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ASSESSMENT OF THE FINNISH–RUSSIAN BORDER:

THE CASE OF VAALIMAA BORDER CROSSING POINT



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Appendix

1 Preface: The goals and method of the assessment

The “Friendly EU Border” project¹, as a part of which the present report has been prepared, commences from the assumptions that external EU borders represent an important aspect of the EU’s policies in the field of security and of Justice and Home Affairs. Finland, a country with a long external border with Russia, has been a member of the EU since 1995. Thus, Finland’s experience is pertinent for other EU Member States that joined the Union in 2004 and 2007, most of which share their external borders with third countries outside the EU. The EU membership has certainly affected the operations of the Finnish border control, but – perhaps even more notably – the Finnish border control expertise has had a crucial influence on the way border control has been developed on European scale.

In this respect, it is also appropriate to take a close look at tasks and duties of the authorities working at the border, the quality of services rendered by them and the way in which coordination between different tasks is organised. In all, the assessment puts forward a particular view on the place of the Finnish-Russian border as regards the EU’s external borders in the east and the relevance of the Finnish-Russian border for EU’s policies vis-à-vis its neighbours.

The aim of the present evaluation is to examine the situation and the functioning of the Finnish-Russian border. The report focuses on Vaalimaa border crossing point. The relevance of the Vaalimaa case is that dealing approximately with 2,500 passenger cars, 800 trucks and 60 busses a day, it is the busiest border crossing point at the Finnish-Russian border and the entire EU’s border with Russia. No generalizations should be drawn based on research made at a single border crossing point, however, the recommendations that the report puts forward might be of relevance for other sectors of EU’s border.

¹ See: <http://www.batory.org.pl/english/intl/monitor.htm>

Our working method has been one of observing and listening to the people who are related to the work of the border in numerous ways. The information received by interviewing officers of Border Guard and Customs form the backbone of this report. In addition, we talked to a number of local experts and 70 passengers in order to obtain their points of view. Moreover, the research involved statistical data collection and analysis, as well as legislative analysis, which forms the basis for the evaluation of the quality of services rendered at the border crossing points surveyed and for the identification of the problems encountered there. The primary data was then combined with available up-to-date secondary data and other relevant studies in order to achieve a full understanding of the situation at the Finnish-Russian border.

Helsinki, November 2007

Vadim Kononenko and Jussi Laine

2 The Finnish-Russian border as an external EU border

Overall, the Finnish-Russian border receives a positive evaluation from travellers, which highlights the fact that the border has been functioning as one of the main gateways between Russia and Europe for over a decade, since restrictions for the movement of persons imposed by the Soviet legislature were relaxed after 1991. Among the few critical voices, however, one can hear the opinion that the functioning of the border would be more efficient if some administrative and procedural improvements were made; for example, if the command of Russian language among the Customs and Border Guard officers was improved. Another problem that in the opinion of both travellers and Border Guard officers requires a solution is the length of queues at the Finnish side of the border for freight transport travelling to Russia, frequently reaching intolerable lengths.

2.1 Schengen and FRONTEX

During recent years, the European Union has taken a number of important steps towards integrated border management aiming to harmonize the border control practices along its external borders. The development was instigated by the European Commission in May 2002, when it presented its Communication “Towards Integrated Management of the external borders of the Member States of the European Union”². One month later the Council of Europe adopted the “Plan for the Management of the external borders of the Member States of the European Union”.³ Other steps include, *inter alia*, the adoption of the Regulation establishing a Community Code on the rules governing the movement of persons across borders (i.e. the Schengen Borders Code)⁴, Regulation laying down rules on local border traffic at the external land borders of the Member States and amending the provisions of the Schengen convention⁵ and the Common Consular Instructions⁶, and, last but not least, the establishment of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (FRONTEX)⁷.

In November 2006, the European Commission published a communication calling for the reinforced management of the EU’s southern maritime borders⁸. As the fundamental targets addressed by this strategy are the southern maritime borders and the most recent EU external borders, especially at the Balkans, its detailed review would go beyond the scope of this paper. However, it was under the auspices of the Finnish EU Presidency during the second half of 2006 that the EU border management strategy was proposed to be adopted to ensure the constant development of EU border management, so a short description of what is actually meant by it may be helpful. In this process the Finnish

² Communication (EC) 2002/233 from the Commission to the Council and the European Parliament - towards integrated management of the external borders of the member states of the European Union.

