

# Operational Program for the Development of the Border Guard's Anti-Corruption Activities During 2023–2025

## 1. Background

The Border Guard's operational anti-corruption program implements the decision on a national anti-corruption strategy and operational program 2021–2023 by the Council of State and takes into consideration the compliance reports of 5th evaluation round by Group of States against Corruption of the Council of Europe GRECO.

## 2. Definition and general expression of corruption

Corruption means the abuse of influence to seek an advantage. Corruption can also be actions that cause harm. Abuse of influence may be unlawful or otherwise unethical behavior. Corruption can be perpetrated by individuals, civil servants, politicians or those employed by the business communities.

The diversity of corruption makes it difficult to identify and report it. Often corruption is assessed as criminal offense of breach of office or bribe, fraud, embezzlement, money laundering and insider crimes. However, corruption is a broader phenomenon, and actions that liability to criminal penalty does not reach can also be considered as corruption.

Corruption takes the form of, inter alia, participation in the decision-making process in spite of conflict of interests, preparation of decisions unethically or in between insiders, bribes and the provision or receipt of other types of benefits and the favor of family or acquaintances. In the event of a conflict of interest, participation in decision-making in one way or another, for example only by being present, is easily considered corruption, even if the outcome is not in favor of one party. Attention should also be paid to the way the situation looks like in the eyes of an outsider observer.

The Border Guard's Anti-Corruption Operational Program aims to prevent corruption and strengthen and establish ethically good practices.

## 3. Results of the risk assessment

The program of measures is based on risk assessment by the Border Guard that was carried out in 2022–2023.

The task of the Border Guard is to maintain border security. The Border Guard

maintains border security in cooperation with other authorities, communities and residents. The Border Guard is responsible for co-operation with the European Border and Coast Guard Agency and shall ensure international co-operation within the framework of its tasks. The Border Guard carries out specific statutory control tasks and measures to prevent, detect, investigate and prosecute criminal offenses in cooperation with other authorities. The Border Guard carries out police- and customs tasks, search and rescue tasks, emergency care tasks and contributes to military defense. The tasks of maritime rescue for the Border Guard are laid down in the law on sea rescue.

Possible risks of corruption of the Border Guard include:

- receiving a bribe in order to make a positive decision for the customer in border control or crime prevention in a client interface;
- receiving bribe when working with procurement and competitions for procurement of the Border Guard;
- decision-making when not neutral, conflicts of interest, preference or undue influence on decision-making, for example when working with procurement or when exercising other decision-making powers;
- accepting influence on own activities against the advantage offered in international activities of the Border Guard;
- receiving bribery or promotion of a relative or acquaintance in recruitment or in the choice of students;
- conflicts of interest or preference in internal staff choices, promotions or rewarding;
- undue, unlawful or unethical influence on the decision making of another person; and
- self-interest by infringing the provisions about secondary occupations or the withdrawal period agreement.

On the basis of a risk assessment, the potential and by effect most serious risks for corruption attempts at the functions of the Border Guard target in particular:

- 1) officials preparing procurement affairs, preparatory consultants in procurement affairs mandated and supervised by the Border Guard and officials that are decision-makers in procurement affairs; and
- 2) Border Guard officials working in customer service alone.

Officials preparing procurement, procurement competitions or market mapping, or those responsible for procurement decisions, may face bribery- and influence attempts that are motivated to affect, for example, for showing favor for a particular supplier.

The risk of favoring for reasons of bribery or other influence was assessed in the routine procurement procedures as possible and, when succeeding, to have a moderate impact (LIKELYHOOD 2, IMPACT 2).

The Border Guard is potentially at risk of attempts to influence when it does the most significant procurement in euro (e.g. procurement of ships, aircraft and barrier fence). Furthermore, subcontracted firms may also be affected by similar attempts of influence, impact of which may be significant, if succeeding (LIKELYHOOD 2, IMPACT 3).

Attempts of influence or bribery which may affect decision-making in procurement affairs are possible and may have significant effects (LIKELYHOOD 2, IMPACT 3).

Border Guard officials who work alone in customer service may be exposed to attempts of bribery and influence which aim to influence, for example, the implementation of practical measures for border control and related ancillary surveillance for the benefit of the customer.

The risk that a Border Guard official who works alone in customer service may be exposed to attempt of bribery is possible, but if the attempt was successful, the impact would be limited (LIKELYHOOD 2, EFFECT 1).

