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**DIRECTORATE FOR FINANCIAL AND ENTERPRISE AFFAIRS  
WORKING GROUP ON BRIBERY IN INTERNATIONAL BUSINESS  
TRANSACTIONS**

**PHASE 4 WRITTEN FOLLOW-UP REPORT BY FINLAND**

**JT03467331**

## PHASE 4 SECOND FOLLOW-UP REPORT

### Background

On 16 March 2017, the Working Group on Bribery (WGB) of the OECD issued the Phase 4 report on the fourth evaluation round on Finland. In the report, 15 recommendations were addressed to Finland in order to better combat the bribery of foreign public officials. In February 2019, Finland submitted its Phase 4 Written Follow-Up report to the OECD Working Group on Bribery. The report outlined Finland's efforts to implement the 15 recommendations that it received and to address the follow-up issues identified during its Phase 4 evaluation in March 2017. Consequently, this report, submitted by Finland, provides information on the further progress made by Finland after February 2019 in implementing the outstanding recommendations of its Phase 4 report.

First, this report incorporates descriptions of some actions that are strengthening the integrity, enforcement and corruption prevention framework in general and that cannot be reported solely as implementation of a specific recommendation. This part of the report shows the proactive and continuous integrity and anti-corruption work that is going on in the Finnish government. Secondly, measures related to the implementation of the recommendations and their schedule are described. Finally, the report presents two outstanding recommendations which Finland would like to have re-assessed.

### General information

Finland is firmly committed to the fight against corruption both nationally and internationally within all of our international cooperation. During Finland's presidency of the European Council, Finland chose the anti-corruption efforts as one of the main topics. In this context, the Presidency issued a Presidency note outlining the state of play in the area of Anti-Corruption. It was presented to ministers as a basis for an exchange of views in the October's JHA Council. Based on these discussions, the Presidency drafted a report which aims to provide assistance in the process of further developing the EU's anti-corruption efforts.

Finland is also taking several new steps in the fight against corruption at the national level. The ministerial working group on internal security and strengthening the rule of law has decided to launch preparations for an Anti-Corruption Strategy and an Action Plan for the years 2020–2023. The main goals of Finland's anti-corruption strategy are to strengthen and clarify institutional structures, and to increase transparency and awareness of corruption. Other objectives include facilitating detection and exposure of corruption cases, looking into the fitness for purpose of relevant legislation and promoting research in the field.

The implementation of the National Strategy for Tackling the Shadow Economy and Economic Crime for 2016–2020 has also resulted in positive outcomes. The corruption-related priority project was

finalized in August 2019. The project was divided into two sub-projects. One aimed to promote detection of corruption offences and imposing of criminal liability through targeted education by preparing corruption identification guidelines for all authorities involved in the process of combating crime. The guidelines established as a result of this project has already been used in different training sessions, for example, organized by the Police and MOJ. This includes also the Joint Corruption Crimes-Training Seminar for judges, prosecutors and law enforcement officers organized by the MOJ was held in November 2019.

The other sub-project aimed to prevent corruption by enhancing monitoring of procurement and expanding procurement units' access to information, as well as by increasing procurement units' opportunities to intervene in cases of corruption they detect. The project resulted in a number of recommendations, which will be considered for inclusion into the Anti-Corruption Action Plan.

In June 2020, the Government approved the new National Strategy and Action Plan for Tackling the Shadow Economy and Economic Crime for 2020-2023. The new strategy includes a corruption related priority project; *Enhancing the fight against corruption and abuse through expertise, supervision and openness*. The purpose of the project would be to enhance awareness at all levels of society of corruption as a phenomenon, the legal standards for combating and preventing corruption, and the tools used in anti-corruption work. The aim is also to develop ways to identify economic abuses through automation and to increase openness of activities receiving public funding. The project combines four development projects intended to enhance the effectiveness of anti-corruption work:

- raising awareness of the risks arising from corruption, grey economy and cartels, and of the ways to combat them through targeted training
- making more effective use of data analytics to identify abuses and to ensure more effective risk-based supervision in central and local government and in local government organisations
- in accordance with the Government Programme, examining whether the scope of the Act on the Openness of Government Activities should be extended to include legal persons owned or controlled by the public sector
- examining how to ensure that the reporting obligation and public access to information can be extended to include the secondary jobs and other similar economic interests of university research staff.