³ Document No 10019/02, FRONT 58, of the Council of the European Union of 14 June 2002.

⁴ Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006.

⁵ Regulation (EC) No 1931/2006 of the European Parliament and of the Council of 20 December 2006.

⁶ The Common Consular Instructions, as adopted by the Executive Committee established by the Convention applying the Schengen Agreement of 14 June 1985 have since been amended on several occasions pursuant to the provisions of Council Regulation (EC) No 789/2001 of 24 April 2001. See e.g. COM (2006) 269 final and 2006/0088 (COD).

⁷ Regulation (EC) No 2007/2004 of the Council of 26 October 2004.

⁸ Commission Communication: MEMO/06/454 of 30 November 2006.

border control expertise was in great demand and played a crucial role in defining what “Integrated Border Management” actually meant and how it should be adopted in practice.

As Carrera (2007, pp. 2–3) points out, before this common definition the term “EU Border Management Strategy” had been used at official level as a pre-defined concept⁹, but it had remained a rather vague concept with multiple functionalities. During the Informal Justice and Home Affairs Ministerial Meeting in Tampere, Finland in September 2006, the strategy was defined in more precise and concrete terms. It then included all the actual definitions concerning integrated border management. Moreover, it was specified that the strategy’s aims were to increase the transparency of border control, to reinforce co-operation between national authorities and to deal with initiatives related to the development of border management. Moreover, the strategy was envisioned to specify the role of the Council in supervising these activities and it provided an outline for the conduct of external relations in the field of border management. (Justice and Home Affairs 2006; European Council 2006.)

According to the conclusions sheet of the 2768th Justice and Home Affairs Council meeting in Brussels in December 2006, Integrated Border Management is a concept consisting of the following dimensions (see: JHA 2006; European Council 2006):

- Border control (including checks and surveillance, but also relevant risk analysis and crime intelligence) as defined in the Schengen Borders Code;
- Detection and investigation of cross-border crime in co-ordination with all competent law enforcement authorities;
- The four-tier access control model (measures in third countries, co-operation with neighbouring countries, border control, control measures within the area of free movement, including return);

⁹ Commission Communication: COM (2002) 233 final of 7 May 2002; Document No 10019/02, FRONT 58, of the Council of the European Union of 14 June 2002; and Document No 14570/01, FRONT 69, of the Council of the European Union of 27 November 2001.

- Inter-agency co-operation for border management (Border Guard, Customs, Police, National Security and other relevant authorities) and international co-operation;
- Coordination and coherence of the activities of Member States and institutions and other bodies of the Community and the Union.

The EU seems to approach the issues of border management from two distinct but closely interrelated and complementary approaches; it favours an integrated approach to the management of common territorial borders, but on the other hand its policy towards migration seems to be based on a more global vision (Carrera 2007, p. 1). Therefore, it also seems that the guiding principles inspiring the dimensions of the conceptual framework of the border management strategy should provide that the management of the common Schengen regime at external border must be “integrated” and must cover all border-related threats that the EU is supposed to be facing (Carrera 2007, 3; see: European Council 2003a). These goals are seen as plausible owing to the strengthening of a common “area of policing” which uses coercive border control and surveillance as the main tools¹⁰ as well as to the co-ordination and inter-agency co-operation (*Ibid.*).

The Schengen Agreement and the Finnish-Russian border

The initial agreement between the original Schengen Group members (the Benelux states along with France and Germany) was signed on 14 June 1985 and a further convention was drafted and signed on 19 January 1990. When the convention came into effect in 1995, it first and foremost abolished the internal borders of the signatory states and created a single external border where immigration checks for the Schengen area were to be carried out in accordance with a single set of rules¹¹. Since then, the Schengen area has been extended following the EU enlargement process with the exception of Ireland and

¹⁰ Commission Communication: MEMO/06/454 of 30 November 2006 and Document No 13926/3/06 REV 3 FRONT 207 COMIX 826 21 November 2006.

¹¹ See Arifkhanova (2006) for a thorough review of the origins of the Schengen agreement and Apap & Tchorbadijyska (2004) for an elaboration of the impact of Schengen along the EU’s external borders.

the United Kingdom (Figure 1)¹². Finland, together with Sweden and Denmark, signed the agreement on 19 December 1996, yet they commenced their full participation in the Schengen zone only from 25 March 2001¹³. As a result, the Schengen area was extended to the Russian border.

