



## Organization for Security and Co-operation in Europe

### Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings

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#### Foreword

On 26-30 August I conducted a country visit to Finland to hold consultations with high-level government officials, law-enforcement, and the judiciary as well as representatives of civil society. I am grateful for the constructive, candid discussions with numerous interlocutors and the comprehensive information they provided to inform the analysis in this report.

The objectives of the visit were to identify promising practices for combating trafficking in human beings (THB) as well as to promote the full implementation of OSCE commitments in the field of anti-trafficking, notably holistic and comprehensive actions aiming to better prevent and respond to human trafficking and to protect and support victims.

The Report from the visit was finalized and presented to Finland on 1 December 2024. The Government submitted its comments on 20 December, which are fully incorporated into the report.

Finland has advanced its efforts to prevent and combat human trafficking by undertaking a number of initiatives including implementing National Anti-Trafficking Action Plans, a specific Action Plan against Labour Exploitation, and establishing networks of specialized investigators, prosecutors and judges. It has initiated several measures that could serve as positive practices for other OSCE participating States. Nonetheless, the report contains a list of recommendations to further strengthen anti-trafficking efforts in Finland consistent with latest trends and available tools.

By encouraging relevant authorities to implement the comprehensive set of recommendations made in this report, I look forward to deepening our established collaboration and to furthering our future co-operation in the best interests of the most vulnerable and disadvantaged members of society.

A handwritten signature in blue ink that reads 'Kari Johnstone'.

Dr. Kari Johnstone,  
OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings

**Report by the OSCE Special Representative and Co-ordinator for Combating  
Trafficking in Human Beings, Kari Johnstone, following the country visit to  
Finland  
26-30 August 2024<sup>1</sup>**

**Summary:**

The OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Kari Johnstone, conducted an official visit to Finland from 26 to 30 August 2024 to assess the country's anti-trafficking laws, policies, and practices. During the visit, special attention was paid to national efforts to coordinate anti-trafficking measures, prevent human trafficking, protect the rights of and provide assistance to trafficking victims, and prosecute perpetrators in line with OSCE commitments and relevant international standards.

The Special Representative positively notes the initiatives and approaches taken by Finland in preventing and combating labour exploitation through adoption of laws and policies and establishing institutional structures. Finland sets an example by developing and implementing a dedicated National Action Plan against Labour Exploitation and utilizing a whole-of-society approach with numerous governmental structures and NGOs playing a role in identifying and addressing labour-related crimes, including those committed with trafficking elements. This serves as a good practice as it brings diverse perspectives, resources, and expertise to tackle labour exploitation. The proactive approach of the Finnish Tax Authority and Grey Economy Information Unit to identify and investigate suspicious tax records and financial flows deriving from various forms of labour exploitation through wider partnerships demonstrates another innovative and good practice. The Special Representative applauds Finland's quick and broad response to the recent high-profile case of exploitation of foreign workers in wild berry picking, ranging from active media coverage, to quick review of visa and temporary residence rules for this vulnerable category, as well as prosecution of several perpetrators, including an allegedly complicit government official.

The Special Representative welcomes the introduction of unconditional access to services for trafficking victims since 1 January 2023 and the detachment of victim status and relevant assistance from victims' willingness to cooperate with law enforcement. Supporting the grassroots level practitioners and recognizing the importance of victim support NGOs in identification and referral to the National Assistance System (NAS) has been an effective strategy implemented over the past several years, which led to an increase in the detection of trafficking victims; and the Special Representative hopes to see the maintenance of consistent support to the grassroots organizations identifying and assisting victims despite current budget cuts and austerity measures. She also strongly encourages authorities to take steps to sustain proactive screening of migrants

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<sup>1</sup> The Report was finalized on 8 January 2025

and asylum seekers for trafficking indicators to ensure Finland fulfills its international legal obligations to identify and protect trafficking victims among this highly vulnerable population. The recent tightening of asylum procedures could have a detrimental effect on the effective implementation of this commitment. She also urges continued granting of reflection periods and residency permits to trafficking victims and that Finland consider amending the Aliens Act to ensure more victims can obtain residence permits.

Authorities recognize that significant efforts are still needed to identify the various forms of trafficking, especially those involving sexual exploitation and children, including crimes facilitated by technology. With regard to protection efforts, while victims are reportedly being served, service provision varies considerably between the regions of the country and also depends on whether trafficking victims are registered with a municipality for residence. In this regard, the Special Representative anticipates the launch and rollout of the National Referral Mechanism (NRM), which should contribute to an improved and effective protection scheme.

In the area of investigation and prosecution, the Special Representative positively notes the establishment of specialized anti-trafficking units within the police and the National Bureau of Investigation, the network of prosecutors specializing in trafficking cases, as well as the recent possibility for judges at the district and appellate court level to have a double specialization in sexual violence and human trafficking cases. However, she expresses concern about the low number of trafficking cases and convictions, as well as the length of pre-trial investigations and court proceedings. Effective justice for trafficking victims needs to be timely and criminal accountability must be high enough to serve as an effective deterrent. Here, she welcomes the continuous efforts of the Office of the Chancellor of Justice to review the legality of anti-trafficking cases and its work with law enforcement to address shortcomings.

Below, the Special Representative makes several concrete recommendations to enhance Finland's response, including the development and adoption of a new National Anti-Trafficking Action Plan (NAP); launch of the newly developed NRM; improving identification of victims of all forms of trafficking, including for forced criminality and online; increased capacity-building for law enforcement and judges on the application of the non-punishment principle; tackling the demand that fosters all forms of trafficking, with particular focus on legislative efforts related to discouraging demand for sexual exploitation and supply chain transparency; and boosting proactive investigation and prosecution of all forms of trafficking.

## **I. Introduction**

1. This Report presents the central findings and recommendations of OSCE Special Representative and Co-ordinator for Combating Trafficking in Human Beings, Kari Johnstone, (hereinafter referred to as the Special Representative) following her country visit to Finland on 26-30 August 2024.<sup>2</sup>
2. The purpose of the visit was to hold consultations with government officials and experts from state institutions and civil society to learn of promising practices as well

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<sup>2</sup> The Special Representative was accompanied by the Programme and Capacity-building Officer, Katharina Thon, and Associate Country Visit Officer, Alexandra Donskova-Huber

as to support and advance ongoing efforts to prevent trafficking, assist trafficking victims and protect their rights, and bring perpetrators to justice in line with OSCE commitments and relevant international standards.

3. In the course of the visit, the Special Representative engaged in direct consultations with government officials, including Finland's National Anti-Trafficking Co-ordinator; National Rapporteur on Trafficking in Human Beings/National Anti-Trafficking Rapporteur; Permanent Secretary of the Ministry of Social Affairs and Health; State Secretary to the Minister for Foreign Affairs and Minister of Defence; Permanent Secretary of the Ministry of the Interior; Prosecutor General; Ambassador for Human Rights and Director of the Human Rights Center; judges from the Helsinki District Court and Helsinki Court of Appeal; as well as representatives from the Ministries of Interior, Justice, Social Affairs and Health, Education and Culture, Economic Affairs and Employment; Finnish Immigration Service; the National Assistance System for Victims of Human Trafficking; Office of the Chancellor of Justice; Finnish Tax Administration; representatives from the Finnish Institute for Welfare and Health and Wellbeing Service County of Vantaa & Kerava and the City of Helsinki; as well as a member of the Parliament.

The Special Representative also held consultations with a trafficking survivor leader, Central Organisation of Finnish Trade Unions (SAK), anti-trafficking NGOs, including RIKU (Victim Support Finland), MONIKA (Multicultural Women's Association), Finnish Red Cross, Finnish Refugee Advice Centre, National Council of Women in Finland and Pro-tupikiste (Pro Support Center); and the European Institute for Crime Prevention and Control/HEUNI.

4. The Special Representative wishes to thank the Finnish authorities, and in particular, Finland's National Anti-Trafficking Co-ordinator Dr. Venla Roth and Ms. Marjaana Ettala from the Ministry of Foreign Affairs for the co-operation and assistance in organizing and facilitating the visit. She also wishes to thank all interlocutors, including the National Rapporteur and civil society organizations in Finland, for their willingness to share their knowledge and insights, including by providing numerous informative documents that supported the desk research for this report.
5. Consultations during the visit focused on the situation of trafficking in human beings (THB) in the country and the ongoing policy, legislative, and operational responses to it. Discussions focused on co-ordination; the identification of, and provision of assistance to, victims of all forms of trafficking, particularly children; the protection of victims' rights, including of migrant workers and asylum seekers; efforts in the area of prevention and countering the demand that fosters sexual and labour exploitation; prosecutions and convictions of perpetrators; monitoring and evaluation of anti-trafficking measures; and co-operation with civil society and partnerships with public and private entities.
6. Over the course of the visit, the Special Representative noted with appreciation that government officials and civil society representatives demonstrated significant awareness and understanding of human trafficking as a serious crime and violation of fundamental rights, knowledge of new trafficking trends in the country, and a readiness to tackle new threats. She also commends Finland's consistent efforts to contribute to the advancement of the global anti-trafficking agenda through innovative and ground-

breaking research and legislation as well as leadership and investment in multi-lateral anti-trafficking efforts.

7. The Special Representative stressed the importance of ensuring the high political profile of the anti-trafficking agenda, maintaining the prevention of THB as a key government priority, and maintaining vigilance on exploitation for forced criminality. She notes that a decline in high-level attention including sufficient finances to the issue could jeopardize the important results Finland has achieved.

## **II. Legal framework**

8. The Special Representative commends Finland for being a party to major international instruments in the fight against trafficking in human beings, such as the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (“Palermo Protocol”), ratified in 2006, and the Council of Europe Convention on Action against Trafficking in Human Beings, ratified in 2012.

The country has also ratified a number of Conventions addressing trafficking and forced labour such as the ILO Forced Labour Convention No.29 and its Protocol of 2014 ratified in 1936 and 2017, respectively; the ILO Convention on the Abolition of Forced Labour No.105, ratified in 1960; the ILO Convention on Worst Forms of Child Labour No.182, ratified in 2000; the ILO Domestic Workers Convention No. 189 in 2015 and the UN Convention on the Elimination of All Forms of Discrimination against Women in 1986.

Finland ratified the UN Convention on the Rights of the Child in 1991. The Optional Protocol on the involvement of children in armed conflict and on the Sale of Children, Child Prostitution and Child Pornography, were ratified in 2002 and in 2012, respectively.

9. As a participating State to the OSCE, Finland has also pledged to implement the commitments it has undertaken in the OSCE framework, in particular the recommendations contained in the 2003 Action Plan to Combat Trafficking in Human Beings, as well as its 2005<sup>3</sup> and 2013<sup>4</sup> Addendums.
10. The Special Representative recommends that Finland sign and ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, which is of particular importance to enhance protection mechanisms in the context of mixed migration flows and of workers in seasonal labour.
11. Domestically, human trafficking is defined in Chapter 25, Section 3 and 3a of the Finnish Criminal Code (CC). Section 3 contains a list of exploitative purposes including sexual exploitation, forced labour or other conditions that violate human dignity, removal of organs or tissues and forced marriage (added as of 01.01.2025).

