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Action plan against labour exploitation



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Action plan against labour exploitation

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Abstract

The Finnish labour market has a shortage of skilled workers. One of the key objectives set out in the Programme of Prime Minister Petteri Orpo's Government is to strengthen Finland's labour market. While employment must be provided to unemployed jobseekers already in Finland, the country also needs work-based immigration. The plan is to supplement the labour force primarily from EU/EEA countries, while also promoting international recruitment in a targeted manner from third countries. This should be combined with advance measures that actively address abuses in the labour market.

Promoting work-based immigration in a sustainable manner requires that exploitation of foreign labour is prevented and actively combated. A wide range of measures is needed to ensure that every employee can work in an environment that is safe and where workers are treated fairly.

The action plan against labour exploitation is based on the government resolution on a strategy to prevent and combat labour exploitation, adopted in spring 2023. The action plan includes 33 measures that respond to the objectives described in the strategy and ensure that the entries in the Government Programme on combating exploitation of labour will be implemented.

Keywords labour exploitation, work-based immigration, working life, action plans

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Työperäisen hyväksikäytön vastainen toimenpideohjelma

Työ- ja elinkeinoministeriön julkaisuja 2024:5

Julkaisija

Työ- ja elinkeinoministeriö

Teema

Työelämä

**Yhteisötekijä
Kieli**Työperäisen hyväksikäytön vastaisen toimenpideohjelman työryhmä
englanti**Sivumäärä**

43

Tiivistelmä

Suomen työmarkkinoilla on pulaa osaavasta työvoimasta. Pääministeri Petteri Orpon hallitusohjelman yhtenä keskeisenä tavoitteena on työmarkkinoiden vahvistaminen. Kotimaisten työttömien työnhakijoiden työllistämisen lisäksi tarvitaan työperäistä maahanmuuttoa. Työvoimaa täydennetään ensisijaisesti EU/ETA-maista, minkä lisäksi kansainvälistä rekrytointia edistetään kohdennetusti myös kolmansista maista. Samalla tulee puuttua ennakoiden ja aktiivisesti työmarkkinoilla esiintyviin väärinkäytöksiin.

Työperusteisen maahanmuuton kehittäminen kestäväällä tavalla edellyttää, että ulkomaisen työvoiman hyväksikäyttöä torjutaan ennakoiden ja aktiivisesti. Tarvitaan laaja-alaisesti erilaisia toimenpiteitä, joilla varmistetaan, että jokainen työntekijä voi tehdä työtä turvallisessa ja oikeudenmukaisessa ympäristössä.

Työperäisen hyväksikäytön vastainen toimenpideohjelma pohjautuu keväällä 2023 hyväksytyyn valtioneuvoston periaatepäätökseen työperäisen hyväksikäytön ehkäisemisen ja torjumisen strategiasta. Ohjelma sisältää 33 toimenpidettä, joilla vastataan strategiassa kuvattuihin tavoitteisiin ja samalla varmistetaan hallitusohjelmaan sisällytettyjen työperäisen hyväksikäytön vastaisten kirjausten toimeenpano.

Asiasanat

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Åtgärdsprogram mot arbetsrelaterat utnyttjande

Arbets- och näringsministeriets publikationer 2024:5		Tema	Arbetsliv
Utgivare	Arbets- och näringsministeriet		
Utarbetad av	Arbetsgruppen med uppgift att bereda ett åtgärdsprogram mot arbetsrelaterat utnyttjande		
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Referat

Det råder brist på kompetent arbetskraft på den finländska arbetsmarknaden. Ett viktigt mål i regeringsprogrammet för statsminister Petteri Orpos regering är att stärka arbetsmarknaden. Förutom sysselsättning av inhemska arbetslösa arbetssökande behövs även arbetskraftsinvandring. Arbetskraften kompletteras i första hand med arbetstagare från EU- och EES-länder, och utöver det främjas också riktad internationell rekrytering från tredjeländer. Samtidigt måste man proaktivt och effektivt ingripa i missbruk på arbetsmarknaden.

För att arbetskraftsinvandringen ska kunna främjas på ett hållbart sätt förutsätts det proaktiva och effektiva åtgärder för att bekämpa utnyttjandet av utländsk arbetskraft. Det behövs ett brett spektrum av åtgärder för att säkerställa att varje enskild arbetstagare kan arbeta i en trygg och rättvis miljö.

Åtgärdsprogrammet mot arbetsrelaterat utnyttjande baserar sig på statsrådets principbeslut om en strategi för att förebygga och bekämpa arbetsrelaterat utnyttjande, som godkändes våren 2023. Programmet innehåller 33 åtgärder med syftet att uppfylla de mål som beskrivs i strategin. Samtidigt säkerställer man att de föresatser mot arbetsrelaterat utnyttjande som ingår i regeringsprogrammet genomförs.

Nyckelord utnyttjande av arbetskraft, arbetskraftsinvandring, arbetsliv, åtgärdsprogram

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1 Introduction

There is a shortage of skilled labour in the Finnish labour market. One of the key objectives set out in the Programme of Prime Minister Petteri Orpo's Government is to strengthen Finland's labour market. Work-based immigration is very important for Finland's economic growth and safeguarding of services, and international recruitment to Finland will be promoted in a targeted manner in order to achieve this goal. At the same time, however, it is necessary to address exploitation in the labour market proactively and actively. Work-based immigration can only be developed in a sustainable manner if the exploitation of foreign labour is effectively prevented.

As the use of foreign labour increases, preparations must also be made for possible negative consequences, such as an increase in labour exploitation and human trafficking. A wide range of measures are needed to combat the exploitation of immigrants arriving in Finland and living in Finland and to ensure that every employee can work in a safe and fair environment.

2 Background

In September 2023, the Ministry of Economic Affairs and Employment appointed a steering group for work against labour exploitation and a working group for preventing and combatting labour exploitation. The task of the steering group is to steer the preparation of the action plan and monitor its implementation throughout the government term. In addition to the Ministry of Economic Affairs and Employment, the Ministry of Justice, the Ministry of the Interior, the Ministry of Social Affairs and Health, the Ministry for Foreign Affairs and the Ministry of Agriculture and Forestry are represented in the steering group and working group.

The task of the working group was to prepare an extensive action plan against labour exploitation by the end of 2023. In addition to the steering group, the working group has worked in close cooperation with the advisory board on collective agreement and permit enforcement of foreign employees and entrepreneurs operating in connection with the Ministry of Economic Affairs and Employment. The social partners are represented in the Advisory Board and measures concerning the functioning of the labour market have been discussed with it. The working group has also consulted the National Bureau of Investigation and the Tax Administration as part of the preparatory work.

This action plan is based on the Government resolution on the strategy for preventing and combatting labour exploitation, which was adopted on 9 March 2023¹. The strategy broadly describes how the most effective action against the exploitation of foreign labour, human trafficking, the grey economy and economic crime is cross-administrative and comprehensive. The prevention of exploitation must be carried out extensively, and it requires a variety of measures.