Even though the Schengen protocols are now guiding the operations of the Finnish Border Guards, the full implementation of Schengen requirements did not involve any significant changes concerning either the border security system or the visa policy (see: Niemenkari 2002, p. 5; Liikanen et al. 2007, p. 33). On the contrary, the principles of the Schengen external border control *acquis* had been applied at the Finnish-Russia border years before they were adopted by the Schengen States of the time (Border Guard 2000; Niemenkari 2002, p. 13).

¹² The legal instruments and operational experience built up in the Schengen *acquis* were integrated into the institutional framework of the European Union 1 May 1999. In this process the *acquis* was not altered to altered, but merely given new legal bases. See: Communication (EC) 2002/233.

¹³ A Schengen co-operation agreement was concluded also with the non-EU members of the Nordic Passport Union; i.e. Norway and Iceland, in 1996. They began to fully implement the Schengen regime together with the other Nordic Countries in 25 March 2001.

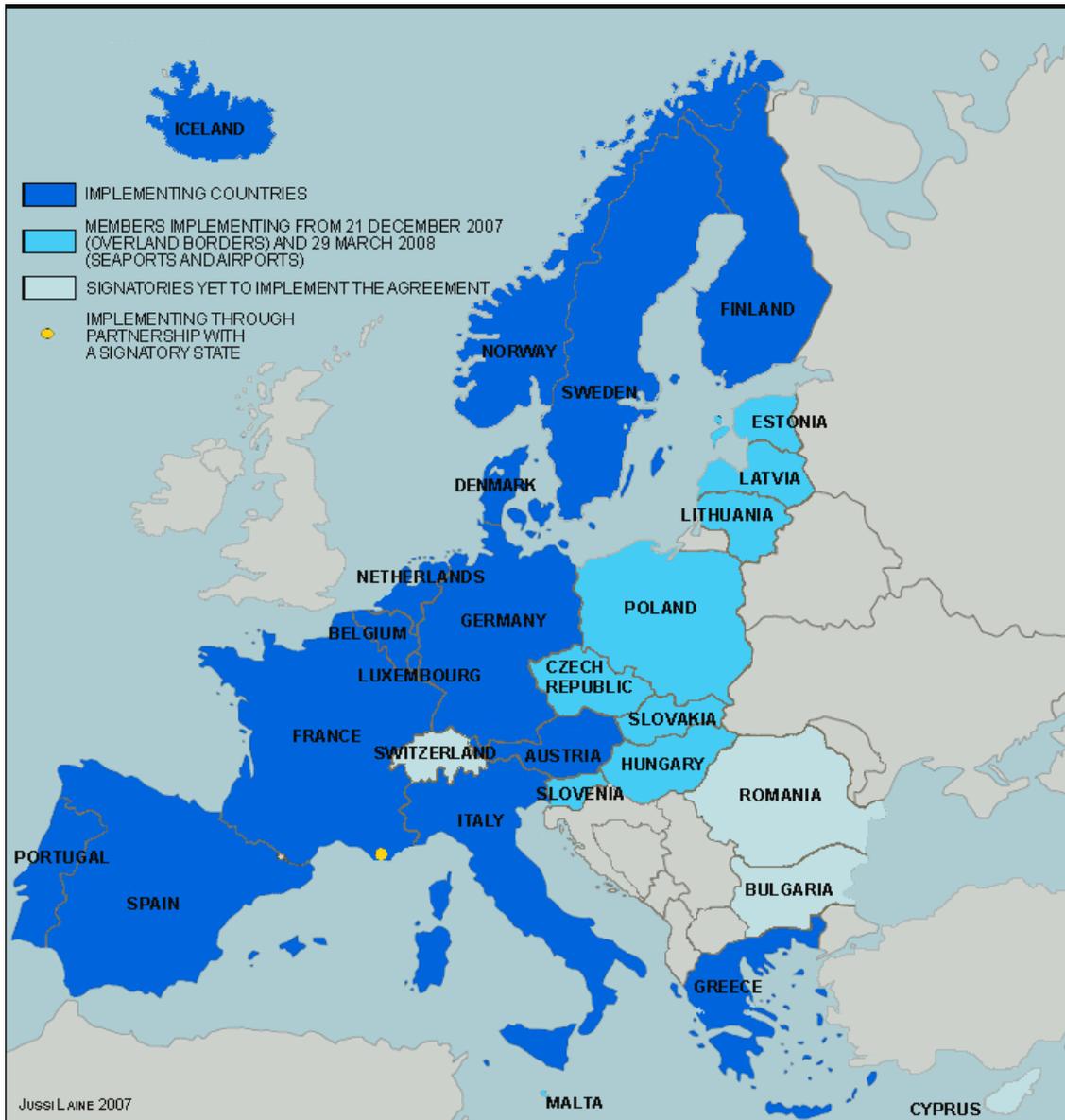


Figure 1. Current Schengen member states and signatories.

