspective of the Occupational Safety and Health Administration, the "grey economy" means that business attempt to seek financial gain by neglecting their statutory charges and obligations. The grey economy also comprises shadow employment and abuse of social benefits. The grey economy is also involved when enterprises aim to seek financial benefits by using, in leased work and as subcontractors, companies that have not fulfilled their obligations.

Other concrete measures by the Occupational Safety and Health Administration

The Occupational Safety and Health Administration acts in accordance with policies agreed upon in performance-based management in 2016–2019. On the basis of these policies, measures to be taken with areas of responsibility for occupational safety and health at Regional State Administrative Agencies are agreed upon in annual performance agreements.

The key policies include the following:

Targeting supervision, on the basis of risks, at places that presumably have conditions which violate valid legislation.

Promoting the utilization of information available to various authorities and eliminating barriers to the flow of information is important. Exchange of information between various operators is further developed. For example, a proposition has been submitted for extending an occupational safety and health authority's right of access to secret information on both sides, when dealing with other public authorities in dealing with supervision duties involving the fight against the grey economy.

Using cooperation on supervision and with stakeholders to increase the impact of such supervision. Engagement in cooperation at both the regional and national levels.

Imposing obligation on multiple operators simultaneously comprises effective prevention of the grey economy: One example of this is the construction industry (lists of workers and independent performers of work at shared construction sites, ID cards of people working on job sites with tax-number identifiers, the liability of employers at job sites with regard to their own employees and those of their partners).

The Occupational Safety and Health Administration examines an extended adoption of administrative financial penalties to increase the effectiveness and impact of supervision. The principle form of such penalties would be an administrative financial penalty proportioned to the seriousness of the violation. According to current legislation, violations of labour legislation are handled in a criminal process. However, the criminal process is an unreasonably heavy and expensive way to deal with minor violations, so sometimes the decision is made to limit the pre-trial investigation of these. An extension of the scope of administrative financial penalties in the supervision of occupational safety and health is supported by good experiences gained from the Act on the Contractor's Obligations and Liability when Work is Contracted Out (1233/2006). Occupational safety and health authorities will also receive more such experience when imposing dereliction charges on the basis of the new Posted Workers Act (447/2016).

The Occupational Safety and Health Administration also provides information and advice on its website (www.tyosuojelu.fi) and via a national telephone helpline.

Also, cooperation against shadow employment will be promoted, at both the EU and national levels, in accordance with the new Decision (EU) 2016/344 of the European Parliament and of the Council. The work being done is led by the Ministry of Economic Affairs and Employment, but the Occupational Safety and Health Administration also plays an important role in these efforts. The intention is to bring in all relevant operators to do this important work.

5 LIST OF RECOMMENDED MEASURES

- 1. Assess the needs and possibilities for developing legislation to enhance the investigation of violations of the Aliens Act, and make the required amendments to legislation (Ministry of the Interior/ Ministry of Justice)*

The Ministry of Justice, together with the Ministry of the Interior, assesses the needs and possibilities for developing legislation to enhance the investigation of violations of the Aliens Act. The progress of measure No. 24 is taken into account in the preparations.

- 2. Taking possession of a travel document for the duration of the asylum process (Ministry of the Interior, Finnish Immigration Service, National Police Board, Border Guard)*

Any possession of a travel document for the duration of the asylum process requires a review of the powers to do so.

- 3. Reform of the Register of Aliens Act to combat the grey economy (Ministry of the Interior)*

Full implementation of a service on the management of obligations regarding grounds for employment and self-employed persons' residence permits. In this context, an alternative way forward can be to assess whether the goal can be attained through closer contacts between UMA and existing registers.

Develop the collection and analysis of information on self-employed persons' applications for residence permits, from the perspectives of combating the grey economy.

4. *Refusing a residence permit due to deceitful conduct of an employer (Ministry of the Interior, Ministry of Economic Affairs and Employment)*

The Ministry of the Interior will determine, in collaboration with the Ministry of Economic Affairs and Employment, possibilities for amending the Aliens Act such that a residence permit could be rejected even when the employer of a foreign employee has evaded residence regulations or an employer's representative been convicted of an offence involving occupational health and safety, human trafficking or usury.