The project has three key objectives. The first objective is to increase public sector awareness of corruption risk areas, anti-corruption work, cartels and other economic abuses. This objective is one of the recommendations set out in the report 'Harmaa talous ja hankinnat' (Grey economy and public contracts). The second key objective is to enhance awareness of the corruption risk areas and anti-corruption work in SMEs through targeted training (Rec 7). The third objective in the field of openness, expertise and supervision is to prepare codes of conduct and to systematically put them into practice in the public sector as part of the implementation of international recommendations. In practice, existing

guidelines and instructions should be clarified and updated, and they should be made easier to use and better known.

There are also several legislative initiatives ongoing and planned in the field of corruption prevention. Apart from the national implementation of the whistleblower protection directive, another major step in the fight against corruption in Finland will be the establishment of a transparency register related to lobbying. Work for this register and the legislation, which will increase transparency in lobbying, is currently ongoing. There is also a legislative project on blogging “the revolving doors”. The aim is to lay down procedures for preventing and avoiding conflicts of interest when a member of the Government moves to other positions. The matter has been included in the Government's legislative programme and the Government's proposal is due to be submitted spring 2021. The legislation related restriction on the civil servants' right to employment or engagement in other activities is also been currently reviewed.

In the beginning of 2020, a parliamentary working group was set up in order to identify needs for the development of electoral law, the party law and the electoral finance law, and, where appropriate, legislation on other political activities. One of the aims of this work is to review and if needed, develop rules and practices for reporting election and party funding to ensure that reports provide a true picture of external funding that could potentially generate interest. The aim is also to enhance the overall transparency, and transparency of party and electoral funding by strengthening The National Audit Office of Finland's ability to monitor candidates' electoral funding declarations and obtain information from third parties to that effect.

There are also some other awareness raising and preventative initiatives finalized or ongoing in Finland, which are also supporting Finland's enforcement actions, the implementation of the outstanding recommendations and further strengthening the anti-corruption frame work of Finland;

- The launch and continuous development of the national anti-corruption website, in order to increase the awareness among the citizens and public- and private sector ([www.anticorruption.fi](http://www.anticorruption.fi)) (Rec. 7)
- Ongoing anti-corruption campaign for both public and private organizations. The campaign, coordinated by the Ministry of Justice, aims to raise awareness of corruption and the importance of anti-corruption work in all types of organizations. (More detailed information about the campaign and the conditions that needs to be met in order to join can be found from our website, [www.anticorruption.fi](http://www.anticorruption.fi) .) (Rec.7, Enforcement Action)
- In early 2019, the government also launched an ethics and Anti-corruption e-learning tool for civil servants (Enforcement Action)

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- In early 2019, a government-funded study was launched for developing corruption indicators in order to better measure and understand the different typologies of corruption in Finland. The study will be finalized in November 2020. (Enforcement Action)
  - In 2020 the study on the connection between corruptive and money laundering practices pertaining to the Nordic region will be launched. The overall objective is to help create a healthier environment for international trade by preventing corruption-related money laundering in Nordic countries. The aim is to understand more comprehensively the connections between corruptive and money laundering practices and to help investigate and convict cases where the laundered funds originate from corruptive actions, bribery in particular. The milestones are a preliminary desk study and a survey conducted to the FIUs in Nordic countries and a report about the results. (Enforcement Action)
  - As a part of the Open Government Partnership program, The National Open Government Action Plan 2019-2023 was published in order to support the further strengthening of trust and ensure equality and openness of the Finnish administration.
  - Joint Corruption Crimes- Training Seminar for judges, prosecutors and law enforcement officers organized by the MOJ was held in November 2019. The following seminar will be held in November 2020. (Rec. 2c, 3a, 3b, 5 c, and Enforcement Action)

## Current situation concerning the implementation of the recommendations

### *Regarding the detection of foreign bribery:*

Text of recommendation 1(a):

1. Regarding the detection of foreign bribery, the Working Group recommends that Finland:

a) Ensure the MFA develops guidance for all officials posted abroad to require the reporting of foreign bribery, explain the reporting channels, and provide advice on how to detect foreign bribery (e.g. through systematic media monitoring and alerts). [2009 Recommendation III.iv and IX.ii]

In 2019, anti-corruption has been integrated into the broader training programme provided to new MFA diplomats and other personnel sent to overseas missions. The MOJ's anti-corruption staff provided this anti-corruption training, and it covered the issues raised in the recommendation. In order to further fulfill this recommendation, the Ministry of Foreign affairs will develop further guidance on anti-corruption as part of the implementation of the up-coming Government anti-corruption strategy and action plan.

