

European Institute for
Crime Prevention and Control,
affiliated with the United Nations
(HEUNI)
P.O.Box 157
FIN-00121 Helsinki
Finland

Publication Series No. 38

Trafficking in Human Beings, Illegal Immigration and Finland

Matti Lehti and Kauko Aromaa

Helsinki 2002

Copies can be purchased from:

Academic Bookstore
P.O.Box 128
FIN-00101 Helsinki
Finland

Criminal Justice Press
P.O.Box 249
Monsey, NY 10952
USA

ISBN 952-5333-11-6
ISSN 1237-4741

Printed by Helsinki University Press, Helsinki, Finland

Contents

Trafficking in human beings, illegal immigration and Finland	1
1. Introduction	1
2. The national legislation concerning trafficking in women, prostitution and illegal immigration	2
2.1 The contents of the stipulations	3
2.1.1 The sanctioning of illegal entry	4
2.1.2 Crimes against personal freedom	7
2.1.3 The protection of the right of sexual self-determination and the regulation of prostitution	10
2.1.4. Foreigner legislation	17
2.2. The functionality of the legislation	19
3. The information sources available for the study of trafficking in women, prostitution, and illegal immigration	21
3.1 Prostitution and trafficking in women	22
3.1.1 The courts	22
3.1.2 Police authorities	23
3.1.3 The Foreigner Authority	24
3.1.4 The Border Guard Authority	25
3.1.5 STAKES	25
3.1.6 Pro-support Centre (Pro-tukipiste)	26
3.1.7 Duovvi ry	26
3.1.8 Other sources	27
3.2 Illegal immigration	28
3.2.1 The courts	28
3.2.2 Police authorities	29
3.2.3 The Border Guard Authority	30
3.2.4 Refugee Counselling Association (Pakolaisneuvonta ry)	30
3.2.5 Association of Refugee Aid of Finland (Suomen pakolaisapu ry)	31
3.2.6 The International Organisation for Migration (IOM)	31
3.2.7 Other sources	32
3.3 Summary	32

4	Prostitution and illegal immigration in Finland	33
4.1	Illegal immigration	33
4.1.1	The overall situation	34
4.1.2	The cases of smuggling human beings	37
4.1.3	Perspectives of future development	47
4.2	Prostitution directed at Finland from abroad	50
4.2.1	The overall situation	50
4.2.2	Forced, Teenage and Child Prostitution	66
4.2.3	Views concerning Future Developments	70
5	Conclusions	73
	Sources	76
	References	77

Trafficking in human beings, illegal immigration and Finland

MARTTI LEHTI & KAUKO AROMAA

1. Introduction

This publication is the Finnish country report of an international project, the aim of which is to develop quantitative research solutions for collecting information concerning trafficking in human beings connected with sexual exploitation in the European Union member countries as well as in applicant countries. The Finnish part of the project has been financed by the Finnish National Research Institute of Legal Policy and the European Commission (European Union STOP programme) that has entered into a research contract with Transcrime, the Research Centre on Transnational Crime, University of Trento (Italy). In practice, the Finnish study was carried out by the National Research Institute of Legal Policy and the European Institute for Crime Prevention and Control, Affiliated with the United Nations. The partner institutes in Italy and Spain have been Transcrime (Italy) and the Research Institute on Criminology of the University of Castilla-La Mancha (Spain).

Trafficking human beings for the purposes of prostitution and pornography industries (subsequently the short expression ‘trafficking in women’ is used)¹ is today a growing and profitable form of crime in Europe. Annually, about 700,000 women have been estimated to be victims in Europe, the Near East and Asia. In Europe alone the turnover has been estimated to be about one billion FIM (150–200 million €). In trafficking in women, the European Union countries are expressly recipients: the main direction of the trade into the Union area is from the former socialist countries of Eastern Europe and the Balkans (Hufvudstadsblad: ‘Modern slavhandel: en europeisk storindustri’; European Committee on Crime Problems 2000).

The first stage of the present research project intends to apply an interim model for data collection and analysis in three central border countries of the Union: Italy, Spain and Finland, and compile a summary report about the over-

¹ In trafficking human beings in connection with sexual exploitation the victims may also be men. Trafficking women is also understood to comprise purposes also other than sexual exploitation. However, since trafficking women in Europe is mostly carried out for the needs of the prostitution industry, and because women form the large majority of all victims of trafficking human beings, we apply the term trafficking women as a synonym for all trade in human beings that is related with sexual exploitation.

all situation, national legislation and information sources in each country. In the case of Finland, the two latter objectives have been relatively easy to meet. In contrast, it has been more of a problem to apply the quantitative research method for gathering information concerning the situation in regard to trafficking in women in Finland. Trafficking in women is connected, on one hand, to illegal immigration, and on the other, to the general supply of commercial sexual services. For Finland, it is possible to find a large number of instances of illegal immigration, as well as of prostitution directed at the country from abroad. A much lesser amount of data is to be found in regard to organised trafficking in human beings and of procuring. However, in regard to the intersection of illegal immigration and procuring, i.e. trafficking in women, neither authority representatives nor citizens' organisations have been able to pinpoint unambiguous examples. This is no doubt partly due to the fact that the Finnish Penal Code does not so far know the crime of trafficking in women. In this respect, the situation is changing, however.²

Because of the scarcity of criminal cases reported to the authorities it has not been possible to approach the phenomenon by means of quantitative research methods based on this kind of information. Instead, the study has had to be confined to indirect information that it has been possible to find with regard to illegal immigration, trafficking human beings, procuring and prostitution in which foreigners are engaged. However, it has not been possible to find very many sources of this kind, either. For these reasons, it has become necessary to modify the original problem formulation as well as the methods applied to correspond more closely to the Finnish situation and the available information sources. These modifications are explained separately for each chapter below.

The report begins by summarising the Finnish national legislation concerning illegal immigration, trafficking in persons, and prostitution (Chapter 2). Then, the information sources in regards of studying illegal immigration and prostitution are assessed (Chapter 3). Chapter 4 deals with the immigration and prostitution situation in Finland today. In the final chapter, the findings are synthesised.

2. The national legislation concerning trafficking in women, prostitution and illegal immigration

Finland has ratified the general conventions of 1926 (slavery) and 1949 (trafficking in human beings and counteracting the exploitation of other people's prostitution), with their subsequent amendments. The national legislation concerning trafficking human beings and prostitution is to a large extent based on these conventions and their requirements.

² See Chapter 2.

The minimum level of obligations created by the conventions has also been implemented in Finnish legislation, albeit that there is a scarcity of particular regulations concerning trafficking in persons or prostitution. The only legal provision that is expressly directed against trafficking in persons is §25:3 of the Penal Code, criminalising kidnapping. The concept of trafficking in women has not – for the time being – been introduced into Finnish law³; instead, the regulation of prostitution is presently based on § 20:9 of the Penal Code, criminalising procuring (pimping), and § 20:6-7 of the Penal Code, that criminalise the sexual exploitation of children (Kimpimäki 1999). Otherwise, efforts for the prevention of trafficking in persons are to apply, according to the motives and the concrete details of each case, the general provisions in the Penal Code that concern crimes of violence, sexual offences, immigration offences and extortion/deprivation of liberty, together with stipulations in foreigner legislation. Overall, the legislation is inconsistent and thin, stipulated primarily with other objectives in mind.

In the Finnish Penal Code, the rulings concerning illegal immigration and immoral publications have been placed in Chapter 17, the rulings concerning sexual offences are in Chapter 20, and breaches against personal freedom are in Chapter 25. All of these are of relatively recent origin, their roots being in the total reform of the Penal Code that was carried out in the 1990s. Nevertheless, they reflect a situation that was essentially different from the present one, both with regard to illegal immigration and to prostitution directed at the country from abroad. This is not surprising if we recall that the preparations for the total reform of the Penal Code were carried out before the volume of eastern prostitution and illegal immigration had entered a phase of rapid growth in Finland. Consequently, the law reform work regarding both immigration offences and prostitution was primarily focused on revising and repealing earlier legislation that was assessed as being outdated. The work was not directed at finding new solutions to new challenges that had emerged in the course of the 1990s as these new developments had not yet been recognised at the time. Consequently, there has been some commentary to the effect that many of the results of the law reform work of the 1990s were outdated already at birth. At present, several projects have been initiated with the objectives of reconsidering and tightening the stipulations concerning both illegal immigration and prostitution (Helsingin Sanomat: 'Hallitus haluaa kieltää julkisen prostituution ja alk oholin käytön'; Kimpimäki 1999, 1188-1201).

2.1 The contents of the stipulations

According to the definition applied by the International Organisation on Migration, the minimum criteria of trafficking in persons comprise four characteristics: 1) crossing an international border 2) illegally 3) with the help of a third

³ A general stipulation criminalising trafficking in women is in preparation.

party, 4) who profits from the activity (Mattila 1998, 17). Trafficking in women and children also comprises the exploitation of the victims/clients in the target country (typically, in prostitution or as labour force), and without the provision that the victims would have agreed to participate in the activity of their own free will. Trafficking in persons is therefore always connected with two characteristic factors and trafficking in women and children with three characteristic factors: entering the country illegally, an outside organiser who is making an economic profit from the activity, and (in the case of trafficking in women and children) the exploitation of the victims in the target country against their own free will.

As mentioned, particular stipulations concerning trafficking in persons are scarce in present-day Finnish legislation. The other stipulations that are applicable for regulating these phenomena may be subdivided into four segments: 1) those concerning illegal entry into the country; 2) those protecting individual freedom (of will); 3) those protecting sexual autonomy, and 4) foreigner legislation. This division provides the basis for the following description.

2.1.1 The sanctioning of illegal entry

In Finnish law, entering the country illegally is criminalised in §17:7-8 of the Penal Code as a *state border crime* and as *organising illegal entry*. These rulings are applicable more broadly than only in regards of trafficking in persons only: they also comprise all other kinds of illegal immigration and profiting from it. The framework reflects the interest to protect the general order and other national interests. The stipulations in their present form are from 1998. Both offences are subject to public (obligatory) prosecution.

State border crime

The general provision criminalising illegal immigration is in § 17:7 of the Penal Code. According to this stipulation, those to be sentenced for a state border crime comprise anyone who 1) crosses or attempts to cross the Finnish border without a valid passport or other travelling document that constitutes the right to cross the border, or does this elsewhere than at authorised crossing-points or against a prohibition stated in law; 2) otherwise breaks rules concerning the crossing of borders or 3) stays or moves, without authorisation, in the border zone, or in this zone commits an act prohibited in the border zone law. For this crime, however, no sentence shall be given to a foreigner who is stopped at the border and refused entry because of this offence or who is seeking asylum in Finland. A state border offence shall be punished by fines or a maximum of one year of imprisonment. The punishment scale was alleviated considerably in the total reform of the Penal Code. In earlier law, the maximum punishment for similar crimes was four years of imprisonment.

If the country is entered illegally by making use of counterfeit documents, then the crime also meets the criteria of *forgery* (§33:1 of the Penal Code). For this, the punishment maximum is two years of imprisonment.

The state border crime stipulation is directed against illegal immigration in general, and is applicable particularly for punishing illegal immigrants. In regard to trafficking in persons, the targets thus are the clients of the smugglers/traffickers. The sanction only concerns crossing the *Finnish* border without legal documents. Transit travel to third countries over Finland is not punishable under any circumstances according to present law, if the transit takes place without crossing the national border (that is, primarily, through the country's international airports). Also, refusal of entry, deportation and seeking asylum prevent punishment even if the Finnish border was actually crossed.⁴

The applicability of the law thus remains, even theoretically speaking, very limited. Yet, § 17:7 of the Penal Code has not proven to be totally useless. In 1999, 25 persons were sentenced for state border crimes. All of them were sentenced to small fines. The average punishment was 21 day-fines.⁵ In comparison to refusals of entry on the grounds of incomplete or lacking travelling documents (almost 1,000 cases), the volume was, however, small.⁶

Over the past years, the volume of passport and other travelling document forgeries recorded by the border authorities has grown steadily (on the eastern border, six in 1998, 48 in 1999, and 72 in 2000). The total number of persons using forged or illegal travelling documents, apprehended in border controls was over 200 in the year 2000. Of these, only a few cases have resulted in prosecution.⁷

Organising illegal entry

The § 17:8 of the Penal Code is directed against organisers of smuggling of persons. This paragraph criminalises organising illegal entry into the country. According to this provision, a person is to be sentenced to punishment who 1) brings or attempts to bring to Finland a foreigner who does not have a passport, visa or permit to stay in the country; 2) organises or mediates transport to Finland for such a foreigner; or 3) gives to another person a false or forged passport, visa or permit to stay, or a similar document issued to another person, to be used when entering the country. The punishment is a fine or a maximum of two years of imprisonment. Such an act is, however, not punishable, if it can be judged to have been committed on acceptable grounds, taking into consideration the perpetrator's motives and the circumstances influencing the foreigner's safety in his/her home country.

⁴ Prostitution is one of the grounds for refusals of entry given in the Foreigner Act; persons who have come to Finland to indulge in prostitution, and foreigners who have been engaged in prostitution in the country, have, if found out, also as a rule been refused entry.

⁵ In Finland, fines are defined as day-fines. The monetary size of the day-fine depends on the income of the offender.

⁶ Information provided by the Border Guard Authority.

⁷ Information provided by the Border Guard Authority.

This stipulation is applicable for punishing those organisers and middlemen of trafficking in persons who have, in one form or another, participated actively in the transport of persons into the country or arranged for their travelling documents. The act itself, i.e. bringing a person into the country without the required documents, is sufficient to constitute the offence, and the perpetrator's motives have no relevance. In this respect, the stipulation has a considerably broad scope, beyond trafficking in persons, covering also all manners of providing aid for illegal immigrants to enter the country. The only exceptions are political refugees, and even when they are concerned, an overall assessment of the case is to be made. In practice, political refugees normally make use of the services of the same organisers as do the illegal immigrants. Also, the objective of making economic profit is usually independent of the motives of the clients. If the smugglers transporting refugees are primarily acting with economic motives, this is punishable according to §17:8 of the Penal Code, regardless of the motives of the clients. In the original government proposal, punishability was restricted to organising illegal entry into the country explicitly and exclusively for economic profit. The provision was thus originally intended to have a more narrow coverage, and was aimed primarily against trafficking in persons. The restrictions were, however, abolished in Parliament (HE 6/1997).

Punishability as defined in §17:6 of the Penal Code does not, however, concern the making of profit from the persons imported illegally, from their work or from their other activities. Against such profiting, depending on the exact nature of the activity, stipulations in Chapters 20 and 25 are to be applied, together with provisions of the labour protection legislation that protect the rights of the labour force.

The contents of §17:8 of the Penal Code is closely related to the state border offence defined in §17:7. Trafficking in persons while only using Finnish territory for transit purposes but not crossing the Finnish border is not criminalised according to §17:8.⁸

The maximum punishment for organising illegal entry into the country is low by European comparison. Judicial practice has been even more lenient. In 1999, three persons were sentenced under this paragraph. All were sentenced to fines, the average being 40 day-fines. The stipulation is applicable to a broad range of action, and only a few of the cases that have reached the courts are likely to be connected with actual organised smuggling of persons, and still fewer with trafficking in persons. This does not prove that there is no organised trafficking in persons that is directed at Finland or at other countries via Finland, or even that such activity would be very rare (Juntunen 1998). Uncovering and arresting the perpetrators, as well as securing evidence that will hold in court is, nevertheless, very difficult. The clients of the smugglers are usually not willing

⁸ The Schengen Agreement, according to which the passport control of air passengers travelling through Finland to other Schengen countries is likely to increase the number of punishable transit cases in the future.

to provide accurate information about their routes, and even less likely to volunteer to testify against the smugglers. Also, the majority of those organising and participating in the smuggling operations normally operate outside of Finnish territory, and the chances Finnish authorities have of getting them to court in Finland are very slight.

Table 1. Prosecutions and sentences based on § 17:7 and 17:8 of the Penal Code in Finland in 1999 (Court statistics)

Paragraph	Persons prosecuted	Case dismissed, or sentence withheld	Sentenced	Prison Unconditional	Conditional	Fines average (day-fines)
RL 17:7	31	6 (19 %)	25 (81 %)	–	–	25 (81 %)
RL 17:8	6	3 (50 %)	3 (50 %)	–	–	3 (50 %) 40

2.1.2 Crimes against personal freedom

The basic requisite of trafficking in women and children comprises forcing the victim to act in the target country at least partly against his/her own free will. Then, regardless of the kind of activity to which the victim has been forced, the stipulations of Chapter 25 of the Penal Code, about crimes against personal freedom, become applicable. Depending on the case, the crime then may be *deprivation of freedom*, *aggravated deprivation of freedom* or *kidnapping*. All of these provisions, in their present form, are from the year 1995. If the offences against personal freedom are connected with direct physical violence, the offences simultaneously fulfil the requisites of assault, rape or homicide (Chapters 20 and 21 of the Penal Code).

Deprivation of liberty

The regulations in paragraphs 25:1 and 25:2 concern the deprivation of liberty and aggravated deprivation of liberty. These paragraphs sanction the unauthorised deprivation of the right to free movement of another person, as well as isolating him/her from his/her environment. If the act is committed by making use of particular cruelty or under the threat of violence, continues for more than three days or causes serious danger to life or health, it is considered to be an aggravated case. The punishment is a fine or a maximum of two years of imprisonment, or in the aggravated case a minimum of four months and a maximum of four years of imprisonment. These offences are subject to public prosecution (i.e. not complainant offences).

These stipulations may be applied in cases where the freedom of movement of the victims of trafficking in persons has been restricted against their will or they have otherwise been isolated from the outside world but they have not been subordinated to the power of the one depriving their freedom in a manner

that would meet the criteria of kidnapping as defined in §25:3 of the Penal Code. For instance, taking away the passports of foreign prostitutes, or locking the prostitutes up in their working premises temporarily does meet the criteria of deprivation of freedom but usually does not constitute kidnapping (HE 94/1993).

Also the offences of *unlawful threat* and *coercion* defined in §25:7-8 of the Penal Code are crimes the criteria of which are often met when persons are being trafficked. These paragraphs criminalise illegal threatening with a weapon or with another crime, and forcing someone to commit or refrain from committing a certain act by similar methods. The punishment for both offences is a fine or a maximum of two years of imprisonment. Both are complainant offences. The rulings are of a secondary nature and, since forcing someone into prostitution has been criminalised separately in the more severe §20:9.3 of the Penal Code, they cannot be applied in cases where persons have been trafficked with the motive of sexual exploitation. However, if the exploitation connected with trafficking has been of another kind, there are no fundamental obstacles to the application of these paragraphs. There is, however, no indication that these paragraphs would have been applied to trafficking in persons. Also, paragraphs 25:1-2 of the Penal Code, referring to the deprivation of freedom, have not as yet been applied to trafficking in persons or to prostitution, even if these provisions are not secondary in regard to §20:9 of the Penal Code.

Kidnapping

The most serious acts against personal freedom that are explicitly aimed at the exploitation of another person are criminalised in §25:3 of the Penal Code as kidnapping. The stipulation is based on the 1926 International Geneva Convention concerning slavery, with its subsequent changes and amendments.

In the general reform of the Penal Code, the specific stipulations about white slavery, and abduction/kidnapping of women and children that at least in part referred to prostitution-related trafficking in human beings were abolished as outdated and unnecessary. The stipulations were considered to represent a society where women, unlike in a society based on equality, were defenceless against male domination (HE 94/1993). However, Kimpimäki, for instance, has criticised this change as untimely, commenting that the legislator's attitude at that time was excessively biased by national self-sufficiency and faith in progress. Trafficking in women is international criminality, and the status of women is not strong and independent enough everywhere in the world (and perhaps not always in Finland, either), to the effect that special provisions protecting them against abuse would continue to be called for. The Finnish Penal Code provision concerning procuring, analysed later in this report, and which presently contains the regulation of prostitution in Finnish law, does not – according to Kimpimäki – at all recognise the transnational nature of trafficking in women and the vulnerability of the victims as they are taken away from the realm of their familiar environment, language and culture (Kimpimäki 1999, 1191-1192). Presently, an amendment to the effect of criminalising trafficking in women on a general level is in preparation.

Paragraph 25:3 of the Penal Code criminalises as abduction such acts where someone has 1) taken someone in his/her power by violence, threat or malice with the purpose of bringing him/her into circumstances that violate his/her human rights, or to forced labour; 2) by using violence, threat or malice taken a child younger than 15 years old into his/her power with the purpose of subjecting the child to trafficking in human beings; or 3) subjected someone to slavery, kept him/her as a slave, transported slaves, or been involved in the slave trade, provided that such acts may be considered as aggravated in an overall judgement. The punishment for abduction is from two to ten years of imprisonment. The crime is subject to official prosecution, and also attempting this crime is always punishable.

In instances 1 and 2 that are primarily applicable to trafficking in human beings with the purpose of sexual exploitation, the condition of the crime requisite to be fulfilled is that the victim is taken into the power of the one depriving his/her liberty with a particular purpose (forced labour, bringing someone into circumstances that violate his/her human rights, trade in human beings). In addition to this, the victim must be taken into the violator's power either by direct violence, by threatening with violence or through malice. However, even if these criteria are met, the crime requisites are not fulfilled unless the act may be considered as being aggravated in an overall judgement (HE 94/1993).

According to the preparatory work of the law, the concepts of *slavery* and *humanity* are to be interpreted in a narrow sense when applying this stipulation. The same recommendation concerns "taking someone into one's power" as mentioned in points 1 and 2 of the paragraph. If the victim is only prevented from moving around at will, the criteria of "taking someone into one's power" are not met; the victim must be subordinated to a direct commanding power of the person who deprives him/her of freedom. In the preparatory work, examples of circumstances violating humanity are, for example, prostitution and drug trafficking. The criteria of forced labour are said to comprise the permanence of the work, and the absence of normal rights to abstain from the work and to resign, and the failure to pay a salary (HE 94/1993).

There is not yet any interpretation and application practice of this stipulation in authorities and courts. In the course of the 1990s, there are no known prosecutions based on paragraph 25:3 of the Penal Code, and, consequently, no court decisions. This is a consequence of the fact that widespread aggravated trade in women and children has not come to the attention of the authorities. Also, the threshold for applying this stipulation, in particular the requirement about "taking the victim into one's power", is very high, and is also understood by the police as being so high that this stipulation is hardly useful in regard to the forms of prostitution that are known to exist presently in Finland. For example, cases where the freedom of will, choice, and movement of adult prostitutes have been restricted by debt relations or by confiscating their passports, do not suffice, according to interpretation guidelines given in the preparatory work of the law, to meet the requisite of paragraph 25:3 of the Penal Code, even if the circumstances would also involve violence and threats of violence (HE 94/1993).

2.1.3 The protection of the right of sexual self-determination and the regulation of prostitution

If the explicit motive of trade in human beings is in the sexual exploitation of the victims, then normally also the Penal Code stipulations concerning sexual offences may also be applied. The right of sexual self-determination is protected by paragraphs 20:1-7 of the Penal Code. These paragraphs are about *rape*, *sexual exploitation* and *sexual exploitation of a child*. Prostitution, then, is regulated in paragraphs 20:8-9 in the Penal Code. These are about *buying sexual services from a young person*, and about *procuring*. Further, paragraphs 17:18-19 of the Penal Code may also be applied against trade in human beings that takes place for the needs of the pornography industry. These paragraphs criminalise certain forms of pornography (depicting children, animals, brutal violence).

The stipulations protecting the right of sexual self-determination

Among the Penal Code stipulations protecting the right to sexual self-determination, those most centrally applicable to the regulation of prostitution are in paragraphs 20:6-7. These paragraphs criminalise sexual intercourse or other sexual activity with a person below the age of 16 years as sexual exploitation of a child. In simple cases, the punishment is a maximum of four years of imprisonment; in aggravated cases (where the offence is of a character that is apt to cause particular harm, or has been committed in a manner that is particularly humiliating) imprisonment is for at least one year, and for a maximum of ten years. The offence is subject to official prosecution, and according to paragraph 1:11 of the Penal Code, Finnish citizens and foreigners living in the country may be sentenced for sexual exploitation of a child also in cases where the offence has been committed in another country, even if the act is not punishable under the laws of that country. Also the attempt of sexual exploitation of a child is subject to punishment.