3 Administrative and legal aspects of the functioning of the border

There are two authorities responsible for the operations of the border crossings points in Finland: the Border Guard and the Finnish Customs. Their areas of responsibilities differ in a pragmatic and well-defined manner: the focus of the Border Guard's resources is in

border control, whereas the Customs focuses on the customs control¹⁴. The Border Guard is also responsible for enforcing the 3–5 km border zone towards Russia and issues the permits to visit the zone. The coordination of these tasks is reflected in the national legislature, but its implementation is done by the local authorities.

*3.1 The Border Guard*¹⁵

The control of the Finnish borders was after the Finnish independence entrusted to the militarily organized Border Guard troops under the command of the Ministry of Interior. However, the liability of controlling the border was transferred to the newly established Frontier Guard already in the spring of 1919. Even though the law on Frontier Guard was accepted in 1931, it was not until 1936 that the entire eastern border of Finland was finally controlled by a coherent Frontier Guard establishment (Pohjonen 2004; Border Guard 2007a).

Until 1945, the Finnish border with Russia was actually the only border supervised by the Frontier Guard, as the Swedish and Norwegian borders had only customs control. The Frontier Guard, now called the Border Guard, developed into its current form after the Second World War when the Coast Guard was integrated into it and border control was extended to Finland's western and northern borders. More recently, especially after Finland became a member of the European Union in 1995 and subsequently joined also the Schengen Agreement in 2001, the functions and structure of the Border Guard have been reorganized to respond to the changes in the immediate surroundings and to correspond to the European standards.

According to the Presidential decree 637/2005, the Chief of the Border Guard exercises operational command of the Border Guard activities. At the moment, the position is held by Vice-admiral Jaakko Smolander. He is assisted by the Border Guard Headquarters, which at the same time form the Ministry of the Interior's Border Guard Department. The

¹⁴ See also Niemenkari (2002) for an excellent description of the Finnish border security concept.

¹⁵ If not mentioned otherwise, this section is based on information acquired from a number of persons at the Border Guard and from the Border Guard official web site www.raja.fi.

four Border Guard districts, the two Coast Guard districts and the Air Patrol Squadron are responsible for controlling border and sea areas within their respective sections.

The current tasks of the Border Guard have been enacted in the Law on border control (578/2005), which entered into force in the beginning of September 2005. According to the Law, the general purpose of the Border Guard's activities is to maintain security of the border areas. In practice this means carrying out operations both in and outside Finland that aim at preventing offences against the enactments regarding the crossing of the national and simultaneously external EU border, as well as preventing potential threats to public order and security resulting from cross-border traffic.

From the traveller's perspective, the most noticeable part of the Border Guard's activity is to carry out border checks on persons at official border crossing points. The main purpose of border control is to prevent illegal entry into the country, but recently the role of surveillance at border crossings has become an increasingly essential part of the fight against cross-border crime, illegal immigration and trafficking.

At the external border of the European Union, all incoming and outgoing traffic has to be controlled. When entering the country, the EU nationals are inspected only according to the minimum requirements in order to confirm the authenticity of their travel documents. In practice this means that a passport is needed as photo identity cards issued by the police are valid travel documents only in travel within the European Union. The non-EU nationals are obliged to go through a more detailed inspection, which, in addition to travel document check, consists of a questioning concerning particularly the purpose of travel and possession of sufficient financial resources for the entire length of the visit. A visa is also required for all those not exempt from visa on the basis of an agreement between Finland and their country of origin.

In all, the core functions of the Border Guard are guarding the land borders and the territorial waters, carrying out border checks related to controlling entry into and departure from the country at border crossing points on land borders, at sea ports and at airports, as well as executing rescue operations, predominantly at sea. Border control is

executed by targeting situation-specific risk-analysis-based surveillance to the most threatened areas. At the Finnish-Russian border, offences are handled between the officially accredited border officials according to the bilateral agreement (SopS 32/60 and SopS 54/1998).

