

Crime prevention policy	
EU- priority	Drugs
Country	Finland
Year	2018

1. Overview of the field

Definition of drug crime

Chapter 50 - Narcotics offences (1304/1993)

Section 1 – *Narcotics offence* (374/2008)

A person who unlawfully

(1) produces or attempts to produce a narcotic substance or cultivates or attempts to cultivate a coca plant, khat (*Catha edulis*) or Psilocybe mushrooms,

(2) cultivates or attempts to cultivate opium poppy, hemp or cactus plants containing mescaline for use as a narcotic substance or the raw material for a narcotic substance or for use in the production or manufacture of a narcotic substance,

(3) imports or attempts to import or exports or attempts to export a narcotic substance, or transports it or has it transported or attempts to transport or attempts to have it transported,

(4) sells, supplies, conveys or otherwise distributes or attempts to distribute a narcotic substance, or

(5) possesses or attempts to obtain a narcotic substance,

shall be sentenced for a *narcotics offence* to a fine or to imprisonment for at most two years.

Section 2 - *Aggravated narcotics offence* (1304/1993)

If in the narcotics offence

(1) the object of the offence is a very dangerous narcotic substance or a large quantity of narcotic substance,

(2) considerable financial benefit is sought,

(3) the offence is committed as part of the activity of an organized criminal group referred to in Chapter 6, section 5, subsection 2, particularly organized for the extensive commission of narcotics offences, (564/2015)

(4) a serious danger is caused to the life or health of several people or

(5) the narcotic substance is distributed to minors or in an otherwise unscrupulous manner

and the narcotics offence is aggravated also when assessed as a whole, the offender shall be sentenced for an *aggravated narcotics offence* to imprisonment for at least one and at most ten years.

Section 2(a) - *Unlawful use of narcotics* (654/2001)

A person who unlawfully uses or for personal use possesses or attempts to obtain a small amount of a narcotic substance shall be sentenced for *unlawful use of narcotics* to a fine or to imprisonment for at most six months.

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Section 3 - *Preparation of a narcotics offence* (1304/1993)

(1) A person who, in order to commit an offence referred to in section 1, paragraphs (1)-(4), produces, imports, obtains or receives an implement, equipment or material suitable for the commission of such an offence, shall be sentenced for

preparation of a narcotics offence to a fine or to imprisonment for at most two years. (374/2008)

(2) An attempt is punishable. (928/2006)

Section 4 - *Abetting a narcotics offence* (1304/1993)

(1) A person who

(1) for the unlawful production, cultivation, import or export of a narcotic substance produces, transports, conveys or supplies implements,

equipment or materials with the knowledge that they will be so used, or

(2) by lending assets or by another means of financing abets a narcotics offence or the preparation thereof or the activity referred to in paragraph

(1) with the knowledge that the financing will be so used,

shall be sentenced, unless the act is punishable as complicity to a narcotics offence or an aggravated narcotics offence, for *abetting a narcotics offence* to a fine or to imprisonment for at most two years.

(2) An attempt to abet a narcotics offence referred to above in subsection 1(1) is punishable. (928/2006)

Section 4(a) - *Abetting an aggravated narcotics offence* (928/2006)

(1) If the abetting of the narcotics offence is committed as part of the activity of an organized criminal group referred to in Chapter 6, section 5, subsection 2, particularly organized for the extensive commission of narcotics offences, and

(1) the instrument, supply or substance that is the object of the offence is intended for the production, cultivation, import or export of a very dangerous narcotic or of a considerable amount of narcotics or

(2) considerable financial benefit is sought in the abetting of an aggravated narcotics offence or in the offence being abetted

and the abetting of the narcotics offences is aggravated also when assessed as a

whole, the offender shall be sentenced for *abetting an aggravated narcotics offence* to imprisonment for at least four months and at most six years. (564/2015)

(2) An attempt to abet an aggravated narcotics offences committed in the manner referred to above in section 4, subsection 1(1) is punishable

Assessment of trends and developments

The total number of narcotics offences grew for the fourth year in a row. In 2017, the total number of narcotics offences known to the Finnish law enforcement authorities increased circa 10 per cent compared to the previous year.

Despite her rather peripheral position, Finland is an integral part of the European illegal drug market. The increasing variety of nationalities and both foreign and multinational organized criminal networks in the Finnish drug market is visible also in statistical data. The percentage of foreign perpetrators is relatively high when it comes to aggravated narcotics offences, compared to less serious narcotics offences, for example. On the other hand, this also reflects the international nature of these offences especially in terms of import.

Year after year in the Finnish illegal drug market, cannabis products, i.e. marihuana, as well as amphetamine, ecstasy, buprenorphine (Subutex®) and pharmaceutical preparations containing benzodiazepines remain the most popular illegal drugs.

