

Criminal Code of Finland (39/1889) [excerpts]

Chapter 34(a) – Terrorist offences (17/2003)

Section 1 – Offences made with terrorist intent (17/2003)

(1) A person who, with terrorist intent and in a manner that is conducive to causing serious harm to a State or an international organisation

(1) makes an unlawful threat, a false report of a danger, the aggravated invasion of public premises referred to in Chapter 24, section 4, subsection 2, or the nuclear energy use offence referred to in Chapter 44, section 10, shall be sentenced to imprisonment for at least four months and at most three years, (1370/2007)

(2) intentionally commits the offence of imperilment, an intentional explosives offence, a violation of the provisions on dangerous objects, or the public incitement to an offence referred to in Chapter 17, section 1, shall be sentenced to imprisonment for at least four months and at most four years, (1370/2007)

(3) commits an aggravated theft or an aggravated theft for temporary use directed against a motor vehicle suitable for public transport or the transport of goods, sabotage, traffic sabotage, endangerment of health, aggravated damage to property, aggravated firearms offence or a defence supplies export offence shall be sentenced to imprisonment for at least four months and at most six years, (283/2012)

(4) violates a ban on chemical weapons, violates a ban on biological weapons or engages in intentional aggravated pollution of the environment committed in the manner referred to in Chapter 48, section 1, subsection 1(1) shall be sentenced to imprisonment for at least four months and at most eight years,

(5) commits aggravated assault, aggravated trafficking in human beings, the taking of a hostage, aggravated sabotage, aggravated endangerment of health, a nuclear weapon offence or hijacking shall be sentenced to imprisonment for at least two and at most twelve years, (1161/2005)

(6) commits the offence of killing shall be sentenced to imprisonment for at least four and at most twelve years, or

(7) commits homicide shall be sentenced to imprisonment for at least eight years or for life.

(2) A person who commits murder with terrorist intent shall be sentenced to life imprisonment.

(3) An attempt is punishable.

Section 2 – Preparation of an offence to be committed with terrorist intent (17/2003)

A person who, in order to commit an offence referred to in section 1, subsection 1(2)-(7) or subsection 2,

- (1) agrees with another person or prepares a plan to commit such an offence,
- (2) prepares, keeps in his or her possession, acquires, transports, uses or gives to another an explosive, a chemical or biological weapon or a toxin weapon, a firearm or a dangerous object or substance, or
- (3) acquires equipment or materials for the preparation of a nuclear explosive, a chemical or biological weapon or a toxin weapon or acquires formulas or diagrams for their production, shall be sentenced for preparation of an offence to be committed with terrorist intent to a fine or to imprisonment for at most three years.

Section 3 –Directing of a terrorist group (17/2003)

- (1) A person who directs a terrorist group, the activity of which has involved the commission of an offence referred to in section 1, subsection 1(2)-(7) or section 1, subsection 2 or a punishable attempt at such an offence or the offence referred to in section 2 shall be sentenced for directing of a terrorist group to imprisonment for at least two and at most twelve years.
- (2) A person who directs a terrorist group in the activity of which only the offence referred to in section 1, subsection 1(1) has been committed shall be sentenced to imprisonment for at least four months and at most six years.
- (3) A person who is sentenced for directing of a terrorist group shall also be sentenced for an offence referred to in section 1 or the punishable attempt of such an offence or an offence referred to in section 2 that he or she has committed or that has been committed in the activity of a terrorist group under his or her direction.

Section 4 – Promotion of the activity of a terrorist group (832/2003)

- (1) A person who in order to promote, or aware that his or her activity promotes, the criminal activity referred to in sections 1 or 2 of a terrorist group
 - (1) supplies or seeks to supply a terrorist group with explosives, weapons, ammunition or substances or equipment intended for the preparation of these or with other dangerous objects or material,
 - (2) obtains or seeks to obtain or gives to a terrorist group premises or other facilities that it needs or means of transport or other implements that are especially important from the point of view of the activity of the group,
 - (3) obtains or seeks to obtain information which, if transmitted to a terrorist group, would be conducive towards causing serious harm to the State or an international organisation, or transmits, gives or discloses such information to a terrorist group,

(4) manages important financial matters of a terrorist group or gives financial or legal advice that is very important from the point of view of such a group, or

(5) commits an offence referred to in Chapter 32, section 6 or 7, shall be sentenced, unless the offence is punishable in accordance with section 1 or section 2 or unless an equally or more severe punishment is decreed elsewhere in law for it, for promotion of the activity of a terrorist group to imprisonment for at least four months and at most eight years. (1370/2007)

(2) What is provided above in subsection 1, paragraph [4] regarding legal advice does not apply to the performance of the functions of a legal counsel or attorney in connection with the criminal investigation of an offence, court proceedings or the enforcement of a sentence. (283/2012)

Section 4(a) – Provision of training for the commission of a terrorist offence (1370/2007)

A person who in order to promote, or aware that his or her activity promotes, the criminal activity referred to in section 1 or 2, arranges, attempts to arrange or provides training in the preparation or use of explosives, firearms or other arms or poisonous or other noxious substances or in another corresponding manner arranges, attempts to arrange or provides training, shall be sentenced, unless the offence is punishable in accordance with section 1 or section 2 or unless an equally or more severe punishment is decreed elsewhere in law for it, for provision of training for the commission of a terrorist offence to imprisonment for at least four months and at most eight years.

