COUNTRY FACTSHEET* – Smuggling of migrants

*The responsibility for the content lies exclusively with every responding State and does not constitute the official position of the Council of Europe.

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

LEGAL AND JUDICIAL INFORMATION ON MIGRANT SMUGGLING

FINLAND

Last update 07/04/2026

GENERAL INFORMATION ON MIGRATION

MAIN FIGURES AND TRENDS

In 2025 an estimated 580 individuals entered Finland illegally. More than 90% of illegal entries are in Schengen internal traffic. Finland has not reinstated internal border controls, and figures are estimates based on analysis of interviews of inland asylum applicants.

The number of illegal entries decreased compared to previous years. Internal border controls on the routes from West Balkan to Central Europe to Scandinavia reduce the numbers of illegal entry to Finland.

In 2025 only 30 individuals were detected in illegal entry or illegal stay (detected on exit) in Schengen external border control. Of these, 10 crossed the Russian-Finnish land border illegally between BCPS and 20 were detected in Schengen external air traffic, mainly in Helsinki Airport.

Please note also that all BCPs on the Finnish-Russian land border remained closed for passengers for the entirety of 2025.

A growing trend in migrant smuggling in Finland is the criminal misuse of residence permit applications. Several large investigations are ongoing into falsely obtained authentic residence permits, with some cases linked to further extortion or trafficking in human beings after arrival.

MIGRATORY ROUTES

As stated above, illegal entry to Finland currently happens mainly in Schengen internal traffic. The route composition has remained stable through 2024-2025, with approximately 1 in 3 via the Swedish-Finnish land border, 1 in 3 on Tallinn-Helsinki, Stockholm-Helsinki and Stockholm-Turku passenger ferry traffic, and 1 in 3 on Schengen internal flights. Numbers are estimates, as there is a considerable portion of inland asylum applicants for whom there is no information on the time and place of entry.

Approximately 1 in 2 individuals who enter Finland illegally have arrived in the Schengen area via the Eastern Mediterranean route.

Illegal travel via Finland on route to other destination countries has been detected. Examples from 2025 include illegal transit to UK and Ireland via Finnish airports, and attempts to use Finland as a waypoint on the Belarus-Baltics-Central Europe -route. Typically, the numbers of such incidents are very small compared to the main routes (in these examples the English Channel and transit through Poland, respectively). The periodic attempts to circle through Finland can be seen as outlier incidents, attempting to find ways to bypass increased controls on the main routes.

INSTITUTIONAL ORGANISATION

The Finnish Border Guard has main responsibility of border surveillance and border checks. The Finnish Border Guard investigated 71 cases of migrant smuggling in 2025, with approximately 1 in 3 cases containing suspicion of the involvement of organized crime, and 5 cases containing links to suspected trafficking in human beings.

The Finnish Border Guard investigates more than 95% of migrant smuggling cases in Finland. It is the only field of criminality where the Border Guard is the main investigative authority.

In this section, three Finnish Border Guard cases are referenced to furtherintroduce the Border Guard's responsibilities.

Finnish Border Guard case reference number 9186/R/327/24:

Investigation into an organized criminal group of mainly Pakistani citizens organizing citizens of India, Pakistan and Bangladesh into Europe by first obtaining D-visas under false pretences into Moldova, Croatia or Serbia. Upon arrival in the visa issuing country, they would directly proceed to transit to Belarus, where the facilitators gathered the facilitated individuals, and transported them to the Belarussian-Latvian border to cross illegally into the Schengen area between BCPs. In Latvia, the smuggled individuals were picked up by car in the vicinity of the border and taken to accommodations set up by the facilitators. From Latvia onwards, several routes were employed, e.g. to Estonia by car, further on to Finland by Ferry, and Schengen internal flights from Finland to Italy and Spain. Money transfers and false documents were organized by a Pakistani citizen residing in Greece. In some instances, the same documents would be re-sent from Greece to be used again.

Only one of the identified facilitators came to Finland and was apprehended during the investigation on 12 July 2024. This one Pakistani citizen was convicted 13 March 2025 and again after the appeal hearing on 31 October 2025 to 2 years and 6 months imprisonment for aggravated facilitation of illegal migration. He had been previously convicted in Slovenia for migrant smuggling in 2020.

Several identified suspects remain unapprehended, their whereabouts unknown.

Finnish Border Guard case reference number 9186/R/508/23:

Investigation into an international organized criminal group facilitating the illegal entry into the Schengen area from Russia and Belarus of at least 160 individuals of at least Sri Lankan, Syrian, Afghani, Cuban and Bangladeshi citizenship, demanding fees up to 20 000 € per person.