The risk assessment also identified other risks whose probability and effect are lower or equal with the above-mentioned risks, and those risks will be taken into account in communication and training against corruption.

#### 4. Program of measures to minimize identified risks of corruption and implementation of GRECO recommendations

4.1 The Border Guard informs the Ministry of Justice of its desire to join the anti-corruption cooperation as a member of the cooperation network and the anti-corruption operational program is made known for the staff, the general public and stakeholders (GRECO 5, paragraph 49)

**Main responsibility:** Headquarters of the Border Guard, Personnel Division and Communications Unit

**Timetable:** 31 December 2023

**Resource:** Officials

**Implementation assessment:** The program of measures has been completed and communicated to the staff and to the general public (yes/no). The Border Guard is involved in the "Say No to Corruption"-campaign (for more information

korruptiontorjunta.fi website) and has joined the anti-corruption cooperation network that the Ministry of Justice coordinates.

Every official in the Border Guard knows that the anti-corruption program exists and understands its objectives. Border Guard officials know the concept of corruption and the main measures to combat corruption, and know what is expected of them, if they meet or detect attempts of corruption or attempts of unduly influence on decision-making or on the processes of authorities, and are able to identify potential conflict of interest situations. Anti-Corruption Operational Program, the ethical guidelines of the Border Guard and guidelines on anti-corruption for government agencies and institutions, published by the Ministry of Finance, are permanently displayed on the intranet (Kompassi), and they shall be communicated as part of awareness-raising activities and, in particular, as regards the annual anti-corruption theme day in December.

Communication to the general public on anti-corruption measures by the Border Guard is available on the home page of the Border Guard and on social media. The Border Guard signs up for the Say no to corruption-campaign coordinated by the Ministry of Justice, and can add No to corruption-symbols on its website, on its social media platforms and e-mails, and make use of the No to Corruption-campaign material in its communications. Furthermore, interest groups and general public outside the Border Guard are also aware of the commitment and actions of the Border Guard for anti-corruption work and prevention of corruption.

#### 4.2. The anti-corruption activities of the Border Guard will be complemented by confidential counselling, mandatory and dedicated induction and in-service training, and by ethical leadership training

**Main responsibility:** Headquarters of the Border Guard, Personnel Division

**Other responsible units:** Headquarters of the Border Guard, Legal Division; Border and Coast Guard Academy and other administrative units

**Timetable:** 31 December 2023

**Resource:** Officials

**Implementation assessment:**

- The training material has been completed and kept up to date.
- Obligated trainings have been organized and participation of the training courses is comprehensive
- Confidential consultation is available to officials.

Anti-corruption training materials of the Border Guard will be updated in eOppiva and completed based on the examples of risk assessment of corruption risks. The awareness of corruption among the civil servants in the Border Guard is maintained through regular training and the content of the trainings shall be

developed in line with changes in the operational environment and the risks in every 5 years, in the minimum.

Each official will be trained on the ethical rules and the measures of anti-corruption program at the start of their service. Each official takes part in anti-corruption e-training when starting their service and participates in anti-corruption in-service education every 5 years.

The Operational Anti-corruption program and ethical codes will be included in basic-, continuous and further training of the Border Guard to the necessary extent.

The senior command shall complete the Border Guard's own anti-corruption e-training, and in addition, they shall take part in the ethical management training common for the senior management of the state, planned and implemented by the Ministry of Finance.

Lawyers of the Personnel Division and Legal Division are responsible for providing confidential consultation for the personnel of the Border Guard, according to the rules of procedure. Confidential consultation is also provided via the ethical channel and, if necessary, anonymously. The persons providing confidential consultation shall be designated in the Rules of Procedure of the divisions.

#### 4.3. The Border Guard organizes dedicated guidance and training on the protection of whistleblowers at all levels of hierarchy levels within the Border Guard (GRECO 5, paragraph 169) and assesses the functionality of internal ethical notification channel

**Main responsibility:** Headquarters of the Border Guard, Legal Division

**Other responsible units:** Main users of Internal Notification Channel of the Border Guard; Border Guard Headquarters, Planning and Finance Unit; Administrative Units

**Timetable:** training material in eNalle for the fight against corruption will be completed with material about the ethical channel of the Border Guard and protection of whistleblowers before 31 December 2023

**Resource:** Officials

**Implementation assessment:** The ethical channel of the Border Guard has been in use since 1 April 2023, and major part of the training focusing on the use of the ethical channel was completed by 31 May 2023. The training has to be completed in all administrative units by 31 December 2023. The number of alerts via the ethical channel, the number of development objects and the number of measures taken will be monitored on an annual basis.