5. *Imposing a prohibition on entry in cases other than in the context of a decision on deportation (Ministry of the Interior, Finnish Security Intelligence Service)*

The Ministry of the Interior and the Finnish Security Intelligence Service determine whether the Aliens Act can be amended such that the imposition of a prohibition on entry would be possible, directly, in a matter concerning a residence permit, without a decision on removal from the country, and a prohibition on entry could be imposed on an applicant residing abroad also. The imposition of a prohibition on entry on a person residing abroad should also be possible for reasons related to national security. If such an amendment is possible, the changes required are made to the grounds for the imposition of a prohibition on entry.

6. *Cancellation of a residence permit when a person is deemed to jeopardise national security or public order or safety (Ministry of the Interior, Finnish Security Intelligence Service)*

Determine whether legislation can be amended such that it would interfere with and prevent a person residing abroad from returning to Finland, by cancelling the permits issued to that person or by suspending their protection status, if the person is considered a danger to national security, or public order or security. Regulation should enable, at the very least, circumstances made possible by the Directive pertaining to the matter.

7. *Operational capabilities of missions are further developed, in order to identify attempts at illegal immigration. (Ministry for Foreign Affairs)*

8. *Identification of forged documents is improved at embassies and missions; this includes the replacement of document examination equipment and training at several embassies and missions (Ministry for Foreign Affairs)*

9. *Operation of liaison officers abroad (Ministry for Foreign Affairs, Finnish Immigration Service, Border Guard, National Police Board)*

The parties responsible develop new and cost-efficient operating models in the activities of liaison officers.

10. *Enhancement of cooperation between the authorities and carriers (Ministry of the Interior/Border Guard)*

The Border Guard continues to provide advanced training to carriers upon the opening of new flight connections from airports at risky areas in terms of illegal immigration.

Aim to increase shipping companies' awareness of illegal immigration within the Schengen Area, by means of training and close cooperation.

Carriers should be subject to obligations on traffic across external borders also once border control (border inspections) have been temporarily reassigned to them. Carriers should be obliged to inspect documents required for entering the country, transport the individuals back, and submit passenger and crew lists in advance. Also, a financial penalty on carriers (cf. section 179 of the Aliens Act) should be enacted for application. This requires amendments to the Aliens Act.

11. Cooperation with nearby regions and neighbouring countries, and access to information (Finnish Immigration Service)

The Finnish Immigration Service develops situational awareness of the situation in countries in nearby regions so as to ensure that up-to-date preparation plans can be maintained. Aim to discuss the possibility of "Dublin returns" to Sweden, via the land border in the North.

12. Participation in the activities of Frontex and Europol (Border Guard, National Police Board, National Bureau of Investigation)

Take an active part in joint operations of Frontex and Europol (especially Guest Officer activity) related to the prevention of illegal immigration in focus areas of illegal immigration, on the external borders of the European Union. Establish a PIU at the National Bureau of Investigation.

13. Smart borders (Border Guard)

Finland takes an active part in the preparation and implementation of the Smart borders entity, in terms of both legislative work and the coordination of processes and practical functions.

14. Increase awareness of prohibited ethnic profiling (Non-Discrimination Ombudsman, National Police Board, Border Guard)

On the basis of feedback received, the Non-Discrimination Ombudsman continues to distribute to the police and the Border Guard information on good practices in the implementation of the prohibition of discriminatory ethnic profiling.

15. Development of cooperation between social welfare authorities, the Social Insurance Institution of Finland (Kela), the police and other authorities who process matters on aliens by improving the exchange of information (Ministry of the Interior, Ministry of Social Affairs and Health, Finnish Immigration Service, Kela)

The Ministry of Social Affairs and Health and the Ministry of the Interior together survey problems related to the exchange of information and cooperation between authorities, and create policies for these on the basis of valid legislation or, if necessary, propose amendments to legislation.

16. Increase accommodation capacity for people detained on the basis of the Aliens Act (Ministry of the Interior)

Increase detention capacity primarily by adding to the number of beds at the Metsälä or Joutseno detention unit or, if necessary, by establishing a new detention unit.

17. *Draw up cooperation protocols with countries that are significant with regard to decisions on removal from the country but where enforcement is challenging; develop and maintain cooperation between authorities to ensure efficient enforcement of deportation decisions (Ministry of the Interior, Ministry for Foreign Affairs, police)*

Aim to draw up cooperation protocols with countries where returns are a challenge, especially Iraq and Somalia. Such agreements should especially include the possibility for "forced returns". Alongside the preparation of such cooperation protocols, develop cooperation of practical operators between the authorities in countries of departure, Frontex and other EU actors.