Text of recommendation 1(b):

1. Regarding the detection of foreign bribery, the Working Group recommends that Finland:

b) Amend its legislation to provide clear, comprehensive protections for whistleblowers, for example, by enacting a dedicated whistleblower protection law which applies across the public and private sectors. [2009 Recommendation IX.iii; Phase 3 recommendation 7]

Finland has adopted further specific provisions in sectoral laws that are relevant to whistleblower protection, but this does not address the fragmented and incomplete nature of the current protection. EU Directive on the protection of persons reporting on breaches of Union law has been adopted in November 2019. Finland has started its work of national implementation of this directive. The Ministry of Justice has established two working groups for this purpose in the spring of 2020. The deadline for completion of the work by these working groups is the end of March 2021.

Text of recommendation 2(a):

2. Regarding cooperation, resources, and specialisation in foreign bribery cases, the Working Group recommends that Finland:

a) Ensure that under the planned restructure of the Prosecution Service, foreign bribery cases continue to be assigned to prosecutors with sufficient specialisation and expertise. [Convention, Article 5; 2009 Recommendation, Annex I.D]

One of the objectives with the reorganization of the Prosecution Service was to ensure that human resources can be allocated to cases where they are most needed regarding both quality and quantity. This applies also to bribery cases. The aim, in other words, is that all bribery cases can be assigned to prosecutors with the required expertise and knowledge. Usually this expertise and knowledge is possessed by prosecutors specialized in economic crimes, but the assignment decision is always made on a case by case basis taking into account the circumstances of the specific case. Therefore, training on bribery cases is given to all prosecutors.

The restructure of the Prosecution Service entered into force on 1 October 2019, and since then, no new foreign bribery cases have merged, which makes it difficult to convey that this recommendation has been implemented. However, as stated in our follow-up report from 2019, under the new organisation, special prosecutors will only be assigned cases that are particularly demanding when examined at the national level, and cases involving bribery of a foreign public official always fulfil the above mentioned criteria. This is because it is challenging to obtain proof and demanding to conduct a legal assessment in these cases.

Text of recommendation 2(b):

2. Regarding cooperation, resources, and specialisation in foreign bribery cases, the Working Group recommends that Finland:

b) Ensure that the National Bureau of Investigation (NBI) resources for foreign bribery are maintained and that prosecutorial resources are sufficient to enable the early involvement of prosecutors in foreign bribery cases. [Convention, Article 5; 2009 Recommendation, Annex I.D]

Please see the re-assessment request related to the recommendation.

Text of recommendation 2(c):

2. Regarding cooperation, resources, and specialisation in foreign bribery cases, the Working Group recommends that Finland:

c) Ensure that foreign bribery cases are heard by judges with specialised skills and experience. [Convention, Article 5; 2009 Recommendation, Annex I.D]

Please see our response to recommendation 3(a) and 3(b). In addition to this, the cooperation network for district courts discussed the recommendation, specifically the specialization of judges. It concluded that establishing a new network purely for these matters would be unnecessarily burdensome. Instead, they were considering including these issues in networks which will be established in coming years e.g. network of judges for financial crimes or the network of judges for criminal cases with international aspects. The exact name or focus of the network shall be decided upon later.