In practice, this stipulation is effectively applicable to prevent child prostitution in Finland. In contrast, difficulties of producing evidence seriously hamper attempts of making Finnish citizens responsible for offences committed abroad. The stipulation has, however, not remained totally useless in the latter problem area: at least one case is known from recent years where a prolonged relationship between a Finnish man and a local minor girl in Russian Karelia (the town of Sortavala) has resulted in prosecution and a sentence in Finland. As far as is known, the paragraph has as yet not been applied to regular sex tourism from Finland to the adjacent areas or to more distant countries.

Sexual exploitation in general is regulated in paragraph 20:5 of the Penal Code. Point 4. of part 1 of this paragraph is applicable to trafficking in women. This regulation criminalises acts where someone, by making use of his/her position, makes another person engage in sexual intercourse or some other such sexual act that essentially violates the right to sexual self-determination, or to make someone become subjected to such an act, who is particularly dependent on him/her, by abusing the dependency relationship in an aggravated manner.

According to point 2 of paragraph 20:5 of the Penal Code, it is also punishable to exploit the helpless state of someone in a similar manner, where the helpless state prevents the victim from being able to defend him/herself. The punishment for such crimes is a fine or a maximum of four years of imprisonment. The attempt of such crimes is punishable. The crime is a complainant offence.

This stipulation is, in principle, applicable to cases of forcing someone into prostitution, where the degree of force does not fulfil the requisites of rape but is more serious than the offence of using pressure to make someone engage in prostitution as defined in paragraph 20:9 of the Penal Code. The application of this paragraph is, however, difficult as the offence is a complainant offence. To start prosecution thus requires the independent action of the victim, and this is quite difficult, in particular for a foreigner. Also presenting evidence in court about the degree of force used is difficult. In practice, this stipulation has not yet been applied to prostitution-related crimes.

Extreme forms of forced prostitution are covered by paragraphs 20:1-4 of the Penal Code, criminalising rape and forcing someone into a sexual act. The criteria given in these paragraphs require that the victim was forced by violence or threats of violence to participate in sexual intercourse or other sexual acts. The more aggravated forms of these crimes (20:1-2) are subject to official prosecution. The less aggravated forms (20:3-4) are complainant offences. Also the application of these stipulations is hampered by the fact that for prosecution to be effective, the victim's active participation is in practice always necessary. There are no known cases from recent years where these paragraphs would have been applied to prostitution-related crimes.

Procuring

The regulation of prostitution in Finland is presently based on the so-called abolitionist system. Prostitution by adults is not subject to punishment, whether buying or selling sexual services. Profiting from someone else's prostitution is, however, criminalised.

In Finland, the criminalisation of prostitution was abolished in 1936. In practice, however, prostitutes were subjected to a rather strict factual authority control until the mid-1980s, based on administrative legislation directed against vagrancy. When the law on vagrancy was abolished in 1986, the activity of native prostitutes was in practice liberated from control. Only street prostitution has still been restricted by municipal rulings in some cities, but there is no longer any national legislation regulating the activities of prostitutes. The situation is different concerning prostitution directed at Finland from abroad, since prostitutes can be controlled and are in effect also controlled through the foreigner legislation. In addition control is again being made stricter in the near future also regarding native prostitutes. There is at the moment a Bill of Public Conduct in the process of being drafted which will forbid street prostitution in the whole country (Helsingin Sanomat: 'Hallitus haluaa kieltää julkisen prostituution ja alkoholin käytön').

Prostitution as a source of livelihood, whether for Finnish or for foreign citizens, is not legally equivalent to other legal occupations, regardless of the

fact that it is formally accepted. It is true that the income earned through prostitution is taxable income, and the claims that are based on prostitution are legally protected in the same way as other private claims. However, the status of prostitutes in regard to pension or labour law is not similar to the status of persons employed in other legal occupations. Also, a foreigner cannot receive a work permit in order to work as a prostitute (Kauppinen & Silfverberg 1992, 9-10; Turunen 1996, 20-29).

Although prostitution is permitted, profiting from someone else's prostitution is criminalised in Finland as procuring (§20:9 PC). This stipulation is to a large extent based on principles of the 1949 general convention. The criteria of punishable procuring are met, if someone, in order to make a profit for him/herself or for someone else has 1) provided a room or other space where sexual intercourse or other comparable sexual acts for payment can be performed, 2) has otherwise exploited the fact that someone has engaged in such an act or 3) has enticed or used pressure on someone to engage in such an act. According to §20:10 PC, such acts are considered sexual acts, the aim of which is sexual excitement or satisfaction, and which is essentially sexual, taking into consideration the perpetrator, the person subjected to the act and the circumstances of the act. In legal practice, procuring has been understood to comprise, among others, so-called intimate massage services, even if these have not included sexual intercourse services (Helsinki HO, R 99/634; Helsinki KäO, R 98/5559). The penalty for procuring is a fine or a maximum of three years of imprisonment. The offence is subject to official prosecution, and also the attempt is punishable.

The present procuring stipulation is from 1998. In practice, it is similar to the previous stipulation from 1971, but the punishment scale was lowered considerably. The previous paragraph only allowed imprisonment, the maximum punishment being four years.

Thus, according to Finnish law, all kinds of *economic profit* from the prostitution of *another person*, even if it is based on a voluntary agreement between the parties, is subject to punishment. In the preparatory works of the law, prostitution has been defined as "engaging in sexual intercourse or a comparable sexual act for compensation". The compensation may be money or other economic gain. It is not required that the activity is repeated: even one single act that meets the criteria is presently considered to be prostitution, and procuring connected with this is thus subject to punishment. In this respect, the 1998 law is stricter than the previous one: according to earlier court practice, the requisites of procuring were not met until the activity was repeated (HE 94/1993; Kauppinen & Silfverberg 1992, 12).

Criminalised economic gain is explicitly defined in the law also to include making available a room or other suitable space for the prostitute. The preparatory work explains that, in practice, such an act should be understood to comprise hiring out an apartment, a hotel room or other such space for a higher price than the one paid under normal circumstances, or otherwise under exceptional conditions (such as a very short time), charging extra for using the rooms, or any kind of attempts to force the prostitute to work in a given place. Also a simple permanent co-operation relationship between the prostitute and the person

letting the room may be considered as being procuring. However, the preparatory work of the law states explicitly that it is not subject to punishment if someone lets out ordinary housing to a prostitute. This is the case also if he/she would use the room or the apartment –at least irregularly –even for prostitution (HE 6/1997).

Besides criminalising the act of letting out the place for prostitution, the law proposal also mentions arranging for customers for gain. Also the sale of working areas as well as charging the prostitute by the number of customers or by the hour is covered by the provision. On the other hand, indirect gain received from prostitution is, according to the legislator, not to be considered as exploitation of a prostitute, and therefore not subject to punishment. In court practice, it has not been considered as receiving punishable economic gain, for instance, if someone takes care of the cleaning of a prostitute's working premises (HE 6/1997; Helsinki KäO, R 98/5852).

In point 1, part 3 of §20:9 PC, a separate provision criminalises the act of enticing or pressurising someone to engage in prostitution. Also in this case, the prerequisite of punishment is economic gain for oneself or someone else. In cases where the prostitute has been forced into prostitution by stronger means, the general provisions on rape, sexual forcing to engage in sexual acts and sexual exploitation should be applied (HE 6/1997).

The law does not distinguish between procuring that is based on mutual equality and voluntary agreement between the parties and activity where the prostitute is subordinated to the procurer. According to the preparatory work, the prostitute's status has, however, to be taken account of in the assessment of the blameworthiness of the act and thus also when deciding on the punishment (HE 6/1997).

This also corresponds to what has been done in court practice. In the verdict by the Helsinki District Court (court of first instance) in 1998, also confirmed by the Helsinki Court of Appeal in 1999, the fact that the procuring relationship was based on a voluntary mutual agreement, and that the prostitutes were able to decide freely about their working hours and working methods were considered to constitute alleviating circumstances regarding the punishment (Helsinki KäO, R 98/5559; Helsinki HO, R 99/634).

Correspondingly, restrictions of the freedom of will of the prostitutes are to be considered as aggravating circumstances, albeit no examples of such cases could be found in the court data analysed for this study (Kotka KäO R 97/922, R 98/221, R 01/334; Kouvola HO R 98/286, R 98/583, 99/101, R 01/735; Kouvola KäO R 98/389; Helsinki HO R 98/1836, R99/524 and R 99/634; Helsinki KäO R 96/3398, R 98/5559, R 98/5852 and R 98 /7337).

Also otherwise, when applying the provision on procuring, the assessment of the seriousness of each act should be done in an overall manner, where attention is paid to the relationship between the parties but also to other factors related to the parties and the activity. If the persons procured are minors, this is always an aggravating circumstance that is independent of the relative positions of the parties (cf. §1:11 PC). In court practice, the seriousness assessment seems to have, in some instances, also taken account of the kind of services offered (Helsinki KäO, R 98/5559 cf. R 98/7337, R98/5852 and R 96/3398).

In practice, the provision on procuring is the only provision in the Penal Code that over recent years has found more widespread application in the control of prostitution. The end of the 1990s, when the statute was reformed, happened to be a period of rapid change in Finnish prostitution, and also a period of increasing authority control of prostitution. This is reflected in the rapid increase of police-recorded cases and of prosecutions concerning procuring. In the years 1990–96, two cases of procuring were prosecuted; in 1997–99 the number was 47. The number of police-recorded procuring crimes was even higher: in 1998–2000 they amounted to an average of two per month. The increase has continued also in 2001 (Table A1. Prostitution and procuring in Finland). In recent years, the provision has thus no longer remained a dead letter. Yet the number of cases dealt with by the courts continues to remain very low.

The reform of the procuring provision in 1998 was not directly influenced by the apparent growth of prostitution, in particular the open prostitution by foreigners. The reform was carried out as part of the total reform of the Penal Code, and the preparations were initiated already before the prostitution situation changed. Also, as shown, the law reform did not contain significant changes from the previous provisions. The central feature of the reform was its more lenient penalty scale. The effects of the reform on the sentencing practice of the courts of first instance could not be analysed due to the small number of court verdicts and the short follow-up time. Published data about the decisions of the courts of first instance have presently (September 2001) been available only up to the year 1999.

Table 2. Prosecutions and sentences in courts of first instance in Finland 1996–1999 (Court statistics)

Year	Persons prosecuted	Charges dismissed	Persons sentenced	Imprisonment Uncon- ditional	Condi- tional	mean, months	Fines mean, day-fines
1996	1	–	1 (100 %)	–	1 (100 %)	..	–
1997	14	4 (29 %)	10 (71 %)	1 (7 %)	7 (50 %)	4,9	2 (14 %) 40
1998	27	11 (41 %)	16 (59 %)	2 (7 %)	10 (37 %)	4,9	4 (15 %) 50
1999	6	1 (17 %)	5 (83 %)	1 (17 %)	1 (17 %)	5,0	3 (50 %) 40
1996–99	48	16 (33 %)	32 (67 %)	4 (8 %)	19 (40 %)	4,9	9 (19 %) 44

In the years 1990–1999, a total of 49 persons were prosecuted in the courts of first instance for procuring. Out of these, 33 (67 %) were sentenced to a punishment. The sentencing practice in 1999, i.e. after the law reform, was different from the years 1997–1998 in that the number of prosecutions has declined sharply and the proportion of fines has grown. The decrease of the prosecutions is due to a decline of cases delivered to the prosecutor from police investigations, i.e. it is not a consequence of changes in prosecution practices. In 1998–2000, police investigations delivered 8–10 procuring cases annually to the prosecutor (each case could involve one or several suspects). The growth of police-recorded procuring crimes in 2000 and 2001 has, for the time being at least, not yet been

reflected in the number of prosecutions (Table A1. Prostitution and procuring in Finland).

Before the 1998 law reform, it was not possible to sentence the perpetrator to a fine except in special cases. The new law widened the application possibilities of fines significantly. This may explain why the proportion of fines in the 1999 verdicts increased considerably. However, observations from one single year, in which also the number of verdicts was very small, do not allow very far-reaching conclusions.

Overall, the punishment practice in procurement offences over the years 1990–1999 has been stable and quite lenient. The proportion of unconditional imprisonment sentences was less than 10 % of the verdicts, and the average length of imprisonment (conditional and unconditional imprisonment together) was less than 5 months, or clearly close to the lower end of the scale provided by the law. The observations made by persons knowledgeable in the field of prostitution were similar to those found from the court statistics:

‘Our sentences for procuring have been terribly lenient. The women follow procuring trials very closely, whatever is in the news about them. This does not encourage anyone to report to the authorities about these things. The legal security of prostitutes is not different from anyone else’s, and I think this is all right, no special legislation is necessary. But the problem is that there has not been one single publicised case that could be used to prove that their legal rights are protected. Instead, cases that prove the opposite are reported all the time. This increases the threshold to report violence as well as procuring. The punishment is usually conditional imprisonment, as a maximum, which they think is no punishment at all.’

The police representatives interviewed as well the persons from NGOs following the prostitution situation were of the opinion that §20:9 of the Penal Code is not sufficient for preventing the abuses and the violations of the freedom of will related to prostitution efficiently. The greatest defect, both in criminal investigation and in the trial, is the weak legal and factual position of the victims of procurement, in particular foreign prostitutes, in relation to the procurers. The law gives prostitution as a specific reason for returning a foreigner to his/her country of origin. Foreign prostitutes involved in the criminal cases are also returned as a rule, at the latest after the verdict, but sometimes even already before the evidence required in the trial has been compiled. As there is no witness protection programme, prostitutes who are willing to testify cannot be protected effectively even if they are not sent back. After the trial, the interest of the authorities in them terminates, and they have to manage on their own.

The procurers, then, are (at least in the cleared and prosecuted cases) mostly Finnish citizens or foreigners with permission to stay, living permanently in the country, that is persons who are not subjected to the threat of being returned to their country of origin. Further, even if the matter would end up in court and result in a sentence, the punishment would normally only be a fine or a short conditional prison term. The sentence is thus not going to put a stop to the procurer’s activities. At the same time, however, the economic forfeiture conse-

quences may be considerably hard.⁹ The motive and will to retaliate on the prostitute who co-operated with the authorities are therefore great and the opportunities for this are excellent.

Thus, the prostitutes do not in practice gain in any way if they assist the authorities in solving the procuring offence even in cases where the procuring relationship has become a burden for them. The only consequence of co-operating for them is that their source of livelihood is discontinued, and that they become exposed to retaliation. Therefore the prostitutes are practically not at all inclined to become informers and to testify against the procurers; this willingness would be rather low already because of the partially shared interests of the parties. Without co-operation from the prostitutes, the chances of obtaining legally sufficient evidence are very low.

Buying sexual services from a young person

Another specific provision concerning prostitution is in §20:8 PC. In the 1998 reform of the Penal Code, in contrast to the general tendencies of the reform, buying sexual services from a person younger than 18 years was criminalised: "If someone, by promising or giving a remuneration makes a person younger than 18 years old engage in sexual intercourse or some other sexual act, he/she shall be sentenced to a fine or to imprisonment for a maximum of six months." The offence is subject to public prosecution, and according to §1:11 PC Finnish citizens as well as foreigners living in the country may be sentenced for this crime (as well as for procuring, if the person procured is less than 18 years old) also if the act has taken place abroad, even if this would not be punishable according to the law of the country where the act has taken place. Also in this offence, the attempt is punishable.

The provision is primarily applicable to the prevention of the prostitution of teenagers: buying sexual services from a person less than 16 years old is criminalised directly in §20:6-7 PC as sexual exploitation of a child. When §20:8 PC was accepted, the arguments in favour of this were twofold: that young persons have a particular need of protection, and that street prostitution and drug-related prostitution need to be prevented. The offence is carried out even if the client is not active –cases where the person offering the services takes the initiative are also subject to punishment. Also, the remuneration mentioned in the

⁹ The general seizure and confiscation procedures regulated in Article 2:16 of the Criminal Code (there is a bill in Parliament at the moment (December 2001) which, if passed, will make minor changes in the regulations and move them to the 10th chapter of the Criminal Code) are applicable also to procurement crimes (as well as all criminal offences). The rule is that 1) the economic profit gained by the crime is confiscated without exceptions and 2) the instruments of the crime (weapons, cars, boats etc.), if owned by the perpetrator or a third party involved in the crime, can be confiscated if the court considers it appropriate. In practice the confiscation of the profit (usually several tens of thousands of marks) has been the most severe consequence in all the procurement crimes tried in the courts during the last few years.

provision need not be directly of an economic nature; instead, it may be any kind of performance that is relevant for the young person (HE 6/1997).

In 1999, one person was prosecuted with reference made to §20: 8 PC, and was sentenced to a fine (30 day-fines). The paragraph has once been applied also against a Finnish citizen for a crime committed abroad. At the end of 2001 the district court of Kotka sentenced a Finnish man on the basis of §20:8 PC who for a longer period had been buying sexual services from two Russian girls in his lodgings in Viipuri in Russia.

Pornography

Sexual exploitation is also connected with trade in persons that is directed to satisfying the needs of the pornography industry. This phenomenon may be regulated by the application of provisions in Chapter 17 PC, criminalising the manufacture, dissemination and possession of certain immoral publication types.

The manufacture, import, dissemination and possession of child pornography is always punishable according to Finnish law (§17:18-19 PC). The manufacture and dissemination of other kinds of pornography is, then, mostly permitted, and possession is permitted without restrictions. In addition to child pornography, criminalisations only concern the manufacture and trade in pornography containing sexual acts with animals, or violent pornography (§17:18 PC). The punishment scale defined in §17:18 PC, criminalising manufacture, import and dissemination is a fine or a maximum of two years of imprisonment; the scale defined in §17:19 PC, criminalising the possession of child pornography, is a fine or a maximum of six months of imprisonment. Finnish law provides thus in principle relatively good instruments for the prevention of the manufacture of child pornography. The manufacture of other kinds of pornography is not regulated.

The present §17:18-19 PC are from 1998, when the scope of criminalised pornography was considerably restricted.

2.1.4. Foreigner legislation

In illegal immigration as well as in eastern prostitution directed at Finland a considerable proportion of the persons involved are foreigners. The provisions regulating their right to stay in the country, to work and to travel are included in the foreigner law and statute. They are from 1991, and were reformed thoroughly in 1999.

In the control of prostitution by foreigners, the central provisions are in Chapter 6 of the Foreigner Act, stipulating the refusal of entry and the deportation of persons to their country of origin, and repatriation. Deportation is applied to remove such persons from the country who are without a permit to stay, repatriation in turn is used in cases where the persons concerned have permission to stay. Most of the prostitutes active in Finland are in the country on a temporary basis, using either a tourist passport or a visitor's visa. In practice, the most important rules for the regulation of their stay are thus the provisions about refusals of entry and about deportation. In 1999, the Foreigner Act was amended

accordingly: selling sexual services was added to §37 as a new particular ground for deportation.

In practice, a sufficient ground for applying this provision is presently a *well-founded suspicion* that the person is selling or intends to sell sexual services (or offers them for other economic compensation). According to the preparatory work of the law, the suspicion is well founded if the person is known to have received income from the sale of sexual services at an earlier point in time. Such activity does not need to take place on a full-time basis (HE 50/1998).

When the decision to refuse entry or to deport a person is made, it is necessary according to §38 of the Foreigner Act, regardless of the existence of the legal grounds, to take account of all circumstances that may influence the overall assessment of the case. Such circumstances are specifically stated to include the length of stay of the foreigner, and his/her family and other ties to Finland. Furthermore, it is not allowed to deport anyone to a country where he/she may be victimised to inhuman treatment or such persecution that fulfils the criteria given in §30-31 of the Foreigner Act, defining the provisions for granting permission to stay on the grounds of the need for asylum or the need of protection. This provision was also added to the law in 1999 (HE 50/1998).

According to the law draft, the provision in §38 is in the first place intended to prevent automatic deportation of asylum seekers who have stayed in the country for a long period of time, if the application for asylum is not accepted (HE 50/1998). This does not prevent the application of the overall assessment principle even in deportation decisions related to prostitution, and in particular in cases where victims of organised coerced prostitution are concerned. According to the wording of the law, it would be possible to refrain from deportation for instance in situations where the person in question agrees to testify in the preliminary investigation and the trial against procurers, or where he/she is in obvious danger of life or health in his/her home country. There is hardly any application practice of this yet.

The decision to deport a person is made by the passport control authority or the police. In certain cases, the decision may be transferred to the Foreigner Authority; this authority may also at any time take the matter over by its own initiative. The decision must be made within three months from when the foreigner has arrived in Finland. The decision concerning deportation always also means the revocation of the visa.

According to information of the Foreigner Authority, the number of deportation decisions based on Foreigner Act §37.1.4 has been, after the law took force (May 1, 1999 to early August 2001), a total of a little over 700, or 20-30 per month. The grounds have, however, not always been prostitution: besides the sale of sexual services, the act also mentions the earning of income by dishonest means as grounds for deportation and thus covers, for instance, smuggling and trade in the black market. According to the Border Guard Authority, there were a total of 85 cases in the same period where persons were deported explicitly because of prostitution. The number is in reality somewhat higher because this figure is only part of the deportations made by the police. Overall, thus, about one in seven of the deportation decisions over recent years,

made with reference to point 1 item 4 of §37 of the Foreigner Act were based on prostitution suspicions. In comparison it may be noted that the Border Guard Authority alone made in 1999–2000 a total of 7,405 refusals of entry decisions, out of which those based on explicit suspicions of prostitution thus only made up about one per cent. In fact, however, persons suspected of prostitution were also refused entry formally on other grounds, for instance because of incomplete travelling documents or insufficient economic assets (information provided by the Border Guard Authority).

The argument for adding the sale of sexual services to the list of explicit grounds for deportation despite the fact that prostitution is not illegal in Finland was given in the law draft of the Government in 1998 by referring to the social disturbances caused by eastern prostitution, as well as to the procuring activity and other prostitution-related crime. The objective was to protect Finnish society from disturbances caused by foreign prostitution (HE 50/1998).

The authorities implementing the provision are not, however, in agreement about its appropriateness in this respect. If the control concentrates on individual prostitutes instead of those who are organising the activity, this may, in their opinion, result over time in the strengthening of organised prostitution in comparison to prostitutes working independently. Since the connected problems of prostitution and its links to the criminal underworld are concentrated explicitly in organised prostitution, the provision reinforces a development which is in sharp conflict with its objectives. Still, the annual number of deportation decisions made because of prostitution has –at least as yet –remained on a rather low level, indicating that the changes made to §37 of the Foreigner Act have not, at least for the time being, caused any visible change to the factual situation of foreign prostitutes. The border and in-country control of prostitutes is overall quite random and lenient, and this is also common knowledge among the prostitutes.

2.2. The functionality of the legislation

In the legal regulation of trafficking in human beings as well as of its subcategories, trafficking in women and in children, the two central interests of protection are 1) the human rights of the victims, and 2) general social order. These objectives cannot always be fulfilled at the same time without difficulty. In Finnish national legislation, the dominant weight has been on safeguarding general social order, at least so far.

In an overall assessment, Finnish law does not for example fulfil the requirements of the minimum recommendations of the 1997 Ministerial Conference in Prague, dealing with the criminalisation of trafficking in persons and phenomena related to this (Mattila 1998).¹⁰ In our national legislation, trafficking in per-

¹⁰ Such phenomena are understood to comprise, among others, all kinds of economic profiting from trafficking in persons, the production of false documents connected with such activities and all kinds of exploitation of the victims.

sons is fully criminalised only insofar as trafficking in children and the slave trade are concerned. Neither is it possible to consider that the stipulations that may be applied to other aspects of the trafficking activities (immigration offences, procuring and provisions about violations of the freedom of will) would fully correspond to the requirements created by the need to control organised trafficking in persons in general and in women in particular. Also, the provisions are biased in that they are primarily concerned with safeguarding the general order and do not focus on the need for protecting the victims of trafficking in persons. In the near future, however, this situation may be expected to change to some extent, since preparations have been started that aim at adding a general provision to the Penal Code criminalising trafficking in women.