Part of a large network of facilitators, that employed several routes, several countries of origin and several destinations within Europe. Flights to Russia or directly to Belarus, illegal border crossing in Latvia, and onward movement from Latvia to Poland, Germany, Estonia and by passenger ferry to Finland on at least 14 occasions during 2023, and from Finland onwards to Sweden by land (train, taxi and bus), and onwards to Germany (bus).

Two Iraqi citizens and one Latvian citizen were convicted on 27 June 2024 to 3 years and 9 months, 2 years and 3 months, and 4 months of imprisonment for aggravated facilitation of illegal migration and to jointly forfeit 160 000 € in criminal proceeds. One Latvian citizen was found not guilty. After appeal by special prosecutor, the sentences were enhanced to 4 years and 3 months, and 2 years and 6 months, for the two main perpetrators, on 4 July 2025.

Several identified suspects remain unapprehended, their whereabouts unknown.

Finnish Border Guard case reference number 9186/R/602/24:

Investigation into an international organized criminal group facilitating illegal entry into the Schengen area of Pakistani citizens by obtaining Finnish residence permits under false pretexts.

The perpetrators attempted to obtain residence permits for 50 individuals, of whom 12 had arrived in Finland and subsequently disappeared, 10 more had obtained permits but their possible arrival in Europe remains unclear, and 28 applications were yet to be processed at the time that the investigation was initiated.

The suspects set up companies with no contracts or very limited contracts (none or very limited de facto demand for workers), recruited migrants to fake job openings and manufactured fake certificates of degrees and education with the sole purpose of falsely obtaining Finnish work permits for individuals that were willing to pay for illegal entry into the Schengen area.

One Pakistani citizen was convicted on 3 April 2025 to 3 years imprisonment for aggravated facilitation of illegal migration, and to forfeit 90 000 € in criminal proceeds.

Several identified suspects remain unapprehended, their whereabouts unknown.

LEGISLATIVE FRAMEWORK

In Finland, migrant smuggling is primarily regulated under the Criminal Code of Finland (39/1889).

Chapter 17, Section 8 (facilitation of illegal entry):

"A person who
1) brings or attempts to bring to Finland or through Finland to another country an alien who does not have a travel document, visa, residence permit or other document equated with a travel document required for entry into the country,
2) brings or attempts to bring to Finland or through Finland to another country an alien whose document referred to in paragraph 1 is false, forged, issued to another person or received from an authority on the basis of false or misleading information with relevance for issuing the document, or by bribing the authority or through violent resistance to a public official,
3) arranges or brokers transportation to Finland to an alien referred to in paragraph 1 or 2, or
4) gives to another person a document referred to in paragraph 2 to be used for entry into the country
shall be sentenced for facilitation of illegal entry to a fine or to imprisonment for at most two years.

An act does not constitute facilitation of illegal entry if it, when assessed as a whole, is deemed to have been committed for acceptable reasons, especially when taking into consideration the perpetrator's humanitarian motives or motives related to close family relations and the circumstances affecting the safety of the alien in his or her home country or country of permanent residence."

Chapter 17, Section 8a (aggravated facilitation of illegal entry):
"If, in facilitation of illegal entry,
1) a grievous bodily injury, a serious illness or a state of mortal danger or comparable particularly grave suffering is intentionally or through gross negligence inflicted on another person, or
2) the offence is committed as part of the activities of an organised criminal group referred to in chapter 6, section 5, subsection 2, (564/2015)
and the offence is also aggravated when assessed as a whole, the perpetrator shall be sentenced for aggravated facilitation of illegal entry to imprisonment for at least four months and at most six years."

The most common grounds for suspecting the aggravated form of the offense is that the crime has been committed as part of an organized criminal group.

Illegal border crossing is also criminalised under Chapter 17, Section 7 of the Criminal Code (State border offence). However, foreigners who cross the border irregularly in order to seek international protection are not to be convicted of this offence. Finnish case law has also recognised that criminal liability may be excluded for certain related offences committed in connection with seeking asylum, such as the use of forged travel documents or a false identity.

Related criminal offences may become applicable depending on the circumstances of the conduct. These include, inter alia, offences such as trafficking in human beings and aggravated trafficking in human beings, which are also regulated in the Criminal Code and require elements such as exploitation of the victim. The distinction between migrant smuggling and trafficking in human beings is recognised in Finnish law.