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<sup>3</sup> OSCE Permanent Council Decision No. 685 [Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: Addressing the Special needs of Child Victim of Trafficking for Protection and Assistance](#), PC.DEC/685

<sup>4</sup> No.1107 [Addendum to the OSCE Action Plan to Combat Trafficking in Human Beings: One Decade Later](#), PC.DEC/1107/Corr.11

These forms are punishable by up to four years of imprisonment. Pursuant to Section 3a, aggravated human trafficking is punishable by imprisonment for a term not exceeding 10 years and its determination is linked to whether the person subjected to the act was under 18 years of age or a person whose ability to defend themselves is substantially diminished, whether severe violence or force was used, if the act resulted in a bodily injury or grave suffering, or whether committed as a part of activities of an organized crime group. Provisions on corporate criminal liability apply to human trafficking as well.

12. The CC Chapter 20, Section 9 prohibits profiting from another person's prostitution (pandering), punishable by a fine or imprisonment for at most three years. Aggravated pandering (Section 9(a)) is punishable by imprisonment for at least four months and at most six years. Chapter 20, Section 8a criminalizes the purchase of sexual services from a young person (under the age of 18), punishable by a fine or imprisonment for at most two years. Pursuant to Chapter 20, Section 8 of the Criminal Code, the purchase of sexual services from a person, while having reason to suspect the person concerned is a victim of trafficking or pandering, is punishable with a fine or imprisonment of max 6 months. Extortionate work discrimination (Chapter 47, Section 3a) is an employment offence related to labour exploitation and is punishable with a fine or imprisonment up to two years. Providing or receiving payment or taking advantage of a somehow dependent position of a person for the purpose of exploitation is penalized as human trafficking. Finland is in the process of criminalizing the act of entering into a forced marriage or comparable union as a form of human trafficking.
13. Finnish law does not include an explicit reference to the *irrelevance of consent* of the victim to the intended exploitation. However, the issue of consent has come up in several discussions particularly related to cases of trafficking for sexual exploitation, such as during the prosecution of a case involving 150-200 victims from the Roma community in Hungary, who travelled to Finland to engage in commercial sex whom traffickers exploited. Investigators and prosecutors have qualified this case as pandering due to the victims' perceived consent and ability to exit the situation; however, this might have been a case of human trafficking with a subtle means of coercion. Another significant area where irrelevance of consent must be ensured is when the victim is a child. According to the 2024 study by the National Anti-Trafficking Rapporteur, a child's possible consent to the exploitation was discussed in several court cases reviewed<sup>5</sup>, despite its legal irrelevance. Some judgments seemed to assign strong agency to the child victim, and the grounds for the judgment could be read to imply that the child could have refused the exploitation if they had wanted to, inconsistent with national and international law. The absence of an explicit mention of this principle in Finnish law and the room for interpretation this gives has led to some prosecutorial and court decisions to drop the human trafficking charges or to classify the crime as a lesser one, according to a study commissioned by the Ministry of Justice<sup>6</sup>. The March 2022 report reviewed hundreds of cases between 2010 and 2020 and recommended clarifying guidelines on the issue. To this end, the Special Representative recommends that Finnish authorities include an explicit reference in law to the irrelevance of a victim's consent to the intended exploitation in line with international instruments and develop targeted guidance and capacity-building

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<sup>5</sup> [Children as victims of human trafficking. Policy brief](#)

<sup>6</sup> [Trafficking in human beings and related crimes: Practice of applying the provisions](#)

activities for all criminal justice professionals and all agencies that have the mandate to identify trafficking victims.

14. Finnish legislation also does not explicitly address the general *non-punishment principle* in the Criminal Code (CC). Chapter 17, Section 7 of the CC lifts the punishment for the state border offence if the person committed it due to being subjected to trafficking in human beings. Chapter 6, Section 12, of the CC provides for the possibility of not prosecuting or punishing persons for offences they have committed in cases where the act is deemed comparable to an excusable act. However, the absence of explicit legal provision on non-punishment in relation to trafficking victims makes the application of this principle dependent on the knowledge of the individual investigator, prosecutor, or judge and thus implementation inconsistent. According to a study on the application of the non-punishment principle in Finland conducted by the Ministry of Justice in 2022<sup>7</sup>, inadequate identification of trafficking victims and insufficient attention to the exploitation underlying the offence during the criminal procedure are the main obstacles to the correct application. The Special Representative welcomes the recent increased attention to the non-punishment principle – e.g., the National Prosecution Authority now includes it as a topic in the training for prosecutors. However, in light of the growing instances of trafficking for the purpose of forced criminality worldwide and in Finland, she recommends the development of explicit legal provisions and guidelines on non-punishment, accompanied by capacity-building for law enforcement, judges, and lawyers and monitoring of application. This would also be a first step towards making it possible to lift or annul a previous criminal record for trafficking victims wrongly convicted for acts done as a direct consequence of being trafficked. Additionally, the Special Representative recommends Finland consider introducing amendments to Section 10 of the Criminal Records Act (770/1993) to make it possible to erase or vacate the information about the criminal records of trafficking victims for criminal acts committed as a direct result of being trafficked.
15. Finland does not yet have national due diligence legislation but is preparing to implement the EU Corporate Sustainability Due Diligence Directive passed in July 2024. The legislation will be prepared under the leadership of the Ministry of Economic Affairs and Employment in cooperation with various other ministries and interest groups. The Special Representative encourages Finland to develop legal requirements integrating the EU due diligence directive for private companies and to make them applicable to companies of smaller size. The national legislation should include a strong mandate for the upcoming national competent authority overseeing the implementation of the Directive and the EU Ban on Products Made with Forced Labour and strengthen access to remedy for workers exploited in corporate conduct and in supply chains.
16. Victim identification, recovery and reflection period, right to temporary residence and work permits, and assistance are regulated by the Act on the Reception of Persons Applying for International Protection and on Identifying and Assisting Victims of Trafficking in Human Beings, Act on the Promotion of Immigrant Integration 1386/2010 and the Aliens Act 301/2004.

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<sup>7</sup> [Principle of Non-Punishment of Victims of Human Trafficking](#), available in Finnish



17. Overall, the Special Representative commends Finland for its robust legislative framework to prevent and combat human trafficking and related crimes. Nevertheless, she encourages further refinement of the legal framework and its practical implementation and draws the attention of Finnish authorities to the following key issues. While positively noting that the exploitative purposes in the trafficking statute cover key forms of trafficking as well as “other conditions that violate human dignity,” trafficking for exploitation in criminal activities is not explicitly covered. As noted in the OSCE’s Survey Report<sup>8</sup>, this form of exploitation is increasing rapidly across the OSCE region and is present in Finland. The Special Representative recommends that Finland issue guidance and conduct proactive awareness-raising on this form of exploitation.

### III. Policy and institutional framework

18. With regard to policy framework, a key document for OSCE participating States is the national anti-trafficking action plan (NAP), which helps coalesce political will on the topic, lay out strategies and activities for combating trafficking, and identify responsible agencies and mobilize resources. *Finland fights human trafficking*<sup>9</sup> was the last NAP for the period of 2021-2023 and included 26 measures (55 actions) grouped under five objectives: 1) the detection of human trafficking; 2) assistance and protection of victims; 3) establishment of criminal liability in THB cases; 4) mainstreaming of anti-trafficking action into wider government activities; 5) and co-operation with civil society. The action plan established a strong link between the development of anti-trafficking work and the Government’s analysis, assessment, and research activities. The total allocated resources for implementation amounted to around 1.7 million EUR. The NAP Steering Committee prepared an analysis of the implementation of the previous action plan. While the 2021-2023 NAP was mostly successfully implemented, the roll-out of the National Referral Mechanism (NRM) and assigning roles and responsibilities for all involved agencies and provisions for the identification and referral of Finnish nationals remain pending. The Special Representative commends the comprehensive, inclusive drafting, implementation, and evaluation process for the NAP 2021-2023, which was led by the National Anti-Trafficking Coordinator, and encourages Finland to use a similarly consultative manner, including the participation of government agencies across all sectors and civil society, to draft and finalize the next NAP.
19. Substantively, she recommends the new NAP ensure specific actions to address increasing online exploitation of children and adults, inter alia, by including the education and health care sectors into identification efforts; establishing partnerships with private entities such as technology companies to develop specific tools and strategies; continuing research into various forms of trafficking, such as exploitation in commercial sex and for criminal activities; promoting partnerships with financial intelligence by including the Financial Investigation Units and financial regulators in anti-trafficking co-ordination scheme; establishing regular capacity-building for police, prosecutors, and judges on various aspects of trafficking cases, including the non-punishment principle, irrelevance of consent, and the abuse of position of

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<sup>8</sup> [Survey Report 2021 of Efforts to Implement OSCE Commitments and Recommended Actions to Combat Trafficking in Human Beings | OSCE](#)

<sup>9</sup> [Finland fights human trafficking - Action Plan against Trafficking in Human Beings - Valto](#)



vulnerability; and enhancing prevention efforts, including by developing national regulations and practices to implement the EU Due Diligence Directive, curbing demand for sexual exploitation by legislative and policy measures and through education initiatives, programmes aimed at youth criminality prevention, and developing exit strategies for persons in commercial sex.

20. Another important policy document is Finland's *Action plan against labour exploitation* for 2024-2027, foreseen in the previous NAP. In September 2023, the Ministry of Economic Affairs and Employment appointed a steering group for work against labour exploitation and a working group for preventing and combatting labour exploitation, tasked with preparing an extensive action plan. The Action Plan against Labour Exploitation adopted in February 2024 includes 5 strategic objectives: 1) safeguarding the operating conditions of authorities involved in preventing and combatting the grey economy and economic crime and exploitation, as well as developing cooperation between these authorities; 2) promoting the identification and detection of exploitation and trafficking, improving the status of exploited workers, and preventing the recurrence of exploitation; 3) promoting the integration, establishment, and social inclusion of foreigners arriving from abroad to work in Finland; 4) strengthening the social responsibility of employers in preventing and combatting the exploitation of foreign labour by promoting ethical international recruitment; and 5) improving the implementation of criminal liability while ensuring the legal protection of the victims. The Special Representative welcomes the continuous attention of the Finnish government to tackling labour exploitation and looks forward to receiving updates on the plan's implementation.
21. With regard to the institutional anti-trafficking framework in Finland, the previous government set up an Inter-ministerial Ministerial Working Group on the Development of the Rule of Law and Internal Security, which in turn in 2022 assigned the Ministry of Justice with the permanent function and necessary human resources for coordinating anti-trafficking work. The Special Representative welcomes the creation of this function and the active role that the current National Anti-Trafficking Coordinator (NAC) plays in bringing together and organizing the work of various anti-trafficking stakeholders. Under the previous government the inter-administrative group included representatives of the Ministry of Justice, Ministry of the Interior, Ministry of Social Affairs and Health, Ministry of Economic Affairs and Employment, Ministry for Foreign Affairs, Assistance System, National Police Board, Finnish Border Guard, Office of the Prosecutor General, the National Rapporteur on Trafficking in Human Beings, European Institute for Crime Prevention and Control (HEUNI), and NGOs Monika, the Finnish Refugee Advice Centre, Pro-tukipiste, and Victim Support Finland. This is a good example of a comprehensive, inclusive approach to coordinating anti-trafficking efforts, and the Special Representative recommends the current government adopt a similar whole-of-society approach and would like to be updated on the new structure once developed.
22. The function of National Anti-Trafficking Rapporteur (NAR) has been performed by the National Rapporteur on Trafficking in Human Beings since 2009 and has dedicated anti-trafficking personnel. The Rapporteur regularly carries out research on a wide array of trafficking issues in Finland, contributing to systematic analysis of the effectiveness of policies and measures undertaken to combat human trafficking. The Ombudsman may also provide legal advice and, in exceptional situations, assist

victims in court and submits a report annually to the government and to parliament every four years. The previous report to the parliament was submitted in 2022<sup>10</sup> and focused on the government's NAP and its implementation, victim identification, application of the non-punishment principle, criminal justice response and low number of sentences in THB cases, the need to reduce demand for trafficking for sexual exploitation, addressing labour exploitation, and residence permit practices for victims. The Special Representative applauds the National Rapporteur and the team for their work for their independent analysis and reporting on anti-trafficking issues, as well as their involvement in various working groups on anti-trafficking response.