1 Government resolution on the strategy for preventing and combatting labour exploitation (in Finnish) <http://urn.fi/URN:ISBN:978-952-287-900-4>

The strategy for preventing and combatting the exploitation of foreign labour aims to:

1. safeguard the operating conditions of authorities involved in preventing and combatting the grey economy and economic crime and exploitation as well as develop cooperation between these authorities;
2. promote the identification and detection of exploitation and trafficking of humans, improving the status of exploited workers and preventing the recurrence of exploitation;
3. promote the integration, establishment and social inclusion of foreigners arriving in Finland from abroad to work in Finland;
4. strengthen corporate and public contracting entities' social responsibility in preventing and combatting the exploitation of foreign labour;
5. improve the implementation of criminal liability while ensuring the legal protection of the suspect.

This action plan has been compiled so that the measures meet the objectives described in the strategy and, at the same time, ensure the implementation of the entries against labour exploitation included in the Government Programme. This has been done to ensure that the response to preventing and combatting labour exploitation is sufficiently broad and diverse.

The measures have been described in a concise manner, including the responsible parties and schedules. An estimate of the cost of the measure and an indication of the need for additional funding means that the measure can only be implemented if it is possible to secure funding for it. A decision on any additional national funding of the measures will be made in the normal budgetary procedure. If the cost estimate and funding are not mentioned separately, the intention is, as a rule, to implement the measure as official duties or by allocating existing appropriations.

The action plan has been approved by the Ministerial Working Group on Employment and Entrepreneurship. The steering group for work against labour exploitation is responsible for monitoring and steering the implementation of the programme throughout the government term. The working group's term of office will be extended by decision of the steering group until 31 March 2027. Its task is to monitor and support the implementation of the measures and to ensure reporting to the steering group.

3 Safeguarding the operating conditions of authorities involved in preventing and combatting the grey economy and economic crime and exploitation as well as developing cooperation between these authorities

3.1 Developing the exchange of information between authorities

Measure 1: Improving the possibilities for cooperation between authorities, including ensuring access to information and information exchange rights between authorities initiated by authorities themselves.

Organisation responsible: Ministry of Justice, Ministry of Economic Affairs and Employment, Ministry of the Interior, Ministry of Social Affairs and Health

Timeline: Q1/2024 –

Cost estimate and funding: Requires additional funding; the Ministry of Justice has proposed that key ministries (Ministry of Economic Affairs and Employment, Ministry of the Interior, Ministry of Education and Culture, Ministry of Social Affairs and Health) apply for it from the operating expenditure provision of the Prime Minister's Office.

Background: The contents of the measure include developing the exchange of information between legislation and other authority measures in accordance with the Government Programme so that the prevention of exploitation is made more effective and the competent authorities are informed of the abuses.

In accordance with the Government Programme, human trafficking will be prevented in a cross-administrative and comprehensive manner, combatting human trafficking will be made more efficient, and the exchange of information between authorities will be ensured. The Ministry of Justice has proposed that

key ministries apply for a broad-based information exchange coordination project from the Prime Minister's Office's operating expenditure reserve to support the implementation of the Government Programme entries.

Work-related exploitation and human trafficking are typically hidden crimes that do not necessarily come to the attention of the authorities. Victims of crime may be in such a vulnerable position that they cannot report the offence. Low risk of being caught may lead to the expansion of individual forms of crime or the emergence of new forms of crime.

For this reason, the authorities' self-initiated investigation and supervisory activities play a key role in protecting the victim and promoting the detection of crimes. Therefore, the effectiveness of crime prevention requires that the rights and obligations of competent authorities concerning the disclosure of information and access to information are adequate and the content of the legislation is known and there are no interpretation problems related to it. The most frequent view of development needs is related to the spontaneous exchange of information between authorities.

The success of systematic multi-authority activities and the related selection of common target procedure requires a smoother exchange of information between the authorities. A knowledge-based multi-authority model for combatting labour exploitation and human trafficking promotes the more efficient and appropriate use of official resources and the effectiveness of work against human trafficking.

If this large-scale information exchange coordination project is implemented, the measure will be considered as part of that project. If this is not realised, there must be a discussion between the ministries on how this measure will be implemented and on what resources.

3.2 Developing the analysis activities of the authorities and the utilisation of analysis data

Measure 2: The analysis activities of the authorities and the utilisation of analysis data will be developed in cooperation with the authorities. The availability of situational information related to human trafficking crimes to support strategic and political decision-making will be ensured.

Organisation responsible: Ministry of the Interior with Ministry of Justice, Ministry of Social Affairs and Health, Ministry of Economic Affairs and Employment, Ministry of Finance; requires extensive cross-administrative cooperation

Timeline: From Q1/2024 onwards

Background: The content of the measure is to create a structure for analysis activities related to labour exploitation and human trafficking from different authorities. The aim is to create a system for collecting tip-off information in different authorities and to build the necessary technical user interfaces. Data analysis would be centralised to the National Bureau of Investigation.

a) The analysis activities of the authorities and the utilisation of analysis data will be developed in cooperation with the authorities

Developing analysis activities means that different authorities should agree on the systematic collection of "tip-off information" and the transmission of this information in a structural format through bulk disclosure via interfaces. To this end, a data collection method should be created for different authorities and used for recording and transmitting data. At the same time, persons working in different organisations should be encouraged to communicate this information. The matter also applies to the police, i.e. the extra information on the cases to be investigated should be entered in a register suitable for the purpose.

Collecting, combining and analysing weak signals in different authorities can produce better information for the needs of risk-based target control, which can be utilised in multi-authority cooperation to maintain a situational overview related to preventive and investigative activities and the phenomenon. Authorities which might receive such additional information include Regional state administrative authorities, Centres for Economic Development, Transport and the Environment, the Finnish Immigration Service, the Finnish Border Guard, the Finnish Customs, the

Finnish Tax Administration and the police (the list is not exhaustive). The disclosure of data is as important as data collection. The police should also be able to disclose analysed information to other authorities on their own initiative.

The National Bureau of Investigation is responsible for the centralisation and maintenance of the national situational overview related to human trafficking offences. The general overview and analysis work can be used to direct activities and target preventive measures. The situational overview report can also help see changes occurring within the phenomenon, for which more extensive solutions should be considered.

b) The availability of situational information related to human trafficking crimes to support strategic and political decision-making will be ensured

The national situational picture and analysis work produced by the National Bureau of Investigation can be used to assess the adequacy of the measures already taken, to create more extensive solutions and to look for completely new solutions.