Web shopping has turned into a significant means of acquisition of illegal drugs, and it will also have a significant effect on the structures of drug trafficking. The powerful marketing of drugs on the Internet is aggressive and directed towards young people. The cross-border postal traffic revealed several cases of narcotics smuggling, which shows that the Internet is used increasingly for the sale and acquisition of narcotics.

The online sale of illicit drugs on the Dark Web continues despite several law enforcement takedowns. Vendors and marketplace owners are adapting their modus

operandi (MO) to evade detection, through the use of more encryption, mirror sites, increasingly sophisticated packaging and counterfeit labels.

The increased availability of new psychoactive substances (NPS) is one of the emerging trends on the Finnish drug scene, and they are usually ordered online from abroad. New designer drugs are identified in substantial numbers annually though recently the numbers of new substances has somewhat decreased in Finland. High potencies and a growing amount of mixtures of various substances available on the market increase the health risks caused by NPS.

Recent overview of statistics and research

No significant changes. The roles of Albania and Romania OC groups have been in an increase lately. Albania OC groups have taken a foothold in the Finnish drug markets in smuggling and dealing marihuana, ecstasy and cocaine and Romania OC groups in smuggling and dealing narcotic pharmaceutical products by Romanian origin travellers to Finland.

In 2017, a substantially large quantity of seized marihuana was recorded, round 320 kg. This was the largest annual amount ever. The amount of seized marihuana has tripled compared to 2009.

Wastewater analysis has provided an early warning of increased availability and use of cocaine, which are now also reflected in police and customs data sources. While cocaine prices have remained stable, drug purity is currently at the highest level for over a decade in Finland. In previous years the most of the use cases have been uncovered in bigger cities, but recently use of cocaine is more or less widespread across the whole country. Compared to e.g. the other Nordic countries, the supply, use and share of cocaine in the Finnish illegal drug market is still relatively low.

A period of January-August 2018, seizures of metamphetamine were down from the previous years.

In 2017, a rising serious threat was the trafficking of carfentanil. Carfentanil poses significant dangers to handler, since it is extremely potent, easy to disguise and absorbing it on the skin or inhaling it can be fatal.

2. Crime strategy and coordination

Objectives of the crime strategy

Finland's drug policy relies on general social policy measures, national legislation and international conventions designed to reduce the supply and demand of drugs, to reduce the harmful impacts of drugs, to bring problem users of drugs to treatment as early as possible and to bring those committing unlawful acts to criminal justice.

The measures undertaken to reduce drug use and its harmful impacts are divided into the following categories:

- preventive work and early intervention,
- combating drug-related crime,
- prevention and treatment of drug-related harm,
- EU drug policy and international cooperation,
- information collection and research regarding the drug problem.

Role of prevention in the crime strategy on state/regional/local level

In Finland the Ministry of Social Affairs and Health appoints the national co-ordination group on drug policy. The co-ordination group coordinate and develop cross-administrative co-operation in order to co-ordinate national drug policy, to follow national and international developments and national law drafting related on subject. The ministry is also responsible Finland's international responsibilities and objectives in the country and international (EU and UN) surroundings.

Practical preventive work and early intervention and combating drug-related crime fall within the core domain of police and customs operations.

Municipal social and health services, education authorities, representatives of municipal youth service, the police and the prosecutor collaborate in order to prevent drug use as well as intensify their co-operation in referring drug abusers to treatment.

The National Institute for Health and Welfare produces and disseminates information about drug use and habits and their social and health-related implications. The institute also compiles statistics relating to drugs. In addition, the National Institute for Health and Welfare develops drug testing techniques and is responsible for drug testing for health care and supervision purposes.

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

Ministry of Social Affairs and Health on the national level. The municipalities are responsible for the practical implementation of every day routines on their area. Local authorities and non-governmental organisations decide on their activities within the framework of their own resources.

Stakeholders (working groups, specialised agencies, partners, etc)

The MSAH's Drug Policy Coordinating Group is responsible for collaboration between different administrative sectors on drug policy. The group's task is to develop and harmonise national drug policy, and monitor the development of the drug situation.

Participation in European/ international networks, working groups, etc.

Europol, EMCDDA, UNODC, Council of Europe/Pompidou-group, OCSE, Nordic cooperation, Interpol, BSTF, WCO.

3. Good practices

Overview of recent good practices, prevention programs, etc.

Police, Customs and Border Guard Crime Intelligence and Analysis Centres (PCB) as forums of effective cooperation and coordination between the Finnish law enforcement authorities. Common analytical and threat assessment products are particularly appreciated. As such the PCB can be seen as a linchpin supporting both the policy level in taking educated decisions based on a common situation picture and regional and local services in their investigation and intelligence efforts.