Notifying channels based on whistleblowing legislation are communicated actively and awareness of them will be increased by orientation- and other training. Training material about the Ethical Channel is available on intranet (Kompassi). The documentation about the system shall also be attached to online training material against corruption in eNalle.

The Office of the Chancellor of Justice acts as a centralised external reporting channel for whistleblower protection and its reporting channel has been in use since 1 January 2023. The Office of the Chancellor of Justice forwards the reports concerning the Border Guard to the Border Guard for investigation.

#### 4.4. Analysis of the instructions and orders of the Border Guard Service in connection with misconduct, and decision on possible measures to be taken in order to update the standing orders on commercial transactions of the Border Guard (RVLPAK A.20)

**Main responsibility:** Border Guard Headquarters, Planning and Finance Unit

**Other responsible units:** Headquarters of the Border Guard, Legal Division

**Timetable:** by 31 December 2025

**Resource:** Officials

**Implementation assessment:** done (yes/no)

#### 4.5. Monitoring of the operational program, assessment of the level of maturity of the actions, development of the Action Plan and ongoing reporting

**Main responsibility:** Headquarters of the Border Guard, Personnel Division

**Other responsible units:** Border Guard divisions and Planning and Finance Unit; administrative units

**Timetable:** first assessment of maturity during 2024, development of reporting 2023–2025

**Resource:** Officials

**Implementation assessment:** assessment meetings have been held (yes/no);

At least one follow-up meeting shall be organized every year to monitor and maintain a debate on the subject. A follow-up meeting assesses and monitors the level of maturity of the anti-corruption activities of the Border Guard and makes proposals in order to develop anti-corruption activities towards a higher level of maturity. The Personnel Division of the Border Guard Headquarters shall develop reporting practices, where appropriate, in cooperation with Headquarters' departments and the Planning and Finance Unit and the administrative units in a way that ensures that the management of the Border Guard will get regular reports on the fight against risks of corruption annually by 1 January 2026, at the latest.

#### 4.6. The risks of corruption are considered within internal control

**Main responsibility:** Planning and Finance Unit of the Headquarters of the Border Guard

**Other responsible units:** Other divisions of the Headquarters of the Border Guard; administrative units

**Timetable:** Corruption risks will be taken into account in planning for internal controls for 2024 and continuously after that

**Resource:** Officials

**Implementation assessment:** Corruption risks have been considered in internal control planning (yes/no); the appropriateness of anti-corruption procedures and the adequacy of corrective actions has been assessed (yes/no)

Corruption risks are taken into account in internal controls (Border Guard HQ's work- and audit plan, internal control plans of administrative divisions).

The Internal Audit Service shall identify, develop and implement ongoing independent internal audit assessments to ensure that the principles of the fight against corruption exist and function and provide up-to-date information on the appropriateness of anti-corruption practices and the adequacy of the corrective measures for those responsible for the control procedures.

#### 4.7. Preparation of the guidelines for the cooling-off period agreements of the Border Guard based on risk assessment and the preparation of the necessary legislative changes

**Main responsibility:** Personnel Division of the Headquarters of the Border Guard

**Other responsible units:** Other divisions of the Headquarters of the Border Guard and the Planning and Finance Unit; administrative units

**Timetable:** by 31 December 2025

**Resource:** Officials

**Implementation assessment:** Coverage of the cooling-off Agreements of the Border Guard from the perspective of anti-corruption work

The need for cooling-off contracts for the part of different tasks (not only command and chief level but also officials responsible for strategic projects or procurement), the duration of the cooling-off contracts and the amount of the contract fines, will be assessed and possible necessary proposals for changing the legislation will be made.

#### 5. Updating of the operational program

This anti-corruption operational program shall be updated when necessary. The Personnel Division of the Border Guard is responsible for the updating, in

cooperation with the other divisions and the Planning and Finance Unit of the Border Guard Headquarters.

## 6. Entry into force

From 1 November 2023