The Border Guard plays also a part in national defence, side by side with the Defence Forces. During peacetime, the Border Guard contributes to the safeguarding of the territorial integrity by controlling the country's borders. Conscripts are trained to perform the duties which the Border Guard is bestowed with during a state of emergency, but they do not perform regular border control duties. Additionally, the Border Guard co-operates closely with the Police and the Customs. At smaller border crossing points that operate without Customs authorities, Border Guard officers are responsible also for customs control.

The mandate of the Border Guard has been enacted particularly with an eye on maintaining border security along with possible police and customs duties. Most significant mandates of Border Guard officers regarding border control are the right to use forcible measures in order to carry out their official duties and the rights to carry out inspections, use coercive means when required, perform technical surveillance and maintain public control and security at the border crossing area.

The Border Guard has limited police powers in the areas where it operates. It can, for example, seize and arrest persons and conduct searches in apartments and cars pursuant to same legislation as the police, when investigating a crime. However, the right to arrest a person has been delegated only to the commanding officers of border control detachments and commanders and vice-commanders of larger units. The Border Guard is not supposed to be used for the keeping of public order under normal circumstances, but has quick response teams that can be used to support the police in exceptional situations. The Border Guard also has the power to keep public order in its own facilities and in their immediate vicinity. For the execution of its military exercises, any officer with the minimum rank of captain can close an area temporarily.

3.2 Finnish Customs

In addition to the Border Guard, the Finnish Customs plays an essential role in the functioning of the border crossing points. The Finnish Customs is a nation-wide authority for the internal and external trade of the EU with the tasks of collecting taxes, managing control and providing services, as well as implementing the customs policy of the EU. It is the duty of the Finnish Customs to control international flows of goods in order to promote legal and prevent illegal foreign trade. At border crossing points, the Customs plays an important role in protecting the society by fighting crime and smuggling of drugs and other hazardous substances. The Customs functions as a subordinate to the Ministry of Finance. The central administration of the Customs is formed by the National Board of Customs and the regional administration comprises five Customs districts. At Vaalimaa, Finnish Customs began its operations in 1958, when the border crossing point was opened. (Finnish Customs 2007a/b; Poutiainen 2007)

As an implementing agency, the Customs' responsibilities extend not only to the activities of the Ministry of Finance, but also to other ministries. In the administration of EU commercial policy, Customs is an assisting partner to the Ministry of Foreign Affairs, and has in this task close connections also to the Ministry of Trade and Industry, the Ministry of Agriculture and Forestry, and various business interest groups. Another example of the co-operation with the Ministry of Trade and Industry is the radiation measurement which the Customs conducts for the EU at the eastern border of Finland. Moreover, the Customs collects oil pollution, production and protection charges on behalf of the Ministry of the Environment, millions of euros in fairway dues on behalf of the Finnish Maritime Administration and similar amounts in strategic stockpile fees for the National Emergency Supply Agency. The Customs also co-operates with the Ministry of Transport and Communications in several areas, for instance in the quality control of heavy haulage at the eastern border of Finland. (Finnish Customs 2007c; Poutiainen 2007.)

As to international co-operation, the Finnish Customs participates actively in the work of the World Customs Organization (WCO), which aims to harmonize the implementation

of conventions under its administration and to globally simplify customs procedures. Finnish Customs attends also regularly various EU Commission committee meetings, in which decisions are prepared to ensure that customs procedures within the EU region are as consistent as possible. On a bilateral level, Finland has signed customs co-operation agreements with a number of individual countries. The agreements provide opportunities for international co-operation, for instance in customs control and in the prevention of customs crimes. (Finnish Customs 2007c.) Probably the best practical example of this is the administrative and practical co-operation and information exchange between Finnish and Russian customs in order to shorten the truck queues at Vaalimaa.

The co-operation between the Finnish Police, the Finnish Customs and the Border Guard (PCBG co-operation) has also taken place as long as for decades. During this time it has developed intensive and well-functioning forms. The current form of co-operation is based on the Government decree 257/2001 of 22 May 2001, in which the fundamental principles and methods of co-operation have been enacted. A management group consisting of the high command of each respective authority supervises the operations in the field (Border Guard 2004, 20; Suurpää 2004; see: National Audit Office of Finland 2007).