After the establishment of the networks, training can be targeted to the judges in the network, which ensures the competence and accumulation of experience. Until this establishment, training is provided as decided by the Judicial Training Board. The judges and referendaries who the court deems to benefit most from the training, participate in the training. As stated above, the Corruption Crimes Training seminar has been organized yearly between 2017 and 2019 and a subsequent training is scheduled in 2020.

ii. Text of recommendation 3(a):

3. Regarding the evidentiary threshold for the foreign bribery offence, the Working Group recommends that Finland:

a) Provide detailed written information to investigators, prosecutors, and judges (whether separately or collectively) on the requirements of the foreign bribery offence under Article 1 of the Convention and its commentaries. This information should, at a minimum, clarify:

i. the type of evidence (whether circumstantial or direct) required to prove a briber's intent with respect to each element of the offence. This should emphasise that a direct link between a bribe payer and bribe recipient is not required in all cases and that circumstantial evidence should be sufficient;

ii. that an error of law is only a defence in the limited circumstances set out in chapter 4, section 2 of the Criminal Code.

iii. the exact elements of the offence that must be met to ensure a conviction. This should clarify that for the purposes of foreign bribery, it does not matter whether a foreign public official is in fact in a position to influence matter for which the bribe was paid, nor is there a requirement that the bribe recipient be aware of the offer, promise, or gift of a bribe;

iv. the admissibility of foreign judgments on the same matter in Finnish foreign bribery cases. [Convention, Article 1; 2009 Recommendation, Annex I.D; Phase 3 Recommendation 1]

The Prosecution Service has published, in accordance with recommendations 3a, 3b, 4a, 4b, 5a and 5b of the report, a guide named "Guide for Enhancing the Prevention, Identification and Detection of Corruption". The guide was produced by a working group appointed by the Ministry of Justice. The working group included members from the Ministry of Justice, the Prosecution Service, the Police Administration, the National Bureau of Investigation, Customs, the Border Guard, the Tax Administration and the Competition and Consumer Authority.

The guide describes corruption as a phenomenon and as a crime. The guide also lists different authorities connected to the investigations of suspected corruption cases and different reporting channels in use. The guide covers a substantial amount of Finnish legal praxis and preliminary rulings given by the Supreme Court. Additionally, the guide describes the essential elements of a corruption crime and the most common issues regarding sufficient proof in corruption cases.

Moreover, the guide includes guidelines for prosecutors and criminal investigation authorities on how to conduct a criminal investigation, giving specific regard to the need of a demand on corporate criminal liability, on the proceeds of a crime and/or on business prohibition. At the same time, the guide presents specific guidelines on how to present these kind of demands in possible court proceedings. The guide can be referenced as a separate attachment.

Text of recommendation 3(b):

3. Regarding the evidentiary threshold for the foreign bribery offence, the Working Group recommends that Finland:

b) Use the written information outlined in recommendation 3a as the basis for comprehensive training sessions for investigators, prosecutors, and judges on the application of the foreign bribery offence. [Convention, Article 1; 2009 Recommendation, Annex I.D; Phase 3 Recommendation 1]

On 5 – 6 November 2019, a training program named “Corruption Crimes” was held for prosecutors, judges, criminal investigation authorities and enforcement authorities. The training program was organized by the Ministry of Justice in co-operation with the Prosecution Service in connection to Section 3a and 3b in the Phase 4 two-year follow-up report 2019. The main objective of the training program was to improve the recognition of corruption crimes especially in domestic and foreign business activities. As a part of the training program, emeritus professor Mr Pekka Viljanen held a lecture on the essential elements of bribery connected to foreign public officials. Justice Mr Pekka Koponen held a lecture on the proof of intent in corruption crimes. Additionally, the training included a lecture on the forfeiture of the proceeds of a bribery crime, on business prohibition and on corporate criminal liability.

On 18 September and 2 October 2020, the National Prosecution Authority will organize a training program on the corporate criminal liability and business prohibition in connection to Section 4 a and 4 b of the report. The objective of the training program is to expand the view on applying corporate criminal liability and business prohibition in different types of crimes. The training program mainly examines the requirements of departure in sentencing, allocation of responsibility and influencing factors of departure in sentencing. The subject matter will be illustrated with different case-examples.

In addition to this, it should be noted that the National Courts Administration has begun its operations in January 2020. Development of training of the personnel of the judiciary is one of its tasks, jointly with the Judicial Training Board. However, the work is still in progress. The National Courts Administration has taken note of the recommendations and will consider if further training is needed.