Another problem is that however completely trafficking in persons would be criminalised, its prevention is in practice very difficult because of the specific characteristics of the offences, just as is the case with regard to coerced prostitution. First of all, the criminality in this case is of a transnational character. A considerable proportion of the organisers operates outside of the borders of the target country, and it is practically all but impossible to bring them to legal responsibility already for this reason alone. Furthermore, even if the offenders could be apprehended and brought to stand trial, it is normally quite difficult to gather evidence against them that would be equally sufficient and binding. In this kind of crime, the willingness and possibilities of the victims to help the authorities to make the exploiters legally responsible are usually low. The relationship between victim and organiser is usually at least partly symbiotic. The victim is not only a target of exploitation, but he/she benefits from the activity also him/herself, therefore he/she has no personal gain from the disclosure of the activity.

Even in cases of a direct exploitation relationship, the victim's position with regard to the organiser as well to the authorities in the target country is usually subordinated and quite insecure. Also in these cases, co-operation with the authorities and clearing the crimes is hardly of any use to the victim, since the consequences for him/her are extradition and acts of vengeance by the organisers of the activity.

'My impression is that the women presently consider their protection by the criminal justice system as being very symbolic. To them, it makes no difference if the procurer gets a conditional prison sentence, if he is there anyway all the time.'

For such reasons, the Prague recommendations comprise, besides a comprehensive criminalisation of trafficking in persons, the request to create sufficient witness protection mechanisms and to grant permits to stay for those victims of trafficking in persons who agree to help the authorities in clearing the crimes. Also in this regard, the present situation in Finland is unsatisfactory. Finnish law does not contain provisions for witness protection and no witness protection mechanisms that would operate in practice have

been developed.¹¹ Another shortcoming is that although the law requires that an overall assessment has to be made in each deportation case and thus would allow the application of a selective deportation policy regarding prostitutes, this possibility has, as yet, hardly been utilised.

Overall, the present legislation still in part reflects the situation as it was ten years ago, when trafficking in persons, illegal immigration and coerced prostitution were still practically unknown in Finland. The underlying reason for the fact that the law has not been amended over recent years so as to correspond better to the needs of regulating organised trafficking in persons and coerced prostitution has been that neither the legislator nor the control authorities have felt them to be significant threats that would call for active legislative measures. Although these phenomena are no longer entirely unknown in Finland, the number of cases reported to the authorities annually is still very small. In the situation assessments given by the interviewed representatives of control authorities, the existing legislation was estimated to be by and large appropriate and corresponding to present-day requirements.

3. The information sources available for the study of trafficking in women, prostitution, and illegal immigration

In Finland, very little first-hand source materials of trafficking in persons may be found, and even less material concerning trafficking in persons that is connected to prostitution. This does not necessarily indicate that the phenomenon would not exist in the country: as is well known, the likelihood of disclosure in this kind of crime is very low. However, since source material that would allow a direct examination of the matter is lacking, estimates must in practice be based on indirect information, applying official and non-official databases concerning illegal immigration and prostitution. Even such databases are not abundant in Finland.

In this chapter, sources containing information about prostitution are dealt with first. Next, sources on illegal immigration are analysed. Since the overall volume of such sources is small, and they are mostly describing the phenomena (illegal immigration, prostitution) as a whole, the outline of this chapter deviates from the detailed structure used in the Spanish and Italian reports. Instead, each group of sources is presented separately.

¹¹ As it is, it is questionable whether creating this kind of mechanisms would be possible at all in Finland. Hiding a witness, especially a foreign one, in Finnish society under a new identity might be impossible in the long run regardless of the will and skill of the authorities. On the one hand the small population and the even smaller foreign community, on the other hand the extreme overall registration of the population and its everyday life are factors which are not very favourable for the building up of a functioning witness protection programme.

3.1 Prostitution and trafficking in women

In practice, there are no sources that would directly provide information about trafficking in women in Finland. Instead, there are several sets of data concerning different aspects of prostitution directed at the country from abroad, and side effects related to it.

3.1.1 The courts

From court sources, information about prostitution and related phenomena are primarily to be found in the files concerning procuring cases. In 1996-1999, Finnish courts of first instance dealt with 48 prosecutions of procuring offences. The files of the cases, together with the files from their preliminary (police) investigation, may be found in the archives of the court that has most recently been working on the case, and they are public unless there is a specific court decision to the contrary. Also the files of cases that have been made non-public are normally made available for scientific research, provided that certain conditions concerning the anonymity of the defendant and the complainants are fulfilled. The court that has made the case non-public has to be asked for permission in such cases.

The information contents of the files are quite heterogeneous. The most detailed information may be found about the defendants and about the characteristics and circumstances of the offence. Information about the prostitutes who have been procured may be found to the extent that they have been heard as witnesses. In practice, the turnover among the prostitutes, in particular in procuring activity related to eastern prostitution, is generally rapid, and the witnesses in different cases are a random selection of persons who happen to be in the country and may be questioned by the authorities when the case is disclosed.

The greatest problem concerning the material from procuring trials is the small number of relevant cases. The files, in those cases that exist, provide good qualitative information about prostitution and procuring activities, but they are not a sufficient source for quantitative research.

A second, mainly practical problem is that the files have been stored in court archives in all parts of the country. The Finnish court system in criminal cases has three levels. On the lowest level, there are several dozens of courts of first instance. The second level consists of six courts of appeal (in Helsinki, Kouvola, Kuopio, Rovaniemi, Turku and Vaasa). Under certain conditions, it is possible to appeal a verdict of the court of appeal to the Supreme Court in Helsinki. In the 32 guilty verdicts given by the courts of first instance in 1996-1999, 20 (63 %) were appealed against. Out of 16 verdicts where the charges were dismissed, two (13 %) were appealed against. None of the cases were taken for consideration of the Supreme Court. Thus, out of a total of 48 cases, 26 (54 %) have been kept in the lower court archives, and 22 (46 %) in the archives of the courts of appeal.¹²

¹² More correctly: out of 48 prosecutions. Because it is possible –and in several instances also true –that there are several defendants in a case, a larger proportion of the cases may be found in court of appeal archives than would appear to be the case when estimating by the number of prosecutions.

The second potential source of information in the courts is the personnel. However, because procuring offences have, at least so far, been very rare, and they have been scattered across many courts of first instance all over the country, nobody employed in the courts has been able to accumulate significant experience about this topic.

Contact information: Helsingin kärjäoikeus
Pasilanraito 11, 00240 Helsinki
tel. + 358 9 1571

Helsingin hovioikeus
Radanrakentajantie 5, 00520 Helsinki
tel. + 358 9 15 961

Information concerning the sentencing practices of the Supreme Court and of the courts of appeal may be found rather extensively in the Internet, at the address www.finlex.fi.

3.1.2 Police authorities

Information about trafficking in women in Finland is explicitly collected by one full-time investigator of the National Bureau of Investigation. A proper database about the phenomenon, its victims and actors is, however, not available even here, since only a very small volume of activities that would fulfil the criteria of trafficking in women has come to the attention of the police over recent years.

More information, then, is available about procuring offences and prostitution. It is clear that the best and most comprehensive source of information about procuring that is being collected by authorities in Finland is the police report and criminal investigation material kept by the police. In practice, the files contain information that is very similar to the one contained in the court files. The richest information in this source concerns the (suspected) procurers and the characteristics of the offences. Information about prostitutes is less systematic and less standardised. The most essential difference, if compared with the court files, is the larger volume of the material. In 1998–2000, a total of 67 police reports concerning procuring were recorded. (Up to the beginning of 2001, 27 (40 %) of these had been delivered to the prosecutor for prosecution.) Albeit the volume even at this stage does not allow us to speak of a mass phenomenon, the number of interrogated procurers and prostitutes (as witnesses) is nevertheless so large that even some quantitative generalisations are, to some extent, possible. It must be noted, however, that not all of the cases have to do with prostitution by foreigners and, since procuring is punishable in Finnish law also in cases where it is based on a voluntary agreement between the parties, only part of the cases recorded by the police represent coerced prostitution. Also, as will become clear later, the information from cases that have come to the attention of the authorities may apparently not be generalised in all respects in regard to the entire procuring and prostitution activity. Instead, certain forms of procuring and of prostitution are over-represented in this material.

Besides criminal investigations proper, the National Bureau of Investigation also carries out, on the basis of their own data and also on data from outside sources, more extensive investigations and inventories of crime phenomena considered to be of particular interest. Such an investigation was made in 2001 about procuring and prostitution. The police reports and the preliminary police investigation files, as well as the results of the special reports made by the National Bureau of Investigation, are not publicly available, but may be delivered for outside research purposes under certain conditions.

A significant information source for prostitution research is also made up of the personal knowledge and impressions of individual crime investigators. Unlike the situation in the court system, in the police force several persons may be found who have accumulated long-term detailed experience about prostitution and phenomena related to prostitution.

Contact information: Jari Nyström

May-Len Asikainen

Harri Korpisaari

Keskusrikospoliisi, Jokiniemenkuja 4, 01301 Vantaa

tel. + 358 9 838 8661

e-mail: firstname.familyname@krp.poliisi.fi

3.1.3 The Foreigner Authority

The Foreigner Authority compiles information of refusal of entry and of deportation cases, including the reasons for each decision. On the basis of this case information, it is possible, in principle, to construct a picture of the volume of prostitution in which foreigners engage, as well as of the efficiency and variations of the authority control concerning this activity. Because of the principles applied, the statistics compiled by this authority do not, at least for the time being, convey accurate data of refusals of entry and of deportation decisions connected with prostitution. This is because out of the reasons behind the refusals of entry and the deportation decision, only the applied paragraph is recorded, and the relevant provision (§ 37, point 1 item 4) stands for two different circumstances: prostitution and obtaining income by dishonest means.

The deportation decisions themselves also contain a more detailed description of the factual reasons, which means that prostitution-related cases may, in principle, be distinguished from the rest. Copies of these decisions are, however, not kept in the archives of the Foreigner Authority. They may only be found in the archives of the authority that in each case has made the deportation decision, i.e. the police districts and the Border Guard Authority.

Overall, the information about trafficking in women and about prostitution that is available from the Foreigner Authority is quite restricted. In principle, however, the authority could be a place for centralised monitoring of prostitution-related deportation policy.

Contact information: Kaarina Koskinen
Ulkomaaalaisvirasto, Siltasaarenkatu 12 A, 00530 Helsinki
tel. + 358 9 476 5500
home page: www.uvi.fi

3.1.4 The Border Guard Authority

The Border Guard Authority compiles annual statistics about its own refusals of entry on the grounds of prostitution. They also file the original decision documents related to these matters. The data and the documents are not public but they may be made available, under certain conditions, for research purposes. The main deficiency of this information is that it is not complete: a significant proportion of the refusals of entry are made in police districts, and such cases are included in the statistics of the Border Guard Authority only if the decisions made by the police districts have been reported to this authority.

In addition to the refusals of entry, an important source of information for assessments of prostitution is the Border Guard Authority, where the personal experience and knowledge of individual employees have accumulated. As was the case in the police, also the Border Guard Authority has many employees who have years of experience about monitoring prostitution.

Contact information: Kristiina Pullinen
Rajavartiolaitoksen esikunta, Korkeavuorenkatu 21, 00130 Helsinki
tel. +358 9 020 410 6555
e-mail: kristiina.pullinen@rvle.rvl.fi

3.1.5 STAKES

In 1998 the Ministry for Social Affairs and Health initiated a project for the prevention of prostitution as a part of a five-year programme for "The prevention of violence against women and prostitution". The project is being carried out by the National Research and Development Centre for Welfare and Health (STAKES) that is subordinated to the ministry. The project is based on the 1997 Equality between the Genders Programme of the Finnish Government, and thus on the action plan of the Beijing IV Women's Equality World Conference. Simultaneously, the project is a continuation of earlier prostitution research made by STAKES.

The purpose of the project is to monitor prostitution at the national and international level, and to compile and produce information about the phenomena of commercial sex. Also, it provides expert support to authorities and also to other agencies, and disseminates information about prostitution and its prevention. The objective is to produce and support general research on prostitution, also to produce action proposals for the prevention of prostitution and the reduction of disadvantages and unacceptable circumstances related to this. Simultaneously, the project attempts to further co-operation between the authorities and civic organisations regarding this phenomenon.

The project presently employs six full-time or part-time researchers. The research activity has covered many aspects of prostitution, such as making an inventory of the marketing channels of prostitution and field research among prostitutes with the objective of describing their background, activities and working conditions and environment. The central results of the project are to be published, with some reports already available.

Contact information: Leena Karjalainen
STAKES, Siltasaarenkatu 18, 00530 Helsinki
tel. +358 9 3967 2122
e-mail: leena.karjalainen@stakes.fi
home page: www.stakes.fi

3.1.6 Pro-support Centre (Pro-tukipiste)

The Pro-support Centre, established in 1990, is a support service centre for prostitutes, subordinated to the private Diacone Institution in Helsinki, providing health care and social services. For the time being, this centre is the only organisation in Finland that offers support services for prostitutes, whether Finnish or foreign, and also the only agency independent of the authorities that is monitoring the prostitution situation in the country on a full-time basis. The activity of the support centre is concentrated in the capital region. It employs seven permanent workers who regularly frequent the working areas of prostitutes, attempting actively to establish contacts with them.

The centre does not collect or file systematic information about its clients, and its employees work under a secrecy obligation. However, the employees of the support centre have the most long-standing and thorough knowledge of the prostitution situation and its developments in the Helsinki region, and this experience is also available for outside research purposes.

Contact information: Jaana Kauppinen
Pro-tukipiste, Vilhonkatu 4 B 20, 00100 Helsinki
tel. +358 9 7262877
e-mail: jaana.kauppinen@pro-tukipiste.fi

3.1.7 Duovvi ry

Duovvi ry is a registered equality organisation that operates in Utsjoki in Northern Finland. The objective of the organisation is to promote equality between the genders and different ethnic groups in its region, in co-operation with corresponding associations active in Northern Norway. The activity is mainly based on volunteer work. According to representatives of the organisation, almost all resources have, for the time being, been used for anti-prostitution work.

The organisation monitors the prostitution situation of Northern Lapland, and engages in independent emancipation and information work directed against prostitution. It also attempts to influence authorities and health care staff to improve

the prevention and control of prostitution. The organisation does not compile statistics or other data about the prostitution situation or about the prostitutes. However, its representatives have more than ten years of actively attained experience about eastern prostitution that is directed at the Sami country from the region of the Kola Peninsula, its development and forms, as well as of its consequences to the local society and everyday life. This expertise is also open for outside research.

Contact information: Annukka Aikio

Äimäkota, 99980 Utsjoki

tel. +358 16 677 127

e-mail: annukka.aikio@pp.inet.fi

3.1.8 Other sources

Besides the organisations presented above, information related to prostitution is also available from the *Council for Equality* (tel. +358 9 160 3699) that is established with the State Council, from the association *Monika-naiset ry* (tel. +358 9 411 48700) assisting immigrant women, and from the employees of the *Crisis Centre for Foreigners* (tel. +358 9 685 2828).

Among the statistics series published by Statistics Finland, information about prostitution and related phenomena is primarily provided in the court statistics. This source reports the annual numbers, gender distributions and punishments of persons prosecuted and sentenced for procuring. The police-based crime statistics, in its published form, are not classified in a way that would make it possible to distinguish procuring offences from other sexual offences.

Contact information: Statistics Finland

Työpajakatu 13, 00022 Tilastokeskus (Helsinki)

tel. +358 9 17341

home page: www.tilastokeskus.fi

Only a little research literature concerning prostitution has been published in Finland. Even in the published volumes, the main interest has been related to the history of the phenomenon. A bibliography published in 1999 provides a quite complete overview of Finnish and Scandinavian prostitution literature (Laukkanen 1999).

Among research about contemporary prostitution, the reports published in the STAKES prostitution project should be mentioned in particular. They deal with, for example, the clients of prostitution and the marketing channels (Holmlén & Jyrkinen 1999; Keeler & Jyrkinen 1999; Laukkanen 1999b; Laukkanen 2000; Turunen 1996).

In the printed and electronic media, prostitution by foreigners in Finland and sex tourism by Finnish citizens to Northwest Russia and Estonia have at times received great attention. The quality of the reporting has been uneven, and it has mainly been focused on making news about individual, sensational cases. Some more extensive reports, for example by Helsingin Sanomat and Hufvudstads-

bladet (two Helsinki-based daily newspapers) deserve to be noted in particular. They have also served as sources in the present report.

3.2 Illegal immigration

Many more sources of information may be found in Finland concerning illegal immigration and immigrants than was the case regarding prostitution. Also, the information in these sources is more accurate, more detailed and more comprehensive. The main reason for this is that, in contrast to prostitutes and procurers, who attempt to keep their activity as secret as possible from authorities as well as from the surrounding society, illegal immigrants are, almost without exception, keen on contacting the authorities actively, on their own. The present asylum provisions make it profitable for persons who are entering the country illegally to seek asylum. Therefore, it is concluded that the volume of illegal immigration proper to Finland is likely to be very small. For this reason, there are relatively good possibilities to monitor and control the immigrant flows. With regard to migration directed at third countries through Finland, these possibilities are considerably weaker.

3.2.1 The courts

From the courts, information about illegal immigration and trafficking in persons can primarily be found in the documents of cases concerning immigration offences. In 1999, a total of 37 prosecutions were made on the basis of §17:7-8 of the Penal Code. The majority of these were dealt with in the courts of first instance. About one-fourth of the prosecuted cases (§17:7 PC) were dealt with in a summary fine procedure.¹³

As source material for research, the documents related to the cases have similar characteristics as those representing procuring trials, with one distinction: in these cases, there is considerably more information about the clients than was the case concerning prostitutes in procuring cases. The clients of the smugglers of persons are without exception applying for asylum, and administrative practice is such that most of them are heard as witnesses at least in the preliminary police investigation in trials against the smuggler. A problem similar to the one concerning procuring cases is that also the trial documents concerning immigration offences are, for the time being, not suitable for quantitative research as the overall number of cases, prosecuted smugglers and clients heard as witnesses is very small.

The files of immigration cases are also kept in archives all over the country. Of the cases prosecuted according to §17:7 PC in 1999, none were appealed

¹³ Of the guilty verdicts, 24 % were given in a summary procedure. Of the cases where the charges were dismissed, the court statistics do not indicate which kind of procedure was applied. It is very probable that all such decisions were made in a full normal court procedure in courts of first instance.

against, and only one verdict applying § 17:8 PC was taken to the court of appeal. Almost all of the files are consequently to be found in the archives of the courts of first instance. One of the most important courts of first instance in illegal immigration cases is the court of Vantaa, having Helsinki-Vantaa International Airport in its jurisdiction.

Contact information: Vantaan käräjäoikeus
Kielotie 21, 01300 Vantaa
tel. +358 9 857 070

3.2.2 Police authorities

In Finland, the control of foreigners in the country belongs to the police. In practice, the main responsibility is with the local police that take care of the preliminary investigation of immigration offences and of the asylum investigations of asylum seekers also in cases that initially have come to the attention of the Border Guard Authority.

The police files of the preliminary investigations and of the asylum investigations are in practice the most detailed and most conclusive documentary information source in the study of illegal immigration to Finland and the smuggling of persons related to this. The documents are, depending on the case and the stage of the investigation, secret or public. In practice, however, also secret/non-public information may, under certain conditions, be made available for research purposes.

The documents on preliminary investigations of immigration offences, as well as the documents prepared about the asylum application investigations, are quite similar to those concerning procuring offences. Unlike the documents concerning procuring offences, the protocols of smuggling persons contain extensive information about the clients of smuggling persons. The clients are, as a rule, seeking asylum and are therefore mostly accessible for the authorities and may be interrogated.

The immigrant situation on the national level is controlled by the National Bureau of Investigation. This authority has established a specialised group responsible for monitoring illegal immigration. In practice, the National Bureau of Investigation also investigates all the more significant cases of smuggling persons. For this reason, information about these cases is available in a centralised manner and quite easily. The investigation files of minor offences are, in contrast, kept in local archives all over the country.

Also concerning immigration offences, the personal knowledge accumulated by individual policemen is a valuable and, for the time being, underused information source.

Contact information: Per Ehrstén
Keskusrikospoliisi, Jokiniemenkuja 4, 01301 Vantaa
tel. + 358 9 838 8661
e-mail: per.ehrsten@krp.poliisi.fi

3.2.3 The Border Guard Authority

In Finland, the national borders are monitored by the Border Guard Authority, subordinated to the Ministry of Interior. This authority compiles statistics about unauthorised border crossings (including those related to illegal immigration), returns at the border and attempts of illegal entry into the country discovered at the border crossing points, as well as the asylum requests filed at the Border Guard Authority. Thus, the information available is mostly of a general nature, illuminating the routes and the volume of illegal immigration. In cases where people are returned to their country of origin, it is, however, also possible to retrieve data about the reason of the return decision, together with more detailed information about the persons concerned.

The statistics and information collected is used for annual Border Reviews. These reviews contain a relatively full overview of, among others, illegal immigration and related phenomena, and any changes observed in these. In addition to information of the Border Guard Authority, the reviews also make use of information received from authorities of the neighbouring countries. The information collected by the Border Guard Authority is non-public as a rule, but generally available for research purposes.

Compared to the documentary sources, a more valuable source for the research of illegal immigration and related phenomena is, once more, the expertise and knowledge of individual employees of the Border Guard Authority.

Contact information: Kristiina Pullinen

Rajavartiolaitoksen esikunta, Korkeavuorenkatu 21, 00130 Helsinki

tel. +358 9 020 410 6555

e-mail: kristiina.pullinen@rvle.rvl.fi

3.2.4 Refugee Counselling Association (Pakolaisneuvonta ry)

The Refugee Counselling Association (Pakolaisneuvonta ry) was established in the beginning of the 1990s. Its main objective is to provide asylum seekers with legal counselling and help in the asylum process, in courts as well as when dealing with the Foreigner Authority. The association has four offices in different parts of the country (one in Helsinki), and it employs nine legal advisors. Besides actual practical legal aid, the Refugee Counselling Association also provides expert opinions, for instance, in matters related to developing the foreigner legislation.

The association does not collect systematic data about their clients, and the staff works under confidentiality obligations. However, the employees have a relatively detailed understanding concerning the events that have occurred before the asylum seekers –most of whom have entered the country illegally – have arrived in Finland as well as afterwards. Because most of the asylum seekers have had to rely, when travelling, on the help of international networks engaged in smuggling persons, the employees of the association have the opportunity to gain, at least on a general level, information about the experiences of

asylum seekers as well as about the activities of the networks smuggling persons to Finland.

Contact information: Päivi Keskitalo
Pakolaisneuvonta ry, Unioninkatu 45 B, 00170 Helsinki
tel. +358 9 2267

3.2.5 Association of Refugee Aid of Finland (Suomen pakolaisapu ry)

The Association of Refugee Aid of Finland (Suomen pakolaisapu ry) is a civic organisation that has existed for over 30 years. Its main task is to engage in training, information and attitude education concerning refugees in Finland, and concrete support and aid activity in crisis areas all over the world. The association also participates in their expert role both in Finland and at the international level in decision-making concerning foreigner and refugee policy. The association is not able to provide detailed information or databases about illegal immigration or trafficking in persons that is directed at Finland, but its representatives have a good overview of the situation both in Finland and in the adjacent region.