The National Bureau of Investigation's analysis activities produce a) a situational overview report suitable for internal use by the police and b) a situational overview report suitable for use by the authorities. The national situational overview report on human trafficking intended for official activities should be submitted to at least the steering group of the action plan against labour exploitation so that it can be utilised in the steering of work against labour exploitation and to support strategic and political decision-making. The information produced by the report would make it easier to assess the overview of the phenomenon and succeed in this measure during the government term. The National Police Board's permission is required for obtaining an analysis report for such a task.

The current situational picture is largely formed from the perspective of the police. Improved situational awareness will require progress in point (a).

3.3 Co-operation between agencies will be further developed

Measure 3: Develop practical cooperation between authorities to prevent labour exploitation by means of a pilot project.

Organisation responsible: Ministry of Social Affairs and Health, Ministry of the Interior

Timeline: Q1/2025–Q4/2026

Cost estimate and funding: Requires additional funding for the implementation and coordination of the pilot, an estimate of 7 person-years between 2025 and 2026 for the authorities participating in the pilot (the Occupational Safety and Health Divisions of the Regional State Administrative Agencies, the local police department and the Finnish Tax Administration). Required total funding EUR 1,000,000. Funding will be applied from the Internal Security Fund (ISF) managed by the Ministry of the Interior in the spring 2024 application period.

Background: For a long time, Finland has engaged in high-quality cooperation between the authorities in combatting the grey economy and, to some extent, in preventing labour exploitation. From the perspective of the Occupational Safety and Health Administration, many cases in which there is a clear suspicion of labour exploitation would be ones to which the police should be linked right from the start. This saves the authorities' resources.

Cooperation has been promoted well, and work needs to continue. Development work is needed for national coordination, the integration of EU-level cooperation as part of cooperation between authorities and the selection of targets for joint inspections. In the first phase, two separate regional pilot projects will be launched. The project will test what practical added value will be achieved through multi-authority cooperation. The development and organisation needs will be mapped on the basis of the experiences of the pilot project, and a proposal will be made on how to create permanent national and regional structures for multi-authority cooperation.

Measure 4: A national cooperation network will be set up to promote the prevention of undeclared work. In addition to promoting the fight against undeclared work, the EU's internal measures against labour exploitation will be expanded to the tasks of the network

Organisation responsible: Ministry of Economic Affairs and Employment, Ministry of Social Affairs and Health, Ministry of the Interior, Ministry of Finance, Regional State Administrative Agency for Southern Finland (Occupational Safety and Health), Finnish Centre for Pensions, Migri, Ministry of Justice, National Police Board, Office of the Prosecutor General, Tax Administration, Grey Economy Information Unit

Timeline: Q1/2024 – Q4/2026

Background: The content of the measure is to set up a national cooperation network promoting cooperation against undeclared work for three years at the end of the current network's term of office on 31 December 2023. The Network shall support the work of the European platform for cooperation against undeclared work of the Permanent Expert Group of the European Labour Authority (ELA) to achieve its objectives and fulfil its tasks (e.g. exchange of good practices, promotion of skills, information). The cooperation network against undeclared work also promotes cooperation within the EU to combat labour exploitation. The composition of the network is extensive, covering the necessary ministries and their different departments and authorities to combat undeclared work.

In the fight against undeclared work, the ELA Regulation requires effective and productive cooperation between actors and an extensive understanding of horizontal issues related to undeclared work. To this end, the aim of the network is to provide central labour market organisations at national level with the opportunity to be consulted annually. The network invites labour market organisations at the national level to participate in practical activities, such as communication campaigns.

The network strengthens the Government's internal coordination, cooperation, competence and awareness of measures taken against undeclared work and labour exploitation.

Measure 5: Investigating ways of intensifying cooperation between authorities and developing competence in combatting labour exploitation.

Organisation responsible: Ministry of Economic Affairs and Employment, Ministry of Justice, Ministry of the Interior, Ministry of Social Affairs and Health

Timeline: Starting from Q2/2024

Costs and funding: Requires additional funding; 1 person-year for carrying out the investigation and co-ordination at the ministry level. Will be applied for from the operating expenditure provision of the Prime Minister's Office.

Background: The content of the measure is to examine how the coordination of work against labour exploitation should be organised at both operational and ministry level, and how cooperation between the authorities' network could be intensified and competence centralised in connection with the phenomenon. In

addition, the need for a separate centre of expertise would be examined. The aim is to ensure the sharing of both phenomenon- and case-level information and the maintenance of the situational overview.

The aim is that the state's measures to combat labour exploitation are effectively coordinated and impactful. All competent authorities must have an up-to-date situational overview of the risks and manifestations of labour exploitation, in which case both the measures preventing exploitation and the measures promoting its disclosure and prevention are targeted correctly and implemented efficiently and consistently.

4 Promoting the identification and detection of exploitation and trafficking of humans, improving the status of exploited workers and preventing the recurrence of exploitation

The aim is to promote the identification and reporting of exploitation and human trafficking and to improve the position of victims of exploitation and human trafficking in services. The aim is for victims of exploitation and human trafficking to receive the support and assistance they need. The aim is also to prevent the recurrence of exploitation.

A precondition for achieving the objectives is that the victims dare to report the abuse to the authorities and seek help. In addition, there is a need for strengthening and centralising competence in the service system as well as additional means to support the safe and equal employment of victims of exploitation. In order to achieve these objectives, close cooperation will be carried out with labour market and non-governmental organisations that encounter and assist victims.

4.1 Strengthening ex-ante and ex-post monitoring in the residence permit procedure for workers

Measure 6: A Government proposal to amend the Aliens Act will be prepared so that it will be possible to refuse a residence permit in situations when there are reasonable grounds to suspect that the foreigner is a victim of exploitation or could end up in a vulnerable position.

Organisation responsible: Ministry of the Interior

Timeline: Q3/2023–Q2/2024

Background: It has been repeatedly observed in the permit procedure related to an employee's residence permit and seasonal workers that applicants are at risk of being vulnerable and victims of work-related exploitation due to their personal circumstances (e.g. lack of language skills and a low level of education). It is necessary to develop advance supervision in the residence permit procedure in order to prevent abuse.

As part of the reform of the regulation on the circumvention of entry provisions (SM041:00/2023), the aim is to introduce provisions in the Aliens Act that enable the refusal of a residence permit in situations when there are reasonable grounds to suspect that a foreigner is subject to exploitation or in a vulnerable position. This could be, for example, work-related exploitation or even indicate characteristics of human trafficking. A residence permit could be refused for the benefit of the applicant to protect them from exploitation and being in a vulnerable position. In practice, this could mean situations when the applicant is not aware of the circumstances in which they are arriving in Finland, or their position is otherwise weak due to, for example, lack of language proficiency. Regulations could, for example, address the risks arising from questionable employment services.

Measure 7: Follow-up monitoring will be developed to identify risk factors in the residence permit procedure. Automated follow-up measures will be created in work-based residence permit processes to screen work-related exploitation during the validity of the permit.