Text of recommendation 4(b):

4. Regarding sanctions for foreign bribery, the Working Group recommends that Finland:

b) Consider introducing a system of settlement for legal persons as part of its efforts to increase enforcement. [Convention, Article 3(1); 2009 Recommendation III.ii]

The plea bargaining system was introduced in the Finnish criminal procedure and criminal law very recently, in 2015. Therefore, Finland has currently very limited experience of the system and the legislation concerning it. These being the circumstances, it is unlikely that a legislative project reassessing the system will take place any time soon. However, when such an assessment will take place in the future, the issue will be given consideration.

Text of recommendation 4(c):

4. Regarding sanctions for foreign bribery, the Working Group recommends that Finland:

c) Enact legislation to increase the maximum criminal corporate fine under chapter 9 of the Criminal Code. [Convention, Article 3(1); 2009 Recommendation III.ii]

Finland is planning to increase the maximum criminal corporate fine as stated in our follow-up report in March 2019; however, at this stage; it is difficult to predict the timeline for the adoption of the

proposal, since the broader study on the application of the corporate liability is currently ongoing. It is likely that the increase of the maximum criminal corporate fine will be dealt with at the same time with other possible amendments related to the corporate liability.

Text of recommendation 5(a):

5. Regarding confiscation, the Working Group recommends that Finland:

a) Take steps, including amending legislation if necessary, to ensure it is able to confiscate the proceeds of bribery, including the profits made from a contract obtained through a bribe. [Convention, Article 3(3)] respect

Finland refers to its previous answer in the follow-up report March 2019. The amendments entered into force on 1 September 2016. The concept ‘proceeds of crime’ is defined in the amended section 2, subsection 1, paragraphs 1–5, in chapter 10 of the Criminal Code. The previous section did not include such a definition. The legislation was amended to nationally implement the Directive 2014/42/EU on the freezing and confiscation of instrumentalities and proceeds of crime in the European Union.

According to Article 2(1) and (2) of the Directive: “For the purpose of this Directive, the following definitions apply: (1) ‘proceeds’ means any economic advantage derived directly or indirectly from a criminal offence; it may consist of any form of property and includes any subsequent reinvestment or transformation of direct proceeds and any valuable benefits; (2) ‘property’ means property of any description, whether corporeal or incorporeal, movable or immovable, and legal documents or instruments evidencing title or interest in such property.”

The new section 2 of chapter 10 appears, more extensive than the previous one. In line with the principle of legality in criminal law, the amended section is applied to offences that have been committed after the section entered into force. The contents of the section will be further and in more detail clarified in future authoritative court decisions, especially those of the Supreme Court. So far, no new court decisions have been given, which would provide us further information of the application of the law in practice.

Text of recommendation 5(b):

5. Regarding confiscation, the Working Group recommends that Finland:

b) Regularly provide detailed written information and training to investigators and prosecutors on how to quantify the proceeds of bribery. [Convention, Article 3(3)]

As stated in Finland’s response to Recommendation 3(a), The Prosecution Service has published a guide named “Guide for Enhancing the Prevention, Identification and Detection of Corruption” which includes detailed written information on how to quantify the proceed of bribery. Consequently, the Guide has been used as training material for the Corruption Crimes –training program for Judges, prosecutors and investigators held in November 2019 and it will be used again in the upcoming trainings in 2020.

Additionally, the training program mentioned above (3b) did include and will include a special lecture on the forfeiture of the proceeds of a bribery crime.

For further information, please see the answers 3(a), 3(b) and 5(a) as well as attached translation of the Guide.

Text of recommendation 6:

6. Regarding false accounting, the Working Group recommends that Finland ensure that corporations can be held liable for all conduct prohibited under Article 8 of the Convention. [Convention, Article 8; 2009 Recommendation X.A.i]

As stated in Finland's written follow-up report in March 2019, Finland has thoroughly assessed its criminal law when it comes to the extension of the scope of the provisions on the criminal liability of legal entities. The extension of the criminal corporate liability to include aggravated accounting offence based on the Government Bill 258/2016 vp, was enacted through the Act 213/2017 and entered into force on 1.6.2017. The aggravated accounting offence is provided in chapter 30, section 9a of the Criminal Code.