Contact information: Marja-Leena Suvanto
Suomen Pakolaisapu ry, Ludviginkatu 3-5 B 42, 00130 Helsinki
tel. +358 9 696 2640
e-mail: suvanto@pakolaisapu.fi
home page: www.pakolaisapu.fi

3.2.6 The International Organisation for Migration (IOM)

Among the current projects of the Helsinki office of the International Organisation for Migration (IOM), the one that comes closest to the topic of the present study is concerned with trafficking in women in the Baltic countries. The project that was launched in the second half of the year 2000 intends to make authorities and non-government organisations aware of the problems caused by trafficking in women in the area. A simultaneous objective is to collect information in order to receive a full overall picture of the present situation. Taking account of the fact that Estonia is one of two central recruitment areas of prostitution by foreigners in Finland, there is a significant potential for co-operation between the IOM project and the present study.

Contact information: International Organisation for Migration
IOM, Pohjoisesplanadi 21 B, 00100 Helsinki
tel. +358 9 684 1150
home page: www.iom.fi

3.2.7 Other sources

In the statistics series published by Statistics Finland data on the volume of immigration offences are available, as was the case for procuring offences. Also in this case, the distinctions used in the statistics do not allow a separation of these offences from other crimes against Chapter 17 PC. This source is thus useless for the present purpose. Indirectly, information about illegal immigration is also available from the annual statistics series about asylum seekers and asylum decisions, and also from population statistics. These sources report the number and nationality of asylum seekers and the proportion of foreigners of the entire population by nationality.

In practice, there is no published research literature about the Finnish immigrant situation in recent years. The daily newspapers do at times publish articles about the subject, but these are mostly reports on individual cases.

3.3 Summary

Overall, for the time being no information suitable for quantitative research concerning trafficking in persons, and even less about prostitution-related trafficking in persons, is available in Finland. The reason for this is that only very few cases that would correspond to the criteria of such activity have come to the attention of the authorities or other agencies monitoring the situation. The entire number of suspects as well as of victims only amounts to a few dozen, with the number of cases less than ten.

More information may be found for immigration offences, and for procuring offences related to foreign prostitution. However, even among these offences only a few dozen per year come to the attention of the authorities. Other sources that would collect systematic information about illegal immigration and prostitution by foreigners or about people active in these matters do not exist. Thus, there is in practice very little information, even of an indirect nature that would be suitable for research concerning trafficking in persons or coerced prostitution.

In all information sources, the quality and contents of the information concerning prostitution and illegal immigration is quite similar. Judging from this, the information available to authorities and to civic organisations is largely shared. The reason is that the authorities and civic organisations actively inform each other about their observations and experiences. Also, as the total volume of this information is small, each individual collector of information has no difficulty in mastering the entire information flow.

Although material could not be found in Finland that would be suitable for a quantitative analysis of trafficking in women, it is nevertheless possible to construct a relatively accurate general picture of the present situation in Finland, both in regard to illegal immigration and to illegal eastern prostitution directed at the country, by combining the fragmentary information found in the different sources.

4 Prostitution and illegal immigration in Finland

The presentation in this chapter is structured in an essentially different manner than those in the Spanish and Italian reports. The reason for this is the scarcity of sources as explained above. Because of this, the questions asked must be put in a different manner. In the following, illegal immigration to Finland and prostitution by foreigners are dealt with together, and trafficking in women is analysed only as one (very rare) part of these phenomena. A subdivision by authority sources and civic organisation sources has been abandoned, since the information from both types of sources had to be combined for any kind of overall picture of illegal immigration and foreigner prostitution.

The prostitution directed at Finland from abroad would seem to be presently, according to some of its basic types, quite different from such activities in Spain and Italy. The activity does not seem to be connected with trafficking in persons, and only in a very restricted scale does there seem to exist aggravated coercion concerning the working conditions of the prostitutes. The study could not locate in authority sources or civic organisation sources any instances that would meet the criteria of trafficking in women. This does not, however, mean that there are no major problems or exploitation in eastern prostitution (a dominant proportion of prostitution in Finland today is in the hands of Russians and Estonians) from the point of view of the human rights of the prostitutes or of public order. There are also observations suggesting that the situation in Finland may be changing to resemble closer that in continental Europe.

First, the chapter describes illegal immigration and smuggling of persons that is directed at Finland or, using Finnish territory as a transit area, at third countries. Next, the description moves to foreigner prostitution and phenomena related to this.

4.1 Illegal immigration

In the early 1990s, the immigrant situation in Finland changed dramatically. In the decades after the Second World War, from the 1950s to the late 1980s, both official and illegal immigration into the country were almost non-existent. This was caused by the closed eastern border and by the marginal location of the country in the north-eastern corner of Europe, together with a very restrictive immigration policy. Up to the 1970s, Finland was indeed actually a country that exported migrants. In the three decades following the Second World War, about half a million Finns emigrated abroad, mainly to Sweden, North America and Australia. And in contrast to what happened in Western Europe, the economic growth of the country was not based on migrant labour even in the last decades of the century, but on an improved efficiency in the utilisation of the native labour force. Thus, the country retained a very high degree of ethnic and national homogeneity, and it is still without large immigrant communities. The same factors have continued to influence Finnish immigration policy also in recent years. Even if the volume of both legal and illegal immigration to Finland multiplied in the 1990s as the eastern border opened, the overall volume still is low by European comparison.

4.1.1 The overall situation

In recent years, there have been only a few observed cases of trafficking in persons. Yet, according to authority sources and to information from independent support organisations, the main part of the asylum seekers arriving in the country use the services of professional smugglers of people on their way to Finland. It is, however, difficult to retrieve more accurate information about these networks and their ways of operating because the asylum seekers are usually not willing to tell about their experiences.

Practically all of the illegal immigration to Finland is presently quite likely to come to the attention of the authorities. The legislation and the principles of the current refugee policy make it profitable for illegal immigrants to register as soon as possible as asylum seekers. Filing a request for asylum takes away the penalisation of illegal entry into the country, and the asylum seeker is guaranteed lodging and reasonable livelihood support for the full time (often for several years) that the asylum request is being investigated. If the request is rejected in the end, and the asylum seeker is also refused a permit to stay in the country, he/she is returned to his/her country of origin without costs. Another factor that prevents hidden immigration is the lack of large immigrant communities in the country. Illegal immigrants do not have (perhaps with the exception of Russians, Estonians, Somalis and Kurds) a community of their own culture and language in which they would be able to integrate and that would provide help in adaptation and livelihood in the initial stage. The only chance in such a situation is to go to the authorities. The existing situation that makes it very likely for illegal immigration to become known to the authorities must be considered positive. This has been made possible through the small absolute volume of immigrants

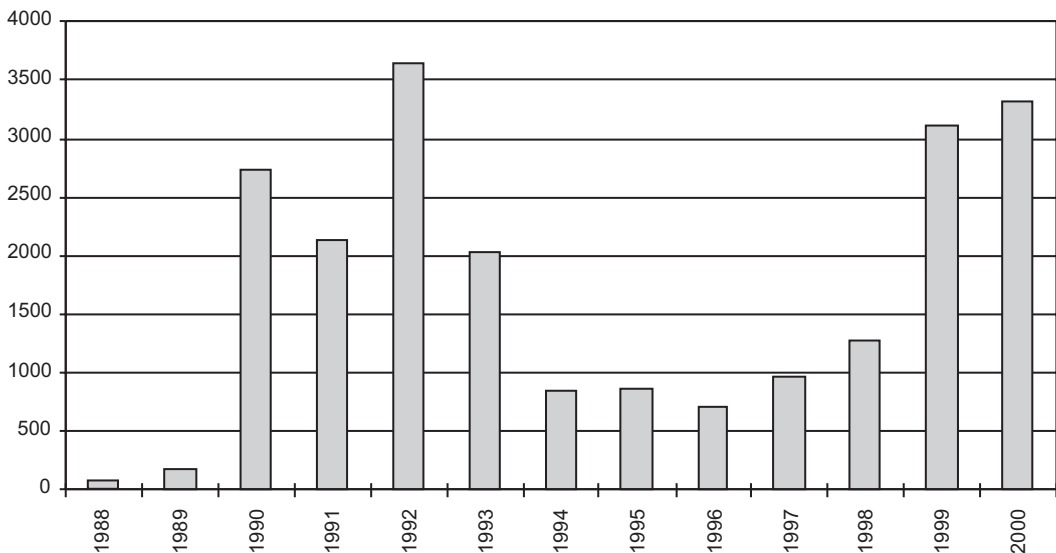


Figure 1. The annual number of asylum seekers in Finland 1988–2000

Because non-official immigration to Finland is almost completely disclosed through asylum requests, the number of asylum seekers and their regions of origin provide a rather complete overview of the phenomenon even though not all asylum seekers arrive into the country illegally.

The number of asylum seekers multiplied over the last decade in comparison to earlier decades, but the basic nature of the situation did not change much. During the 1990s, an annual average of 1,800 asylum seekers arrived into the country, a figure that in a European perspective continues to be very low. In addition, these numbers have been made up mostly of two waves that both remained rather restricted in their effects. The refugee wave of the years 1990–1993 was connected with the collapse of the Soviet Union. The immigrants were either "standard of living refugees" from the Soviet republics, or citizens of third countries staying at the time in the Soviet Union, who had remained without protection. The largest group of the latter category consisted of Africans, of whom Somalis were the biggest fraction. A large number of Somalis also arrived directly from Somalia, utilising the air connection from Mogadishu to Moscow, which was one of the last foreign air connections in that country. Most of the Somalis were granted permission to stay permanently, but the size of the community in Finland remained, even at its largest, at 5,400 persons. Towards the end of the decade, the size of this community started to shrink as its members moved ahead to other European countries (In 1999, only 4,400 Somalis were living in Finland).¹⁴

The second peak of non-official immigration occurred in 1999–2000. This time, the immigrants were Roma from Eastern Central Europe, mainly from Slovakia, Poland and the Czech Republic.

Although the Roma represent a discriminated minority in their home countries, Finnish authorities dealt with them as pure "standard of living refugees". The refugee wave at first resulted in the introduction of a visa requirement for Slovakian citizens, and subsequently to an amendment of the Foreigner Act to the effect of making the return procedure more rapid. Most of these Roma have subsequently returned to their home countries voluntarily, and it is unlikely that the remaining ones are going to receive a permit to stay. The permanent effects on Finnish society of this immigrant wave would seem to remain even smaller than those of the Somali wave (Ulkomaalaiset ja siirtolaisuus 1999; Suomen tilastollinen vuosikirja 2000, 132–133).

In addition to the two waves described above, Finland has received continuously small immigrant trickles from different parts of the world. The sum total of these has however not accumulated to significant volumes. In the beginning of the year 2000, there were 17,500 persons who had arrived as asylum seekers and had been granted a permit to stay in the country. Their share of the entire population

¹⁴ However, this community apparently continues to be the largest non-European ethnic minority group in the country, albeit that the Kurd community is approaching the same size. In 1999, over 6,500 citizens of Iraq, Iran and Turkey were residing in Finland, most of these being Kurds. Unlike the Somali minority, the Kurd minority has accumulated slowly out of small groups that have entered the country over the past ten years.

was less than 0.5 %. Real long-distance immigrants among asylum seekers have been and continue to be rare. Also, the present nationality distribution would seem to indicate that the proportion of genuine political and conscientious refugees in this group is rather large. Most of the asylum seekers in the last decade have arrived from acute crisis centres: the Balkans, Kurdistan and Somalia. The only significant group that has not come from a war-faring area has been the Central European Roma.¹⁵

Table 3. Asylum seekers by nationality, Finland, 1990-1999 (Statistical Yearbook of Finland)¹⁶

Asia	885
Bangladesh	248
Sri Lanka	260
Afghanistan	120
Pakistan	111
North Africa and the Near East	1,899
Iraq	850 ¹⁷
Iran	457
Algeria	156
Lebanon	91
Africa	4,201
Somalia	2,929
Zaire & Republic of Congo	317
Ethiopia	191
Ghana	135
Eastern and Central Europe	4,181
Slovakia	1,559 ¹⁸
Romania	780
Turkey	714 ¹⁹
Poland	347 ²⁰
Yugoslavia and its successor States	3,884
Yugoslavia	3,104
Federation of Yugoslavia	659
Bosnia-Herzegovina	82
Soviet Union and its successor States	2,798
Soviet Union	1,833
Russia	756
Western Europe	7
Latin America	159
Cuba	96
North America & Oceania	2
<i>Other & unknown</i>	<i>95</i>
<i>No nationality</i>	<i>173</i>

¹⁵ The published data about asylum seekers only reach the year 1999. Even after this, the situation has not changed significantly. During the first half of 2001, a total of 961 asylum decisions were made in Finland. The largest groups of applicants were citizens of the Yugoslavian Federation (166), Russia (170) and Somalia (61) (Helsingin Sanomat 3.8.2001).

¹⁶ The complete statistics are in Table A1.

¹⁷ Mostly Kurds. ¹⁸ Mostly Roma. ¹⁹ Mostly Kurds. ²⁰ Mostly Roma.

In comparison to illegal immigration, a much more significant impact on the Finnish population structure over the last decade has been caused by official immigration. Even though the proportion of foreigners out of the total population continues to be the smallest among member countries of the European Union (1.6 %),²¹ the size of the foreigner community has grown dramatically. For the first time since the 1920s, the country has received two rather large immigrant groups who have not yet integrated into the rest of the society, and who are able to function in isolation, offering a supporting refuge for newcomers as well as for ethnic organised crime and also prostitution. Presently, 24,000 Russians are living in Finland. Almost all of them have arrived in Finland in the 1990s, a large proportion of them as so-called return immigrants of Ingerian Finnish origin. They have not become adapted to Finnish society without problems, and the present unemployment rate in this community is almost 50 %, while the general unemployment level in the country is below 10 %, and the average rate for all foreigners is only 34 %. The second large immigrant group consists of Estonians, 11,000 of whom are presently living in the country. The Estonians have not enjoyed a similar privileged immigration opportunity as the Ingerian Russians, and their community is smaller than the Russian one and also more assimilated into the dominant population. The unemployment rate of the Estonians is significantly lower than the average among all foreigners, albeit over twice the average national rate (Helsingin Sanomat August 12, 2001). Despite the obvious opportunities, neither group has been observed to be active in the trafficking in or in the smuggling of persons. In the eastern prostitution directed at Finland, however, both Russians and Estonians living in Finland have their own roles. These are discussed in more detail later.

4.1.2 The cases of smuggling human beings

The interviews with refugees allow the conclusion that the majority of asylum seekers arriving in Finland do at least in some stages of their travel rely on the services of professional smugglers of people. Yet, only very few proper large-scale cases of smuggling persons have been found out in recent years in Finland (Juntunen 1999).

The information about the smugglers, the routes, the organisation of the activity and of the persons smuggled are primarily retrieved from what has come out in the interrogations carried out in cases that have been investigated by the police, and in the entry interviews of asylum seekers. Some of the information is quite detailed. However, since all the more important cases are from the years 1996-1998, they reflect the situation in the second half of the 1990s, and not as likely the situation today (Information obtained from the Border Guard Authority).

²¹ The corresponding proportion in Spain, for instance, is at present 1,8 %, in Italy 2,1 %, in France 6,3 % and in Germany 8,9 % (Helsingin Sanomat 4.8.2001; *Ulkomaalaiset ja siirtolaisuus* 1999, 8-9).

Afghans

Over recent years, only a little over one hundred –or surprisingly few –Afghan refugees have arrived in Finland through informal channels. In 1997–1998, however, a few groups were brought into the country clearly by an organised smuggling network. The route went from Afghanistan over the Central Asian CIS countries and Russia to Ukraine, the last leg being made by air from Kiev to Helsinki. According to what was told by the refugees, the price of the travel was USD 3,500–9,000 (Juntunen 1999). The business faded as the control of the air connection from Kiev was improved, and the overall number of Afghans arriving on this connection remained very small in the end.

Kurds

At the end of the 1990s, a much larger number of Kurds came to Finland, mostly from Iraq. Witness testimony from a large-scale smuggling case that was disclosed in 1996 provides quite detailed and apparently truthful information about the routes employed by them.

‘I left Iraq on November 17, 1995, from the city of Suleimania, and travelled to Istanbul in Turkey. Before leaving, I had bought an Iraqi counterfeit passport and identity document for 40,000 Dinars. I had no other documents. I travelled together with my wife and children. Our intention was to go to Germany. My brother lives in Istanbul, and after arriving in Turkey we stayed with him.

In order to get to Germany, I made an agreement about the transport with a local dealer, to whom I made an advance payment of USD 5,000. According to the agreement, I was to pay another USD 5,000 upon arrival. The dealer however vanished after receiving the advance payment. In Turkey, I bought a new forged passport. I left the old passport with my wife who stayed with my brother together with the children. I travelled over Georgia to Ukraine using my forged passport. I travelled on ordinary scheduled buses. I only paid for the tickets, just the normal price.

In Ukraine I met a Kurd who promised to organise my travel to Germany for USD 2,000. I paid him the required amount, but he too vanished immediately after receiving the money. Then I contacted my army time friend Barzani in Kiev and asked him to organise my travel to Germany, one way or another. When I was in Kiev, A.S. living in Helsinki contacted Barzani. A.S. is a member of a smuggler organisation that is transporting people through Russia to the West. He asked for a loan of USD 600 for his sister living in Kiev, in order for her to travel to Finland. Barzani asked if A.S. could return the favour by arranging also for my travel to Finland. A.S. agreed to do this. I travelled from Kiev through Belarus by bus to St. Petersburg together with A.S.’s sister and her two children.

In St. Petersburg, we contacted Yussuf, who gave us a flat for rent, and told us about a truck that would take us to Finland. We stayed for six days in St. Petersburg. On the day of departure, Yussuf took us to the truck in his car. The

whole group comprised a total of 26–28 people. Most of them were Kurds from Iraq, but there were also two Arabs, Turkmenians and Iranians. I did not have to pay anything for my travel from St. Petersburg to Helsinki.

After we had crossed the border, I left the truck in the outskirts of Helsinki on February 18, 1996. I hitchhiked to the city and went to the railway station. There I met an Arab who told me of a refugee centre in Tampere, and said I should try to go there. I asked him to buy me a train ticket to Tampere, which he also did. In Tampere, I met an African with whom I could spend the night. He took USD 100 for the food and lodging, and next morning showed me to the refugee centre. My family is still in Turkey with my brother” (male Kurd aged 36).

I left my home town Kirkuk on June 15, 1995, and travelled to Istanbul in Turkey. I had a forged Iraqi passport I had bought in the city of Zakhon, and an identity document which was genuine. I was carrying about USD 6,500.

I spent nine months in Istanbul. I have relatives in the city. In January 1996, I met F. who lived in Finland, and he promised to organise my travel to Finland. I knew him already from Kirkuk. My relative paid him DEM 2,850 and USD 2,500 for the trip.

I went off together with F.’s relatives who were also on their way to Finland. F. flew together with us from Istanbul to Georgia, where he left our company. With the money he had received, he bought me the necessary travel tickets for travelling, and he also left me and his relatives in Georgia USD 200 for food.

We travelled from Georgia through Ukraine to St. Petersburg. The rest of the way was made by train. In St. Petersburg, I rented a flat together with F.’s relatives. The rent was 180,000 roubles a week. Upon arrival in the city, we phoned F., and he said that a truck would come from Finland for us.

F. came with the truck to St. Petersburg, and took the van that was carrying us to the truck. There were a total of 28 people in the group. We started from St. Petersburg in the night between February 17 and 18, 1996 around 4.30 a.m. I did not have to pay anything for the trip. I tore up my passport in St. Petersburg.

After crossing the border, I got off the truck about 390 kilometres east of Kerava. I continued to Kerava in the car of a Kurd living in Finland. I stayed for three days in F.’s home, after which I reported myself to the authorities. Overall, F. received a profit of USD 1,600 and DEM 2,000 from my travel.

Later, in Finland, F. began to demand an extra payment of USD 1,200 because he claimed that he had been caused extra costs from the arrangements. He also demanded USD 1,500 from another Kurd who had been on the same truck. I have heard that Kurds who have arrived in Finland have had similar problems with F. before” (male Kurd aged 31).

I left Iraq in November 1995 and travelled to Istanbul. I was carrying a forged Iraqi passport. My intention was to travel to Germany, where many Kurds are living, and where it is easy to get work and a permit to stay. I also have relatives in Germany.

I stayed in Istanbul for 2–3 months. It became clear to me that to travel directly to Germany was too expensive for me, therefore I travelled with the help of a smuggler to Ukraine. From there, it was supposedly possible to organise the jour-

ney at a cheaper price. The trip to Ukraine was organised by an Iraqi dealer named Abdullah who also travelled with us. I paid him USD 1,200 for the visa. I paid separately for the tickets.

In Kiev, I contacted a local person I knew. He gave us a place to stay. I phoned my acquaintance Mohammed in St. Petersburg. He has been trying to get from St. Petersburg to Germany for a year already. I travelled from Kiev to St. Petersburg by train because I had no Russian visa in my passport. At the border, I paid USD 50 to the Russian passport control officer, this taking care of the missing visa.

In St. Petersburg, Mohammed told me of a Finnish benefactor who helps Kurds out of Russia. I decided to use the opportunity, and M. took me to an apartment where there were other Kurds waiting for the truck to Finland. The apartment had been rented by an Iraqi Arab who travelled to Finland with us. I paid nobody for my travel” (male Kurd aged 46).

I left Baghdad on October 16, 1995, and travelled via Mosul to Istanbul. I was carrying a forged Iraqi passport that I had bought in Baghdad. My intention was to come to the West, either Germany or Sweden. I travelled together with my wife.

In Istanbul, we stayed with a Kurd family. I contacted a smuggler and paid him a total of USD 3,000 for my wife’s passport and air ticket. My wife flew from Istanbul directly to Helsinki, using a Dutch passport, and asked for asylum. I paid the dealer only after my wife had reported that she had arrived safely.

I paid the same dealer USD 4,000 for my own travel and passport. I was to travel by air through Moscow to Helsinki. In Moscow, I realised that I was not a transit passenger. I was afraid of getting returned to Iraq, therefore I did not contact the authorities.

I have a friend in St. Petersburg. I phoned him. He told me to come to St. Petersburg and arranged a flat for me. Through Ahmed, I became acquainted with an Arab who had a kebab restaurant. From him I heard of a Finn who is helping Kurds get from Russia to Finland” (male Kurd aged 29).

The average age of the Kurd refugees was relatively high (70 % were at least 25 years old), and they were mostly male (80 %) (see Table A1). Their social background was heterogeneous, from high-ranking officers of the Iraqi army and from teachers to mechanics and carpenters. All of those whose occupation information was available had some kind of formal education. Overall, the refugees would seem to have mostly belonged to the upper segments and the middle class of their ethnic group (National Bureau of Investigation, investigation protocol 7002/R/141/96).

The main depots of the route used by the Kurds were Istanbul, Kiev and St. Petersburg. The witness testimony did not convey a picture of a concise smuggling network proper. Instead the activity was based on networks of relatives and acquaintances both at the Turkish and the Finnish ends of the route. The tickets and the counterfeit travelling documents from Turkey to St. Petersburg were bought from professional smugglers, the price was USD 3,000–10,000, and frauds were common, in particular in cases where the middlemen were not known in advance. Most of the Kurds who ended up in

Finland said that they had originally intended to get to Germany. Finland had become the target because of a lower price and the easy connection. These favourable circumstances were created because there was a group of Finns and Kurds residing in Finland, operating on humanitarian grounds, that organised the smuggling from St. Petersburg to Finland free of charge. This route was blocked in 1996 as the group was apprehended.

The Finnish aid worker who was the organiser and the brains behind the group, according to his own testimony, in 1993-1996 smuggled a bout 70 Kurds from Russia and Estonia to Finland and through Finland to third countries. He also smuggled a few Kurds from Germany to Sweden. His aides comprised a variable constellation of his acquaintances, friends, and Finnish Kurds. The smuggling on the main route from Finland was carried out using a truck in which small secret compartments were constructed for this particular purpose. The largest group brought over at one time comprised 28 persons. That the activity could be continued unobserved was facilitated by the circumstance that the man regularly drove loads of humanitarian aid to the St. Petersburg region and over central Europe to the countries of the Balkan. The motives for smuggling were humanitarian, and the objective was not to make an economic profit (National Bureau of Investigation, investigation protocols 7002/R/547/93 and 7002/R/141/96).