Organisation responsible: Finnish Immigration Service

Timeline: Q1/2024–Q4/2024

Background: The supervision of residence permits is carried out by utilising official register data from different sources, such as the Incomes Register. By utilising automation, it is possible to screen the risk factors of labour exploitation more effectively in valid work-related residence permits. For example, follow-up monitoring can be used to check whether a person is paid a salary or a fee. In this way, it is possible to identify persons with a work-based permit who have moved from paid employment to self-employment.

4.2 Developing legislation to improve the status of victims of exploitation

Measure 8: Changes preventing and combatting work-related exploitation will be investigated and implemented in connection with the residence permit procedure, such as the impacts of suspected offences on the employer, clarifying the limits of the employer's liability, and further development of the residence permit granted to victims of exploitation.

Organisation responsible: Ministry of Economic Affairs and Employment

Timeline: From Q4/2024 onwards

Background: Several reforms have been implemented in recent years to prevent labour exploitation and to renew residence permits issued on the basis of work. Key reforms have included, for example, an extended permit granted due to the employer's reprehensible actions (section 54 b of the Aliens Act), extending the right to work of an exploited employee, clarifying the client's responsibility and clarifying the scope of use of the abstention decision and extending its validity. In connection with the reforms, the Employment and Equality Committee required that the impacts of the changes be monitored and reports on them submitted to the committee. Reports on the legislative amendments that entered into force in 2021 were submitted to the committee in December 2022, although there was practically little time to assess the impacts. Improvement proposals were already identified in the reports and the monitoring will continue; in addition, the authorities and stakeholders have also highlighted other development proposals that it would be justified to examine in a separate project.

Measure 9: Based on the reports, the necessary legislative amendments will be implemented to improve the status of collectors of natural products, to prevent and combat labour exploitation and to guarantee the availability of labour. Supporting actors in the sector in their work on corporate responsibility and ensuring through adequate supervision that measures against labour exploitation are implemented in practice.

Organisation responsible: Ministry of Economic Affairs and Employment

Timeline: From Q1/2024 onwards

Background: Several suspicions of exploitation and human trafficking have emerged in connection with berry pickers, and the Finnish Berry Act does not provide sufficient protection for pickers. On several years, the authorities have received anonymous information that the pickers' earnings are very low or that the pickers are even losing money. The same is suspected in extensive, ongoing human trafficking investigations conducted by the police. The TE Office is unable to adequately take into account suspected cases of exploitation in its reliability decisions, nor can the diplomatic mission do that when making visa decisions. The supervision of the occupational safety and health authority does not extend to the payment of earnings. The Schengen visa is no longer a viable solution for pickers' entry.

To support the legislative project, the Ministry of Economic Affairs and Employment will commission a report on the economic impacts of different regulatory options on foreigners collecting natural berries and companies in the berry sector and other impacts on the status of collectors. In addition, the impacts of the alternatives on public finances will be examined. In addition to the external report, the authorities assess the other impacts of the regulatory options to support political decision-making. After the preliminary review phase, a legislative project will be set up to prepare the necessary proposals for changes.

4.3 The impact of differences between entrepreneurship and employment are taken into account in the prevention of labour exploitation

Measure 10: The impacts of the registration obligation of any invoicing service companies on labour exploitation will be examined as part of the implementation of the Government Programme.

Organisation responsible: Ministry of Economic Affairs and Employment

Timeline: Q4/2025–Q1/2026

Background: As indicated in the Government Programme, the possibilities of disguising employment relationships as business activities should be reduced by creating a registration obligation for invoicing service companies and an obligation to identify their customers when they register with strong identification.

Before introducing the registration obligation, it must be assessed whether the registration obligation is an effective way to address the problem or whether the objective can be achieved by some other means. The assessment must take into account the constraints set by the Constitution (freedom of trade) and EU law (free movement of services). In addition, the impacts on persons who do not have a strong Finnish identifier must be assessed.

Measure 11: Promoting the correct classification of the legal relationship concerning employment (employment/entrepreneurship) and enhancing communication.

Organisation responsible: Ministry of Economic Affairs and Employment, extensive cross-administrative cooperation

Timeline: Q3/2024–Q3/2026

Cost estimate and funding: Requires additional funding; Communication material and preliminary report on the analysis of the digital tool require separate funding

Background: The application practices of the authorities concerning the differences between employment and entrepreneurship have been examined in a separate project TEM022:00/2022. Legislation has been developed (the Employment Contracts Act and the Act on Occupational Safety and Health Enforcement) to support the authorities' operating conditions for supervising work carried out in an employment relationship and combatting the misclassification of contracts concerning work as part of combatting the grey economy. These amendments entered into force in July 2023. The legal effects of legislative amendments can only be assessed in the longer term. A report on low-threshold legal remedies is the continuation of the above-mentioned reports and development work.

Based on the proposals of the working group examining low-threshold legal remedies, the development work will be continued to support the better assessment, classification and contract practices of the legal nature of the employment relationship (employment relationship/entrepreneur), especially by enhancing communication and official advisory services, including a preliminary study on the possibilities of introducing a digital tool and its synergies with other digital communication tools.

The aim of the measure is to improve the efficiency of communications by increasing understanding of the differences in legal relationships (employment/entrepreneurship) and the identification of risks when negotiating agreements.

Extensive cross-administrative cooperation is needed to implement the measure.

1) Communication: Ministry of Economic Affairs and Employment, Ministry of Social Affairs and Health, Ministry of Justice and authorities AVI, tax, police, Finnish Centre for Pensions, Migri; 2) Advice to the authorities: Regional State Administrative Agency, police, tax, Finnish Centre for Pensions, Migri.

4.4 Developing the authorities' competence in the service system to identify exploitation and human trafficking and to improve victims' access to assistance

Measure 12: A national steering and identification mechanism for victims of human trafficking will be created.

Organisation responsible: Ministry of Justice, Ministry of Social Affairs and Health

Timeline: Q2/2023–Q2/2025

Financing: EU Internal Security Fund (ISF)

Background: The aim is to provide professionals encountering victims of human trafficking in the scope of their work with instructions for the identification of victims of human trafficking and on how to ensure access to services. The instructions will be drawn up in the form of a handbook. The handbook is a recommendation for victim identification, service guidance and the organisation of services and treatment.

Supporting victims of labour exploitation and human trafficking is important not only in safeguarding the victims' rights but also in ensuring the detection of exploitation crime, the realisation of criminal liability and effective crime prevention. The victim is more likely to be willing to report the offence to the authorities if they receive expert support during the criminal proceedings. Specialised, sufficient and up-to-date support also streamlines the process and increases the detection of human trafficking offences.

Measure 13: Strengthening the competence of authorities receiving residence permit applications to identify labour exploitation.