Relevant international instruments have been implemented through national legislation, in particular through the provisions of the Criminal Code referred to above.

For more details, please refer to the English translation (7 December 2022, amendments up to 433/2021 included) of the Finnish Criminal Code, available in:

https://www.finlex.fi/api/media/statute-foreign-language-translation/893995/main-Pdf/main.pdf?timestamp=2025-12-04T06%3A17%3A49.000Z

Pre-trial investigations are governed primarily by the Criminal Investigation Act (805/2011), while the use of coercive measures is regulated by the Coercive Measures Act (806/2011). These instruments regulate the powers of law enforcement authorities in the investigation of criminal offences, including those related to migrant smuggling, and provide the legal basis for investigative measures such as searches, seizures and, subject to statutory conditions, the use of secret covert coercive measures. No specific procedural provisions apply exclusively to migrant smuggling.

Criminal proceedings are governed primarily by the Criminal Procedure Act (689/1997), together with relevant provisions of the Code of Judicial Procedure (4/1734).

JUDICIAL FRAMEWORK

In Finland, cases concerning migrant smuggling are addressed within the general judicial framework applicable to criminal offences. No specific procedural regime applies exclusively to these offences.

Criminal liability is assessed under the Criminal Code of Finland, while criminal proceedings are conducted in accordance with the Criminal Procedure Act and the Code of Judicial Procedure. Investigations are carried out by the police under the Criminal Investigation Act, and prosecutorial decisions are taken by the prosecuting authority in accordance with the general rules governing criminal prosecution.

The prosecution of crimes related to the smuggling of illegal migrants is the responsibility of the public prosecutors' offices, which also cooperate with the Police and Border Guard in pre-trial proceedings. As regards the Criminal Procedure law, there is no specific regulation on migrant smuggling as criminal proceedings are conducted in the same general way as for any other criminal offence. Cases requiring more extensive international cooperation are usually handled by specialised prosecutors.

INTERNATIONAL COOPERATION

All numbers in this section concern migrant smuggling investigations only.

In 2025 Finland took part in 3 Eurojust JITs (Joint Investigation Team), as well as 3 Europol OTFs (Operational Task Force).

Finland sent out 12 EIOs (European Investigation Orders) and received 3.

During the previous 6 month period, two individuals have been apprehended based on EAWs (European Arrest Warrants) set by Finland. In both incidents, the individuals were arrested for suspicion of aggravated facilitation of illegal migration (aggravated migrant smuggling) with suspected links to organized crime. The suspected facilitators were apprehended by Switzerland and Germany. The two investigations are unrelated.

RELEVANT CASES

In this section, four national court cases and the adopted decisions are examined. Finnish court judgments generally do not provide detailed information on the investigation phase or the specific investigative measures used. Consequently, the descriptions below focus primarily on the facts of the case and the reasoning and outcomes reflected in the judgments.

Case: Supreme Court of Finland — KKO:2025:44 (9 April 2025)

In the Supreme Court's precedent KKO:2025:44, the defendant ("A") was convicted of organising the illegal entry of a foreign national into Finland. A had jointly facilitated the entry of a third person ("B"), who lacked required travel documents and a visa, by providing his own passport for use during travel and entry. A also arranged transport and escorted B from Italy through two other countries to Sweden, from where B travelled by ferry to Finland.

The principal legal issue before the Supreme Court concerned the appropriate sentence for the offence, taking into account relevant legal and procedural factors. A had been charged under the provision on facilitation of illegal entry in the Criminal Code of Finland, Chapter 17, Section 8.

At first instance, the District Court determined that a three-month custodial sentence would be justified. The case was later considered by the Court of Appeal, which found that the overall length of the proceedings (almost ten years from initial investigation to final hearing) was excessive. On this basis, the Court of Appeal reduced the punishment to a 30-day conditional imprisonment, reasoning that the delay sufficiently mitigated the sentence and that monetary compensation for procedural delay was not warranted.

The Supreme Court upheld the Court of Appeal's approach to sentencing. It confirmed that the guilty conduct of planning and actively facilitating the unlawful entry was more serious than conduct suitable for a fine and therefore warranted a prison sentence. However, in light of the significant procedural delay, the Court concluded that the 30-day conditional imprisonment previously imposed was appropriate.