In contrast to many other offences graded according to levels of seriousness into basic, aggravated and/or petty types, which is typical of the Finnish Criminal Code, the vast majority of all accounting offences fall within the ambit of the aggravated type of the offence, thus without doubt covering most, if not practically all, cases of foreign bribery. Consequently, it is unlikely that a new assessment and legislative project would be started in order to extend the scope of the criminal liability of legal entities even further to encompass the pettier forms of the accounting offence or the auditing offence.

Text of recommendation 7:

7. Regarding awareness, the Working Group recommends that Finland develop training and/or detailed written information on foreign bribery specifically targeted at SMEs. [2009 Recommendation III.i, X.C.i and Annex II; Phase 3 recommendation 5(c)]

Finland has developed a detailed guidance document for SMEs which covers corruption, including foreign bribery. The anti-corruption guide is available online in the official languages Finnish and Swedish, as well as English, and was published in May 2020. The promotion of the anti-corruption guide continues online, including on relevant social media platforms, and through stakeholder engagement. See the guide, visit: <http://urn.fi/URN:ISBN:978-952-327-571-3>

## **REQUEST FOR RE-ASSESSMENT OF THE RECOMMENDATION 2B AND 7**

### *Recommendation 2 b*

Finland requests that recommendation 2(b) be re-assessed and considered as implemented due to the following:

As stated in the Phase 4 Written Follow-Up Report, Finland has maintained the same number of personnel assigned to economic and financial crime investigation for several years, thus ensuring proper resources. Additionally, 3 June 2019 published government program for the following electoral term states that the overall number of police officers will increase during the governmental period, which would have an indirect positive effect for the bribery and corruption crime investigation. Government program sets the government's actions for their term and the political parties are strongly committed to it.

It is also stated in the government program that the fixed term funding for economic crime prevention shall be transformed into a permanent funding for the Ministry of the Interior, starting from the beginning of 2021. The fixed term funding covered the costs of 100 non-permanent investigators and it is expected that those posts can now be made permanent. In practice, this would increase the amount of personnel per year as repeated recruiting processes won't continue to consume valuable time and the personnel turnover rate decreases.

The National Police Board (NPB) has also made a budgetary proposition to the Ministry of the Interior for the adding of police personnel. In the proposition NPB has prioritized 9 additional police officers to be placed in economic crime investigation within the National Bureau of Investigation and the capital region's police departments. The proposition will be discussed in the next government budgetary meeting in October 2020.

The current organisational model, where corruption and bribery prevention, discovery and investigation are made by both the National Bureau of Investigation and local police departments, has proved itself to be efficient. It makes it possible for the resources to be used flexibly as investigation can happen in groups consisting of different departments' resources. In order to maintain the skills required for it, investigation of bribery and corruption crimes have been assigned to certain individuals within police units. Within the departments, there is a centralized lead, intelligence and analysis team co-operating with investigating teams. Education for investigating corruption crimes has also been given.

Every police department has named a member to the national network of contact persons. The network's task is to promote better awareness on prevention of corruption and to support the operative work done in police departments for preventing, detecting and investigating corruption crimes. The chair of the national network of contact persons works in the National Bureau of Investigation. Their responsibility is to coordinate counter corruption work, education and to maintain situation awareness. The coordinator co-operates closely with the National Bureau of Investigation's different units, police departments and other officials.

Police departments' co-operation under the coordination of the national counter bribery and corruption network functions well and the experiences gained are positive.

As stated in Finland's written follow-up report in March 2019, Corruption offences and foreign bribery cases will continue to be assigned to special prosecutors for economic crime and other prosecutors

specialised in dealing with corruption offences. One of the objectives with the reorganization of the Prosecution Service was to ensure that human resources can be allocated to cases where they are most needed regarding both quality and quantity. Considering the number of foreign bribery cases in Finland, the special prosecutor system has sufficient resources. The prosecution service provides corruption-related training also to other experienced prosecutors, which guarantees that Finland has a possibility to assign prosecutor pairs and groups to deal with these cases.

In addition, the aim of the current Government Programme is to increase the resources of the entire criminal justice chain, i.e. the police, prosecutors and courts. For the current year, an additional EUR 2.5 million was allocated to the Public Prosecutor Authority to recruit new prosecutors, among other things. The aim is to obtain similar funding for the Public Prosecutor Authority for the coming years, so that criminal liability continues to be effectively implemented.