Organisation responsible: Ministry for Foreign Affairs, Finnish Immigration Service

Timeline: Q2/2024–Q1/2025

Background: In the current situation, the Ministry for Foreign Affairs personnel responsible for immigration matters are provided with extensive training in immigration matters before starting their duties, and some of the training is compulsory. At the moment, however, compulsory training focusing solely on phenomena and prevention of labour exploitation is not available, as the training related to the topic has been integrated into other residence permit training. The need for further training on the topic has been identified in Finnish missions.

The content of the measure is to organise training for officials receiving applications to identify labour exploitation by means of a training package for authorities. The training will be included as part of compulsory training for staff dealing with immigration matters. In addition, the special needs of the missions will be mapped in order to target training, for example, to partner countries in international recruitment. Sufficient resources and expert support for missions should also be ensured and third-sector experts should be used in training as far as possible.

The aim of the measure is to ensure that the Ministry for Foreign Affairs staff dealing with immigration matters have sufficient competence and tools to identify phenomena of labour exploitation and persons at risk before they arrive in Finland. The identification of phenomena of labour exploitation and risks in missions mainly takes place in connection with the identification and/or consultation of applicants. In order to ensure a smooth application process, it is essential that the official has sufficient competence and time to draw the necessary conclusions quickly from the applicant's situation and to be able to decide on any further measures.

Measure 14: Developing the competence of the authorities in TE Offices and municipal employment services.

Organisation responsible: KEHA Centre

Timeline: Q1/2024–Q2/2024

Background: The content of the measure is to develop the competence of the authorities in TE Offices and municipal employment services and to improve the efficiency of services for work-based immigrants. Training to identify and combat labour exploitation would be organised for personnel. In addition, instructions will be updated to improve the efficiency of information sharing for customers and to improve the exchange of information between cross-administrative authorities.

Through training measures and updated operating instructions, awareness of the phenomenon is improved among those working with clients in the employment services. The identification of victims of labour exploitation will improve and the guidance of victims of labour exploitation will be made more efficient. Immigrants receive information about working life and their rights and obligations in Finland, which reduces labour exploitation.

Measure 15: Training the supervisory and granting authorities of agricultural subsidies and applicants for support on social conditionality requirements.

Organisation responsible: Ministry of Agriculture and Forestry

Timeline: Legislative amendments to enter into force in Q1/2025, implementation Q1/2025–Q4/2027

Background: Compliance with social conditionality requirements will become one of the preconditions for granting area-based and animal-based subsidies co-financed by the EU, i.e. compliance with certain provisions of employment contract and occupational safety and health legislation. Failure to comply with the social conditionality requirements may lead to a reduction in the amount of aid granted to the applicant or to the recovery of aid already paid.

In connection with the reform of the EU's common agricultural policy for the funding period 2021–2027, from the beginning of 2025 onwards, the so-called social conditionality requirements referred to in Article 14 of EU Regulation 2021/2015 concerning compliance with certain provisions of employment contract and occupational safety and health legislation as a condition for receiving support will become a condition for granting area-based and animal-based subsidies wholly and partially financed by the EU. Failure to comply with the social conditionality requirements may lead to a reduction in the amount of aid granted to the applicant or to the recovery of aid already paid.

When social conditionality requirements become a condition for receiving support, other supervisory authorities (e.g. the Centre for Economic Development, Transport and the Environment) must also notify the competent authority (occupational safety and health authority) of any non-compliance with social conditionality requirements detected in connection with other supervision carried out by the Centre for Economic Development, Transport and the Environment. The necessary

legislative amendments are prepared for the substance legislation of the Ministry of Agriculture and Forestry, and the paying agency (Finnish Food Authority) is responsible for organising the training.

Measure 16: Training the authorities to improve the efficiency of the investigation of human trafficking offences.

Organisation responsible: Ministry of the Interior, PoIAMK

Timeline: Q1/2024

Background: The aim is that the organisation of training will utilise the creation of operating models that support the systematic management of multi-authority activities for the police (MOVI) and the completed pre-trial investigation modelling project for human trafficking (IHME model). The projects implemented in the Police University College's research, development and innovation activities have produced the best expertise and an overall idea of what a training event should contain.

In addition, the Police University College will organise national separate training on human trafficking offences between 14 and 16 February 2024. In particular, the training is directed at heads of investigation, team leaders and researchers conducting investigations of labour exploitation and human trafficking offences. Participation quotas for different cooperation authorities (judges, prosecutors, regional administrative authorities, etc.) have been reserved for the training event.

The training will enhance and harmonise police measures in the investigation and detection of human trafficking offences in different parts of Finland. The training develops the ability of operational actors to identify victims of human trafficking. The training event will be recorded and can continue to be used in other training provided.

5 Promoting the integration, establishment and social inclusion of foreigners arriving in Finland from abroad to work in Finland

The aim is to improve the integration, establishment and social inclusion of employees and their families in the country. At the same time, the aim is to proactively prevent the exclusion of those who have arrived for work and their families and the creation of shadow communities.

The aim is also to ensure that the employee will know about the operation of Finnish working life when receiving a residence permit and what terms and conditions of employment the employer has committed to when hiring them.

Achieving this goal requires active measures to ensure that foreigners arriving in Finland are aware of the operation of society and the service system as well as their rights and obligations in working life. More cooperation with labour market organisations is needed to ensure that correct, sufficiently accurate and also sector-specific information on the terms and conditions of employment is available to employees already when they conclude an employment contract.

Achieving the objectives also requires recognising that foreign workers arriving in Finland have different basic capabilities for coping in society and working life, finding out about their rights, obligations and opportunities, and seeking advice, support or help from authorities and other actors if necessary. Preventive measures are also needed at the initiative of the authorities, especially for workers entering high-risk sectors. This requires the authorities to be able to carry out an equality impact assessment in interaction with civil society, especially in consultation with groups at risk of discrimination.

5.1 Increasing advisory services, use of interpreters and information on society and working life rules in both Finland and the countries of origin

Measure 17: The availability of comprehensive information on living in Finland in different languages will be ensured. The basic information material referred to in the Act on the Promotion of Immigrant Integration will be updated and a modern and cost-effective implementation method will be created.

Organisation responsible: Ministry of Economic Affairs and Employment

Timeline: Q4/2023–Q3/2025

Background: In accordance with both the valid Act on the Promotion of Immigrant Integration and the amending Act that enters into force on 1 January 2025, an authority applying the Act must provide information to immigrants on their rights and obligations in Finnish society and working life in connection with the notification of a residence permit decision, the registration of their right of residence, the issuing of a residence card or the registration of their municipality of residence and population data. The Ministry of Economic Affairs and Employment is responsible for the coordination of basic information material while the authorities are responsible for producing and updating content. The material is also distributed to everyone moving to Finland on the basis of their work. The basic information material is updated and modernised so that it not only contains information on rights and obligations, but also directs people to work, language studies, self-study materials for social orientation and emphasises the immigrant's own activeness. The update includes any new format (e.g. mobile application) on the basis of a report by the Ministry of Economic Affairs and Employment which was completed at the end of 2023. The aim is to ensure that the maintenance, translation and distribution of material is cost-effective and up-to-date, so that the updating of material is agile for the authorities and the material is easily available for people moving to Finland.