Section 4(b) – Training for the commission of a terrorist offence (1068/2014)

A person who in order to commit an offence referred to in section 1, subsection 1, paragraphs 2 – 7 or subsection 2, receives training in the manner referred to in subsection 4(a) in the preparation or use of explosives, firearms or other arms or poisonous or noxious substances, or in the use of other special methods or techniques that have a significance comparable to these, shall be sentenced, unless the offence is punishable in accordance with section 1 or section 2, for training for the commission of a terrorist offence to a fine or to imprisonment for at most three years.

Section 4(c) – Recruitment for the commission of a terrorist offence (1068/2014)

A person who in order to promote, or aware that his or her activity promotes, the criminal activity referred to in section 1 or 2, establishes or organizes a terrorist group or recruits or attempts to recruit persons into a terrorist group or otherwise commit the terrorist offences referred to in said sections, shall be sentenced, unless the offence is punishable in accordance with section 1 or section 2 or unless an equally or more severe punishment is decreed elsewhere in law for it, for recruitment for the commission of a terrorist offence to imprisonment for at least four months and at most eight years.

Section 5 – The financing of terrorism (17/2003)

(1) A person who directly or indirectly provides or collects funds in order to finance, or aware that these shall finance

(1) the taking of a hostage or hijacking,

(2) sabotage, aggravated sabotage or preparation of an offence of general endangerment that is to be deemed an offence referred to in the International Convention for the Suppression of Terrorist Bombing (Treaty Series 60/2002),

(3) sabotage, traffic sabotage, aggravated sabotage or the preparation of an offence of general endangerment that is to be deemed an offence referred to in the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Treaty Series 56/1973), the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation (Treaty Series 43/1998), the Convention for the Suppression of Unlawful Act Against the Safety of Maritime Navigation (Treaty Series 11/1999) or the Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf (Treaty Series 44/2000),

(4) a nuclear explosives offence, endangerment of health, aggravated endangerment of health, a nuclear energy use offence or other criminalised offence directed at a nuclear material or committed through the use of nuclear material, that is to be deemed an offence referred to in the Convention on the Physical Protection of Nuclear Material (Treaty Series 72/1989), or

(5) murder, homicide, killing, aggravated assault, deprivation of liberty, aggravated deprivation of liberty, aggravated trafficking in persons, taking of a hostage or aggravated disturbance of public peace or the threat of such an offence, when the act is directed against a person who is referred to in the Convention on the Prevention and Punishment of Crimes Against Internationally Protected Persons, including Diplomatic Agents (Treaty Series 63/1978), (1161/2005)

shall be sentenced for the financing of terrorism to imprisonment for at least four months and at most eight years.

(2) Also a person who directly or indirectly provides or collects funds in order to finance or aware that they are used to finance the offences referred to in sections 1 – 4 or sections 4(a) – 4(c) shall be sentenced for the financing of terrorism. (1068/2014)

(3) An attempt is punishable.

(4) What is provided in the foregoing in this section does not apply if the offence is punishable as an offence referred to in subsection 1, paragraphs (1) through (5) or an attempt of such an offence or complicity in such an offence or in accordance with sections 1, 2 or 4(c), or a more severe sentence is provided elsewhere in law for it. (1068/2014)

Section 5(a) – Financing of a terrorist group (1068/2014)

(1) A person who directly or indirectly gives or collects funds for a terrorist group referred to in section 6, subsection 2 aware of the nature of the group as a terrorist group shall be sentenced for financing of a terrorist group to a fine or to imprisonment for at most three years.

(2) An attempt is punishable.

(3) What is provided in the foregoing in this section does not apply if the act is punishable in accordance with section 5 or Chapter 46, sections 1 – 3 or an equally severe or a more severe sentence is provided elsewhere in law for it. (1068/2014)

Section 6 - Definitions (17/2003)

(1) An offender has a terrorist intent if it is his or her intent to:

(1) cause serious fear among the population,

(2) unlawfully force the government of a state or another authority or an international organisation to perform, allow or abstain from performing any act,

(3) unlawfully overturn or amend the constitution of a state or seriously destabilise the legal order of a state or cause particularly harm to the state economy or the fundamental social structures of the state, or

(4) cause particularly extensive harm to the finances or other fundamental structures of an international organisation.

(2) A terrorist group refers to a structured group of a least three persons established over a period of time and acting in concert in order to commit offences referred to in section 1.

(3) An international organisation refers to an intergovernmental organisation or to an organisation which, on the basis of its significance and internationally recognised position, is comparable to an intergovernmental organisation.

Section 7 – Right of prosecution (17/2003)

The Prosecutor-General decides on the bringing of charges for offences referred to in this Chapter. In so doing the Prosecutor-General shall also designate the person who is to bring the charges.

Section 8 – Corporate criminal liability (17/2003)

(1) The provisions on corporate criminal liability apply to the offences referred to in this Chapter.

(2) The provisions on corporate criminal liability apply also to robbery, aggravated robbery, extortion or aggravated extortion committed in order to commit an offence referred to in section 1 or section 2, subsection 1(3) of this Chapter as well as to forgery or aggravated

forgery committed in order to commit the offence referred to in section 1, subsection 1, paragraphs (2)-(7) or subsection 2, section 2, subsection 1(3), or section 4 or 5 of this Act.