In the last years of the 1990s, Iraqi Kurds were transported through Russia and Finland to third countries also for purely economic motives. In 1995, a case was revealed where a rather large number of Iraqi had been smuggled over this route, making use of genuine Polish passports. The operation was organised by an international network, with members from Finland, Russia, Poland, Sweden and Iraq (Juntunen 1999).

Cases of smuggling on a smaller scale have been revealed even later on. The latest one is from the year 2001, when the police cleared up a case in which Kurds living in Finland had been importing their countrymen for several years in small groups using false Finnish alien's passports and corrupting a couple of Estonian border guards. The refugees had been transported first to St. Petersburg and from there at a suitable moment through Estonia to Finland (Helsingin Sanomat: 'Suomeenkin tullut kymmeniä EU-maihin laittomasti pyrkiviä').

An important factor in making Finland into a transit and target country of Kurd networks was that in the early 1990s, a relatively large Kurd community had become established in Finland. In all cases that have so far been found out, members of this community have participated in organising the smuggling, and in most of them they have also been the incentive power behind the activity.

Tamils

An instance of smuggling persons for purely economic motives was the case uncovered on August 31, 1998 at the border station of Vaalimaa (between Russia and Finland). In this case, four Greek men attempted to transport Tamils from Sri Lanka to Finland, using a specially constructed bus.

This case was not an isolated phenomenon but part of a larger network that had been active for a longer period of time. In 1996, a Greek man smuggling

Indian citizens was apprehended in Sweden. His route from Russia had gone through Estonia. This case is connected with the case of Vaalimaa by the *modus operandi* applied, as well as through the close contacts between the perpetrators. The man who was apprehended in Sweden had also been organising the travel to Finland, even though he had not participated in the journey personally. The police investigations also uncovered indications of several smuggling trips to Scandinavia and Central Europe, carried out by the same group. The methods used, the routes and the clients all also closely resembled a crime series that was discovered in Norway in 1996. In this case, at least 200 persons from Sri Lanka had been transported in small groups by bus through Russia and Finland to Norway (Juntunen 1999).

A total of 21 Tamils were found in the bus that was stopped in Finland. They described the different parts of their journey as follows:

‘I paid 600,000 Sri Lankan Rupees for travelling to Finland to a man by the name of Kandasam, who gathered people and took them then to a middleman in Colombo. I paid him for my journey two months ago. We did not agree on any given country to which I should travel. I only wanted to get away from Sri Lanka somewhere where I could apply for asylum. I have no acquaintances or relatives abroad.

I never met the middleman personally. I was to go at a certain time to a telephone centre in Settythery Street in Colombo. From there I was taken to the airport in a van. From Colombo, I travelled in an aeroplane for about seven hours to a country of which I had no previous knowledge. At the airport, we were met by a tall man and a woman. We were taken in a blue van to a house in the middle of the forest. We stayed there for about a week. In the house, we were brought food by a plump blond woman, aged about 25–28 years.

We left the house by bus. The bus trip took about one day and one night. We travelled hidden under the seats so that two persons could sleep side by side. The hatches were closed all the time. The hatches were open for a little while for ventilation. The hatches were opened every one or two hours. The bus also had a WC that you could use as soon as you knocked on the hatch” (farmer aged 29).

‘I paid 700,000 Sri Lankan Rupees for my journey, that is about USD 11,000. If you travel from Sri Lanka to Canada, the trip may cost as much as 1,500,000 Rupees. I financed my trip by my mother and my sisters selling their jewellery, and we took a real estate loan against our farm. I also received some money from my brothers.

In our county Vanni, there are perhaps five smugglers, but in all Sri Lanka, at least 50. My passport was forged. I got it in three days. If you bribe the official in the passport office, you can have the passport in one day.

My trip was sold by a man named Sivarasa from the town of Negombo. I left on an aeroplane on August 24, 1998 by way of Dubai to Moscow. It was an Aeroflot flight. At the airport we were met by a tall European man who had a list of names with him. We left the airport in his minibus. We travelled for about two hours to a house outside of town in the countryside. I gave my passport at the airport to the man who was there to meet us.

On the bus we were in hiding places all the time. It was a small space and it was difficult to breathe. If I had known that we had to travel by bus I would have paid less. We were supposed to go all the way by aeroplane. I did not know which country we were travelling to, I had not been promised work, but at some stage I was supposed to get the right to asylum” (sales clerk, 32 years).

I heard about the possibility from friends. Also, there is much information about refugees in the papers. My uncle organised the journey using a dealer. I paid 400,000 Rupees in cash and 100,000 Rupees in gold for the trip. They promised to get me to a safe country, but they did not say what country was in question.

I left the county of Vanni August 10, 1998 by boat, and then by a van. I arrived in Colombo on August 15, 1998, and on the next day I received a passport, and on August 17, 1998 I left from Colombo. I did not know where the flight was going, or which company the aeroplane belonged to on which we travelled. I gave my passport away at the airport [in Moscow]” (sales clerk 20 years).

In my home country, everybody knows that journeys like this are being organised. The trip was organised by a Muslim by the name of Firthous in the town of Vaniaya. You can find him in the city centre, he has no permanent address. I paid him USD 8,000 in cash, and I also gave him six photographs. He arranged for all the papers and gave them to me before departure.

I left from Colombo on August 19, 1998 by air to an unknown country. I came on four different aeroplanes before arriving in Moscow. I spent all the time in the transit areas of the airports. I only speak the Tamil language, I had pieces of paper with the names of places where I was to go. I showed these to the officials, and I was always directed ahead. When I started from Colombo, there were many other Sri Lankans together, eight of them came together to Finland. In the bus, we were a total of 21, but some of them had come over different routes.

At the Moscow airport, somebody arrived, he had a list with my name on it. We were taken from the airport in a van, about a one-hour's ride, to a detached house. I stayed there for ten days until the bus to Finland arrived. I had no intention to come to Finland but to England, France or Sweden. I have relatives in London” (chauffeur, aged 33).

The Tamils were on average young (57 % less than 25 years old), and over one-third of the group were women (see Table A1). The social background of the group is heterogeneous. Information about the person's occupation was available for 14 refugees. Four of them were students, three were unemployed, two were sales clerks, and two housewives; additionally there was one teacher, one chauffeur and one farmer among them. Overall, the average social status of this group also is rather high, with one-third having an academic education. On the other hand, the group also included relatively many unemployed persons (National Bureau of Investigation, investigation protocol 2501/R/558/98).

According to witness testimony, the promise was to take the group to Western Europe, but no target country was mentioned. The smugglers stated that they had intended to take the load to Germany where the people would have been left in small groups in several places. Considering the earlier similar

disclosed cases, it is more likely that the target was one of the Scandinavian countries.

The transportation was organised and carried out efficiently. In addition to the Greeks, the network comprised at least Sri Lankan, Russian and Ukrainian citizens. However, indications of Finnish or Swedish contacts were not found. The travellers had bought their trip in Sri Lanka from local dealers, several of whom were mentioned by name. They were also from several regions in different parts of the island, although quite a few came from the county of Vanni or from the capital city of Colombo and its surroundings. The price of travel was, according to the testimonies, USD 4,000–11,000. After receiving the payment, the dealer had delivered the air tickets, the counterfeit passports and the other travelling documents within a few days, in some instances even on the same day. There were also no delays in arranging the departure: most of the clients could get started already during the same week. The people going to Moscow had been flown from Colombo in small groups, and apparently over several routes. They had usually had to manage on their own during the air travel. However, in Moscow they were met by Russian employees of the network who transported them to detached houses acquired for the purpose in the village of Kaluga outside of the city. They also procured food for the travellers during the waiting time that, according to the testimonies, was not longer than one week, and often less. The plan was to cover the last bit of the transport from Moscow to the Scandinavian countries by a highway route through St. Petersburg and Finland, using a tourist bus operated by four Greek men.

The tourist bus employed for the last part of the smuggling route was constructed specifically for the needs of smuggling persons. In the tunnels under the seats, two hidden compartments had been constructed (700 cm × 90 cm × 30 cm), the entry to which was arranged by raising the seat rows by about 20 cm. For this purpose, special hydraulic machinery had been installed in the floor under the seats with control switches hidden in the control panel. The compartments were aired by airing channels that had been installed on top of the seat level next to the walls. Also, below seat level, in the roof of the hidden compartments, holes had been cut through which the air could move freely. The hiding place had, overall, been constructed with expertise, and camouflaged with great care.

Also the logistics of the bus transport worked well, perhaps too well, considering the outcome. The men responsible for the transport had started off from Athens on August 26, 1998, and had come through Italy, Germany, Poland and Belarus to Moscow, where they arrived on August 29, 1998. The trip from Moscow to the Scandinavian countries was to be made non-stop in two or three days and nights. The entire operation was to be carried out in about one week's time.

According to his own explanation, Ta., who had acted as the leader of the bus transport had been recruited for the trip by K. who had been apprehended because of smuggling persons into Sweden in 1996. The men were from neighbouring villages in Northern Greece, both were businessmen and professional chauffeurs. They had had business dealings together already earlier. Ts., the other leader of the operation, was also from the same area and a professional

chauffeur. He had apparently been recruited by the same network. The two other participants, one of them a professional chauffeur, the other a rural worker, said that they had been recruited by a travel organiser in Athens. Despite the professional features of the operation, the people involved were not professional criminals. All of the men had some kind of connection with the tourist industry. They were small entrepreneurs or chauffeurs for whom the smuggling of persons was a gig-like source of extra income. The threshold against getting involved in this kind of activity would not seem to have been very high. Neither does it seem likely that these men would have thought the operation to be in any way morally suspect. The attitude of the chauffeurs towards the clients –whom they spoke of as ‘blacks’–was mostly disinterested, but yet of a matter-of-fact nature. The passengers had been allowed to the toilet on the way when necessary, and they had no other complaints about the way they were treated.

The ownership of the bus remained unclear. Ta. claimed that it had become his property as collateral for K.’s debts. Other features in the case however indicated though that the bus had been given to the men to use in the operation by the Athenian organiser who operated the Greek end (and remained unknown). It also remained unclear when the men had been recruited. The travel route and the border crossings had already been tested, however, in mid-July on a tour through Germany to Finland and St. Petersburg, in which at least some of the men had participated.

The Athenian organiser had given the men USD 5,000 in travel money, boat tickets to Italy, a mobile telephone and a telephone number in Ukraine. Over the telephone, they had received during the trip instructions about the route and other necessary help. After arriving in Moscow, the men had settled in a hotel according to instructions. From there, two Russian women had come to pick them up after a wait of a few hours, and had taken them to the village of Kaluga to the Tamils. The return trip had commenced immediately.

The stories of the men varied significantly with regard to the pay that was promised for the job. According to Ts., they had agreed about a summary gross payment of USD 8,600. Ta. said the sum was as much as USD 42,000. The pay for a week’s work would thus have amounted from over USD 2,000 to possibly as much as USD 10,000.

All in all, the operation was carried out by a loose but effective network that reached from Sri Lanka through Moscow to northern Greece. The organisers of the operation concealed their activities carefully. The police investigation only uncovered information about the employees, the Greek bus drivers and the Sri Lankan travel agents. Practically no concrete information was found on the persons involved in running the operation in Moscow or in Athens. These parties would also not seem to have been in direct contact with those actors who took care of the practical work in the operation. It is illustrative of the method that the instructions given to the Greeks during the voyage were delivered in an anonymous manner over a mobile telephone from Ukraine. The net profit from the operation (deducting costs) would, calculated from what was conveyed in the police investigation, have been about a maximum of USD 5,000-6,000 per traveller, probably slightly less.

Considering that similar incidents were discovered in Scandinavia approximately at the same time, it would seem that this was not a single instance. Rather, it is likely to represent a regular route over which Sri Lankans were transported to Scandinavia and Central Europe in considerable numbers over several years. The choice of the route through Finland would not seem to have been influenced by the existence of local middlemen (as was the case in the smuggling of Kurds), or at least no such indications were found in the investigations. Instead, the choice would seem to have been taken purely for geographical reasons. In the starting stage of the activity, the risk of apprehension was low, as disclosure would have required a thorough inspection at the border crossing points of the buses that had been constructed specifically for smuggling, and this was not very likely to happen. The volume of border traffic between Finland and Russia was high, and the main focus of its control was cargo traffic. Immediately after the first cases were found out, the situation changed. The border control then knew what to look for, and the fact that the transports had been given to Greeks made it easier to select the potential cars from the stream of buses. One of the central factors that alerted the Finnish border control men in Vaalimaa on August 31, 1998, was, in addition to the tourist bus being empty and its very tight travelling schedule, the nationality of the drivers. After 1998, similar cases have no longer been discovered in Finland. This does not mean that this route could not be in operation even today, but if this is the case, then the methods used in the Scandinavian end must have changed.

Other cases

Above, the three most important cases and series of cases from 1995–2001 related to organised smuggling of persons have been described. Smaller-scale activity during the same period, also in the most recent years, has been observed more frequently.

In 1997, on the train Tolstoi running between St. Petersburg and Helsinki, a total of 47 asylum seekers arrived into the country, the majority of these being Sri Lankan Tamils. The impression was that the activity was systematic, and indications were that several train car attendants were involved in it (Information obtained from the Border Guard Authority).

In 1998, a total of 24 cases of smuggling people were recorded in addition to the Tamil bus case. All of these were on the land border between Finland and Russia. Most of the clients were of Asian origin: Afghans, Tamils, Indians and Palestinians. The largest groups that were discovered comprised as many as 50 members. However, it was not possible to distinguish large-scale organisations behind these cases (Juntunen 1999).

In 1999, a total of 174 citizens of third countries were apprehended on the Finnish-Russian land border, attempting to enter the country using false documents or hidden in vehicles. These comprised representatives of 26 nationalities, mostly Slovakian and Polish Roma, Kurds, Turks, Palestinians, Lebanese and Afghans.

In the year 2000, 185 citizens of third countries, representing 23 nationalities, were apprehended on the Russian side of the border, attempting to enter Finland illegally. In the controls of the Vaalimaa border station, a Russian bus was found in which secret compartments for smuggling persons had been constructed. The bus was empty, however. A total of 49 African asylum seekers arrived at Helsinki-Vantaa airport; they were obviously using the same, previously organised route (Information obtained from the Border Guard Authority).

Several cases of more or less organised human smuggling were revealed also in 2001. The most important case was the transport of Kurds through St. Petersburg and Estonia which has already been mentioned above. In another case a Finnish-Bangladeshi couple living in Finland tried to smuggle six Bangladeshis in three groups with the help of false Danish and Swedish passports through Moscow to Helsinki. The couple and their clients were caught at the Moscow airport by the Russian authorities. There was also one case in which several African and Arab asylum seekers living in Finland who supposed that their applications would be rejected tried to get away to North America with falsified UK passports (Helsingin Sanomat: 'Suomeenkin tullut kymmeniä EU -maihin laittomasti pyrkiviä').

Overall, the number of cases of smuggling persons that have come to the attention of the authorities has continued to remain very small even in the most recent years, and the activity may be described mainly as being of a 'scouting' nature. After 1998, authorities have not become aware of any significant routes or organisations of a more permanent character.

4.1.3 Perspectives of future development

All of the more significant cases of smuggling persons in the 1990s occurred on the eastern border of Finland. Perhaps somewhat surprisingly, however, the information gathered by the Border Guard Authority indicates that the dominant direction of illegal immigration to Finland over recent years has been over the western border and the airports. These illegal immigrants comprise citizens of third countries who have entered Finland from Sweden or Norway. After the Schengen agreement took force, control on the western border has practically ceased; already earlier, this control was much less strict than the one concerning the eastern and southern borders, as a reflection of earlier conventions of the passport-free Nordic region. The dominant direction of illegal immigration to Finland may therefore also in the near future be expected to continue to be from the other member countries of the European Union, rather than Russia or Estonia (Information obtained from the Border Guard Authority).

This does not mean, however, that considerable immigration pressures against the eastern border would not exist. Presently, Russia is one of the most important transit areas of refugee and migrant streams from Asia to Europe. The geographically shortest route from several Asian crisis centres (Afghanistan, Tajikistan, Iraq and Caucasia) to Western Europe is through Russia, and Russia is also a relatively easy transit country. Russia has visa freedom agreements

with all CIS countries with the exception of Georgia, and the long southern border of Russia continues to be in practice unattended, in part not even marked in the terrain. Rather large communities of Central Asians, Caucasians and Africans in, for instance, Moscow and St. Petersburg, make it relatively easy for refugees and migrants to assimilate and hide in Russian society. According to estimates by the Finnish Border Guard Authority, the regions of St. Petersburg and Moscow alone presently have 1-1,5 million citizens of foreign countries and persons without a nationality who are staying illegally in the country. Most of these are in transit to the West, albeit that many of them have been waiting for several years for a suitable opportunity to move ahead (Information obtained from the Border Guard Authority).

Considering the large number of citizens of third countries in Russia, intending to move west, the relative proximity of Finland to the central refugee areas, St. Petersburg and Moscow (daily train connections), together with the long eastern border that is not easy to control, it may seem to be surprising that the stream of illegal migrants through Russia to Finland has remained on such a low level over the last ten years. (Germany, for instance, received more than 2,000 Afghanistani citizens in 1997, mainly on exactly those routes that went through Russia and the other CIS countries, while Finland only received about ten of them) (Severin 1999, 94).

As has Finland, also Estonia, among the immediate neighbours of Russia, has remained outside the major streams of illegal migrants. Over the years 1994-1998, only 164 illegal immigrants or asylum seekers were apprehended in Estonia, and there were practically no observations of organised permanent smuggling of persons. The cases that were revealed were primarily of an experimental character. It is true, however, that Estonian legislation and refugee policy are not making it attractive for persons who have entered the country illegally to report spontaneously to the authorities, and the cases that have been uncovered are hardly at all representative of the entire flow of illegal migrants from Russia to Estonia, and from Estonia to third countries (Hirv 1999, 43-45). When comparing the Estonian situation to that in its southern neighbours, having in essence a similar legislation and comparable border controls, the difference is, however, clear. In 1997 alone, 1,632 illegal immigrants were apprehended in Lithuania, almost all of them having arrived through Russia and Belarus. The activity uncovered there has, in addition, been mostly organised smuggling of people (Illegal Migration in Lithuania 1999).

There are several reasons why Finland has not (as yet) been targeted by a major flow of migration from the east through Russia. One is the low degree of attraction of the country as a target for immigration. Instead the migrants are attempting to get to England, Germany and other centrally located core European countries that are more wealthy and that already by way of tradition possess large foreigner communities. Also the geographical location of Finland is more likely to prevent than to favour illegal immigration, despite the long eastern border that is difficult to control. The border zone between Russia and Finland is, except for its southernmost corner, difficult for access by normal traffic connections. Also the natural circumstances are very little in favour of

extensive transit travel. The border has also been, until these days, one of the best-controlled Russian land borders both from the Russian and the Finnish sides. Cases where the land border would have been crossed elsewhere than at the official crossing points have also been very rare on the eastern border, albeit that they have been increasing in recent years.

Table 4. Persons apprehended when attempting to enter the country illegally at the land border between Finland and Russia in 1997–2000 (Border Guard Authority)

year	persons
1997	4
1998	5
1999	8
2000	15
1997–2000	32

The smuggling routes in north-eastern Europe mainly go through Belarus, which has an open and entirely uncontrolled border with Russia. This route is also the shortest one, and because of natural circumstances it is the easiest from Russia to the core European countries. The few cases related to organised smuggling of people that have been discovered in Finland have in fact been either of a ‘native’ origin (such as the smuggling of Kurds), or have been connected to the routes passing to Scandinavia. The volume of cases of the first kind has remained small mainly because of the small size of foreigner communities already in the country. This makes it difficult to organise smuggling networks, and it also makes the risk of getting caught very high, in particular in cases where the smuggling is directed to Finland itself. This is the case particularly because it is in the best interests of the persons who have been smuggled to get into contact with the authorities. If attempting to travel from Russia to Scandinavia, Finland is a geographically attractive transit country but not in any way superior to the southern route over Belarus, the Baltic countries and Poland. Also in this respect, the choices of the smugglers are, in the end, steered by the factual feasibility of the routes: factors related to logistics, price level and control.

If, in the future, the control of the borders and of the national terrain in Central Europe becomes considerably tougher, and the refugee and visa policy employed become essentially stricter than those employed in Finland, or if, correspondingly, the control of the border between Finland and Russia were to deteriorate essentially, then it would become possible for the migrant flows through Russia to also attempt to make more extensive use of the Finnish region. Neither alternative would appear to be very likely for the time being. It is, thus, quite unlikely that Finland would in the near future develop into a significant transit country for the smuggling of persons (and, as part of this, trafficking in women) into the European Union. A greater likelihood of potential threat scenarios is related to the Finnish internal markets of commercial sex and the foreign prostitution that is meeting such demands.

4.2 Prostitution directed at Finland from abroad

The supply and demand of various commercial sexual services increased dramatically in Finland over the 1990s. One underlying factor was the deep economic crisis and mass unemployment that Finland experienced in the early years of the decade. These problems were in part related to the collapse of the Soviet Union and the consequent sudden end of eastern trade. The collapse of the Soviet Union influenced the change also through another mechanism, as it opened the previously closed eastern and southern borders of Finland. Travel from Finland to Estonia and Russia and vice versa changed over a short period of time, becoming practically free and, due to the large volume of the consequent passenger flows, also quite difficult to control. All kinds of interaction between these countries and their citizens increased rapidly, but the very large difference in the standards of living between Finland and its neighbours did not vanish, instead during the first few years it actually increased.

A situation was created where there were, both in the country and in the adjacent region, an abundance of people with access to good traffic connections, for whom prostitution offered a very profitable source of income if compared with alternative opportunities, not only as prostitutes but also as procurers and other outsiders profiting from the activity. Also, in the difficult economic situation, for example restaurant entrepreneurs and for those offering accommodation services, prostitution and other erotic services offered an additional source of income and a means of competition that was useful for the business to get over the years of economic stagnation. The economic recession as such may also have increased the demand of various sexual services. Large numbers of people had plenty of leisure time to be spent, and the consumption of cheap commercial sexual services were one way of killing this time (cf. e.g. Jyrkinen 2001, 40-4 1).

4.2.1 The overall situation

The structure of prostitution in Finland has undergone a revolutionary change over the 1990s, as its volume also grew dramatically. Previously, the market was almost exclusively in the hands of native prostitutes, who mostly operated independently in their own apartments or in hotels. Open street prostitution was practically non-existent, in part because of the strict legislation concerning vagrancy. The services were mostly marketed through daily newspapers, hotels and taxi drivers. The uncovered cases of procuring were mainly connected with large-scale recruitment of prostitutes for the needs of single large international conferences or entertainment events. Finnish prostitution was invisible and did not become a major social concern and even less a topic of public debate.

Over the last ten years, the situation has changed entirely. Even if the economic crisis also increased the number of native prostitutes, as a rapid consequence of the opening of the eastern and southern borders Russians and Estonians invaded the Finnish prostitution market in just a few years. At the same time, prostitution became both in reality and in its perception socially visible, and also one of the central questions of foreigner policy.

Volume and regional distribution

It is difficult to retrieve exact information about the extent of prostitution by foreigners in Finland. In part, this is a consequence of the nature of prostitution as an activity that evades publicity. On the other hand, this also reflects the small resources that have been invested in monitoring and controlling prostitution.