Clear basic information material and its dissemination can help increase information provided on working, living, rights and obligations in Finland in different languages. The material guides those moving to Finland in how to independently find the right information and services. The new distribution method (e.g. mobile application) promotes the dissemination of information related to work, language skills, Finnish

society and obligations to all those moving to Finland. Accurate basic information distributed to everyone can also be used to prevent labour exploitation and housing problems.

Measure 18: In cooperation with labour market organisations, concise information will be produced on the provisions of generally applicable collective agreements in several languages.

Organisation responsible: Labour market organisations, Ministry of Social Affairs and Health

Timeline: Q1 – Q4/2024

Cost estimate and funding: Requires additional funding; estimated at EUR 100,000, funding possibly available through the European Labour Authority (ELA)

Background: The purpose of the measure is to produce summarised information on the provisions of generally applicable collective agreements (TES) in different languages, especially regarding pay and working hours. This gives foreign workers better opportunities to know in practice the minimum terms of employment in different sectors in accordance with Finland's mandatory labour legislation.

Currently, the language availability of the information varies by sector, and some of the existing TES translations are only available in English without summaries. This existing material can be used in cases when both parties to the collective agreement agree on the content. The occupational safety and health authority has been informed by several parties (foreign workers, non-governmental organisations, etc.) how it is currently challenging for foreign workers to obtain information on the minimum terms and conditions of employment, which are determined through generally applicable TES provisions. Both parties to collective agreements should be involved in this work, as only they have the right to interpret the provisions of the TES. The aforementioned measure would also help companies posting workers to Finland and Finnish employers with a foreign background to better understand Finland's mandatory labour legislation and its provisions.

Measure 19: Increasing the marketing of the Work Help Finland application and expanding its content.

Organisation responsible: Ministry of the Interior, Ministry of Justice, Ministry of Social Affairs and Health, Ministry of Economic Affairs and Employment, Ministry for Foreign Affairs.

Timeline: From Q4/2023 onwards

Cost estimate and funding: Requires additional funding if information on, for example, entrepreneurship is to be added to the application

Background: The measure increases the awareness of foreign workers living and arriving in Finland of their rights and obligations in the labour market. The existing Work Help Finland application, which has 26 different language options, will be utilised to share information.

The implementation of the communication project of the Work Help Finland application started in September-November 2023. A variety of digital and other materials have been produced for communication, which will be distributed by different authorities to foreigners residing and arriving in the country. The aim of raising awareness of the application is to share correct information on workers' rights and obligations.

The more people can obtain information through the application in their mother tongue, the greater its intended impact in preventing exploitation. On the other hand, it is also possible to find help through the application if you have already been a victim of labour exploitation or human trafficking.

Information on e.g. entrepreneurship could be added to the application in further development.

Measure 20: Increasing general information on the prevention of labour exploitation through the network of Finnish diplomatic missions.

Organisation responsible: Ministry for Foreign Affairs

Timeline: Q4/2023–Q4/2024

Background: As part of central government measures concerning international recruitment in the countries of origin of the experts, it is necessary to share reliable information on the rights and obligations of employers and employees in Finland, making use of social media, the websites of diplomatic missions and other communication channels, taking into account the conditions in the countries of origin. Information is also shared on trustworthy recruitment partners, which contributes to preventing persons considering migration from becoming victims of exploitation.

Efforts are particularly important to prevent the collection of fees related to recruitment, departure coaching, travel arrangements, etc. from the persons moving to Finland. It is also important to pay attention to those whose literacy is limited. Sufficient information sharing must also be ensured in the early stages of the residence permit process, for example by utilising material distributed in the premises of an external service provider.

The implementation of the communication project of the Work Help Finland application started in Q4/2023. The aim of raising awareness of the application is to share correct information on workers' rights and obligations in a wide variety of languages.

Measure 21: Ensuring adequate interpretation services for occupational health and safety inspectors.

Organisation responsible: Ministry of Social Affairs and Health

Timeline: 2024 – 2027

Cost estimate and funding: Requires additional funding, estimated at €100,000/year

Background: Occupational safety and health inspections currently use interpreters more extensively than before specifically to hear the views of foreign employees. This has started in order to gain a better understanding of the real events in the workplace. If the inspection is carried out only on the basis of the information presented unilaterally by the employer, it is very difficult to detect any work-related exploitation during the inspection without any other comparative data. As a result of this operating model, the interpretation and translation costs of the Occupational Safety and Health Administration have increased in recent years. Sufficient interpretation services can better detect and intervene in labour exploitation through occupational safety and health inspections.

6 Strengthening the social responsibility of employers in preventing and combatting the exploitation of foreign labour

The aim is to strengthen the social responsibility of employers in preventing and combatting the exploitation of foreign labour. The aim is to encourage and support companies and employers to recruit, commission work and provide employees with information about working life responsibly.

In order to achieve this goal, the risks of labour exploitation must already be identified in recruitment processes and more information on exploitation, its manifestations and ways of preventing the realisation of risks in working life is needed. In addition, concrete tools are needed to address the identified shortcomings. Companies also play an important role in preventing and combatting labour exploitation.

6.1 Promoting ethical international recruitment

Measure 22: Increasing companies' competence in working life rules and ethical international recruitment.

Organisation responsible: Work in Finland (KEHA Centre and Business Finland)

Timeline: Q1/2024–Q4/2025

Background: Work in Finland, in cooperation with the employment authorities, offers employers seamless support for international recruitment to meet the needs of skilled labour. Work in Finland compiles national, regional, sectoral and company-specific demand for international recruitment and builds partnerships in selected countries of origin to find experts and promote international recruitment ethics. National measures will be taken to ensure well-functioning information systems for cooperation between authorities, digital platforms for attracting talent and connecting experts with workplaces, and centralised employer counselling. Work in Finland also provides national services that support international recruitment. The activities promote crosscutting ethically sustainable international recruitment and contribute to preventing the exploitation of foreign labour.

The measure improves the competence of employers and companies, including recruitment companies, in working life rules and ethical international recruitment, and strengthens know-how to identify risks of exploitation and to address shortcomings. Work in Finland enables e.g. employers and HR companies to peer learn in ethically and socially sustainable international recruitment, for example at different events. Ethically sustainable international recruitment is taken into account in all communications. Content on Finnish working life and its rights and obligations is continuously being produced for the Work in Finland website, and an eLearning training package is also being prepared (requires AMIF funding).

The measure will also be implemented by cooperating with labour market organisations and utilising foreign networks, including diplomatic missions and Business Finland's functions.

Measure 23: Identifying reliable international recruitment partners in Finland with the help of criteria.