23. Other key players in the Finnish anti-trafficking structure are: the Ministry of the Interior, Finnish Immigration Services, and the National Assistance System, which is a part of the Finnish Immigration Service but has its own, separate legal tasks and duties. The National Assistance System (NAS) can formally identify trafficking victims and provides assistance to them. Since 2023 the NAS has also served as a national expert authority in anti-trafficking and victim assistance<sup>11</sup>. The Ministry of Economic Affairs and Employment is responsible for the integration of victims and related measures. The Ministry of Social Affairs and Health is responsible for labour inspection activities with special attention given to sectors prone to human trafficking, as well as provision of health and social services for trafficking victims by wellbeing services counties if victims have a residence municipality in Finland. The Special Representative also commends the vigorous work done by anti-trafficking NGOs in Finland in outreach, identification, assistance, reintegration of victims and potential victims, and awareness raising.
24. In conclusion, the Special Representative notes Finland's robust anti-trafficking structures and coordination mechanisms, which serve as a good basis for the comprehensive anti-trafficking response. She calls on authorities to develop a new anti-trafficking NAP through a multi-agency working group, with input from civil society as was done for the previous NAP, and to continue providing sufficient sustainable resources to both civil society and social and health services responsible for addressing trafficking victims' needs. She further recommends establishing formal mechanisms to integrate the expertise of persons with lived experience into the development of anti-trafficking laws, policies, and practices, including in decision-making and research. OSCE ODIHR's publication on National Survivors of Trafficking Advisory Councils<sup>12</sup> lays out best practices and possible ways of structuring survivor leaders' bodies and councils, and their involvement in preventing and combating human trafficking and protecting the human rights of victims and survivors.

#### **IV. Identification, referral and assistance for victims of trafficking**

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<sup>10</sup> [The Report of the National Rapporteur on Trafficking in Human Beings to the Parliament 2022](#) pp. 69-90 are dedicated to the trafficking in human beings in Finland

<sup>11</sup> [Legislative amendment 1294/2022 to the Act 746/2011 on the Reception of Persons Applying for International Protection and on the Identification of and Assistance to Victims of Trafficking in Human Beings \("The Reception Act"\)](#)

<sup>12</sup> [Guidance on establishing and maintaining National Survivors of Trafficking Advisory Councils \(NSTACs\) \(osce.org\)](#)

25. As of 1 January 2023, the National Assistance System (NAS) received competence to formally identify trafficking victims and is the only authority whose competence to identify a VoT is stated in the amended Reception Law. As a result, all presumed victims admitted in the NAS as of 1 January 2023 are considered formally identified victims. The NAS, which has operated since 2006, is a National Centre of Excellence and expert authority in the work against human trafficking and it has 15 experts with offices in Lappeenranta (Joutseno Reception Centre), Tampere, and Helsinki. Applications to the NAS are submitted through many different stakeholders with competence on victim identification.
26. The NAS is collecting various statistics on presumed and identified trafficking victims and issuing annual reports. According to the 2023 report<sup>13</sup> the number of persons who applied to the system has slowly risen (394 persons in 2020, 300 in 2021, 478 in 2022, 510 in 2023), with 326 new clients admitted to the system in 2023. Of these, 58% were female and 42% male, with an overwhelming majority (96%) adults. In 2023 one fourth of all identified trafficking victims were Thai nationals, which can be attributed to a big case of labour exploitation of Thai seasonal wild berry pickers uncovered by authorities that year, followed by 11% of Somali and 10% of Iraqi victims, and other mostly African and Asian nationalities. Finnish citizens accounted for 3% of all trafficking victims admitted to the NAS in 2023. 205 of the identified victims were trafficked for the purpose of labour exploitation (123 male and 82 female victims), 57 for the purpose of sexual exploitation (46 female and 10 male victims), 50 of forced marriages (all female), and 5 for forced criminality (3 male and 2 female victims). In principle, any public authority or victim service provider can refer a presumed victim to the NAS. In 2023 most cases were referred from the reception centres (20%), Finnish Immigration Service (16%), victims themselves (15%), Victim Support Finland (13%), solicitors (11%), and the police (11%). In the first 6 months of 2024, victims referred by the reception centres (31%) and the Finnish Immigration Service (23%) amounted to more than a half of all referrals.
27. Identification of trafficking among persons seeking asylum, refugees, and unaccompanied minors was discussed during the visit. As mentioned above, over 50% of all victims referred to the NAS in the first 6 months of 2024 were identified by reception centers for asylum seekers and the Finnish Immigration Service. The City of Helsinki representatives shared that there is a significant number of persons with trafficking indicators among the clients of the Special Services for Immigrants who wish to remain undocumented and hence do not apply to the NAS. Additionally, unaccompanied minor asylum seekers were reported to be at high risk of trafficking for the purpose of labour exploitation or forced criminality. With the reform of migration<sup>14</sup> and asylum policies, e.g., the introduction of the “border procedure,”<sup>15</sup> the State’s duty to arrange effective identification procedures and to grant the reflection periods and residency permits to victims remains and must be fulfilled.

The Special Representative commends Finland for proactively screening migrants and asylum seekers for trafficking indicators in past years during the residence permit and asylum application interviews with a special focus on risk groups. Here she would like to highlight the work done by the reception system on vulnerability assessments,

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<sup>13</sup> [Annual Report on Human Trafficking - Ihmiskauppa](#)

<sup>14</sup> [Information about stricter requirements for issuing residence permits | Maahanmuuttovirasto \(migri.fi\)](#)

<sup>15</sup> [Border procedure | Maahanmuuttovirasto](#)

identification of trafficking victims, and their referral to the NAS and municipalities. While a recent study<sup>16</sup> identified some shortcomings in the interviewing techniques employed by the asylum interviewers, it was found that most have received proper training in investigative interviewing and were using open-ended questions, proven to get better factual answers from asylum seekers. The research also showed that half of key relevant facts (grounds for granting asylum) were introduced either later during interview or in subsequent interviews, highlighting the probability that an expedited procedure or interviewing in a situation perceived as unsafe might not lead to disclosure of key details of an individual's trafficking experience. Taking into account this and further research on the effects of trauma and cultural differences on memory<sup>17</sup>, the Special Representative recommends additional training on trauma, legal psychology, and interview techniques for all state officials responsible for identifying potential trafficking victims among asylum seekers and in mixed migration flows.

28. To implement the previous NAP in 2023-2024 the National Assistance System developed and started to implement a state-of-art statistics collection system within the secure registry UMA, at the same time digitalizing its work with trafficking victims. The new tool can provide new disaggregated statistics on victims, including detailed information on: whether the NAS client is involved in a criminal process and which actor reported the crime and the timing of reporting; victims' residence status at the moment of admittance to NAS and whether they have a municipality of residence; locations and victims' age during exploitation; more nuanced information about the form of trafficking (e.g., type of sexual exploitation, how forced marriage took place, industry involved), as well as the grounds for negative decisions given to applicants and the reasons for removal from the NAS. The Special Representative welcomes the creation of the UMA system and is convinced that such nuanced data-gathering and reporting will allow Finnish authorities to make better informed policy decisions regarding prevention and prosecution strategies, as well as to provide better assistance to victims.
29. However, by far not all trafficking victims are recorded in the above statistics, and many decide not to apply to the NAS. As reported by Victim Support Finland (RIKU), one of the largest trafficking victims support NGOs, the number of potential victims of human trafficking it served increased from 508 persons in 2020, to 675 in 2021, 1253 in 2022, and 1386 in the first 9 month of 2023. The vast majority of RIKU's clients are victims of labour exploitation (81%), followed by forced marriage (8%), and sexual exploitation (7%); and the sectors most prone to exploitation are restaurants/hospitality (with most vulnerable nationalities being Nepali, Indian, Bengali, Thai, Vietnamese), cleaning (Iraqi, Syrians, Filipinos) and seasonal agricultural work, including berry picking (Thai, Chinese nationals), as well as construction, housekeeping/au-pair, private home healthcare, and logistics. Traffickers use the possible loss of residence permit as a threat to control victims and prevent them from contacting authorities. RIKU also reported assisting around 25 Finnish trafficking victims in 2023, mostly exploited in forced criminality (15 persons) and sexual exploitation. The NGO Monika reported assisting 33 new victims in 2023, mostly trafficked for forced marriage.

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<sup>16</sup> [Investigating and Improving the Quality of Asylum Interviewing and Decision-Making Practices in Finland \(doria.fi\)](#)

<sup>17</sup> [Full article: Culture, trauma, and memory in investigative interviews \(tandfonline.com\)](#)

30. Another cohort of victims not recorded in official statistics are those with a municipality of residence in Finland, who do not apply to the NAS but rather receive services from one of the 23 wellbeing services counties across the country. The wellbeing services counties, which operate under the Ministry of Social Affairs and Health, provide services to trafficking victims based on individual needs; however, there is no centralized statistics collected on trafficking victims among all clients of the wellbeing services counties. As of 1 January 2025, the municipalities will be responsible for integration and employment services for trafficking victims as a special category in the new Integration Act. Services by the wellbeing service counties also include assistance measures to unaccompanied minors until they reach 18 years and further support until trafficking victims reach 23 years. Some wellbeing services counties, such as Vantaa and Kerava (VaKe), have developed expertise for social workers and created guidelines on services for trafficking victims. The whole array of services provided by the VaKe county includes counselling and guidance, safe accommodation, financial support, social services, healthcare services, assistance with residence permit issues, and voluntary safe return. The City of Helsinki reported providing urgent social and necessary health care services to trafficking victims among undocumented migrants - another group not shown in official statistics, mostly those who received a negative asylum or residence permit decision and would otherwise be removed from the country. This group is also extremely vulnerable to re-trafficking, as they cannot work legally and receive very limited monetary support from the government.
31. During the visit several counterparts confirmed the expertise of social services in handling human trafficking cases is concentrated in southern Finland and around Helsinki. While positively noting the efforts of the Human Trafficking Team of the VaKe county and those of the City of Helsinki, the Special Representative recommends that the Ministry of Social Affairs and Health streamline the work with trafficking victims across the country and gather uniform data on services provided. This should include issuing guidance to social and healthcare professionals in all wellbeing service counties on recognizing trafficking indicators, trauma-informed special needs assessments for presumed or confirmed victims of trafficking, and possible referrals to specialized services, e.g., for persons with disabilities and mental health issues.
32. The number of identified child victims remain very low, which can be in part explained by the fact that underage victims normally only report the exploitation and seek services once they become adults. However, the Committee on the Rights of the Child noted<sup>18</sup> in June 2023 that Finland was not systematically collecting data on the sale of children, sexual exploitation of children in the travel and tourism industry, child marriage, trafficking for the purpose of sale, sexual exploitation of children in commercial sex, engagement in forced labour, illegal adoptions, organ transfer, and child sexual abuse material. It is also likely that the lack of regular training on the indicators of trafficking in children for all educators and child welfare workers contributes to the low identification rates. However, most recently, especially during Finland's 2023-2024 chairing of the Council of Baltic Sea States, much research<sup>19</sup> and

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<sup>18</sup> [Concluding observations on the report submitted by Finland under article 12 \(1\) of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#)

<sup>19</sup> [Best Practices for Combating Trafficking in Children and Young People and for Identifying and Supporting Victims. Report on countries in the Baltic Sea region](#)



knowledge sharing was done on child trafficking by Finnish authorities; and the number of identified victims is slowly growing, which shows more proactive recent detection efforts for this group. The NAS reported 11 child victims in 2023 and 19 child victims in the first 6 months of 2024. The Special Representative welcomes the increased attention in Finland to child trafficking and looks forward to the research by Victim Support Finland on why victims only disclose exploitation as adults and ways to increase early detection of child trafficking.

