

FINLAND

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RULES/GENERAL LAWS	
General	<p>1. The Criminal Code of Finland (39/1889)(Chapter 20): https://www.hsph.harvard.edu/population/trafficking/finland.penal.pdf</p>
	<p>2. Criminal Investigation Act (805/2011) http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/FIN/INT_CAT_ADR_FIN_21164_E.pdf</p>
	<p>3. Coercive Measures Act (806/2011) http://www.finlex.fi/en/laki/kaannokset/2011/en20110805.pdf</p>
	<p>4. Military Discipline Act (255/2014)</p>
	<p>5. Military Court Procedure Act (326/1983) http://www.finlex.fi/sv/laki/ajantasa/1983/19830326?search%5Btype%5D=pika&search%5Bpika%5D=Milit%C3%A4r%C3%A4tteg%C3%A5ngslag (not translated)</p>
	<p>UN rules on SEA are implemented in the field through the National Operation Order that includes rules and procedures. The Operation Commander controls and the legal advisers guide.</p>
SEA: military offence?	<p>Sexual exploitation and sexual abuse are not military crimes or offences. Criminal investigation is vested in the civilian police and public prosecutor. Military Commanders do not have jurisdiction over Sexual Exploitation and Abuse matters..</p> <p>See the Military Court Procedure Act, 326/1983</p>
Powers of the Commanding Officer (CO)	<p>Rules and policies depend mainly on the mission and its zone of responsibility and organization chart. Safety of the contingent is the most important as far as restrictions and confinements are concerned. In Finland, local garrison regulations, orders, rules and policies apply.</p> <p>The Commanding Officer's administrative power depends on the law and rules of procedure. He is the disciplinary superior in the unit. CO can order investigation of military crimes and decide disciplinary punishment</p> <p>See the Military Discipline Act 255/2014</p>
INVESTIGATION	
Who can investigate?	<p>Military Police and Civilian Police (detectives)</p>
National Investigation Officer (NIO)	<p>Military police are deployed with units and can investigate some military crimes, for example drunkenness, absence without leave, smaller offences in service etc. In serious cases e.g. murder, negligent bodily injury, robbery, fraud, serious traffic accidents, etc, the four master detectives in the Defence Command in Finland (educational standard police) are ready for travel to the area. The detectives report to the Officer in charge of Criminal Investigations in Helsinki and the Commanding Officer (disciplinary superior).</p>
PROSECUTION	
Referral	<p>The military police refer investigation to the disciplinary superior (Commander) of the contingent when on mission and when in Finland, to the Unit.</p>
Who can charge?	<p>The public prosecutor (ordered by the state prosecutor) prosecute military offences after receiving the case from the discipline superior. The public prosecutor prosecutes civil cases after receiving the case from the police.</p>
JUSTICE	
Military justice	<p>There is a Supreme Court, the Court of Appeals and the First Instance Local Court. In the Supreme Court, there are two military members(Generals) in military crime prosecution cases. In the court of appeal (Helsinki) there are two military members(Colonels) and in the local court of first instance there are two military members(major-captain). The justice is civil and the prosecutor is a public prosecutor ordered by the state prosecutor.</p>
Deployable Court Martial?	<p>No, Finland does not have a Court Martial system in peacetime. In wartime it is possible to establish a Court Martial if general courts are not working, for example in attack area.</p>
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