The most exact information is available about the cases of prostitution-related refusals of entry. According to the Border Guard Authority, 34 persons were refused entry to the country in 1999, and 45 in 2000 on the grounds of prostitution. This corresponds to an average of three per month. The volume is not large but nevertheless noteworthy. Because persons suspected of prostitution were refused entry into the country also on other formal grounds, primarily because of defects in their travelling documents or having insufficiency economic assets with them, even these figures do not provide an accurate picture about the border control directed at prostitution.²²

Estimates concerning the volume of eastern prostitution should be primarily based on qualified expert opinion. It is thought that 400–600 foreign prostitutes are operating in Helsinki on a continuous basis at the moment. About the same number arrive into the country from Russia every week. Overall, about 2,500 persons from the St. Petersburg region and 300 from Murmansk are engaged in prostitution in Finland on a regular or temporary basis. In Estonia the local authorities estimate that there are 2,000–3,000 professional prostitutes in the country, most of whom also work regularly in Finland. The number of Estonians engaged in prostitution on a temporary basis is considerably larger. Overall, it is relatively safe to estimate that the country is annually frequented by thousands but not tens of thousands of Russian and Estonian prostitutes (Jonsson & Lidberg 2001, 20–21; Helsingin Sanomat: 'Itämafia tuo ilotyttöjä Helsinkiin'; Hufvudstadsbladet: 'Handeln har ändrat karaktär'; Hufvudstadsbladet: 'Tusentals säljer sex i Finland'; Hollmén & Jyrkinen 1999, 36–42; Kou volan HO R 01/735; Trafficking in Women, 124–125).

'We have this Sea Star Project that works solely with foreign prostitutes [in the capital region]. With Russian and Estonians. Last year [2000], the number of contacts was over 2,000. It is hard to tell how many different people, but several hundreds in any case. For this year [2001], there are no accurate statistics, but by the end of March we already had more than one thousand contacts. The number of contacts is growing rapidly' (interview with social worker).

The activity in Finland comprises the entire country including even the northernmost parts of Lapland. The change in the 1990s has perhaps been the most radical in Lapland, in particular, and it is there that the growth of prostitution

²² The information was provided by Kristiina Pullinen from Border Guard Authority headquarters; by the end of July 2001, six prostitution-based decisions had been made refusing entry into the country. These figures also include part of the refusals of entry made by the police.

has also received the strongest counter-reaction. The volume of prostitution in relation to the population base of the north is at present exceptionally large, and the social changes and pressures caused by it in the small, closed communities of the north have been considerable.²³

'In the province of Finnmark, after the Russian border was opened, an organised and voluminous trade in women got started. We are also living under its influence. About 5 kilometres from the town of Utsjoki, and about 10 kilometres from the village of Nuorgam, there are two camping areas in which a lively brothel activity has now been going on for nearly ten years.

One of the brothels on the Norwegian side has now been closed with reference to the law on contagious diseases, but it has been said that the activity now has been transferred to private houses and to another motel. We have also heard that the Schengen agreement has now brought girls also here to the Finnish side (although the border was already leaking before), for instance, they have been working quite openly in the inn at Kaamanen.

We have avoided watching the activities of people too closely. In this way, taking care of matters and disseminating information is not felt to be related to personal blame or damage. We are, in a way, living here like in glass houses, people see each other's affairs. Thus, although we know for instance that taxis have been taking clients to the brothels for years, such information does not officially exist" (interview with social worker).

The Age, Nationality and Recruiting Areas of Prostitutes

Information on the age of eastern prostitutes has been obtainable from the court documents of procuring cases and from the results of a research project carried out by Stakes in Helsinki in 1999.

²³ Prostitutes active in Lapland, on Norwegian and Finnish territory, come from the Murmansk region, where the economic and societal crisis following the collapse of the Soviet Union has been the most severe of all adjacent regions to Finland. Murmansk is a city of one million where in Soviet times, and still today, one of the most important naval bases of Russia is situated. As military expenditure was cut down radically after the collapse of the Soviet Union, and other sources of livelihood were almost entirely missing, the area faced an economic collapse and a good growth opportunity for prostitution. This was enhanced by the fact that the city, because of the naval base, already had long traditions of prostitution and a considerable community of professional prostitutes.

The market area of Murmansk prostitutes behind the border, in Ruija and Finnish Lapland, was in principle not very promising in the early 1990s. The area is very sparsely populated, dominated by agriculture, religiously strict and relatively poor, and the size of this market area's entire population only amounts to one per cent of the population of Murmansk. Yet, in ten years the area has become a gold mine for Murmansk prostitutes and procurers. Most surprisingly, the clients have mostly been locals. The changes in the northern communities and the value system have been considerable. This also explains the extremely strong reactions against the changes. A broad civic movement has risen against prostitution, being very active in its mission, and even engaged in direct action (Naiskauppa Euroopan reunalla, 6-7; Snellman 2001, 12-13; Winterfeldt 2001, 17-19).

Estonian and Russian prostitutes who work in Finland are usually in their twenties. In the procuring cases tried in the courts of appeal in Helsinki and Kouvola in 1996-2001 six of the eight Estonian prostitutes bearing witness were under 25. The Russian women were somewhat older: 20 per cent were under 25 and 53 per cent 25-29 years old.²⁴ In the study carried out among the sex-club workers in Helsinki by Stakes the results were identical: more than 70 per cent of the respondents were under 30 years old, and the estimates of the experts consulted were also similar. So it seems that the majority of the prostitutes are 18-29 years old. The number of minors in the group is evidently extremely small.²⁵

Table 5. The prostitutes in Helsinki sex clubs in 1999 by age group (Hollmén & Jyrkinen 1999, 41)

Age	%	N
15-20	10,3	18
21-25	27,6	48
26-30	34,5	60
31-35	16,1	28
36-50	11,5	20
total	100,0	174

This does not, however, mean that the share of minors in prostitution from Estonia and north-western Russia would be insignificant. The Stakes research also asked at what age the respondents had started prostitution. One out of five said they had started before the age of 18. Correspondingly, only 10 per cent had started prostitution when past 30; the largest portion had joined the trade at the age of 20-29 years (Hollmén & Jyrkinen 1999, 41).

According to the results of the same study the women had usually quite a high educational background, 23 per cent had a university degree and 16 per cent were university students, only one-fifth had no kind of professional education. The majority had been engaged in prostitution a relatively short time (55 per cent less than two years). On the other hand, a third had been in the trade for five years or longer (Hollmén & Jyrkinen 1999, 41).

Information on the nationality of the prostitutes has been available in the above study by Stakes and in a study by Harri Korpisaari (a researcher of the Central Criminal Police in Helsinki) based on the procuring cases recorded by the police authorities in 1998-2001.

According to Korpisaari, about 90 per cent of the prostitutes in the procuring cases in Finland in 1998-2001 were either Russians or Estonians ;²⁶ accord-

²⁴ N = 15.

²⁵ Helsinki HO R 98/1836, R99/524 ja R 99/634; Kouvola HO R 98/286, R 98/583, 99/101 ja R 01/735; Hollmén & Jyrkinen 1999, 41; May-Len Asikainen and Jaana Kauppinen.

²⁶ Prostituutio ja paritus Suomessa, Table of Appendix; the basis of calculation is the number of criminal cases.

ing to Stakes their portion of the sex-club workers in Helsinki in 1999 was 88 per cent (Hollmén & Jyrkinen 1999, 41). Thus the general result of both studies is identical: however, in the details the findings are very different. According to Korpisaari, the majority (68%) of the prostitutes came from Estonia, while according to Stakes they came from Russia (87%).

Table 6. The nationality of prostitutes in Finland in 1998–2001

The Central Criminal Police ²⁷			Stakes ²⁸		
native country	%	N	nationality	%	N
Estonia	68,1	49	Estonian	1,1	2
Russia	23,6	17	Russian	86,6	155
Finland	6,9	5	Finnish	2,2	4
other	1,4	1	other	10,1	18
total	100,0	72 ²⁹	total	100,0	179

The discrepancy partly comes from different classification criteria. Korpisaari has used a classification based on the country of residence; the Stakes study is based on ethnic nationality and it is not known if the Russians of Estonia have been classified as Russians or Estonians.³⁰ In any case the majority of the Russians contacted by Stakes were from Russia, therefore the difference must also be partly due to different source material.

First of all, Korpisaari's material has comprised the whole country, while that of STAKES covered only Helsinki. One would, however, expect this fact to have had the opposite effect on the differences in the nationality distribution obtained in the studies. Owing to geographical proximity and good communications Helsinki presents a more central sphere of activity for Estonian prostitutes than for Russian ones.³¹ However, the different preconditions (especially visa regulations) for the prostitution of Russians and Estonians in Finland may have resulted in a situation where Estonians are over-represented amongst the prostitutes of the procuring cases reported to the authorities and Russians amongst the workers of the sex-clubs. The large number of Russians amongst the sex-

²⁷ Prostituutio ja paritus Suomessa, Table of Appendix.

²⁸ Hollmén & Jyrkinen 1999, 41.

²⁹ Division according to cases; two cases in which there were both Russian and Estonian prostitutes have been included as four separate cases (two Estonians and two Russians).

³⁰ Another purely technical factor that may have had some influence on the results, yet does not account for the fundamental discrepancy, is the fact that Korpisaari has used a classification based on criminal cases whereas Stakes has used one based on individual prostitutes.

³¹ At least, this is what the information obtained from the court cases suggested: in the crimes tried in the Helsinki Court of Appeal all the prostitutes were from Estonia, in the cases tried in the Kouvola Court of Appeal all the prostitutes were from Russia (see the list of sources).

club workers may be accounted for by the fact that their prostitution in Finland (mainly because of the stricter visa regulations) generally takes place in a more organised way than that of the Estonians. The prostitutes often come in groups organised by Russian travel agents and their Finnish partners (sex-club and hotel keepers), who specialise in trips like this. Correspondingly the large portion of Estonian residents amongst the prostitutes in the procuring cases may in part be due to the fact that Finnish police authorities are better informed of the prostitution of Estonians than of other nationalities, especially Russians. In the cleared procuring crimes the pimps have been mainly Finns, and it is probable that Estonian prostitutes rely on Finnish pimps more than Russians do. On the other hand, the position of Estonian prostitutes in this kind of relationships is more equal than on average. A very large part of the recorded procuring crimes has been reported to the police by the prostitutes themselves (often on account of quarrels with their pimps on the division of profits) (*Prostituutio ja paritus Suomessa*, 7-9). It is relatively easy for Estonian prostitutes to enter the country and operate without any outside help, and they usually have a good knowledge of the language, too. Hence they are usually relatively independent in their relationships to their pimps and also to Finnish authorities; this probably results in Estonian prostitutes resorting to the help of the authorities (and also using authorities against their pimps in mutual showdowns) more easily than Russian prostitutes do.³²

On the other hand, the source material both of Stakes and of Korpisaari is likely to present the grip of foreigners on the prostitution market as being stronger than it really is. The need for Finnish prostitutes to resort to sex-clubs and pimps is essentially smaller than for foreigners. That is why they continue to work mostly independently, and their activity is revealed neither to the authorities nor the field researchers visiting sex clubs.

Altogether the portion of Russian and Estonian prostitutes of all prostitutes working in Finland is probably smaller than the results of the above studies show. On the other hand, the relative portions of the prostitutes coming from Estonia and Russia are closer to each other. It is evident, however, that the prostitution of Russians and Estonians at the moment is responsible for a very significant proportion of Finnish prostitution.

Most of the Estonian and Russian prostitutes enter the country as tourists and pursue their trade in short periods lasting from one week to a few months. The Russian and Estonian citizens living in Finland permanently play only a secondary part in prostitution, although it must be noted that their prostitution is probably underrepresented in the cases reported to the police or the field researchers. Their legal status corresponds more or less to that of Finnish

³² To some extent this was suggested also by the behaviour of the prostitutes heard as witnesses in the preliminary investigation of the procuring crimes of the years 1998-2001. The Estonian prostitutes told about their activities quite openly as a rule, whereas the Russians without exception denied everything and did not co-operate with the authorities (the procuring cases of the Helsinki and Kouvola Courts of Appeal, see the list of sources).

citizens, and their need to resort to pimps or sex-clubs is thus considerably smaller than the need of foreigners who come to the country as tourists (Prostituutio ja paritus Suomesa, additional part, 1). Actually, all kinds of connections with prostitution of the foreigners living permanently in Finland remains hidden more often than those of foreigners staying only temporarily in the country. On the other hand, a strong local community of foreigners is able to cover up any kind of prostitution of their countrywomen/men at least from the authorities. As an example we can mention the city of Lappeenranta in eastern Finland with a large and closed Russian community, from which hardly any procuring crimes connected with Russian prostitution have come to the knowledge of the police. The community is large enough to be able to conceal also the temporary prostitution of Russians in the town from the authorities (Prostituutio ja paritus Suomesa, 5).

Most of the prostitutes working in Finland come from the areas in the immediate neighbourhood of the borders of the country. The regional recruitment of Estonian prostitutes has not been much examined, but since a considerable part of them are Estonian Russians, they probably come mostly from Tallinn, the other big cities and the north-eastern part of the country. In the procuring cases tried in the Helsinki Court of Appeal, the Estonian Russians heard as witnesses came from Tallinn almost without exception. All in all, according to both the NGOs and the police the proportion of Russians among prostitutes coming from Estonia to Finland is far greater than their proportion of the population of Estonia. The situation is the same in Estonia where authorities estimate that about 80 % of all prostitutes working in the country at the moment are non-Estonians by nationality (Trafficking in Women, 130).

"The fact is that very few of those coming here from Estonia speak Estonian as their native language. Even most of those coming from Estonia are Russians. The local colleagues there say that the Estonians, they are heading for Europe: Holland and Denmark and a few also to South Africa and Thailand. Those who are coming to Finland come mostly from two groups: Russians from Estonia and then from Russia the majority coming from the region of St. Petersburg. Some come from even further away, but not many (interview with social worker)"

The main recruitment areas of the prostitutes from Russia are the St. Petersburg region and Murmansk. The prostitutes from St. Petersburg work mostly in southern and central Finland, and the ones from Murmansk in northern Finland.

The prostitutes from Estonia usually come to the country as individual tourists, as do the Russians who travel with invitation visas. The Russians with tourist visas usually arrive in larger groups, on rented buses, and often with a 'tour leader' (Prostituutio ja paritus Suomesa, 4-7).

The Forms of Prostitution

Owing to different visa requirements the prostitution of Estonians and Russians in Finland has taken somewhat different forms. Since 1997, no visa has been

required from Estonian citizens: they can enter the country with an ordinary tourist passport and stay on for three months at a time. Russian citizens, on the other hand, have to acquire either tourist visas or (to enable a longer stay) invitation visas. In principle the chances of Russian prostitutes to pursue their trade independently without any go-betweens are weaker than those of Estonians and their average working periods also remain shorter. The visa requirements also make it possible in theory to follow and control the visits from Russia more closely than those from Estonia. The large volume of prostitution-related visits and the lack of resources at the Finnish Consulate in St. Petersburg, however, effectively preventing this from being carried out (Prostituutio ja paritus Suomessa, 6).

On the other hand, regardless of the visa requirements, both Estonian and Russian prostitutes are, in order to maximise their earnings, in need of outside help in acquiring accommodation and customers. The working period even for most Estonians lasts only for one or two weeks, so the effective working period and earnings increase essentially if lodgings and customers are already waiting upon arrival. There is also information about independently working prostitutes being harassed by (mostly Russian and Estonian) collectors of protection money at least in bigger towns and in the countryside of eastern Finland. There is, however, no exact knowledge of how widespread and common this activity is.³³

The pimps are usually responsible for a package which consists of lodgings, a mobile phone, being able to work in peace and contacts with customers (Helsingin Sanomat: 'Puhelintyttöjä paritetaan eniten').

'It is very difficult to tell [how large a portion of Russian and Estonian prostitutes in Finland work independently without a pimp]. Many women tell where they come from and how, and generally they have heard from other women how they can start in Finland. But on the other hand, a very small part, however, stay at these cheap hotels and hostels. There is a certain quarter that arranges lodgings for them while they are here. It is probably usually based on an agreement that you promise to pay a certain weekly rent, which usually exceeds the normal standard rent, but you can leave when you like. But of course there can be some debt arrangements so that you must be here a certain period of time to be able to earn the money. Then there are also indications that some of them have a real pimp who decides if you can go home or not. But how many have one, I don't know.

³³ Only two cases have reached the law courts. In south-eastern Finland a gang of five Russian men, who lived in the cities of Kouvola and Lahti in Finland, extorted protection money regularly in 1996-1997 from Russian prostitutes working in the motels in the municipalities of Valkeala and Lapinjärvi. The rate was 200 FIM per women for a weekend. In the course of a year the gang earned nearly 400,000 FIM. The men were all in their early twenties and unemployed, they had come to Finland in the early 1990s as Finnish re-migrants from Russia (as so-called Ingrian Finns). None had a previous criminal record (Kouvola HO R 99/101). The other case is from the city of Turku, where two Russian male immigrants extorted protection money (up to 35,000 FIM) in 2001 from Russian prostitutes who tried to work independently in the city (Helsingin Sanomat: 'Seksibisnestä kovin ottein pyörittäneet miehet vankeuteen').

For example, the most fortunate ones come to Helsinki from the St. Petersburg region. Those who are taken to towns in the provinces and the countryside, their situation may be considerably worse (interview with social worker).”

In Estonia and Russia the prostitutes are recruited partly with open newspaper advertisements, and partly through unofficial information networks. It is also known that the owners of Russian and Estonian brothels send their workers periodically to work in Finland. Some of the prostitutes are also actively involved in procuring, either as pimps or as their assistants. The information given at recruitment to the prostitutes seems to be accurate on the whole, at least as far as the nature of the work is concerned, quite often evidently about the working conditions and the level of earnings, too. As a rule, the prostitutes know what kind of work they are coming to practise, and a considerable number of them make their decision to start as prostitutes in Finland independently before they start seeking contacts and information about working possibilities (Helsingin Sanomat: 'Itämafia tuo ilotyttöjä Helsinkiin'; Hollm én & Jyrkinen 1999, 40; Hufvudstadsbladet: 'Handeln har ändrat karaktär”).

”In Tartu I heard from my friend, who had been working for J. in Helsinki, that there was a chance to earn money. She said the work was prostitution and told me about the conditions. My friend phoned J. and fixed the date of my arrival. She lent me 300 EEK for my fare. J. met me in the harbour of Helsinki (Russian woman from Estonia, born in 1975).”

”I went to Finland on the 5th of May in 1998. I took a boat to Helsinki and a bus from Helsinki to the city of Pori. From Pori I took a lift to Nakkila. There is a ski resort there and I had heard the earning opportunities were good, I stayed at the local hostel, it cost 160 FIM a night breakfast included. I stayed in Finland for two weeks, but as I started to drink in Nakkila, in the end I earned practically nothing (Estonian woman, born in 1964).”

Prostitution practised by Russians and Estonians is organised in the cities to take place mainly in sex clubs, rented apartments and cheap hotels; in the countryside in hostels, at camping grounds and in holiday villages.

”The price was 300 FIM a customer for half an hour. J. took 400 FIM from me for three customers. Three or at the most five girls were working at a time. The girls were from Estonia, both Russians and Estonians. We each had a workroom of our own, which we made ready and cleaned. J. got the customers mainly with newspaper advertisements. Each of us had 3 to 4 customers a day. Some had even as many as seven. The working hours were from 10 a.m. to 10 p.m. We did not live in our workplace but in another apartment (Russian woman from Estonia, born in 1975).”

”I came by boat on the 20th of October, 1997 from Tallinn at my own cost together with a friend. J. came to meet us in the harbour. I had got to know him in Tallinn through a mutual friend. He said that I could come to work if I wanted.

The working hours were from 10 a.m. to 10 p.m. There were no security men. There were four of us girls from Estonia. Each had a room of her own, in which we sold sex services to men. We sometimes answered the phone ourselves, sometimes it was answered by an elderly woman who visited the place. The price for intercourse was 400 FIM. J. took half of the charge. The number of customers varied, some had even 15 a day. I myself had 3 to 4 men a day (Russian woman from Estonia, born in 1978).”

’I met a woman called Irina in Tallinn about a month ago. She asked me to come to Helsinki to do so-called intimate massage. She said there was a place in Kustaa Street in Helsinki where I could work. Irina said she knew a Finnish man who owned the place and who would marry her. I came to Helsinki with her and we acquainted ourselves with the apartment. I started to work there and remained for about a month. In the evenings a Finnish man came to collect the money. There was also another girl in the apartment and she said that the man owned the place. Irina had said right at the start that the money goes half and half. The price was 300 FIM for half an hour and 200 FIM for 15 minutes. I marked the hours and the sums in a diary. We had our own keys to the doors of the apartment (Russian woman from Estonia, born in 1966).”

’In 1997 I was employed as a receptionist at a hotel in Tallinn. I got to know a Finnish man named R., who was our guest. A little later he contacted me and asked me to come and work in Helsinki. The work would be intimate massage. In May 1997 I went to see him. We agreed that the price would be 300 FIM for half an hour, half of which was for me. In addition I would have to pay 200 FIM a week for the lodgings. The working hours were from 9 a.m. to 10 p.m. R. said that I was allowed to work every day, but I could also take a day off at my own discretion. I started working in June 1997. I was working in two-week periods, and after each period I stayed a week at home in Tallinn. I earned 500 to 800 FIM a day. I myself paid for my trips and food. We cleaned the apartment ourselves. At work there were usually two of us girls there at a time (Estonian woman, born in 1978).”

Brothels are illegal in Finland, and it is not probable that there would be a considerable number of them.³⁴ To keep the running of an illegal brothel secret from the authorities for a longer time is rather difficult and the risk of getting caught is great. In practice, however, some hotels and motels have become actual brothels. Their clientele consists totally of prostitutes and the business depends entirely on prostitution. The reputation of the places has spread widely and people come to them even from far away.³⁵ It is, however, difficult to bring the organisers to justice, because to let out an apartment or a room to a prostitute for

³⁴ From time to time cases like these are revealed. For example, a recent article in *Helsingin Sanomat* (’Itämafia tuo ilotyttöjä Helsinkiin’) claims that quite a large brothel-speakeasy exists in southern Helsinki run by Russian organised criminals in an old factory building. This may be true.

³⁵ The most notorious ones are the ’Punainen talo’ [Red House], a hotel in Kotka, and the Valkeala Motel in Valkeala, which in practice became brothels in the late 1990s.

ordinary housing is not punishable according to the law.³⁶ The prostitutes visiting the country often work and live in the same rooms and it is usually difficult to produce enough judicially valid evidence that the landlord/hotel-keeper has let the rooms intentionally for the practice of prostitution. The risk of getting caught is thus very small especially for hotelkeepers. When using rented apartments the pimps try to decrease the risk by using complicated rental agreements as well as changing the apartments at a rapid rate (*Prostituutio ja paritus Suomessa*, 5-6).

In the early 1990s some of the eastern prostitutes were working openly in the streets and in northern Helsinki certain streets became well-known as girl-streets. This activity came to an end, however, when street prostitution was forbidden in the municipal ordinance of Helsinki in 1999. Hardly any street prostitution exists in Helsinki at the moment, and it is also rare in other big cities (*Helsingin Sanomat*: 'Ilotytöt palasivat Alppiharjun kaduille'; *Prostituutio ja paritus Suomessa*, 5-6).

In the countryside there are far fewer suitable hotels and rental apartments available than in towns, and the prostitutes' possibilities for independent activity are much poorer. The trade concentrates partly in holiday centres during the season, partly it is run by travelling groups (consisting mainly of Russians). Their trips are organised by travel agents in St. Petersburg or Murmansk, and travel takes place usually by bus and the work in hostels, holiday villages and at camping sites, partly even in private houses along the route (*Prostituutio ja paritus Suomessa*, 5-6).

The organisers

There is very little information available about the organisers of eastern prostitution. The main source used in this report are the procuring crimes tried in the Helsinki and Kouvola Courts of Appeal as well as those recorded by the Central Criminal Police.