18. *The competence and powers of the police and other authorities in matters related to illegal immigration must be improved, because this issue applies to a greater number of civil servants than previously (National Police Board, Ministry of the Interior)*

Direct training on alien affairs at basic police activities.

Maintain and further develop the activities of networks of people responsible for the prevention of illegal immigration, under the leadership of the National Police Board.

Enhance the supervision of aliens inland such that it meets the preconditions imposed by the changed operating environment.

The resources of the police and other authorities for the prevention of illegal entry and stay in the country must be secured

19. *Increase the expertise of prosecutors (Office of the Prosecutor General)*

Train prosecutors on the specific characteristics of offences associated with illegal immigration. Emphasise the importance of cooperation during pre-investigation and awareness of the phenomenon.

Add the management of ordinary criminal matters related to illegal immigration as part of the core competence of prosecutors.

20. *Develop the application processes of foreign students, especially in countries that are suspect in terms of illegal immigration (Ministry of Education and Culture, National Board of Education, Ministry for Foreign Affairs, Finnish Immigration Service)*

Create best practices between educational institutions that recruit foreign students and the authorities, with regard to admission procedures and practices on visas and residence permits. Special attention should be paid to operating models when recruiting students from "suspect countries with regard to illegal immigration".

For its part, the National Board of Education endeavours to help upper secondary level institutions, in particular, create practices similar to those used by higher level institutions in the admission of students.

21. *Enhance the opportunities to use biometrics in the prevention of illegal immigration (Finnish Immigration Service, Ministry of the Interior)*

The Finnish Immigration Service develops its information systems, in cooperation with relevant authorities and within current legislation, in a direction where the utilisation of biometrics is more efficient than before.

22. Enhancing the acquisition of information and ensuring the exchange of information after the transfer of authority on alien affairs (Finnish Immigration Service, National Police Board, Finnish Security Intelligence Service)

The cooperation between the Finnish Security Intelligence Service and other police units must be developed and enhanced. The quality and scope of such cooperation should be ensured in a cooperation agreement between the Finnish Security Intelligence Service and the police administration.

The ASYL function in the National Bureau of Investigation should be effectively utilised by various authorities.

The Finnish Immigration Service creates a coherent and effective operating model that can be used for active, retrospective supervision of permits.

Training of employees working in customer service at the Finnish Immigration Service should be increased to develop the supervision of permits.

Ensure that, when residence permits are processed, the goals of the supervision of aliens are implemented in the future, and that the Finnish Immigration Service has sufficient powers to do this and the right to report its observations to the police.

23. Developing the functionality of the UMA register (Finnish Immigration Service)

"Traffic lights", for example, should be taken in use on the cover page of the section concerning the person in question in the UMA register, to indicate the status of residence in the country (matter pending, matter processed, no right of residence, etc.).

The UMA register should be developed such that information about aliens with an enforceable decision on removal from the country, waiting for implementation, can be read and printed from the register.

In training on UMA, attention should be paid to the accuracy of basic work, i.e. the entries in the register.

24. Arrival of people with a prohibition on entry into Finland (Ministry of the Interior, Finnish Immigration Service, Ministry for Foreign Affairs, National Police Board)

Develop cooperation between authorities and determine whether there is need for legislative amendments also.

Assess whether the Aliens Act should be amended such that even a prohibition on entry for a citizen of a third country could be revoked in part, with amendments to legislation made if necessary.

An amendment to legislation should be considered, so that criminal sanctions could be imposed on a person or, for instance, extend the prohibition on entry if the person goes missing after arriving in Finland. With regard to any legislative amendments, it should be determined how they are related to EU legislation and how their added value is related to resources required by the arrangement.

If a prohibition on entry is revoked in part because of a trial and a person has previously been considered a threat to public order and security, the Finnish Immigration Service should report the decision to the relevant police department.

In the implementation of the recommended measure, required changes to the UMA information system, for example, should be ensured.

25. *Improve the identification of unauthorised transfer of work permits for foreign employees and illegal fees charged for them, and the organisation of illegal immigration, in countries of departure (Ministry for Foreign Affairs, Ministry of the Interior)*

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