33. Children with a difficult family background, history of abuse or violence, mental health or substance abuse issues are at risk of trafficking for the purpose of sexual exploitation, including online. Children who run away from home or foster care are at high risk as shown by a 2024 study of Finnish Children Ombudsman<sup>20</sup>. 12% of all 253 study respondents (children who left the alternative care institutions without authorization one or more times) are at high risk of trafficking, and a further 16% at medium risk. The risk of becoming a victim of sexual exploitation is especially high for girls who run away from alternative care. Further, girls with a migration background, especially from Afghanistan and Iraq, are at risk of forced marriage; and based on global trends children entering the country as unaccompanied minors and kept in immigration service facilities are in danger of becoming victims of labour exploitation or exploitation in criminal activities. The Special Representative urges Finland to create special protection programs for children in all types of institutions and pay special attention to those who go missing. Here she recommends Finland address the procedural difference in treating children that go missing from families as “gone missing” with immediate search action by police while considering children that disappear from institutions as “runaway youth,” leaving the responsibility for finding the children with the institution. Young people who age out of child protection services are also at heightened risk of being trafficked, and the Special Representative encourages increased attention to preventing and detecting human trafficking among such individuals.
34. Online child sexual exploitation is growing worldwide, and the increase in Finland was also reported by the Committee on the Rights of the Child report in 2023, the 2023 Annual Report<sup>21</sup> of the Save the Children Finland’s Child Protection and Finnish Hotline, and during the Special Representative’s visit by the Finnish Institute of Health and Welfare. In 2023, the Finnish Hotline handled 22,584 reports, of which almost 7,500 reports were of child sexual abuse material (CSAM) and child sexual abuse. Approximately 78% of all identified CSAM depicted children between 3 and 13 years of age, with 7% depicting children under three. In comparison to previous years there was an increase of images that showed one or more boys, almost a quarter of all material. In the global statistics of the INHOPE network of hotlines using the ICCAM reporting system (with 42 countries), the Finnish Hotline reported the fourth highest number of illegal materials in 2023. Practitioners reported a concerning trend of young children posting self-generated sexual images and being lured or recruited through offers of money or clothing. Gaming platforms are increasingly used to recruit children, often by adult perpetrators who pretend to be age peers. Another worrying trend is child sexual extortion – where the perpetrator obtains a sensitive image of a victim and threatens to send it to a broader audience unless money is paid (mostly directed against

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<sup>20</sup> [Runaway experiences: An analysis of a survey of runaways from substitute care provided by child welfare](#)

<sup>21</sup> [child protection and finnish hotline annual report 2023.pdf \(pelastakaalapset.fi\)](#)

boys) or another increasingly sexualized act is performed (especially young girls). According to the Child Protection and Finnish Hotline, in 2023 the hotline received 16 reports of extortion using sexually explicit images, 14 of which involved a child. In the previous year, there were no such reports involving children. The National Bureau of Investigation's Child Sexual Exploitation team has also noticed an increase in the phenomenon. In 2023, the number of sextortion cases in Finland more than doubled compared to 2022, according to NBI statistics. The Special Representative expresses her concern over the reports involving exploitation of children, particularly via the Internet. More attention should be given to children with disabilities and those belonging to national, gender, and sexual minorities, as they are at greater risk of THB, according to the Council of Europe's country overview of Finland on the implementation of the Lanzarote convention<sup>22</sup>. The Special Representative recommends that Finland consider introducing legislative amendments making online platforms liable for not properly addressing and taking down CSAM content, adding measures on age and consent verification, as well as easy and visible tools for reporting harmful content, as laid out in the OSCE report<sup>23</sup>.

35. Finland has increased its attention to the topic of child sexual abuse through several measures. At the beginning of 2023 it amended Criminal Code<sup>24</sup> provisions on sexual offences and added several new definitions of sexual offences against children (including possession or distribution of an image depicting a child in a sexual manner), classified such offences as more serious crimes as before, and made punishments more severe. The National Police and the NBI have specialized teams combating child sexual exploitation, and the Finnish Hotline works closely with both to proactively identify and address child sexual exploitation. Finnish NGOs are actively involved in projects such as Finnish Safer Internet Center<sup>25</sup>, Child Sexual Abuse Prevention and Education (CSCAPE 2022–2024)<sup>26</sup>, Project Arachnid<sup>27</sup>. Finland is taking part in the PROMISE-ELPIS project<sup>28</sup> aimed at implementing the Barnahus model for early identification of online child sexual exploitation, adequate assistance to victims, their protection, and access to child-friendly justice<sup>29</sup>. The Special Representative welcomes the efforts of the Finnish Institute for Health and Welfare in implementing this model and further recommends that it apply to all child victims of trafficking under 18.
36. Children and young people are also subjected to exploitation for criminal activities including in committing drug-related or criminal gang-related offences. The Special Representative notes that trafficking for exploitation in criminal activities is widespread and increasing in Europe; a high and growing proportion of victims are children.<sup>30</sup> Traffickers target and coerce into committing crimes of various gravity young children, especially those under 15, the age of criminal liability in Finland. These cases often come to authorities' attention primarily as offenders and they may

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<sup>22</sup> [Ending Child Sexual Exploitation, Country Overview Finland](#)

<sup>23</sup> [Policy responses to technology-facilitated trafficking in human beings](#)

<sup>24</sup> [FI Criminal Code Ch 20 \(39/1889\)](#)

<sup>25</sup> [Etusivu - Safer Internet -toiminta Suomessa](#)

<sup>26</sup> [Child Sexual Abuse Prevention and Education, CSAPE 2022–2024 project - Pelastakaa Lapset](#)

<sup>27</sup> [Home – Project Arachnid](#)

<sup>28</sup> [PROMISE ELPIS. Adapting multidisciplinary response and interagency collaboration to meet the specific needs and requirements arising in the context of child sexual violence online | Heuni](#)

<sup>29</sup> [Barnahus](#)

<sup>30</sup> [Trafficking into crime and begging - Anti-Slavery International \(antislavery.org\)](#)



not be easily recognized as victims of human trafficking crimes<sup>31</sup>. Hence, it is even more important to maintain dedicated multi-agency response units specialized in minors and develop a deeper understanding of youth criminality trends, prevention strategies, and trafficking indicators in this vulnerable group. A positive example in this area is Finland's Anchor work<sup>32</sup>, carried out by a network of professionals representing the police, social services, health care, and youth work with the aim of promoting the well-being of children and adolescents and preventing crime. The Special Representative supports the inclusion of child trafficking victims with a history of substance use or crime into the framework of this model. She also welcomes the move in providing services to unaccompanied minors with municipality of residence from immigration authorities to child protection services. The Special Representative strongly recommends Finland amend its human trafficking definition to include exploitation in criminal activities among the list of exploitative purposes (currently these offenses are classified under forced labour or services). If such amendments are not pursued, specific guidance on trafficking for exploitation in criminal activities should be developed and utilized through additional training and awareness-raising for all frontline agencies responsible for victim identification including criminal justice practitioners and the judiciary.

37. Regarding victim identification and assistance, the development and adoption of the NRM is reportedly progressing with an estimated release in early 2025. Presently, in the absence of an NRM, all agencies (police, NAS, immigration, child protection, and social services) have their own guidelines, which provide information with a varying degree of detail about indicators and steps to refer victims for assistance. The unified NRM should clarify the division of duties between the NAS and social and healthcare services, including wellbeing services counties across the country, the City of Helsinki, and NGOs, and lay out clear procedures for identifying minor and adult victims regardless of residence status and referring them to assistance, especially by healthcare providers, child protection and education authorities, consistent with the recommendations of the OSCE ODIHR's Handbook on the National Referral Mechanisms<sup>33</sup>.
38. Trafficking victims are assisted through various channels, as mentioned above – by the NAS, wellbeing service counties (if they have a municipality of residence or do not apply to the NAS), and NGOs. In 2023, the government allocated €2.05 million to victim assistance, including operational costs, a significant increase from €1.2 million in 2022. The practical delivery of assistance depends on victims' right of residence. Wellbeing service counties (reporting to the Ministry of Social Affairs and Health) are responsible for the delivery of health and social services, such as psychosocial support and therapy, and help find housing and legal aid to those victims who are their official residents and can apply for reimbursement for the extraordinary costs of organizing support from the Centre for Economic Development, Transport and the Environment. Wellbeing service counties are also responsible for the delivery of urgent social services and necessary health services to undocumented migrants, including victims of human trafficking who do not apply to the NAS.

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<sup>31</sup> [First part of year shows significant growth in crime committed by young suspects - Police \(poliisi.fi\)](#)

<sup>32</sup> [Anchor-work in Finland | The work of Anchor \(ankkuritoiminta.fi\)](#)

<sup>33</sup> [ODIHR National Referral Mechanisms Handbook, 2nd Edition | OSCE](#)