In the course of the last three and a half years altogether 81 crimes of procuring have been reported to the police in Finland, on an average two per month. In general there have been several suspects in each case. On the basis of these crimes as well as those tried in the courts in the 1990s the pimps are predominantly male. In the years 1990-1999 33 people were convicted for procuring in the lower courts in Finland and 29 of them were men (88%).

'Some have a so-called boyfriend, then there are pimps who have several women and then there are these big organisations. The same holds true in importing them to the country, every kind of entrepreneur is involved from the boyfriends to big organisations (interview with social worker).'

³⁶ In the case of the above Red House in Kotka the hotelkeeper was sentenced in fact as many as three times; the verdicts did not, however, prevent the trade from going on without interruption (Kouvola HO R 98/286, R 98/583 ja R 01/735).

In all other respects the group is very manysided. Among the pimps there are men who earn additional income (or cover their drug debts) by procuring their wives or girlfriends, amateurs and professionals working alone or with a couple of friends, who may have one or several women simultaneously at work, as well as criminal gangs who import prostitutes weekly and can procure dozens of women at the same time. The services offered by the pimps also vary greatly. In many cases they are limited to renting the apartment, but some also offer customer contacts, mobile phones and even take care of travelling arrangements. Some pimps recruit workers actively, some assist only friends and friends of friends asking for help.

”After his release from prison in 1997 J.V. (unskilled worker, born in 1963) made his living, among other things, by procuring and bootlegging. For the former activity he founded a limited company S., in the name of which he rented three large business premises in southern Helsinki (in Uusimaa Street, Simo Street, and Merimies Street). J.V. recruited employees from Estonia through his old acquaintances and women friends. An elderly Ingerian woman living in Finland took care of cleaning the apartments and answering the phone as well as looking after the prostitutes. The customers were advertised for in the daily papers. Four to five women were working at a time in each apartment, each with her own room. J.V. charged a daily rent based on the number of customers, in practice he took half of the women’s incomes. Otherwise the women’s working conditions were relatively free, and they could decide about their working hours independently. In practice, however, the prostitutes had to work all day long within the opening hours (10 a.m. to 10 p.m.) if they wanted to maximise their income during their short stay. There were 10 to 15 customers per apartment every day. J.V. was estimated to have earned a total of 150,000 FIM with this operation (between July and November 1997), about 100,000 FIM of which had been spent on the rent for the apartments and on other expenses. Thus his profit was about 10,000 FIM per month (Helsinki HO R 99/524).”

’Bus company owners R.L. (born in 1950) and T.V. (born in 1957) carried on part-time procuring in Helsinki in 1996–1998 in the name of the ir bus company. For the trade they had rented altogether four apartments (in Wallin Street, Aleksis Kivi Street, Kustaa Street and Fleming Street). The business was started in one apartment and it was expanded at the same pace as the demand increased. The men recruited the workers from Estonia, partly through old women acquaintances, partly with personal contacts or newspaper advertisements. There were one to two women at a time working in each apartment. The working conditions were in principle relatively free. The women could decide about their working hours independently, they had their own keys to the apartments and the control was minimal. Even in this case the women’s need to maximise their earnings during the short stay (one to two weeks), however, was a very effective control mechanism and made them work full hours every day. The men charged a half of the profit. They were estimated to have profited about 1,000,000 FIM for the operation which lasted two years (Helsinki HO R 99/634).”

In the procuring crimes tried in the Helsinki and Kouvola Courts of Appeal in 1996–2001 there were altogether 17 prosecuted persons³⁷ of whom 15 were men; 13 were Finns, three Russians and one was German, with all but one Russian living permanently in Finland. The distribution of nationality of the accused corresponded to the information obtained from the procuring cases reported to the police in the whole country during 1998–2001, which will be discussed later. Otherwise the background of the men was heterogeneous. For the above crimes 14 men were convicted, only one of whom had a previous criminal record.³⁸ It seemed that many of the accused had drifted to the trade more or less accidentally during the depression years of the early 1990s, in part owing to unemployment. Three of the persons convicted had been making their living before the depression by selling books, two were bus company owners, two were civil servants, one was a lawyer and one a university student. Among those convicted were also three porters, one hotelkeeper and one professional criminal. As a whole, the backgrounds of the offenders were surprisingly blameless and normal. Although the results cannot be generalised because of the small number of the cases studied, they do show that the organisers of eastern prostitution do not come from a certain group, that instead their backgrounds seem to be remarkably various. The situation may be changing, however.

As to their ages, the accused were mostly middle-aged: one was born in the 1930s, one in the 1940s, five in the 1950s, five in the 1960s and two in the early 1970s. The youngest were thus about 30 and the average age was 45–50.

Table 7. The nationality of the pimps in the procuring cases recorded by the police in 1998–April 30, 2001 (Prostituutio ja paritus Suomessa, Appendix)

Nationality	%	N
Finnish	80,0	60
Finnish and Estonian	4,0	3
Finnish and Russian	2,7	2
Estonian/ Estonian Russian	8,0	6
Russian	4,0	3
Other	1,3	1
Total	100,0	75

The most complete source of information on the nationality of the pimps in Finnish prostitution is the study made by Korpisaari mentioned earlier. From

³⁷ No attention has been paid either to the members of the administrative body of the co-operative bank of Kouvola Region, who were indicted in the case of the Valkeala motel and whose connection to the activity there was wholly formal, or to the Russian men who extorted protection money in Valkeala and Lapinjärvi but who had in no way participated in actually organising the prostitution there. In the crimes connected to the Red House in Kotka two men were accused several times.

³⁸ This applies also to the men sentenced in the first Red House trial; in the later trial they had of course a criminal record.

the beginning of the year 1998 to the end of April 2001, altogether 75 procuring crimes were reported to the police in which the nationality of the perpetrators was known. In the majority of the cases the pimps were Finns or Finns together with Estonians/Russians (87%). In six cases all the perpetrators were Estonians, in three cases Russians and in one case a Vietnamese residing in Finland. On this basis the organisers of eastern prostitution could be said to be mainly Finns (Prostituutio ja paritus Suomessa, 8).

Considering that the prostitutes mainly need a room where to work and customer contacts, it is only natural that the pimps are Finnish. Organising the prostitution from Estonia or Russia without any local contacts in Finland would be very difficult in practice. Correspondingly the recruitment of workers from Estonia in particular is no problem for a Finnish pimp even without local go-betweens. There are close connections between the two countries, travelling is easy, and cultural and language barriers non-existent. The recruitment can easily be made merely through newspaper advertising, but a large number of Finns also have a wide network of acquaintances in Estonia; also the connections between the Finnish and Estonian underworlds have become close during the last ten years (see Junninen and Aromaa 2000). In the examined court cases all the Finns who were procuring Estonian prostitutes had, regardless of their background, close connections with Estonia and a wide network of acquaintances in the country already before they started their operation.³⁹ The result corresponded to the opinion of police authorities based on more extensive material that most Finnish pimps have at least some kind of connections with the Estonian and Russian underworlds and that they are making use of these connections in their business (Helsingin Sanomat: 'Puhelintyttöjä paritetaan eniten'; Prostituutio ja paritus Suomessa, 9-11). Indeed, recruiting prostitutes from Russia is practically impossible without any local partners; merely obtaining the necessary travelling documents usually necessitates one. Among the court cases examined in this report there was not a single one in which Finns would have been procuring Russian prostitutes without also having Russian partners in the operation.⁴⁰ However, the local contacts cannot usually be brought to justice in Finland, let alone sentenced, and they are not necessarily revealed even in the preliminary investigation. It is of no advantage to either the prostitutes or the pimps to reveal them, nor is the co-operation of the police authorities over the border always smooth (Helsingin Sanomat: 'Puhelintyttöjä paritetaan eniten'; Prostituutio ja paritus Suomessa, 3-5; Trafficking in Women, 11 8-120).

'We do not know what happens outside the Finnish borders. Our problem is that even if co-operation with those on the other side of the border is ever so good, we still meet with quite big practical difficulties. Especially with the Russians, because procuring is not a criminal offence there, only instigating to prosti-

³⁹ Helsinki HO R 98/1836, R99/524 ja R 99/634; Helsinki KäO R 98/5559, R 98/5852 ja R 98 /7337

⁴⁰ Kouvola HO R 98/286, R 98/583, 99/101 ja R 01/735.

tution. But if a woman is voluntarily involved, it is not punishable. And in this kind of situation the authorities are of course not very eager to act and investigate the cases. Prostitution is considered a natural part of society and they don't think there is any need to interfere with it (interview with police officer)."

Overall, the recorded procuring crimes describe eastern prostitution as mainly a Finnish-Estonian phenomenon. It is, however, probable that this picture is not wholly correct. We have already described the factors which probably make the prostitutes from Estonia over-represented among the prostitutes involved in the reported crimes. It can be assumed that the threshold to make use of the authorities in the conflicts with the pimps is lowest in the cases where the pimps are Finns, and the threat to the personal safety of the prostitutes is usually smaller than in cases where the procurers are members of the Estonian or Russian underworld. For this reason the cases where Finns are procuring Estonians are very probably over-represented among the crimes which come to the knowledge of the authorities. On the whole, the authorities have rather weak possibilities to get information about prostitution where both the pimps and the prostitutes are foreigners. This is not only true concerning the activity directed from Russia or Estonia to Finland, but also prostitution whose organisers are Russians and Estonians living permanently in Finland. It is therefore very likely that the share (12%) of Estonian and Russian pimps acting without Finnish partners out of the recorded crimes is smaller than in real life.

The Turnover of Eastern Prostitution

The driving force of eastern prostitution is the financial profit it offers. The daily turnover of the trade is estimated to be several hundreds of thousands of Finnish marks merely in Helsinki; on a yearly level the turnover amounts in the whole country to hundreds of millions of marks (Helsingin Sanomat: 'I tämafia tuo ilotyttöjä Helsinkiin'). Although the profits have been on the decrease in the course of the last few years owing to increasing competition and the sharp drop of the purchasing power of the Finnish mark especially in Estonia, the trade is still very profitable both for prostitutes and pimps. The prostitutes' normal charge for an hour at the moment in Helsinki is 500 to 1,000 FIM (80-170 €), of which she herself will get 200 to 600 FIM (30-100 €). The prostitute usually gets about a half of her earnings, though in the last few years when the oversupply has lowered the prices, the pimps have tried to increase their share of the income. As the prostitute usually has three to ten customers a day, she earns 500 to 1,700 € (10,000 to 30,000 EEK) during a one-week working period. Despite the fact that the purchasing power of the FIM has decreased sharply in Estonia, an Estonian prostitute can at her best still earn in Finland as much in a week as in half a year in Estonia at a middle-income job. (At the end of the year 2000 the average wages in Estonia were 5,300 EEK a month.) (Helsingin Sanomat: 'Puhelintyttöjä paritetaan eniten'; *Prostituutio ja paritus Suomessa*, 3-4). Besides, the income is tax-free. For a Russian prostitute the relative level of income is even higher.

The trade is, however, still more profitable for the pimps. With two prostitutes, the tax-free net earnings of a pimp can easily reach 150,000-300,000 € a

year. Compared to the Finnish level of average wages that income level is good, to say the least. All in all and despite the decreased profits, eastern prostitution is economically still very lucrative both for the prostitutes and the organisers. This kind of situation has tended to decrease the mutual conflicts of the parties and, on the other hand, to keep the supply of voluntary prostitutes sufficient to cover the demand quite well.

In addition to the procurers and the prostitutes, eastern prostitution benefits economically a wide and mixed group consisting of sex-bars, massage establishments, hotels, restaurants, taxi firms, telephone operators, shopkeepers as well as daily newspapers. Prostitutes do not come to Finland only to earn money, they also spend part of their income there. Although, however, as such they do not bring any additional value to the Finnish economy (Helsingin Sanomat: 'Itämafia tuo ilotyttöjä Helsinkiin').

The Prostitution of the Thai Community

In addition to eastern prostitution, the Russians and Estonians, the Thai community in Finland also runs organised prostitution on a considerable scale with regard to the small size of the community. Nowadays there are altogether 1,400 Thai living in Finland permanently and the group consists mainly of women and their underage children. The majority of the women have come to Finland through marriages with Finnish men. When the marriages break up, the women usually find new men quickly. It is a close and closed community with hardly any communication between its members and the authorities. This kind of communication is not even possible in practice, for in Finland there are only two interpreters of the Thai language, and one of them does only literary translations. The majority of the women, on the other hand, only know their native language. Thus, contacts with members of the community take place mostly through the Finnish husbands and boyfriends. The women's chances of acting independently in Finnish society as its equal members are altogether not very secured.⁴¹

The centres of the community and its social meeting places are massage parlours, some of which also sell sex services. In addition to the Thai women permanently living in the country, the parlours also employ 'girl relatives', who visit Finland as tourists, work a three-month-period and return to Thailand.⁴²

Thai prostitution in Finland has been studied hardly at all by either the authorities or by independent scholars. Altogether the phenomenon is small in volume and invisible by nature: thus it is not problematic from the point of view of public order as eastern prostitution is. This does not, however, mean that the phenomenon is unproblematic, in particular from the point of view of the legal and human rights of the Thai women living in the country and working in the massage parlours.⁴³

⁴¹ Information from Jaana Kauppinen.

⁴² Information from Jaana Kauppinen.

⁴³ Information from Jaana Kauppinen.

4.2.2 Forced, Teenage and Child Prostitution

In connection to this report no information about cases of trafficking in women was obtained either from the authorities or from the representatives of NGOs. Also the number of reported cases where other kind of offences against the freedom of movement of the prostitutes or their other human rights have been observed has remained quite small even during the last few years.

As already mentioned, it is very difficult to get information on prostitution by foreigners in Finland. The resources of the authorities to control and investigate the criminal side effects of prostitution are very modest, and so any revelation of this abuse mostly depends on the prostitutes taking action themselves. On the other hand, it is not very profitable for the prostitutes to inform authorities about the abuses and offences they have suffered, for reporting usually results in expulsion and at least a temporary break in their livelihood. In addition, they expose themselves and their relatives to the retaliation of the pimps. Also the threshold of prostitutes to endure violence and abuse is usually high. They understand that violence and abuse, even if outrageous, is inherent to the nature of the work, and are not always able to tell about them even when specifically asked about them.

”What is typical of both Finnish and foreign prostitutes is that when you ask them if they have experienced violence, they’ll answer: ‘No’. But when you start describing what violence is, a great many have, however, been victimised. In other words, the threshold of violence is pretty high in that profession. And then one of the problems in prostitution is what kind of situation the women themselves consider as rape. It is an unquestionable risk factor, rapes do take place. The same applies to other acts of physical violence and threats of violence (interview with social worker).”

The absence of reported cases of trafficking or serious intimidation connected with prostitution does not mean that this kind of phenomenon does not exist in Finland.

”We have had groups in which freedom of movement has been restricted. The lodging conditions have been quite wretched, several women have lived and worked in one small room. It is almost certain that their passports have been taken away and that the criteria of trafficking have been fulfilled. But how many cases of this kind there have been, I don’t think anybody really knows (interview with social worker).”

Factors Preventing Trafficking in Finnish Prostitution

The basic situation in eastern prostitution does not, however, favour the extreme forms of forced prostitution. This is due, among other things, to the economic profitability of the trade, the lax visa regulations applied to Russians and Estonians and the nearness of the recruiting areas of the prostitutes.

Eastern prostitution is at least for the moment economically very lucrative both for the prostitutes and the organisers. At a very small personal risk and

with totally insignificant investments the pimps are able to get profits corresponding to those from the wholesale drug trade and at the same time guarantee the prostitutes monthly earnings which are manifold compared with their average wages at home. Since the greatest risk for getting caught and suffering economic losses for the pimps are the prostitutes, it is also in the interest of the pimps to try to keep the prostitutes more or less satisfied so that the business can go on uninterrupted and undisturbed. The economic interests of the pimps do not conflict with those of the prostitutes, at least not yet, so relatively good pre-conditions still exist for smooth co-operation. The significant economic profits of the trade also guarantee a sufficient supply of voluntary prostitutes from Russia and Estonia for work in Finland.

‘In Estonia a kind of voluntary telephone service operated for some time where the prostitutes could call anonymously, tell their problems and ask for help. But most of the calls were from women who wanted information on how they could go abroad to work as prostitutes, asking how they could find the right contacts and about the working conditions. Only a few of the callers were actually working as prostitutes (interview with social worker).’

The abuses in Finnish eastern prostitution are in part also prevented by the high level of education of the prostitutes as well as the proximity of their recruiting areas. The majority of the prostitutes come from Estonia, the St. Petersburg region or Murmansk. All three of these areas are in the immediate neighbourhood of the Finnish borders and there are good and cheap traffic connections to them. In Finland the prostitutes also encounter quite a familiar cultural environment and most of them know either Finnish or English fairly well. In addition the women have on an average quite a high education. All of these factors contribute to equalising their position in the procuring relationships. Depriving them of their freedom of movement is very difficult at least in the long run and breaking an unsatisfactory procuring relationship simply by returning home is relatively easy. However, in cases where members of the Estonian or Russian underworlds are involved as organisers the position of the prostitutes is more problematic.

A factor that also contributes to weakening the position of procurers is the relatively free and uncontrolled travelling of Russians and especially Estonians across the Finnish borders. Prostitutes do not have to resort to pimps in order to be able to enter the country to practise the trade. Although the control of the authorities over prostitution has become somewhat stricter in the last few years, it is still possible for Estonian and even Russian prostitutes to work in the country independently without a pimp. This also is a result of the above cultural factors. It is relatively easy for Estonians and Russians to get along in Finnish society and to build their own contact networks by themselves.

Serious abuses connected with prostitution are also apt to be prevented by the fact that, despite the lax control of prostitution, it is very unlikely that they would not in the long run be revealed. Finland is a small country as to its population and Finnish society is relatively uncorrupted. Any grave intimidation will sooner or later be almost certainly discovered. And although the resources for the control of prostitution are minimal at the moment, that does not mean that

the authorities or the NGOs would treat the cases of abuse and intimidation reported to them with negligence; crimes when reported will with very great probability also be prosecuted and punished.

All in all, owing to the above reasons, the position of the organisers of eastern prostitution is so far not sufficiently strong with respect to the prostitutes for it to be sensible or possible for them to try to increase their profits by intimidating or abusing the prostitutes. On the contrary, a maximum profit and a minimum risk is achieved in a situation in which the procuring relationship is based on voluntary and smooth co-operation (*Prostituutio ja paritus Suomesa*, second part, 2).

Reported Cases of Intimidation and Serious Abuses

The above does not mean that serious violations against the personal freedom of the prostitutes in eastern prostitution would not exist. Studying these was also one of the main objects of Korpisaari's research work. No hints were found of foreigners being smuggled into Finland as sex workers. However, information was obtained about several cases in which women had been intimidated into prostitution or forced to work in conditions which were not consistent with the promises they had been given in advance (*Prostituutio ja paritus Suomesa*, 1 and 8-9).

In Korpisaari's material of 81 cases of procuring there were two in which intimidation of women into prostitution was suspected. In one case, a young Russian woman reported that her father had forced her to work as a prostitute in northern Finland. In the other case, two Estonian men were suspected to have forced three Estonian women to work as prostitutes for several months in Lappeenranta in eastern Finland. In the latter case two women reported furthermore that they had been brought to the country against their will, although with legal papers. Of the about 90,000 FIM that the women had earned during their stay they had received only housekeeping money for their own use (*Prostituutio ja paritus Suomesa*, 8-9).

Information on intimidation in eastern prostitution has been obtained also from other Nordic Countries. From Norway we know about a case in which a Latvian woman reported to the authorities that she had been forced to work as a prostitute. The woman was returned to Latvia, where she was murdered soon afterwards.⁴⁴

Cases with allegations of minor intimidation are more numerous; the working conditions have not been what was agreed to, or there have been limitations of the freedom of movement of the prostitutes. From Turku and Hämeenlinna two cases have been reported in which the pimps had confiscated the passports of the prostitutes and returned them only for their share of the earnings to be accounted. From Tampere information has been received on a case in which the procurer had locked the prostitutes in their working rooms for a longer time (*Prostituutio ja paritus Suomesa*, 8-9 and second part, 2-3). In each

⁴⁴ Information from Jari Nyström.

case the evidence has been based on the prostitutes' reports and the preliminary investigation has remained incomplete. The reason has been that the prostitutes have either failed to come to the hearings or they have been expelled from the country during the investigation. In some cases the background and later activity of the women have also given cause to suspect that the information they gave has not necessarily been true in all respects. In these cases the motive for the report has usually been a quarrel about the division of income between the pimp and the prostitute (Prostituutio ja paritus Suomessa, 8-9).

In addition to direct intimidation those eastern prostitutes who resort to the services of the Estonian and Russian underworld also experience indirect pressure which is directed towards their families and children in their native countries. A considerable number of the prostitutes have underage children at home and the threat works at least as effectively as the pressure directed towards the prostitutes themselves.

"Besides the violence and intimidation directed towards the woman, there is this threat that if I don't do as I am told, also those near to me are in danger. It exists there all the time and there are also examples that this threat has been carried out, it is not a vague feeling that it may happen, but they know that it will happen (interview with social worker)."

Teenage and Child Prostitution

In his research work Korpisaari also studied the prostitution of underage children in Finland. No indications of such a phenomenon were found. Again the result does not mean that teenage and child prostitution would be non-existent in Finland, but the activity is small in volume and not organised. Professional and even amateur procurers are not interested in underage prostitution because of the much greater risks. The trade has no additional value which would make the risks worthwhile.

On the other hand, customers specialised in this kind of prostitution can satisfy their desires easily and at a considerably smaller risk on the other side of the border in the towns of the St. Petersburg region and in Tallinn. Those areas have become centres of underage prostitution, whose customers come to a large extent from Finland.⁴⁵ Even if buying sex services from minors is a crime according to Finnish law also when it takes place abroad, the risk of getting caught for sex tourists going to north-western Russia or Tallinn is very small. The local authorities, especially in Russia, do not consider the problem very urgent; consequently clearing these crimes is very difficult and so far only one sentence has been passed.

⁴⁵ According to a recent study one-fourth of the brothel workers in Tallinn are minors, and almost every one of the street children of the city has practised prostitution at least from time to time. Their customers are mainly tourists of whom Finns make up a considerable part (Aasmäe 2001).

4.2.3 Views concerning Future Developments

The Finnish prostitution situation has experienced radical changes during the last ten years and neither police authorities nor other specialists following the situation see that these changes as coming to an end soon. Distinct indications of future developments can be discerned and some of them cannot be considered favourable from the point of view of either the prostitutes or public order.

As mentioned the main factors decreasing the problems and abuse connected with eastern prostitution have been the high profits it yields (which have prevented tensions in the procuring relationships and secured a sufficient supply of voluntary workers), the easy travel between the recruiting areas and Finland and a fairly safe working environment. The prostitutes have preserved the possibility to work independently, which has made their relationship to the organisers of the trade more equal.

The economic profitability of the trade has been declining already for several years. However, this is estimated not to lead to any major change in the basic situation in the next few years. Although the oversupply of sex services has led to a decrease in profits in prostitution and procuring in Finland and though the purchasing power of the Finnish mark has fallen considerably in Estonia compared to what it was ten years ago, nothing suggests that the voluntary supply of workers for prostitution in Finland would be essentially on the decrease. The differences between the standard of living in Finland and in north-western Russia and also between Finland and Estonia are still so great that eastern prostitution will continue to be a lucrative source of income in those regions for some time to come (Leskinen 2000). In the long run economic prosperity and the general rise in wages will, however, decrease the supply in both regions. Because the economic development has in the last decade been far quicker in Estonia than in Russia and the situation is most likely going to continue like this also in the future, it is probable that prostitution from Estonia to Finland will first begin to peter out. In the short run these changes will, however, not yet affect the current situation.

An essential factor affecting the preconditions of the work of eastern prostitutes and their possibilities of entering the country is the control the authorities direct over the business. The resources of both the police and the border guard service to follow up prostitution have continuously remained very restricted in Finland, and the official control of prostitution has so far had scarcely any influence on the volume of the trade.