Link for further details:

• *KKO:2025:44* full text (in Finnish and Swedish) — Finlex:

https://korkeinoikeus.fi/fi/index/ennakkopaatokset/kko202544.html

Helsinki District Court R 22/4409 (15 November 2023)

In case R 22/4409, the prosecution alleged that the defendant ("A"), together with B, C, D, E, and F, had brought a total of twelve Iraqi nationals into Finland, none of whom possessed a passport, visa, residence permit, or other document entitling them to enter the country. The Iraqi nationals were A's close relatives.

The District Court examined the accounts of the defendant and witnesses concerning the conditions in Iraq and the unsafe and inhumane circumstances during transit with smugglers, noting that A's fear that the smugglers might harm his relatives was at least plausible.

The court considered Chapter 17, Section 2 of the Criminal Code of Finland (the limitation provision), which provides that an act does not constitute facilitation of illegal entry if, in view of humanitarian or close family-related motives and the conditions affecting the foreign national's safety in their country of origin or habitual residence, the act is deemed on the whole to have been carried out for justifiable reasons. The court referred to the Government Proposal (HE 164/2013 vp, p. 17), noting that the limitation provision is to be applied only as an exception in carefully considered individual cases and that the granting or refusal of international protection may be one factor in assessing the conditions affecting the individual's safety and whether the assistance was provided for humanitarian reasons.

The District Court concluded that in this case there were sufficient humanitarian and close family-related motives to regard the act as carried out for justifiable reasons. Consequently, the charge of facilitation of illegal entry against A was dismissed. Considering the evidence as a whole, the court also found that it could not be reliably established that the other defendants acted intentionally. The charges against all defendants were therefore dismissed.

Helsinki District Court R 23/1800 (31 March 2023)

In case R 23/1800, the prosecution charged the defendant ("A") with aggravated facilitation of illegal entry under Chapter 17, Section 8a of the Criminal Code of Finland, alleging that A had, on two separate occasions, brought a total of six foreign nationals from Germany to Finland without valid passports, visas, or other travel documents. On 1 December 2022, A, together with another individual, transported five Iraqi nationals by passenger ship from Germany to Finland. On 6 December 2022, A transported the sixth Iraqi national hidden in a vehicle under his control on a passenger ship from Germany to Finland.

The prosecution argued that A acted as part of an organised criminal group, which facilitated the illegal entry of individuals into Europe. A's specific role was to transport the individuals from Germany to Finland. The group also included other smugglers operating in different countries and a person based in Turkey responsible for managing the group's financial transactions. The total cost of transporting the six individuals from Turkey to Finland amounted to USD 30,000, of which A received USD 7,000 as remuneration.

The primary issues considered in the case were whether A had acted as part of an organised criminal group and whether the offence should be classified as aggravated overall. The District Court found that A acted for a fee of USD 7,000 and that A was neither threatened nor coerced into transporting the individuals. The court further established that multiple smugglers from different countries had participated in the operation. It concluded that A had indeed acted as part of an organised criminal group facilitating illegal entry into Europe. The act was determined to be aggravated overall.

A was sentenced to two years and two months of unconditional imprisonment for aggravated facilitation of illegal entry. He was also ordered to forfeit to the state the financial benefit obtained from the crime, totaling EUR 3,957.

KKO:2016:66 (17 October 2016)

In the Supreme Court's precedent KKO:2016:66, the defendant ("A"), had transported five foreign nationals, previously unknown to him, by car into Finland. The individuals had boarded the vehicle at a border crossing on the Russian side. A did not receive any remuneration or other benefit for his actions. Neither A nor the passengers possessed the visas required for entry, and the passengers applied for asylum immediately upon arrival in Finland. All asylum applications were subsequently rejected.

Before the Supreme Court, the issue consideres was whether A had acted for justifiable reasons such that, under Chapter 17, Section 8, subsection 2 of the Criminal Code, his conduct could not be deemed criminal. The Court observed that the 'justifiable reasons' under Section 8(2) closely correspond to the grounds of justification set out in Chapter 4 of the Criminal Code. An additional issue concerned the determination of an appropriate sanction in circumstances where the defendant had transported asylum seekers without receiving any remuneration or other consideration.

The Supreme Court concluded that A's actions were not based on humanitarian motives or on concerns for the safety of the passengers that would render his conduct justifiable overall. The Court further held that the conduct could not be considered so minor as to warrant leaving the defendant without punishment. Consequently, A was sentenced to a fine of 30 day-fines at EUR 6 per day, totaling EUR 180.

Link for further details:

• *KKO:2016:66* full text (in Finnish and Swedish) — Finlex:

KKO:2016:66 | 17.10.2016 | Ennakkopäätökset | Korkein oikeus | Finlex