39. The NAS provides trafficking victims without a registered home municipality with a reception allowance, which covers essential daily expenses or emergency expenses. In 2023, the assistance system paid trafficking victims €285,670 (\$315,700) in reception allowance. NAS also operates a 24/7 telephone helpline and a shelter at the Joutseno Reception Center, which could temporarily house up to 300 trafficking victims. Pursuant to Section 38b of the Reception Act, assistance for a victim admitted to the NAS shall be provided based on an individual assessment of the victim's needs and taking into account the victim's security. The assessment is done by the NAS in consultation with the victim and any other actors supporting the victim, such as NGOs, subject to the victim's consent. As required by their needs, victims are entitled to advice and guidance, social and health care services, a reception allowance or social assistance, safe housing, and interpretation and translation services, as well as legal advice and aid. If the client wishes to go back to their home country, they receive assistance for voluntary return. Provision of services by the NAS ends when the client no longer needs assistance, leaves the country, or wishes to end their client relationship with the system. Several instances were reported to the Special Representative where no formal victim status was given to a person, as they reportedly did not need any of the services the NAS could provide. The Special Representative recommends ensuring that all victims of trafficking are formally identified as such, regardless of their immediate service needs, to ease their potential access to assistance and protection measures in the future, either in Finland or abroad.
40. Several NGOs provide assistance to trafficking victims based on funding awarded annually. Victims Assistance Finland (RIKU) offers specialized support services for advising and helping victims of trafficking and related crimes online and in 30 offices around Finland, providing information about victims' rights and residency status, services, reporting a crime, and an advisory service for seasonal workers. MONIKA (Multicultural Women's Association) provides a crisis center, shelter, integration courses and activities for women with an immigrant background and their children who have been subject to violence, including trafficking victims. Pro-tukipiste (Pro Support Centre) offers health and social services to individuals in commercial sex, victims of trafficking for sexual exploitation and in commercial sex. The Central Organisation of Finnish Trade Unions (SAK) offers employee rights advisory service for immigrants. Finnish Red Cross provides support for undocumented migrants and establishes and maintains reception centres for asylum seekers commissioned by the FIS. The Finnish Refugee Advice Centre identifies persons who may be trafficking victims among refugees, assists them legally, and monitors court rulings and legislative developments from the perspective of trafficking victims. Raiskauskriisikeskus Tukinainen, Turun Valkonauha (Turku White Ribbon), Samaria, National Council of Women of Finland, and Aurala Daycare Centre also provide trafficking victims various services, including safe housing, and mental health support, and engage in awareness-raising and advocacy work. The Special Representative commends civil society for playing a vital role in identifying and protecting victims and providing low-threshold services. Nevertheless, she is concerned about reported upcoming budget cuts to some NGOs and notes the importance of long-term support for trafficking victims, which necessitates sustained, multi-year funding.
41. The Special Representative observes that while victims are generally served, given the number of agencies involved in providing assistance, improved coordination is necessary. Concerns were raised during the visit that a change in victim status or

residency status changes their service provider. In practice this means that victims/survivors would need to change their housing, social worker, doctor or mental health therapist several times, which could be detrimental to their recovery. The consistency of identification and service provision also varies across the country, with most expertise accumulated in large cities and in the south of the country. Concerns were also raised about victims' consistent access to legal assistance and safe housing, since there is no dedicated anti-trafficking shelter in Finland. The Special Representative recommends that Finland ensure the continuity and consistency of services and safe shelter provided to trafficking victims, especially by increasing co-operation between the NAS and the wellbeing services counties; providing sufficient resources, training, and guidelines on specialized assistance; considering establishing trafficking-specific safe shelter; and ensuring prompt access to legal assistance.

42. Under the Aliens Act, the NAS could provide a recovery and reflection period of up to six months to a trafficking victim in Finland without legal residence so they can decide whether to participate in criminal proceedings. According to the NAS, the government granted 17 victims a reflection period in 2023, 14 in 2022, 16 in 2021, and 23 in 2020, an increase compared to 15 reflection periods issued from 2015-2018 but low considering the number of persons admitted into the NAS. During the visit it was reported that most trafficking victims decide to apply for a residence permit without receiving the reflection period, hence the numbers were so small.
43. Foreign victims of trafficking do not get a residence permit automatically on the basis of their status as a victim but can apply for one. There are several types of residence permits relevant for trafficking victims : Aliens Act 301/2004 52 § Residence permit on a discretionary basis on humanitarian grounds; 52a § Residence permit for a victim of human trafficking; 52d § Residence permit for a person exploited in labor while staying and working illegally (this type requires a launched criminal process); 54b § Extended permit for victim of employer negligence or exploitation (was introduced in 2022 and has no requirement for a criminal process, the person can get a Certificate of expanded right to work for a victim of employer negligence or exploitation); and 54.7 § Extended permit for a victim of domestic violence. The Special Representative would like to highlight the residence permit option for victims of labour exploitation, which allows them to change employers and sectors and are not tied to the police investigation, as a positive practice worth replicating in other countries. Victims of trafficking may also be granted refugee status (asylum or subsidiary protection) in the asylum process.
44. In general, the amount of the residence permits for trafficking victims and permit extension has increased in recent years, e.g., for §52a there were 13 permits issued in 2020, 22 permit in 2021 and 2022, 77 permits issued in 2023, and 58 permits issued in the first half of 2024. However, the number of foreign trafficking victims has been growing as well, with over 168 clients admitted to the NAS in 2023 having no long-term residency status in Finland. During the visit some anti-trafficking NGOs reported several of their clients received negative decisions on residence permits in recent months, while in the past residence permits were granted in similar situations. There are several grounds for denial of a residence permit laid out in Section 148 of the Aliens Act that could be problematic for trafficking victims. For example, selling sexual services (section 1, point 6) – many victims of trafficking for sexual exploitation would fall into this category; or earlier sentence or imprisonment (section 1 point 4) –

trafficking for forced criminality is a growing trend and without timely identification as a victim the person could have been convicted for a crime they had committed as a result of being trafficked. Including such reasons for denial of the right of residence might prevent victims from self-identifying to avoid the risk of removal from the country. The Special Representative welcomes the National Rapporteur's continuous attention to the issue of residence permits for trafficking victims<sup>34</sup> and recommends that Finnish authorities consider amending the Aliens Act to ensure more victims can obtain residence permits.

## V. Investigation and prosecution of human trafficking

45. The criminal justice response to various forms of trafficking in Finland is characterised by both promising initiatives and challenges. In recent years, several institutional structures and partnerships were built to achieve effective criminal justice for various forms of trafficking such as: the national anti-trafficking network established in 2020, consisting of three police officers from each of the 11 police departments in Finland, as well as representatives of the Border Guard and the Police University College; the national trafficking investigation team, set up in 2021 at the Helsinki Police Department by the National Police Board; the specialist human trafficking and unlawful immigration intelligence unit in the National Bureau of Investigation (as of 2021); the network of prosecutors dealing with trafficking cases; and the possibility for specialization in trafficking and sexual abuse for judges. These are promising practices and all of the above measures should ideally lead to more effective prosecutions and convictions under trafficking charges. Nevertheless, the length of both the pre-trial investigation and the judicial process still remains a concern, hindering the delivery of justice for trafficking victims. Discussions during the visit also indicated the need for increased efforts to boost criminal investigations that are corroborated by special investigative techniques, financial investigations, and closer attention to the online landscape of criminal activities and trafficking for criminal activity.
46. Finland increased law enforcement resources dedicated to investigating trafficking by establishing and providing additional funding to a specialized anti-trafficking police network in all police districts in 2020, and the national trafficking investigation team at the Helsinki police department and the specialized trafficking and illegal migration unit at the NBI, both in 2021. Such measures allow police to better recognize the crime of trafficking and dedicated resources to such labour-intensive tasks as undercover operations, surveillance, and participation in international investigations. This has resulted in an increase in the number of trafficking investigations, as reported by the National Bureau of Investigations: 79 in 2019, 112 in 2020, 132 in 2021, 124 in 2022, and 152 in 2023. Finland participated more extensively in Europol's EMPACT Joint Action Days and joint investigative teams, e.g., together with Romania<sup>35</sup> and Czechia<sup>36</sup>, both to tackle cross-border organized crime groups, which trafficked

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<sup>34</sup> [A residence permit safeguards victims of human trafficking in a vulnerable position – the threshold for granting the permit must be lowered | National Rapporteur on Trafficking in Human Beings \(yhdenvertaisuusvaltuutettu.fi\)](#)

<sup>35</sup> [Human traffickers swiftly taken to court with support of Eurojust | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

<sup>36</sup> [Eurojust assists Czech Republic and Finland in dismantling human trafficking network | Eurojust | European Union Agency for Criminal Justice Cooperation \(europa.eu\)](#)

women for the purpose of sexual exploitation. The Special Representative commends Finland's efforts in specialization of police units and sufficient resourcing of such work as a good practice.

47. The Police University College conducted several research projects in the area of human trafficking, such as “Modelling of pre-trial investigation of human trafficking offences” that looked at various operational and tactical aspects of multi-authority cooperation for trafficking investigations in labour and sexual exploitation, as well as child trafficking, to be used in the Police University education courses. It is also developing a training in interviewing techniques of victims of trafficking and sexual exploitation. Some other positive recent practices, especially in the area of child-friendly criminal justice, include the admissibility of video-recorded interviews of trafficking victims as evidence to replace the giving of personal testimony in court (as of 1 October 2023), a handbook on interviewing children in the investigation of trafficking<sup>37</sup>, as well as a specific focus on child trafficking during the annual national conference on child forensics. Furthermore, in summer 2024 Finland developed a handbook for the investigation of trafficking cases, including sections specific to children and young people, and streamlined information on child trafficking into the manual on investigating crimes against children. The Special Representative welcomes the variety of ongoing initiatives to improve the criminal justice response to trafficking in Finland and hopes these measures are mainstreamed into training and capacity-building for law enforcement staff and other relevant professionals, especially in the area of interviewing and special questioning techniques for victims of online sexual abuse with a focus on older children and young adolescents.
48. The measures indicated above aim to improve the duration of pre-trial investigations, an area of concern highlighted in several research papers<sup>38 39</sup>. In many cases delays in investigations impeded securing the necessary evidences due to the unavailability of victims or disappearance of perpetrators, and led to re-qualification of human trafficking cases to offences of lesser gravity and the restrictions of the statute of limitation. This also hindered victims' access to justice, restitution, and compensation, as well as reduced prosecutorial and judicial practice in the area. The issue was raised by several interlocutors during the visit of the Special Representative, including by the Office of the Chancellor of Justice. Following media and NGO reports about shortcomings and undue delays in investigations of human trafficking cases in 2021, the Deputy Chancellor of Justice undertook a review of over 50 investigations into human trafficking and labour exploitation. It was found the longest pre-trial investigation took over four years and there were unjustified delays in almost all police departments. Further, the review uncovered insufficient knowledge of the constituent elements of the crime and trafficking cases being investigated under lesser crime provisions (decision OKV/1233/70/2021). In 12 cases the Deputy Chancellor of Justice issued reprimands and in a further 15 cases guidance on the pre-trial investigation procedures, as well as ordering the National Police Board to intensify its review of the correctness of the investigation of trafficking. In turn, the National Police Board has made it one of the priority areas to oversee the legality of human trafficking pre-trial investigations, which led to a slight improvement of the application of the procedures. The issue remains under regular overview of the Deputy Chancellor of

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<sup>37</sup> [Handbook+for+forensic+child+interviews+in+presumed+cases+of+trafficing.pdf \(heuni.fi\)](#)

<sup>38</sup> [Trafficking in human beings and associated crimes. Application of the criminal provisions. 2022](#)

<sup>39</sup> [HEUNI ActionsAgainstLabourTrafficking\\_2023](#)

Justice<sup>40</sup>, which contributes to both the visibility of the problem and the much-needed continuous focus on improving the capacity of police in identifying, correctly classifying, and carrying out investigations in a timely manner according to the pre-trial investigation procedures. Information on the ongoing review and efforts to address the issue in a comprehensive manner, including inter-agency cooperation on trafficking cases, was also included in the annual report of the Chancellor of Justice to the parliament<sup>41</sup>. The Special Representative positively notes the proactive efforts by the Office of the Chancellor of Justice in addressing the shortcomings in criminal justice response and considers such an independent oversight function an important and positive practice. Recent decisions by the European Court of Human Rights, e.g., *T.V. v Spain*<sup>42</sup> and *B.B. v Slovakia*,<sup>43</sup> underscore that failure to duly investigate allegations of human trafficking violates Art. 4 of the CoE's Convention for the Protection of Human Rights and Fundamental Freedoms and thus states' international obligations in the area of due process.