Organisation responsible: Work in Finland, Business Finland

Timeline: Q4/2023

Background: Work in Finland builds partnership networks in Talent Boost top target countries (EU/EEA region, India, Vietnam, Brazil and the Philippines) in cooperation with the Team Finland network. High-quality networks provide a precondition for attracting experts and business services in the target countries. Talent Managers strive to identify reliable partners that can be connected to Finnish HR sector companies, direct employers or public employment services. Building partnership networks in the countries of origin also serves the development of the international recruitment of municipalities and the attraction of experts as well as private international recruitment service providers.

Partnerships also involve challenges related to ethical recruitment. Recruitment fees collected from experts, i.e. kick-backs, are seen as particularly challenging. The criteria and validation mechanism for identifying reliable partners in 3rd countries would make connecting Finnish actors with the partners in the target country safer and reduce the risk of cooperation with unethical partners. Business Finland creates the principles of ethical recruitment and a process for identifying and verifying reliable recruitment partners in Talent Boost target countries. The ethical principles were completed by KPMG in autumn 2023. The verification process is planned to be completed in 2024. The ethical principles created by Business Finland require recruiting companies to comply with good practices for ethical recruitment and

to commit to complying with local and international laws, prohibit forced labour, prohibit the collection of recruitment fees, and require respect for the openness of information, voluntary work, free movement, non-discrimination and protection of privacy and information management.

The aim of the measure is to ensure that foreign recruitment partners are ethical and trustworthy. However, ethics and reliability cannot be fully guaranteed. Ultimately, the cooperation is always the responsibility of the employer or the personnel service company which concludes a cooperation agreement with the partner. The validation of partners should therefore be seen as so-called initial validation, which improves the likelihood of finding a reliable partner.

Measure 24: Identifying and validating trusted recruitment partners in partner countries.

Organisation responsible: Work in Finland, Business Finland

Timeline: Q4/2023–Q4/2024

Background: Work in Finland builds partnership networks in Talent Boost top target countries (EU/EEA region, India, Vietnam, Brazil and the Philippines) in cooperation with the Team Finland network. High-quality networks provide a precondition for attracting experts and business services in the target countries. Talent Managers strive to identify reliable partners that can be connected to Finnish HR sector companies, direct employers or public employment services. Building partnership networks in the countries of origin also serves the development of the international recruitment of municipalities and the attraction of experts as well as private international recruitment service providers.

Partnerships also involve challenges related to ethical recruitment. Recruitment fees collected from experts, i.e. kick-backs, are seen as particularly challenging. The criteria and validation mechanism for identifying reliable partners in 3rd countries would make connecting Finnish actors with the partners in the target country safer and reduce the risk of cooperation with unethical partners. Business Finland creates the principles of ethical recruitment and a process for identifying and verifying reliable recruitment partners in Talent Boost target countries. The ethical principles were completed by KPMG in autumn 2023. The verification process is planned to be completed in 2024. The ethical principles created by Business Finland require recruiting companies to comply with good practices for ethical recruitment and to commit to complying with local and international laws, prohibit forced labour,

prohibit the collection of recruitment fees, and require respect for the openness of information, voluntary work, free movement, non-discrimination and protection of privacy and information management.

The aim of the measure is to ensure that foreign recruitment partners are ethical and trustworthy. However, ethics and reliability cannot be fully guaranteed. Ultimately, the cooperation is always the responsibility of the employer or the personnel service company, which concludes a cooperation agreement with the partner. The validation of partners should therefore be seen as so-called initial validation, which improves the likelihood of finding a reliable partner.

Measure 25: Promoting ethical international recruitment through intergovernmental measures together with partner countries in accordance with the Government Programme, e.g. through treaties and memoranda of understanding.

Organisation responsible: Ministry of Economic Affairs and Employment

Timeline: Q1/2024–Q2/2027

Background: Cooperation aimed at transnational mobility of experts (including ethical recruitment) can be promoted through political and official dialogue, political declarations, memoranda of understanding and, at its most formal, treaties.

Cooperation with partner countries can promote, for example, the transmission of reliable information related to labour migration and better identification of country-specific risk factors, and agree on forms of cooperation to address abuses and create ethical recruitment practices. In addition to the EU/EEA region, the partner countries in the Government Programme include India, Vietnam, Brazil and the Philippines.

7 Improving the implementation of criminal liability while ensuring the legal protection of the suspect

The aim is to improve the implementation of criminal liability while ensuring the legal protection of the suspect. The aim is to increase the risk of being caught, thus preventing exploitation and human trafficking in Finland, and to ensure that criminal activities are not economically viable. In addition, the aim is to increase the amount of investigative work carried out by the police and to utilise the information-led operating model as multi-authority cooperation. In addition to more effective enforcement, the Government Programme aims to increase the penalties for exploitation in working life in order to prevent the exploitation of workers.

The implementation of criminal liability requires better identification of labour exploitation and human trafficking in the criminal process, for example by increasing the training of police officers and other authorities.

Ensuring the legal protection of the suspect also requires more extensive assessment of the operating conditions of actors in the criminal process chain, improving the status of victims and monitoring the functioning of legislation. Measures No. 29, 31, 32 and 33 thus extend beyond labour exploitation and trafficking in human beings to safeguarding the operating conditions of the administration of justice and reforming criminal procedure legislation and improving the status of victims.

7.1 Increasing sanctions for exploitation to prevent the exploitation of workers

Measure 26: Increasing the penalty of exploitation in working life and expanding the scope of criminal liability of legal persons.

Organisation responsible: Ministry of Justice

Timeline: Q1/2025–Q1/2027

Background: An entry on the measures is included in the Government Programme and it is expected that this will reduce work-related exploitation. The extensive labour offence components of the Government Programme will also highlight the responsibilities of the confiscator and the legal person.

The punishability of exploitation in working life will be increased by replacing the current section on extortion-like work discrimination with extortion in working life and aggravated extortion in working life. The minimum punishment for the aggravated form of the offence will be imprisonment.

The legislation will be amended so that, in addition to punishment, the aforementioned offences may lead to a ban on business. The criminal liability of a legal person is extended to extortion and aggravated extortion in working life.

7.2 Safeguarding the operating conditions of the criminal proceedings

Measure 27: Safeguarding the police's human trafficking investigation resources and strengthening competence in it.

Organisation responsible: Ministry of the Interior, National Police Board, Police University College

Timeline: Q1/2024-

Background: According to the Government Programme, official supervision should be made more effective by securing sufficient resources for police departments and the trafficking in human beings unit throughout the country, by investigating competence and by revealing exploitation in work-related immigration. This means that the National Police Board must ensure sufficient resources for carrying out these tasks.