From Finland's standpoint, there is no reason to believe that the restructure would hinder the current prosecutors' early involvement in the investigation of foreign bribery cases.

### *Recommendation 7*

Finland requests that recommendation 7 be re-assessed and considered as implemented due to the following: Finland has developed a detailed guidance document for SMEs, which covers corruption, including foreign bribery. The anti-corruption guide is available online (<http://urn.fi/URN:ISBN:978-952-327-571-3>) in the official languages Finnish and Swedish, as well as English, and was published in May 2020. The promotion of the anti-corruption guide continues online, including on relevant social media platforms, and through stakeholder engagement.

## **ENFORCEMENT ACTIONS**

Finland's overall Enforcement Action has been covered in section (General Information) in detail at the beginning of this report. The following text provides a more detailed analysis of the specific enforcement efforts conducted by the Police.

### **OECD ANTI-BRIBERY CONVENTION - ENFORCEMENT ACTIONS TAKEN BY THE POLICE**

#### **1. General**

Current organisational model, where corruption and bribery prevention, discovery and investigation are made by both the National Bureau of Investigation (NBI) and local police departments, has proved itself to be efficient. It makes it possible for the resources to be used flexibly as investigation can happen in groups consisting of different departments' resources. In order to maintain the skills required for it, investigation of bribery and corruption crimes have been assigned to certain individuals within police units. Within the departments, there is a centralized lead, intelligence and analysis team co-operating with investigating teams.

Bribery of foreign officials have been, and will be, investigated by the NBI, but the co-operation benefits that work too.

Every police department has named a member to the national network of contact persons. The network's task is to promote improved awareness on the prevention of corruption and to support the operative work done in police departments. The chair of the national network of contact persons works in the National Bureau of Investigation's Anti-Corruption Task Force. Their responsibility is to coordinate counter corruption work and education and to maintain situation awareness.

Police departments' co-operation under the coordination of the national counter bribery and corruption network functions well and the experiences gained are positive.

## 2. Classifying corruption cases

On April 2nd 2019 the National Police Board (NPB) gave police departments guidelines on how to classify corruption cases in the national police information system (PATJA), so that they are more easily recognised. The classification system was presented in a national interdisciplinary economic crime seminar in May 2019 and again in June 2019 in a meeting of the national network of contact persons. One of the missions of the NBI's Anti-Corruption Task Force is to follow the use of the classification codes through, for example, police's statistics system.

Due to an initiative by the Anti-Corruption Task Force, the aforementioned classification system was adopted also in the police's criminal intelligence system (POTI) in 2019. The use of harmonised classification of corruption cases is followed and ensured and education regarding it is given.

## 3. Research and education

In Autumn 2019, the Anti-Corruption Task Force organised, together with the Ministry of Justice and the Office of the Prosecutor General, a course about corruption crimes for judges, prosecutors, police officers and other collaborators. A guide made in August 2019 to support counter corruption work in Finland was used in the training.

The police is also carrying out a research project of national importance, the aim of which is to develop corruption indicators suitable for Finland.

Awareness-raising and training for detecting corruption has been, and is in the future, a focus point. In September 2020 the NBI's Task Force gave a lecture to the tax administration's officials with the intention of encouraging them to actively report corruption related findings.

Since 2019 the cooperation between FIU Finland and corruption prevention and detection was strengthened. The NBI's Task Force has participated in trainings of obliged entities (i.e. obliged by AML/CTF legislation) This work continued in 2020, with three sessions done before the pandemic stopped in-house trainings.

## 4. Other collaboration events

On December 9-10th 2019, a seminar between counter corruption and business prohibition supervisors was held. The members of the national network of contact persons had comparative discussions about their respective situations and exchanged experiences.

In June 2020 Finland participated in the OECD's Informal Meeting of Law Enforcement Officials Webinar.

International co-operation within various forums (e.g. Europol, Interpol) has widened understanding about international organised economic crime and corruption prevention. Co-operation between collaborators and other officials in national and international settings continues.

#### 5. No international corruption cases under investigation

The NBI and other police departments have actively looked into tips relating to possible international corruption cases and it is expected that some of them might lead to a pre-trial investigation. As of September 2020, there are no cases being investigated that would concern bribery of foreign public officials.