49. According to criminal justice practitioners met during the visit, victims' resistance and fear to cooperate with law enforcement; victims' frequent return to their country of origin; a lack of proactive investigation and use of special investigative techniques; and insufficient evidence collection and intelligence for prosecution are among challenges they face. Structural difficulties in sharing confidential data between agencies were also reported, although current efforts are being taken to address this. Furthermore, as noted above, victim identification is still low, particularly in the area of sexual exploitation, child trafficking, and forced criminality. All these issues result in too few human trafficking cases being prosecuted as such and requalification to other crimes, e.g., pimping (CC Chapter 20, Section 9) or extortionate work discrimination (Chapter 47, Section 3a). For example, in 2023 there were 153 cases in pre-trial investigation; however, only 49 were submitted to prosecutors, out of which just 19 resulted in indictments. There are several negative consequences of failing to properly classify human trafficking cases – impunity for traffickers and a failure of justice for victims, as well as the shift of the legal focus from the element of exploitation to the financial aspects of third-party facilitation. In such cases, victims may not gain rightful access to services or compensation. Therefore, the Special Representative urges Finland to increase the number of trafficking crimes classified and prosecuted as such.

50. The Special Representative underscores the existence of a plethora of interventions that can improve the situation, including effective victim protection, information, and assistance including adequate housing, mental health services, residency permits, and other trauma-informed care. Important for the criminal justice response is the use of strategies and tactics that emphasize collection of corroborating evidence or, in the ideal scenario, develop victim-less investigations and prosecutions through undercover operations, stings or alternative sources of evidence, such as financial evidence. To this end, recalling the conclusions of the 20<sup>th</sup> Alliance against Trafficking in Persons Conference<sup>44</sup>, the Special Representative recommends several actions for

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<sup>40</sup> [Deputy Chancellor of Justice Mikko Puumalainen: Positive development in human trafficking investigations | Chancellor of Justice \(oikeuskansleri.fi\)](#)

<sup>41</sup> [Report of the Chancellor of Justice for 2023 \(in Finnish, pp 150-154\)](#)

<sup>42</sup> [T.V. v. SPAIN \(coe.int\)](#)

<sup>43</sup> [B.B. v. SLOVAKIA \(coe.int\)](#)

<sup>44</sup> [Ending Impunity Delivering Justice through Prosecuting Trafficking in Human Beings | OSCE](#)



criminal justice practitioners. Firstly, prosecutors and investigators should pursue all available avenues for early cooperation and collaboration between their departments on combating various forms of human trafficking, as well as utilize more extensively the possibilities of international judicial cooperation and the European Investigation Order. Secondly, authorities should enhance their efforts to effectively investigate and prosecute perpetrators of human trafficking by considering other sources of evidence, in addition to victim testimony, as well as receive additional training on conducting investigations and prosecutions in the absence of a co-operative victim to enhance the ability of authorities to hold traffickers accountable. To keep pace with the increasing misuse of technology for trafficking purposes and also with the opportunities that new technologies present for combating THB, and taking into account the shift of commercial sex online, the Special Representative recommends that law enforcement and prosecutors are supported with more human and financial resources to make use of online investigations and specialized technology tools to scale up the fight against technology-facilitated human trafficking, including the necessary software, hardware, and consistent training.<sup>45</sup> Finally, she strongly recommends that criminal justice practitioners receive comprehensive training on constituent elements of the human trafficking and related crimes, ideally during joint sessions, in which pre-trial investigation authorities, prosecution authorities, and judicial staff of the courts would participate.

51. With regard to financial intelligence and investigations into the proceeds of human trafficking, Chapters 6 and 7 of the Coercive Measures Act and Chapter 1 of the Police Act contain provisions on the identification, tracing, freezing, and seizure of property, including property into which the proceeds of illicit activities have been converted. The confiscation of proceeds of crimes is regulated by Chapter 10 of the CC, according to which both confiscation and extended confiscation are possible in trafficking cases. Confiscated property is transferred to the state budget. Every police department has its own financial crime unit, assisted by the Financial Intelligence Unit (FIU) of the National Bureau of Investigation. Finnish Tax Administration, especially its Grey Economy Information Unit and Tax Crime Division, plays a very active role in detecting potential cases of exploitation while performing registration and control of the foreign workforce and running compliance reports. In case of a serious suspicion of trafficking, the case is handed over to police, along with simultaneous investigations into the tax crime aspect of the case. Special attention is paid to high-risk sectors, and customer compliance reports and financial records are further produced and can serve as evidence. There are also regular joint control visits or raids done by the Tax Administration together with the police and the Occupational Safety and Health Administration. In case of uncovered irregularities, the Tax Administration can also immediately seize the financial assets into the state budget. Several interlocutors reported that very often by the time of conviction in a trafficking or labour exploitation case, no money is left from which the compensation could be paid to the victim. The Special Representative recommends establishing a mechanism for earmarking a certain amount for potential compensation to trafficking victims whenever the tax authorities discover irregularities and confiscate assets.

Because human trafficking is a financially motivated crime, financial investigations conducted in parallel to criminal investigations are an increasingly important tool in

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<sup>45</sup> [Leveraging innovation to fight trafficking in human beings: a comprehensive analysis of technology tools | OSCE, 2020](#)



disrupting the business model of traffickers and in enhancing the use of corroborating evidence in prosecutions. Financial investigations can be used both as a punitive measure against traffickers, as well as a protective measure for victims, helping to deliver reparations and compensation for trafficked persons while minimizing their re-traumatization during criminal justice proceedings.<sup>46</sup> FIUs play a crucial role in analysing and exchanging information concerning unusual and suspicious transactions that may include finances deriving from trafficking in human beings, and thus serve as intermediaries between the private sector and law enforcement authorities, including to facilitate exchange of strategic and tactical data. To this end, the Special Representative commends the work of the Financial Intelligence Unit and the Finnish Tax Administration in focusing on various forms of trafficking and exploitation and recommends that financial investigations into trafficking - particularly through partnership with the financial sector - are included as a measure in the new NAP to enable closer engagement of the FIU to share typologies and red-flag indicators with the financial services sector. She further recommends Finland standardize the automatic inclusion of financial investigation, confiscation of assets and proceeds of crime, and application of corporate liability in relevant cases in order to improve victim compensation outcomes. Assets seized from traffickers should fund victim compensation whenever possible, in addition to long-term, comprehensive victim services.

52. With regard to the adjudication of trafficking crimes, the number of convictions remains very low. According to data provided by the Office of the Prosecutor General, between 2019 and 2023 a total of 216 cases were submitted to prosecutors, resulting in 59 indictments, and just 15 convictions and a further 15 cases dismissed in court. According to a public report that analysed pre-trial investigations, prosecutors' decisions, and convictions on human trafficking and related offences from 2010 to 2020<sup>47</sup>, there are several challenges regarding adjudication of trafficking cases in Finland. One of the main difficulties in adjudication appears the establishment of a vulnerable and subordinate position of the trafficking victim and the perceived ability to leave the situation of exploitation. The subtle and complex methods of psychological influence and coercion by the trafficker are not always recognized or taken into account. In cases of trafficking related to sexual exploitation, the main problems of interpretation were related to whether the victim was considered to have had a real and acceptable alternative other than to submit to exploitation. In some cases, it was decided that a severely traumatised victim could act as he or she wishes, despite the manipulation used by the perpetrator. Similarly, the mere fact that the victim was a minor at the beginning of the exploitation was not considered a vulnerability to exploitation, inconsistent with international law. With regard to conditions violating human dignity as a purpose of exploitation, judges seem to have difficulty identifying such conditions and proving the intention of the perpetrator: since the purpose of the act does not normally involve any element of profit, it may be difficult to justify and prove that the perpetrator had the express intention of placing another person in conditions violating human dignity. While recognizing that adjudicating trafficking cases is universally challenging across the whole OSCE region and commending the recent efforts by Finland to allow specialization in human trafficking and sexual violence for judges of the district and appellate courts, the Special Representative

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<sup>46</sup> [Joint Statement on the Critical Role of the Financial Sector in Combating Trafficking in Human Beings and Modern-day Slavery | OSCE](#)

<sup>47</sup> [Trafficking in human beings and associated crimes. Application of the criminal provisions](#)

suggests several areas for improvement. She recommends developing explanatory materials on national legislation, clarifying the definitions and constituent elements of the trafficking crime, including guidelines for the preparation of the justifications of judgments, in particular on the “means” element, to include psychological coercion and debt manipulation. Such materials should further be used for joint training sessions of judges and prosecutors, to improve the filing of charges following the structure of the trafficking Criminal Code provision. She also recommends enhancing awareness of the judiciary on the nuances of trafficking crimes, as well as victim-centred and trauma-informed criminal proceedings and special questioning techniques.

## **VI. Prevention of human trafficking**

53. The Special Representative notes Finland’s enhanced efforts to advance constructive and multi-stakeholder measures to prevent trafficking in human beings, particularly for forced labour. These efforts include adoption of the National Action Plan to Combat Forced Labour 2024–2027, the swift establishment of systems and actions to sensitize authorities at the local level to the risks of trafficking and exploitation of Ukrainians seeking safety from the war and recently adopting the Action Plan to Help People Who Have Fled Ukraine 2024–2027<sup>48</sup>, sensitizing businesses about human trafficking, and contributing to trafficking prevention through development projects of the Ministry of Foreign Affairs. Additionally, Finland’s presidency of the Council of Baltic Sea States focused on child trafficking with resources allocated to research and exchange of best practices among the CBSS states. Nevertheless, prevention efforts remain limited to certain forms of trafficking to the detriment of major challenges that exist in exploitation of foreign women in commercial sex, increasing technology-facilitated trafficking, and trafficking for forced criminality.
54. The Special Representative commends Finland for its continuous focus on prevention of labour-related crimes and protection of workers, and the comprehensive approach involving a multitude of actors. Promotion of work-based migration in a sustainable manner is the aim of a cross-administrative plan, which includes legislative amendments to provide seasonal migrant workers with an employment-based short-term residence permit, as opposed to a Schengen visa; increasing advisory services, use of interpreters, and providing information on labour regulations in both Finland and countries of origin; and promoting ethical international recruitment. The Finnish Immigration Service, in close cooperation with the police, MFA and Finnish embassies abroad, Border Guard, and employment offices, are further developing a labour trafficking-sensitive visa application process, including a more detailed visa/residence permit interview in consulates and FIS offices in Finland. In case of suspicion, the FIS forwards the matter for investigation to the labour inspectorates and police for potential victim identification. Further initiatives are “yellow flagging” and updating the list of high-risk sectors and employers; an information brochure “Working in Finland as a Foreigner” for recipients of residence permits in their own language; dedicated information service for foreign labour on [WorkHelpFinland](#)<sup>49</sup> and [Work in Finland](#).

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<sup>48</sup> [Action Plan to Help People Who Have Fled Ukraine 2024–2027](#)

<sup>49</sup> [WorkHelpFinland](#) was developed as a part of a special project by the Police University College, targeted against human trafficking and labour exploitation, and is available in 26 languages and as a mobile phone application.