‘We live with it, but as I said it seems that there is no need to invest in it so much that we could interfere with it. The situation is quite different from the one in drug trafficking. In our culture prostitution is not apparently regarded as a real problem (interview with police officer).’

In some respects the control over eastern prostitution has, however, been tightened in the last few years, which has had an effect of its own, in particular on its structure. The position of independent prostitutes has deteriorated and the influence of pimps has increased. One crucial change contributing to this has

been the prohibition of street prostitution in Helsinki and other major cities. As late as 1997-1998 starting the business in Helsinki was still quite straightforward especially for one coming from Estonia:

'I went to Finland on the 29th of November, 1997, and was there for about three weeks. I went there because the Estonian newspapers and television had talked a lot about Estonians who visit Finland as prostitutes; I decided to try my luck. From television I knew that the streets where prostitutes work in Helsinki were Helsinki Street, Vaasa Street and Aleksis Kivi Street. After arriving in Helsinki I went straight to Vaasa Street and took care of a customer in his car. He paid me 200 FIM. After that I went to an R-kiosk for coffee. There I chatted with an Estonian girl, I don't know her name, but she also worked there as a prostitute. I asked her about cheap hotels. She said she had a room of her own but the landlord had forbidden her to bring her customers or even friends there. She could not help me. The next customer wanted me for a night. I had heard that the price for a night was 1,000 FIM, but he said he would pay only 500 FIM. I agreed to it in order to get a place for the night. I was with him that night. The next morning I again went to Vaasa Street. There the girl I met came to me and said that it would be possible for me to get a room. After some time she returned with a Finnish man, who said that his girlfriend was living nearby. He took me to the apartment and gave me the keys, but said that the apartment was rented by the Finnish girl and that she wants to see me before her decision. After a while the girl came and agreed to share the apartment with me. There was talk that I could stay there for a week.

In the evenings I walked the streets and served my customers in their cars. Sometimes somebody took me to his home or office. Sometimes I also received men in the apartment. For the business in the cars I charged 100 to 250 FIM, in the apartment 300 FIM.

I lived in the apartment for a week, then I moved to a cheap hotel. The room there cost 230 FIM a night. I continued to work in the streets.

At the hotel I met a girl from Tartu who remembered me from my previous job. We started to walk together in the evenings in the streets. After staying ten days in the hotel we rented an apartment together. We paid a rent of 320 FIM for a night (Estonian woman, born in 1964)."

On the other hand, the problems connected with open street prostitution from the point of view of public order were so serious that forbidding it cannot be considered inappropriate, although it has strengthened the position of procurers in eastern prostitution (Helsingin Sanomat: 'Itämafia tuo iloty ttöjä Helsinkiin').

In contrast it is not as clear that the strict and unselective deportation policy applied to eastern prostitutes is equally appropriate. A prostitute, once expelled, especially a Russian one, can no longer return to work in Finland without outside help, because after expulsion it will not be possible for her to get a visa legally. In addition, merely the greater threat of being expelled seems to have increased eagerness to resort to the services of procurers.

”The change in the Foreigner Act was passed without any discussion. Nobody paid any attention to the significance it will have, for instance, in the fight against trafficking in women; it has only strengthened the position of organised crime. When the prostitute has once been expelled, she cannot get a visa anymore. The only means to come again is to resort to some organisation which either gets you a false visa or corrupts the authorities to give you a legal one. It has made the position of these organisations stronger and that of independent prostitutes weaker (interview with social worker).”

Thus a policy which has been considered necessary to secure public order can indirectly contribute to strengthening the level of organisation of eastern prostitution and in that way not only weaken the position of the individual prostitute in the business, but also probably increase problems caused to society by the trade in the long run. The inflexible deportation policy makes the position of the procurers also stronger by directly hindering the investigation of procuring offences.

In spite of the above developments it is, however, not to be expected that the control of prostitution by the authorities would radically change the preconditions of eastern prostitution in the near future. As far as we know, there are no plans for increasing control nor are there any plans for legislation under discussion which would make control considerably stricter than before.

The greatest pressures of change on eastern prostitution in Finland and at the same time the most alarming ones are connected with a process observed in the last few years in which the organised crime of Finland, Estonia and north-western Russia (partly in co-operation) are trying to get the business under its control. It is usually a question of Finnish-Estonian and Finnish-Russian drug trafficking networks. Prostitution is very alluring for them, because the profits at the moment equal those of the wholesale trade of mild drugs, but the comparable risks are almost non-existent. The drug traffickers are not usually giving up their earlier trade but they add procuring to it. As a matter of fact, trafficking and the retail sale of drugs (as well as illegal hormones and alcohol) and procuring complement each other very well. The distribution of drugs can be concentrated at the premises where prostitutes work and prostitutes can be used both as dealers and couriers. At the same time they will be brought more efficiently than before under the control of the procurers as accomplices and through drug abuse. This applies not only to eastern prostitution in Finland but also to domestic prostitution. All in all, the invasion of drug traffickers into the procuring business in Finland is clear enough although convictions have so far been few. In the vanguard of the process are especially the Finnish-Estonian organised crime networks (*Prostituutio ja paritus Suomessa, 9-11*).

The phenomenon is a very alarming one both from the point of view of public order and of the prostitutes. It is very probable that the process will increase the number of cases of intimidation and serious abuse in Finnish prostitution. Not only will the position of the prostitutes become more unequal and submissive in the procuring relationships, but the organised crime operators will also be more prone to using violence and other outright criminal methods in their

dealings than the amateur pimps who still at the moment control a large part of Finnish prostitution. The transborder networks of organised crime guarantee also that prostitutes can no longer free themselves from unsatisfactory relationships by simply leaving the country and returning home.

5 Conclusions

The basic problem in researching trafficking in women or even eastern prostitution as a whole in Finland is the shortage of ready-made sources. The number of criminal cases connected to eastern prostitution (investigated, prosecuted, tried in the courts of law) has so far been almost non-existent (especially if compared to the volume of the trade), and they do not cover all the sectors of the phenomenon equally. For the same reason it is hard to estimate the possible shortcomings of the existing data collecting systems of the authorities.

The scarcity of the cases can of course be partly a product of such shortcomings. Mainly it is, however, connected to the fact that the small financial resources of the police and border guard authorities and the lack of legislation that would be explicit about trafficking in women do not enable an effective control of prostitution in Finland at the moment. However, new legislation which will criminalise trafficking in women is in preparation at the moment. When it is passed it will significantly facilitate the monitoring of the phenomenon. Whether this will also essentially increase the number of reported cases of trafficking is not certain, however. For reasons that we have presented in our original report, it is probable that the number of actual cases of intimidation and serious abuse in Finnish prostitution is indeed relatively small at the moment. The basic situation in eastern prostitution seems not to favour the extreme forms of forced prostitution. Because of several different factors the position of the organisers of eastern prostitution is so far not sufficiently strong with respect to the prostitutes for it to be sensible or possible for them to try to increase their profits by intimidating or abusing the prostitutes. On the contrary, a maximum profit and a minimum risk is achieved in a situation in which the procuring relationship is based on voluntary and smooth co-operation.

What is clear, however, is that prostitution from abroad to Finland is nowadays notable both in volume and for its social problems, and that the basic research of the topic has so far remained insignificant. The recruitment areas of prostitutes are known as well as the general forms of the business, but practically no information is available on how the trade is organised.

Thus, the objectives of this research project are extremely current and offer considerable possibilities for practical application. However, to produce productive and accurate information an analysis of criminal cases reported to the authorities should be combined with field research work among the prostitutes, their customers and other parties involved in the trade as well as with collecting the personal knowledge of people in the health, social and border guard services and the police force.

Table A 1. The cases of smuggling persons uncovered in Finland in 1993–2000

1.1	Number of cases:	3					
1.2	Clients						
1.2.1	number:	67					
1.2.2	country of origin:						
	Iraq (IRK):	46					
	Sri Lanka (SRL):	21					
1.2.3	age						
	< 15	15–19	20–24	25–29	30–39	40–49	50–
	6	5	8	11	12	2	1
SRL	2	4	6	4	5	–	–
IRK	4	1	2	7	7	2	1
	no data:	22					
1.2.4	sex	SRL	IRK				
	male	9	16				
	female	5	4				
	unknown	7	26				
1.2.5	the price of the journey						
	SRL	4,000–11,000 USD					
	IRK	3,000–10,000 USD					
1.3	The smugglers						
1.3.1	Number:	10					
1.3.2	Nationality/ ethnicity				living in Finland	foreigner	
	Finnish	3			3	–	
	Iraqi	3			3	–	
	Greek	4			–	4	
1.3.3	Age						
	30–39	40–49	50–				
	6	3	1				
1.3.4	Sex						
	male	10					

Table A 2. Procuring cases recorded by the police in Finland in 1998–April 30, 2001

1.1	Cases:	81
1.2	Procurers (by case)	
1.3.1	nationality/ ethnicity	
	Finnish	60
	Finnish and Estonian	3
	Finnish and Russian	2
	Estonian and Estonian Russian	6
	Russian	3
	Vietnamese	1
	unknown	6
1.3	Prostitutes (by case)	
1.3.1	nationality/ ethnicity	
	Estonian and Estonian Russian	49
	Russian	17
	Finnish	5
	other	1
	unknown	9

**Table A3. Asylum seekers in Finland 1990–1999, by nationality
(Statistical Yearbook of Finland)**

Asia	885	Uganda	10
Afghanistan	120	Zaire & Republic of Congo	317
Bangladesh	248	Zambia	2
Burma	2	Eastern and Central Europe	4,181
Philippines	1	Albania	89
India	34	Bulgaria	258
Cambodia	4	Latvia	43
China	63	Lithuania	81
Nepal	18	Poland	347
Pakistan	111	Romania	780
Sri Lanka	260	Slovakia	1,559
Vietnam	24	Czech Republic	48
North Africa and the Near East	1,899	Czechoslovakia	3
Algeria	156	Turkey	714
Egypt	50	Hungary	18
Iraq	850	Estonia	241
Iran	457	Yugoslavia and its successor States	3,884
Israel	76	Yugoslavia	3,104
Yemen	1	Bosnia-Herzegovina	82
Jordan	42	Federal Republic of Yugoslavia	659
Kuwait	4	Croatia	16
Lebanon	91	Macedonia	17
Libya	22	Slovenia	6
Morocco	59	Soviet Union and its successor States	2,798
Syria	86	Soviet Union	1,833
Tunisia	5	Armenia	25
Africa	4,201	Azerbaijan	20
Angola	123	Georgia	28
Benin	1	Kazakhstan	15
Burkina Faso	2	Moldova	13
Burundi	1	Tajikistan	8
Eritrea	3	Turkmenistan	7
South Africa	4	Ukraine	51
Ethiopia	191	Uzbekistan	7
Gambia	59	Belarus	35
Ghana	135	Russia	756
Guinea	2	Western Europe	7
Guinea-Bissau	2	Netherlands	1
Cameroon	29	Norway	1
Kenya	55	France	1
Democratic Republic of Congo	25	Sweden	1
Liberia	68	Germany	1
Malawi	2	Switzerland	2
Mali	3	Latin America	159
Mauritania	1	Argentina	1
Namibia	1	Barbados	1
Niger	3	Bolivia	9
Nigeria	113	Costa Rica	1
Ivory Coast	19	Jamaica	1
Rwanda	14	Columbia	46
Senegal	17	Cuba	96
Sierra Leone	28	Peru	4
Somalia	2,929	North America & Oceania	2
Sudan	29	Australia	1
Chad	4	Canada	1
Tanzania	2	<i>Other & unknown</i>	<i>95</i>
Togo	7	<i>No nationality</i>	<i>173</i>

Sources

Interviews

Aikio, Annukka, Duovvi ry/rs (NGO).
Asikainen, May-Len, Central Criminal Police.
Ehrstén, Per, Central Criminal Police.
Kauppinen, Jaana, Pro-tukikeskus (Pro-support Centre, NGO).
Keskitalo, Päivi, Pakolaisneuvonta ry (Refugee Counselling Association, NGO).
Koskinen, Kaarina, The Foreigner Authority.
Mattila, Janne, The Border Guard Authority.
Martikainen, Jukka, Central Criminal Police.
Nyström, Jari, Central Criminal Police.
Pullinen, Kristiina, The Border Guard Authority.

Court cases

Helsinki Court of Appeal (HO): R 98/1836, R 99/524 and R 99/634.
Helsinki District Court (KäO): R 96/3398, R 98/5559, R 98/5852 and R 98 /7337
Central Criminal Police (KRP): 7002/R/547/93, 7002/R/141/96 and 2501/R/558/98.
Kotka District Court : R 97/922, R 98/221 and R 01/334.
Kouvola Court of Appeal: R 98/286, R 98/583, 99/101 and R 01/735.
Kouvola District Court : R 98/389.

Legislative documents and statutes

Hallituksen esitys Eduskunnalle rikoslainsäädännön kokonaisuudistuksen toisen vaiheen käsittäviksi rikoslain ja eräiden muiden lakien muutoksiksi (HE 94/1993).
Hallituksen esitys Eduskunnalle oikeudenkäyttöä, viranomaisia ja yleistä järjestystä vastaan kohdistuvia rikoksia sekä seksuaalirikoksia koskevien säännösten uudistamisesta (HE 6/1997).
Hallituksen esitys Eduskunnalle laiksi rikoslain 1 luvun 11 §n muuttamisesta (HE 117/1997).
Hallituksen esitys Eduskunnalle laiksi ulkomaalaislain muuttamisesta (HE 50/1998).
Rikoslaki 39/19.12.1889.
Laki rikoslain muuttamisesta 578/21.4.1995.
Laki rikoslain muuttamisesta 563/24.7.1998.
Ulkomaalaislaki 378/22.2.1991.
Laki ulkomaalaislain muuttamisesta 537/22.4.1999.
Ulkomaalaisasetus 141/18.2.1994.

References:

- Aasmäe, Anneli (2001). Mis maksab laps? Üks võileib, Või näts: Arter 77/22.6.2001.
- European Committee on Crime Problems: Report on the Organised Crime Situation in Council of Europe Member States 1999. Strasbourg: CDPC, PC-S-CO (2000)17.
- Helsingin Sanomat: 'Eurooppa haluaa valikoida siirtolaisensa [Europe wants to select their immigrants]'; HS August 4, 2001.
- Helsingin Sanomat: 'Hallitus haluaa kieltää julkisen prostituution ja alkoholin käytön [The government wants to prohibit prostitution and alcohol consumption in public]'; HS February 8, 2002.
- Helsingin Sanomat: 'Ikääntyvä Suomi tarvitsee siirtolaisia [Ageing Finland needs immigrants]'; HS August 12, 2001.
- Helsingin Sanomat: 'Ilotyöt palasivat Alppiharjun kaduille [The prostitutes returned to the streets of Alppiharju]'; HS June 17, 2001.
- Helsingin Sanomat: 'Itämafia tuo ilotyttöjä Helsinkiin [The Eastern Mafia brings prostitutes to Helsinki]'; HS June 17, 2001.
- Helsingin Sanomat: 'Lasten käyttö seksibisneksessä yleistyy Suomen lähialueilla [Children are being used to an increasing degree in the sex business in the regions adjacent to Finland]'; HS November 10, 2001.
- Helsingin Sanomat: 'Pappi sai parituksesta ehdollista vankeutta [Priest was sentenced to conditional imprisonment for procuring]'; HS December 11, 2001.
- Helsingin Sanomat: 'Puhelintyttöjä paritetaan eniten [Call girls are procured most frequently]'; HS June 17, 2001.
- Helsingin Sanomat: 'Pääkaupunkiseudun paritusringillä oli yli 5 000 asiakasta [Procuring ring in the capital region had over 5,000 clients]'; HS November 13, 2001.
- Helsingin Sanomat: 'Seksibisnestä kovin ottein pyörittäneet miehet vankeuteen [The men doing sex business with tough methods imprisoned]'; HS December 20, 2001.
- Helsingin Sanomat: 'Seksiä myyneet baltialaisnaiset käännetyt Suomesta [Baltic women selling sex were deported from Finland]'; HS January 12, 2002.
- Helsingin Sanomat: 'Suomeenkin tullut kymmeniä EU-maihin laitto masti pyrkiviä [Scores of people attempting to enter the EU illegally have come to Finland]'; HS January 5, 2002.
- Helsingin Sanomat: 'Virolaisnaisten parituksesta syytetty vähätelivät toimintaansa ja voittoa [The men prosecuted for procuring Estonian women belittled their operations and profits]'; HS January 22, 2002.
- Helsingin Sanomat: 'Yli puolet turvapaikanhakijoista EU-maista palautettuja [Over one-half of asylum seekers deported from EU countries]'; HS August 3, 2001.
- Hirv, Kerli (1999). Illegal Entry of Migrants into Estonian Republic. In: IOM Regional Seminar on Migrant Trafficking through the Baltic States and Neighbouring Countries. 17-18 September 1998, Vilnius, Lithuania. Helsinki: IOM, 43-45.
- Hollmén, Lauri & Jyrkinen, Marjut (Eds.) (1999). Building up a network for monitoring, analysing and combating trafficking in women and children. Helsinki: Ministry of the Interior of Finland.

- Hufvudstadsbladet: "Advokater putsar upp fasaden [Lawyers are cleaning the facade]", HBL October 9, 2001.
- Hufvudstadsbladet: "Barn utnyttjas också i Finland [Children are exploited also in Finland]", HBL November 12, 2001.
- Hufvudstadsbladet: "Handeln har ändrat karaktär [The character of the trade has changed]", HBL January 5, 2002.
- Hufvudstadsbladet: "Modern slavhandel: en europeisk storindustri [Modern slave trade: a major European industry]", HBL June 26, 2001.
- Hufvudstadsbladet: "Sexsamtal för hundratals miljoner [Sex phone calls worth hundreds of millions]", HBL October 6, 2001.
- Hufvudstadsbladet: "Tusentals säljer sex i Finland [Thousands are selling sex in Finland]", HBL January 5, 2002.
- Illegal Migration in Lithuania (1999). In: IOM Regional Seminar on Migrant Trafficking through the Baltic States and Neighbouring Countries. 17-18 September 1998, Vilnius, Lithuania. Helsinki: IOM, 46-49.
- Iltasanomat: "Kotkan bordellipomo surmattiin Pietarissa [The brothel boss of Kotka was killed in St. Petersburg]", IS January 16, 2002.
- Jonsson, Stefan & Lidberg, Jens (2001). En buss kommer lastad. En kvalitativ studie om prostitutionen i Tornedalsområdet [A bus comes loaded. A qualitative study of prostitution in the Tornio River Valley region]. C-uppsats, Institutionen för socialt arbete, Umeå universitet.
- Junninen, Mika & Aromaa, Kauko (2000). Professional crime across the Finnish-Estonian border. *Crime, Law & Social Change* 34/2000, 319-347.
- Juntunen, Seppo (1999). Illegal Entry into Finland and Its Prevention. In: IOM Regional Seminar on Migrant Trafficking through the Baltic States and Neighbouring Countries. 17-18 September 1998, Vilnius, Lithuania. Helsinki: IOM, 101-104.
- Jyrkinen, Marjut (2001). Seksikauppa rikkoo ihmisoikeuksia [The sex trade violates human rights] : In Naiskauppa Euroopan reunalla. Tenonlaakson prostituutio maailmanlaajuisen verkoston osana [Trafficking in women in the margin of Europe. Prostitution in the Teno River Valley as part of a global network]. Utsjoki: Duovvi ry/rs, 40-41.
- Kauppinen, Jaana & Silfverberg, Katri (1992). Raportti Suomen prostituutiotilanteesta [Report on the prostitution situation in Finland].
- Keeler, Laura & Jyrkinen, Marjut (1999). Who's Buying? The Clients of Prostitution. Helsinki: Edita.
- Kimpimäki, Minna (1999). Ihmiskauppa kansallisena ja kansainvälisenä ongelmana [Trafficking in persons as a national and international problem]. *Lakimies* 8/1999, 1188-1201.
- Laukkanen, Mari-Elina (1999a). Suomalainen ja muu pohjoismainen prostituutiokirjallisuus [Finnish and other Nordic literature concerning prostitution]. Helsinki: STAKES.
- Laukkanen, Mari-Elina (1999b). Kuhinaa kulissee. Kun suomalainen mies myy potenssiaan [When Finnish men are selling their potency]. STAKESin raportteja 231. Helsinki: STAKES.

- Laukkanen, Mari-Elina (2000). Suomalainen päivälehdistö seksikaupan foorumina [Finnish daily newspapers as a forum of commercial sex]. Sosiaali- ja terveysministeriön selvityksiä 2000:12. Helsinki: Edita.
- Leskinen, Jari (2000). Muutamia huomioita Viron kansallisuuskysymyksestä, rikollisuuden tutkimuksesta ja korruptiosta [Some observations on the nationality question, the investigation of crimes and corruption in Estonia]. Rikostutkimus 1999-2000. Helsinki: Keskusrikospoliisi.
- Mattila, Heikki (1999). Trafficking in Migrants: Global and Regional Perspectives. In: IOM Regional Seminar on Migrant Trafficking through the Baltic States and Neighbouring Countries. 17-18 September 1998, Vilnius, Lithuania. Helsinki: IOM, 21-22.
- Naiskauppa Euroopan reunalla. Tenonlaakson prostituutio maailmanlaajuisen verkoston osana [Trafficking in women in the margin of Europe. Prostitution in the Teno River Valley as part of a global network] (2001). Utsjoki: Duovvi ry/rs.
- Nurmi, Reet (2000). Mobile Russian Prostitution in Finland. Paper presented at the 32nd Triennial Conference of the International Abolitionist Federation, 'Breakdown of Borders', 2-4 December 1999, Copenhagen, Denmark. Julka isematon seminaariesitelmä [unpublished].
- Prostituutio ja paritus Suomessa (2001) [Prostitution and procuring in Finland]. Keskusrikospoliisin rikostietopalvelun tutkimus.
- Severin, Klaus (1999). Role of the German Federal Border Guard in Controlling Cross-border Crime. In: IOM Regional Seminar on Migrant Trafficking through the Baltic States and Neighbouring Countries. 17-18 September 1998, Vilnius, Lithuania. Helsinki: IOM.
- Snellman, Aino (2001). Lääkärinä koettua ihmiskaupasta ja Venäjän arjesta [Experiences of a physician about trafficking in persons and Russian everyday life]. In: Naiskauppa Euroopan reunalla. Tenonlaakson prostituutio maailmanlaajuisen verkoston osana [Trafficking in women in the margin of Europe. Prostitution in the Teno River Valley as part of a global network]. Utsjoki: Duovvi ry/rs, 12-13;
- Suomen tilastollinen vuosikirja 2000 [Statistical Yearbook of Finland 2000]. Helsinki: Tilastokeskus, 132-133.
- Trafficking in Women and Prostitution in the Baltic States: Social and Legal Aspects (2001). Helsinki: IOM.
- Turunen, Merja-Maaria (ed.) (1996). Kun kaikki on kaupan. Prostituution asiantuntijatyöryhmän raportti [When everything is for sale. Report of an expert group on prostitution]. STAKESin raportteja 190. Jyväskylä: STAKES, 20-29.
- Ulkomaalaiset ja siirtolaisuus 1999 [Foreigners and migration] (2000). Helsinki: Tilastokeskus, 8-29.
- Viranomaiskäytännöt, palvelujärjestelmät ja lainsäädäntö [Authority practices, service systems and the law] (1992). Helsinki: Publications of the Advisory Board for International Human Rights Affairs 4, 12.
- Winterfeldt, Sigrun (2001). Prostituutio Finnmarkin pienessä paikallisyhteisössä [Prostitution in the small local community of Finnmark]. In: Naiskauppa Euroopan reunalla. Tenonlaakson prostituutio maailmanlaajuisen verkoston osana [Trafficking in women in the margin of Europe. Prostitution in the Teno River Valley as part of a global network]. Utsjoki: Duovvi ry/rs, 17-19).