In 2023, the Police University College will complete a project to model the pre-trial investigation of human trafficking offences. The project produces a research report, a process chart (describes the process from the victim's perspective, the pre-trial investigation process and the cooperation process between authorities) and a handbook. Before this, the Police University College of Finland already completed a project (2022) to create operating models that support the systematic management of multi-authority activities for the police (MOVI). These projects produce a

considerable amount of new information for the police on conducting pre-trial investigations, considering injured parties in the pre-trial investigation process and, above all, managing investigations as part of multi-authority cooperation. The implementation of project outputs in the police and other authorities will contribute to improving the current situation.

The National Police Board will also update the current guidelines for the investigation of human trafficking after the project to model human trafficking offences has been completed. The guidelines will utilise the material of the pre-trial investigation project on human trafficking. Training is also targeted at certain researchers and heads of investigation. This aims to ensure that pre-trial investigations related to human trafficking and labour exploitation would be better assigned to more trained persons in different police units.

At the same time, when the authorities' provisions for exchanging information and, in particular, the disclosure of information at one's own initiative and analytical capacity are developed, the preconditions for monitoring, detecting and investigating work-related exploitation and human trafficking will be created for risk-based target selection in multi-authority cooperation.

This measure is also linked to measure 30, which examines the centralisation of investigative activities for expert researchers and heads of investigation.

Measure 28: Securing the operating conditions of the criminal proceedings by strengthening the occupational safety and health authority's legal resources.

Organisation responsible: Ministry of Social Affairs and Health

Timeline: Q1/2024–

Cost estimate and funding: Requires additional funding, the amount of which will be specified later.

Background: The measure is related to the entries on the Government Programme on improving the efficiency of authorities' supervision, and it plays a key role in cases of human trafficking and related offences, especially from the perspective of ensuring the smooth running of the criminal procedure and the implementation of criminal liability.

The occupational safety and health authority must have sufficient legal resources in matters related to labour exploitation. Since work-related human trafficking offences came within the scope of the occupational safety and health authority's competence as referred to in section 50 of the Occupational Safety and Health Enforcement Act in 11/2021 and within the scope of extortion and fraud offences in 6/2023, the number of cases requiring the opinion, statement and legal proceedings of the occupational safety and health authority has been significant. In addition to their number, what has been significant is that the cases are typically extensive: the pre-trial investigation material may be thousands of pages and the number of injured parties may be dozens. This also means extensive trials which may involve dozens of hearing days per case.

Measure 29: Securing the operating conditions of the criminal proceedings by examining the funding of the criminal proceedings as a whole in order to avoid bottlenecks and to ensure the funding of legal system actors.

Organisation responsible: Ministry of Justice

Timeline: Q1/2024–Q1/2027

Cost estimate: The need for additional person-years in the report on legal services is estimated at approximately 1,200 person-years by 2030

Financing: Permanent additional funding of EUR 75 million has been allocated to legal services to achieve the above-mentioned person-year target. In practice, the funding will amount to EUR 30 million for 2024, EUR 65 million for 2025, EUR 80 million for 2026 and EUR 75 million from 2027 onwards. 2/3 of the funding was allocated in the last spending limits of the previous Government and the rest in the first spending limits of the current Government (EUR 25 million from 2025). The latter EUR 25 million has not yet been allocated to the actors, but will be allocated in next spring's spending limits decision.

Background: In general, the challenges identified in the implementation of criminal liability (criminal offences and perpetrators are investigated and possible sanctions sentenced) include long processing times, the large number of open cases and the growing resource needs for combatting more recent forms and methods of crime.

Trafficking in human beings and other forms of labour exploitation are challenging crimes to investigate since they are relatively new forms of crime, which often also have international connections. These also include easily hidden crime, which means that increasing the risk of getting caught requires work that needs resources.

The realisation of criminal liability also requires that the prosecutor's office, courts and authorities responsible for the enforcement of penalties, which are later in the criminal process chain, are allocated the additional resources they need, taking into account the funding needs presented in the report on the administration of justice and the increase in the amount of work due to the resources allocated to the investigation of human trafficking offences.

7.3 Streamlining the criminal proceedings

Measure 30: Investigating the centralisation of investigative activities for expert investigators and heads of investigation.

Organisation responsible: Ministry of Justice, Ministry of the Interior

Timeline: Q1/2025–Q1/2027

Cost estimate: National Police Board estimate 18–24 person-years

Background: As part of the efforts to streamline the criminal proceedings, the possibility of a legislative amendment will be investigated, under which investigative measures directed at injured parties in need of special protection and the management of investigations must, as far as possible, be given to investigators and heads of investigation with special knowledge of this task.

Centralising the management of investigation measures and investigations when it is estimated that the injured party is in need of special protection can help to ensure that the injured party in a vulnerable position does not suffer further as a result of the criminal procedure and to ensure that the pre-trial investigation is carried out efficiently. The amendment could promote appropriate consideration of the special features of pre-trial investigations against vulnerable victims, such as sensitive treatment of injured parties, assessment of the need for multi-authority cooperation and the use of the necessary investigation methods and coercive measures. This would also contribute to obtaining sufficient evidence in the pre-trial investigation. The change could also promote the detection of human trafficking, as identifying human trafficking often requires special expertise.

This measure also supports the objective of measure 27.

Measure 31: Monitoring and evaluating the functioning of criminal procedure legislation.

Organisation responsible: Ministry of Justice, Ministry of the Interior

Timeline: Q1/2024–Q1/2027

Background: The smoothness of the criminal justice process is central to the implementation of criminal liability and the status of the victim. The streamlining of legal processes is examined by the Ministry of Justice in a number of different projects, on the basis of which the necessary legislative changes will be implemented and the need to develop practical operating methods will be highlighted.

7.4 Improving access to legal aid and safeguarding victim support services

Measure 32: Improving access to legal aid by examining the possibilities of increasing the income limits for legal aid and the fees paid to private assistants.

Organisation responsible: Ministry of Justice

Timeline: Q1/2025–Q1/2027

Cost estimate and funding: Requires additional funding; estimated at EUR 19 million

Background: The measure would improve access to legal aid. The availability of legal aid services, on the other hand, is essential for the implementation of legal protection.

As trafficking in human beings and other work-related exploitation are often complex legal problems, the availability of the necessary legal assistance is also subject to greater competence requirements. Specialised, sufficient and timely legal support also streamlines the process and increases the detection of human trafficking offences and other abuses.

Measure 33: A victim policy action plan will be drawn up with the aim of securing the funding of victim support services and improving the status of victims of crime in criminal proceedings.

Organisation responsible: Ministry of Justice

Timeline: Q1/2024–Q1/2027

Cost estimate and funding: Requires additional funding

Background: Supporting victims of labour exploitation and human trafficking is important not only in safeguarding the victims' rights but also in ensuring the detection of exploitation crime, the realisation of criminal liability and effective crime prevention. The victim is more likely to be willing to report the offence to the authorities if they receive expert support during the criminal proceedings. Specialised, sufficient and up-to-date support also streamlines the process and increases the detection of human trafficking offences.

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