55. “Development of working life skills and capabilities for victims of human trafficking (IKUT)” project<sup>50</sup> established evidence-based recommendations<sup>5152</sup> on employment opportunities for trafficking victims and piloted a collaboration model that took the special needs of victims into account. HEUNI also developed several guidelines<sup>5354</sup> and trained numerous public procurement units and staff of the Ministry of Social Affairs and Health and Ministry of Economic Affairs and Employment in prevention and identification of labour exploitation risks in their supply chains/recruitment. The Special Representative welcomes the wide array of measures already implemented by Finland in the area of ethical recruitment, as well as research and capacity-building in due diligence and supply chains; and she further recommends that Finland develop national legislation applicable to mid- and small-sized businesses to implement the EU Due Diligence Directive as a measure to prevent labour exploitation. She also recommends Finland broadly engage with national businesses to develop and enforce companies’ business and human rights guidelines, as well as develop and implement ethical recruitment guidelines for further sectors, including agriculture, construction, and hospitality.
56. As mentioned in para. 51 above, the Finnish Tax Administration is proactively involved in the identification and prevention of exploitation while registering foreign employees in Finland in one of the location offices (two further agencies registering workforce are the Finnish Immigration Service and the Digital and Population Data Services Agency). Very often the Tax Administration employees are the only state authority that comes into contact with a potential victim. In 2022 the procedure of registration of foreign workforce by tax authorities was streamlined to reduce the number of locations where registration is possible to avoid double registration, by training staff on potential red flags and signs of exploitation, as well as checking employer companies’ background. The appointment to register as a foreign workforce is now only done in an individual and not group manner, without the employer’s presence, ensuring time and space to detect and address potential issues. The Special Representative welcomes these proactive measures undertaken by the Tax Administration in identifying and preventing exploitation as an innovative practice and recommends that Finnish authorities implement a unified process for foreign workforce registration with a dedicated agency to allow for better tracking and identification of potential labour exploitation signs.
57. The Occupational Safety and Health Administration under the Ministry of Social Affairs and Health checks the compliance of employers and working conditions with the labour legislation. The labour inspectorate comprises 450 inspectors, working at state regional offices and paying special attention to risk sectors, such as agriculture and wild produce collection, construction, and catering businesses. The agency carried out over 2000 inspections in 2023 in connection to foreign labour), can interview workers alone without the employer, and staff received regular training on trafficking indicators, interview techniques, and the use of interpreters. In case of trafficking suspicions, the workers are referred to the NAS or to RIKU, and in case of serious

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<sup>50</sup> Carried out in 2020-2023 by the Centre of Expertise in Immigrant Integration of the Ministry of Economic Affairs and Employment, the European Institute for Crime Prevention and Control (HEUNI) and the NAS

<sup>51</sup> [From exploitation to fair employment.pdf \(heuni.fi\)](#)

<sup>52</sup> [INSTRUCTION CARD: How to recognise labour exploitation and human trafficking? \(kotoutuminen.fi\)](#)

<sup>53</sup> [Labour Exploitation and Public Procurement.pdf \(heuni.fi\)](#)

<sup>54</sup> [Recommendations for the international recruitment of healthcare and social welfare personnel. \(tem.fi\)](#)

suspicions the police is contacted for further investigation. The agency enjoys good cooperation with civil society. It is also possible to submit an anonymous tip through the website of the Occupational Safety and Health Administration<sup>55</sup>, making it easier to report abuse. Labour inspectors may propose joint inspections to the specialized police, which has proven to be an effective means of evidence gathering and started numerous criminal investigations. The Special Representative welcomes the broad mandate and the active involvement of labour inspectors in Finland in preventing and identifying labour exploitation and trafficking as a good practice and encourages authorities to continue providing resources and specialized training to this agency.

58. Finland is actively promoting ethical recruitment through intergovernmental measures together with partner countries via treaties and memoranda of understanding. The Ministry of Foreign Affairs funds a €3.5 million anti-trafficking project, focusing on vulnerable migrant populations, including trafficking victims, transiting Morocco, Tunisia, Egypt, Libya, Yemen, and Sudan. Finland has also been very active in promoting an anti-trafficking agenda in the regional organizations it is part of, like the Council of Baltic Sea States and Nordic Council of Ministers, allocating funds to research and sharing of best practices, as well as human resources for participation in relevant anti-trafficking task forces and working groups. The Special Representative commends this proactive approach and hopes Finland continues promoting evidence-based anti-trafficking solutions regionally, globally, and nationally.
59. The efforts of Finland to prevent exploitation and trafficking of persons fleeing the war against Ukraine have also been quite comprehensive to date, mostly following the EU Temporary Protection Directive, activated on 4 March 2022. Since then, Ukrainians have submitted a total of about 75,000 applications for temporary protection in Finland, receiving special residence permits, granting them access to accommodation, integration, health and social welfare services, as well as the job market. There were around 46,000 Ukrainian beneficiaries of temporary protection in Finland as of November 2024, most of them women and children, with approximately 19,000 Ukrainians registered in the reception system for asylum seekers and about 27,000 Ukrainians allocated a municipality of residence<sup>56</sup>. Police, labour inspectors, and anti-trafficking NGOs have given special attention to the risk of trafficking among Ukrainian refugees, and at the time of writing have not recorded a noticeable increase in the number of Ukrainian trafficking victims in Finland. Around 70% of all the population under temporary protection (30,000 people) are of working age, while only around 11,300 of them are currently employed, mostly in agriculture/forestry/fishing, administrative support, construction, and hospitality. In June 2024 the government launched the Action Plan to Help People Who Have Fled Ukraine 2024–2027, aimed at accelerating the integration and employment of Ukrainians with more funding provided to the municipalities and wellbeing services counties that accommodate them, provide mental health services, information about job search and employment regulation in the person’s own language, education, and Finnish/Swedish language courses. To prevent work-related exploitation, Ukrainian-language information on the rules of the Finnish labour market is distributed at reception centres, employment offices, and other service points used by Ukrainians. The Special Representative welcomes these and other measures implemented by Finland aimed at better

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<sup>55</sup> [Send a tipoff - Tyosuojelu.fi - Occupational Safety and Health Administration](#)

<sup>56</sup> At the time of writing in November 2024, data source [Data room \(shinyapps.io\)](#)

integrating people from Ukraine and preventing trafficking. At the same time, she is concerned that trafficking risks may increase due to the reduction of the reception and spending allowance, which also applies to people under temporary protection, on 1 September 2024<sup>57</sup>, and a new amendment to the national temporary protection legislation that excludes third country nationals who have fled from the war in Ukraine from temporary protection measures<sup>58</sup>.

60. In comparison to the broad policy attention and operational action to labour exploitation, other forms of trafficking, such as sexual exploitation or forced criminality, are less actively addressed in prevention activities in Finland. Although sexual exploitation is not a predominant form of identified human trafficking cases in the criminal justice system, the evidence – including the size of the commercial sex marketplace as indicated by online platforms – strongly suggests the problem is considerably larger. One challenge is that policy and operational attention to online platforms, which are currently serving as facilitators and accelerators of exploitation, is nascent. A second challenge is that there is inadequate attention on discouraging demand. As described in paragraph 12, in 2015 Finland introduced criminal liability for the purchase of sexual services from a person while having reasons to suspect that the person concerned is a victim of trafficking or pandering. Reckless but unknowing use of victims does not mean victims experience less harm and it likely accounts for a larger share of the market than knowing use (e.g., those users who specifically seek out trafficking victims such as children)<sup>59</sup>, thus creating a financial incentive for traffickers to exploit victims. This is even more acute in the case of online venues like escort or sexual service websites – there were 59 of those in Finland found during the mapping exercise carried out by the Office of the Special Representative<sup>60</sup>. Given the lack of age or consent verification on virtually all such platforms, sex purchasers have no meaningful way of knowing whether the person they are having sex with is a trafficking victim, and the risk of using the services of a trafficking victim is high. Nevertheless, the popularity of online escort and sexual services websites demonstrates the intersection between demand and trafficking. Additionally, knowing use is difficult to prove in court and the penalty for the crime is quite low; hence police currently are not incentivized to spend resources on investigating this crime<sup>61</sup>. Seeing that the Criminal Code provision in its current wording does not provide sufficient deterrence to purchase sexual services from victims of human trafficking, the Special Representative recommends that Finland consider amending legislation to criminalize the purchase of services of trafficking victims without the knowing element and take further measures to reduce demand for sexual services that fuel human trafficking, like education initiatives for young men and boys, as well as develop exit strategies for persons who wish to exit commercial sex.

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<sup>57</sup> [Reception and spending allowance reduced from 1 September 2024 | Maahanmuuttovirasto \(migri.fi\)](#)

<sup>58</sup> [Legislation on temporary protection to be reformed - Ministry of the Interior \(intermin.fi\)](#)

<sup>59</sup> [Discouraging the demand that fosters trafficking for the purpose of sexual exploitation | OSCE](#)

<sup>60</sup> [Mapping the online landscape of risks of trafficking in human beings on sexual services websites across the OSCE region \(osce.org\)](#)

<sup>61</sup> This is confirmed by the very low numbers of prosecutions and convictions under Chapter 20, Section 8 of the Criminal Code: following the entry into force of this provision in 2015, a total of 31 cases were submitted to prosecutors (five in 2015, one in 2016, six in 2017, seven in 2018, nine in 2019, none in 2020, two 2021, none in 2022, and one in 2023). In 13 cases, charges were brought against the perpetrators. There were 11 convictions in 2018, one in 2023 and one in 2024, and all the offenders were sentenced to a fine.



61. The Special Representative further recommends intensifying prevention efforts in the area of child trafficking. Currently there are no known courses or school materials on human trafficking to raise awareness of minors about the potential signs of exploitation. While courses on media literacy and digital safety, as well as online bullying and harassment, are currently included in the general education curricula in the framework of the New Literacies Programme 2020-2023, the Special Representative encourages the development of more child-friendly material on various types of human trafficking and their distribution through the education system, including on easy-to-follow instructions on what to do and whom to contact in the case of an unsafe situation. Further, following the recommendations of the combined 5<sup>th</sup> and 6<sup>th</sup> reports of Finland to the Committee of the Rights of the Child<sup>62</sup>, child trafficking prevention should include targeted measures for girls, children with disabilities, children in socioeconomically disadvantaged situations, migrant children, and children belonging to minority groups (e.g., Roma and Sami). Special attention should be paid to the online-facilitated trafficking by introducing enforceable policies for online platforms, which include “safety-by-design” and age and consent

#### **CASE STUDY**

One of the cases uncovered by labour inspectors as part of their focus on exploitation in wild produce collection is the so-called “Berry picking case.” Traditionally wild berries, which grow in northern Finland, are picked by seasonal workers, many of whom used to arrive to Finland on Schengen visas and work formally as self-employed entrepreneurs, collecting berries individually and selling them to companies by weight. Finnish berry companies recruit thousands of pickers from Thailand every year, and in the course of 2020-2023 hundreds of them were exploited, living in inhumane conditions and working long hours but earning as little as 15 EUR at the end of the season, due to inflated fees imposed by Thai recruiting agencies. The case was investigated jointly by the National Bureau of Investigation, the Border Guard, and the Helsinki and Lapland Police Departments, in cooperation with Thai authorities. Recently charges were brought against the CEOs of two Finnish wild produce companies, their Thai partner, as well as a former high-level government official suspected of a bribe. The government has undertaken several steps to minimize the risks of trafficking for the vulnerable group of seasonal berry pickers – the process of issuance of visas for the purpose of berry picking has been revised and, as of 2024, companies using the services of foreign berry pickers must enter into a contractual employment relationship with them. Special attention has been placed on red-flagging recruitment companies that were complicit in exploitation in the past. Labour inspectors carried out regular visits to remote areas during the 2024 season, and recently the Finnish Immigration Service in cooperation with the Border Guards organized follow-up interviews with the Thai berry pickers at the end of the season before their departure from Finland to check whether the employment conditions were met<sup>1</sup>. The Ministry of Economic Affairs and Employment has prepared amendments to the Seasonal Workers Act and Decree, which should enter into force for the 2025 harvest season, further regulating the work of seasonal berry pickers and not considering them entrepreneurs. The Special Representative applauds the comprehensive response of Finland to this case, which included increased attention by the media and civil society, and encourages a similar whole-of-society approach to tackling other types of exploitation.

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<sup>62</sup> [CRC 2023 Concluding observations on the combined fifth and sixth periodic reports of Finland](#)

verification requirements<sup>63</sup>. With the rapidly growing use of artificial intelligence in recruitment and exploitation of trafficking victims, it is even more important for states to have strong and adaptable policies for tackling the new ways of modi operandi of traffickers and preventing exploitation<sup>64</sup>.

62. In conclusion, while positively noting the commitment and numerous steps taken in the prevention of trafficking by the Government of Finland, particularly through strong policy adoption and anti-trafficking structures, the Special Representative encourages authorities to continue their efforts and invites them to consider the following recommendations to enhance the implementation of OSCE anti-trafficking commitments, in particular the OSCE Action Plan to Combat Trafficking in Human Beings and its Addenda. The Special Representative and her Office stand ready to provide technical assistance, if requested, to national and local authorities, as well as civil society, and welcomes further dialogue and co-operation to promote appropriate follow-up to these recommendations.

## **VII. Recommendations**

### **1. Enhance legal, policy and institutional framework by:**

- Including trafficking for exploitation in criminal activities in the forms of trafficking defined under Chapter 25, Section 3 and 3a.

- Amending legislation to include explicit references to two key anti-trafficking principles: “the irrelevance of victim consent” to the intended exploitation and “non-punishment principle” in regard to trafficking victims in line with the international instruments, accompanied by capacity building for criminal justice practitioners and monitoring of implementation.

- Introducing amendments to the Section 10 of the Criminal Records Act (770/1993), that would make it possible to erase or vacate information about the criminal records of trafficking victims for the crimes committed as a direct result of being trafficked.

- Ratifying the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families of 2003.

- Developing a new National Action Plan through an inclusive process that seeks input from all relevant stakeholders, including state agencies, civil society, and lived experience experts and that mandates specific actions to address the increasing prevalence of online exploitation of children and adults, inter alia by including the education sector into prevention and identification of trafficking and establishing partnerships with private entities such as technology companies to develop specific tools and strategies; continue conducting research into various forms of trafficking, such as exploitation in commercial sex and for criminal activities; promote partnerships with financial intelligence by including the Financial Investigation Units and financial regulators; establish regular joint capacity-building for police,

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<sup>63</sup> [Policy responses to technology-facilitated trafficking in human beings](#)

<sup>64</sup> [New frontiers: The use of generative artificial intelligence to facilitate trafficking in persons](#)



prosecution, and judges on various aspects of trafficking cases, including the non-punishment principle, irrelevance of consent, psychological coercion, and trauma; and enhance prevention efforts, including through education initiatives, programmes aimed at youth criminality prevention, and developing exit strategies for persons in commercial sex.

- Introducing formal mechanisms to integrate the expertise of persons with lived experience into anti-trafficking laws, policies, and practices, including in decision-making and research.

- Establishing a unified and comprehensive database that includes gender-, age- and nationality-disaggregated data from all agencies on the number of victims identified, assisted, sheltered, and granted residency permits; the number of compensation claims submitted and granted; the number of investigations, prosecutions, convictions, and sentences; and the assets confiscated and recovered from traffickers.

- Providing sufficient resources to the social sector (including social security benefits), sustainable funding to anti-trafficking NGOs, and sufficient allowances to asylum seekers and people under temporary protection to prevent their possible trafficking.

## **2. Enhance victim identification, assistance, and protection by:**

- Launching a National Referral Mechanism (NRM) that regulates the actions of each agency that might come in contact with a trafficking victim (including healthcare, education, and child protection authorities) and contributes to an improved and effective protection scheme. Developing and implementing training on a trauma-informed approach to identification and referral of victims of various forms of trafficking for relevant authorities, especially front-line police officers, healthcare and social workers, teachers, and staff of child welfare institutions.

- Ensuring that all victims of trafficking are formally identified as such by the National Assistance System, regardless of their immediate service needs, to ease the access to assistance and protection measures in the future either in Finland or abroad.

- Enhancing measures to identify victims of all forms of human trafficking and child trafficking, particularly for sexual exploitation and forced criminality, through increasing proactive efforts throughout the country including through screening of at-risk children and youth, issuing guidance and training for all first responders on trafficking for exploitation in criminal activities, creating protection programs for children in all types of institutions with special attention to those who go missing and age out, and monitoring of online platforms advertising sexual services including escort services.

- Ensuring effective screening for trafficking among vulnerable populations, including refugees and asylum seekers, and creating an independent monitoring body overlooking screening with an effective mandate and sufficient resources allocated, following Article 10 of the Screening Regulation (Regulation (EU) 2024/1356) and Article 43(4) of the Asylum Procedure Regulation (Regulation (EU) 2024/1348).

- Streamlining the provision of services to victims to ensure the continuity and consistency of services, especially by increasing co-operation between the NAS and the wellbeing services counties, providing sufficient resources, safe shelter, training, and guidelines on specialized assistance.

- Increasing provision of compensation to victims, such as through training for prosecutors and lawyers and through protected use of assets seized from traffickers to fund compensation for victims.

- Ensuring prompt access to specialized lawyers for all identified and potential trafficking victims.

- Increasing the issuance of special residence permits for all eligible victims and their access to integration services, considering amendments to the Aliens Act with regards to reasons for denial of a residence permit, to ensure that more victims can obtain residence permits on valid grounds.

### **3. Enhance the criminal justice response to all forms of human trafficking by:**

- Increasing the number of trafficking crimes classified and prosecuted as such and increasing convictions for trafficking crimes.

- Boosting investigations by identifying and collecting sources of evidence in addition to victim testimony including by making use of special investigative tools, such as wiretapping, surveillance and undercover operations, financial investigations, and pre-recorded direct evidence, and consider pre-recorded cross-examination methods for all victims of trafficking. Developing capacity-building activities for investigators and prosecutors to advance victimless investigations and prosecutions.

- Training law enforcement in child-friendly interviewing techniques and special interrogation techniques for victims of online sexual abuse with a focus on older adolescents.

- Further improving the length of pre-trial investigations and court proceedings.

- Increasing specialized training for lawyers working on trafficking cases, police, prosecutors, and judges on constituent elements of the crime and various aspects of trafficking cases, such as the effects of trauma on victim testimony and psychological coercion, and request for compensation.

- Issuing guidance on trafficking for exploitation in criminal activities and conducting training and awareness-raising for all criminal justice practitioners and the judiciary.

- Standardizing pre-trial investigation practices by automatically including financial investigations, confiscation of assets and proceeds of the crime in all relevant cases to increase the compensations for victims, and establishing a mechanism for earmarking a certain amount for potential compensation to trafficking victims whenever the tax authorities discover irregularities and confiscate assets.

- Introducing legal amendments to facilitate the information-sharing on potential trafficking cases or victims between different agencies (e.g., labour inspectors, tax authorities, and police).

- Including a measure in the new NAP to enable closer engagement of the Financial Intelligence Unit in the anti-trafficking agenda and enable the exchange of information and data - such as typologies and red-flag indicators - with the financial services sector.

#### **4. Enhance prevention of human trafficking by:**

- Increasing and supporting prevention efforts by focusing on the demand that fosters all forms of trafficking, including through: including specific measures in the new NAP to target demand, particularly that which fosters sexual exploitation; consider amending the criminal law to criminalize the purchase of services from a victim of trafficking (regardless of the purchasers' knowledge); pairing implementation of criminal justice measures with education initiatives for young men and boys; develop exit strategies and programmes for individuals wishing to exit commercial sex. Such programmes should include, but not be limited to, education and employment opportunities that can help to support individuals who may have to go through a challenging transition process and closely monitoring the venues where commercial sex services can be procured (particularly online) to prevent the exploitation of adults and children in this industry.

- Developing national legislation integrating EU's Due Diligence regulations for private companies and making them applicable to companies of smaller size, including a strong mandate for the upcoming national competent authority overseeing the implementation of the Directive and the EU Ban on Products Made with Forced Labour, and strengthening access to remedy for workers exploited in corporate conduct and in supply chains.

- Addressing online platforms that ignore risks or facilitate exploitation on their platforms through policy action requiring implementation of safety-by-design and age and consent verification measures; risk assessments; due diligence and monitoring for illicit content. Policies and laws should also provide for enforcement by authorities and liability for harms occurring on or through the platforms.

- Developing and implementing ethical recruitment guidelines for various sectors, including agriculture, construction, hospitality, healthcare, and social welfare workers.

- Developing a unified registration process for foreign workforce to allow for better tracking and identification of potential labour exploitation signs.

- Analysing exploitation connected to the "entrepreneurship" model in further sectors beyond agriculture and long subcontracting chains that reduce worker rights, and taking proactive steps to reduce risks of exploitation and increase worker protections.

- Establishing training for health care workers and educators on detecting and preventing human trafficking and child-appropriate curricula on human trafficking and online safety.

## **ANNEX I**

### **Programme of the visit**

#### **Monday 26 August**

09:00 – 10:30 Meeting with the National Anti-Trafficking Rapporteur

11:00 – 12:00 Meeting with HEUNI

14:00 – 15:00 Meeting with Victim Support Finland/RIKU

15:30 – 16:30 Meeting with MONIKA

#### **Tuesday 27 August**

9:00-9:30 Meeting with the Permanent Secretary of the Ministry of Social Affairs and Health

10:00-10:30 Meeting with the State Secretary to Minister for Foreign Affairs and Minister of Defense

10:30-11:30 Meeting with the Ministry for Foreign Affairs

12:00-13:30 Lunch meeting hosted by Ambassador for Human Rights

13:45-14:45 Meeting with the Interim Permanent Secretary of the Ministry of Justice

14:45-16:15 Meeting with the Government Anti-Trafficking Coordinator

#### **Wednesday 28 August**

9:00-10:00 Meeting with Referendary Counsellors at the Office of the Chancellor of Justice

10:00-11:00 Meeting with the Prosecutor General

11:10-12:10 Meeting with the Ministry of Social Affairs and Health, incl. Finnish Institute for Health and Welfare and Vantaa & Kerava Wellbeing Services County

13:00-15:30 Meeting with the Permanent Secretary of the Ministry of the Interior, National Police Board, National Bureau of Investigation, Finnish Border Guard, Specialized THB Police Unit, Immigration

15:35-17:00 Meeting with the Finnish Immigration Service, incl. the National Assistance System for Victims of Trafficking

**Thursday 29 August**

**9:00-10:00 Meeting with the Ministry for Economic Affairs and Employment, Departments for Labour Migration and Integration, Work and Gender Equality**

**10:00-11:00 Meeting with the Ministry of Education and Culture**

**11:15-12:15 Meeting with the District Court of Helsinki and the Helsinki Court of Appeal**

**16:00-17:00 Meeting with the US Embassy**

**Friday 30 August**

**9:00-10:00 Meeting with the Head of the Task Force for the Finnish OSCE Chairpersonship**

**10:00-11:00 Meeting with the City of Helsinki**

**11:15-12:15 Meeting with the Finnish Tax Administration, Anti-Shadow Economy Division and Grey Economy Information Unit**