One of the main starting points for the PCBG co-operation is that each authority takes care of their statutory duties, but co-operates in the areas in which their interests overlap. The goal of the co-operation then is to promote the ability of the authorities to work together in the fields where they have shared interests. In practice, this means risk-analysis-based border control and prevention of cross-border crime, but also training and duties related to international co-operation between authorities (Border Guard 2004, p. 20). In more pragmatic terms, the aim behind the co-operation is to make work at the border more efficient in operational and economic terms. The PCBG co-operation has proven to be important especially in the sparsely populated areas of the country.

The co-operation within the PCBG framework with corresponding Russian authorities has already succeeded in uncovering significant crime organizations working across the border. The success may also be measured by the very small number of illegal border

crossings or exceptionally little smuggling of goods between Russia and Finland in recent years. Finland has also been active in marketing the Finnish model of PCBG co-operation as a “best practice” in various EU level forums. As a result, the Finnish model has now been accepted as an underlying objective of the European border management strategy (see: Justice and Home Affairs 2006).

As Niemenkari (2002, p. 10) puts forth, the importance of national co-operation has significantly grown due to Finland’s implementation of the Schengen Agreement and the subsequent increase of the role of the border. A good practical example of this is Finland’s national office of Supplementary Information Request at the National Entries (SIRENE), which is located in the National Bureau of Investigation's premises in Helsinki. Here, Police, Border Guard, and Customs officers are able to work under the same roof (Border Guard 2001). Moreover, given that the EUROPOL and Interpol national contact points are located in the same building, the co-operation among authorities is unproblematic and the needed international connections easily available.

3.3 International co-operation

The key to the successful border control is functional co-operation first and foremost with neighbouring countries. Although all of Finland's borders are being guarded, the presence of the Border Guard and Customs as well as the concentration of their resources has always been focused on the “real” borders (Niemenkari 2002, p. 3). The Finnish and Russian border control authorities have a long tradition of co-operation as the first Border Regulation Agreement was signed in 1960 (Niemenkari 2002, p. 12). The current updated version of the agreement specifies detailed aims, forms and in part procedures for co-operation at all levels of the organization. Above all, the co-operation consists of information exchange on illegal immigration between authorities, investigation of border incidents and maintenance of the actual border. Furthermore, the Finnish Border Guard and Russian Federal Border Guard Service are both relevant authorities regarding the Crime Prevention Agreement signed in 1993 (*Ibid.*).

The Finnish-Russian co-operation in border control has always been functional by its nature. There are four main tiers involved in the control of the border: the heads of the

two countries' Border Guard organizations, a joint working group, the regional border delegates and the local control authorities (European Council 2003b, p. 11). Rules and practices concerning the control of the common border have been developed in co-operation at all levels. This has, according to Niemenkari (2002, 13), led to the establishment of the best-managed external border in the European Union.

Even though the Border Guard is responsible mainly for handling border issues between Finland and Russia, it participates also actively in multilateral co-operation. Most importantly, it works together with the Swedish Coast Guard and the Border Guard of Estonia in surveillance matters in the Northern Baltic Sea, in the Gulf of Finland and in the Gulf of Bothnia. The tripartite co-operation with Estonia and Russia is also in place, similarly to co-operation with Norway and Russia in the Arctic Area. In addition, the Border Guard provides training and materials for Latvian and Lithuanian border control officials.

At the EU-level of international co-operation, the most significant input has been targeted for working in European Union institutions and working groups. In addition, the Border Guard maintains close bilateral co-operative relations with other institutions responsible for border security in other EU-countries. As Finland has been a member of the Schengen area since 2001, the operations of the Finnish Border Guard have been harmonized with the other member countries. Also, the effect of the EU border policies on the practical operations and arrangements of the Finnish Border Guard is currently momentous. The decrees regarding the EU border security issues are part of the Community initiatives, the decisions concerning which are made by a qualified majority and together with the codecision procedure of the European Parliament.

In the field of border security, a concrete aim has been put forth to develop an EU-wide joint border security scheme. The plan is going ahead on the level of politics, legislation, and operative action. As a part of this plan, a specialized and independent body, FRONTEX, was founded in May 2005 to co-ordinate the operational activities of the national border guards in ensuring the security of the EU's borders with non-member

states¹⁶. The agency was created as a specialized and independent body tasked to coordinate the operational co-operation between Member States in the field of border security. It is located in Warsaw, Poland, as decided by European Council¹⁷. The post of Executive Director of FRONTEX is currently taken by Ilkka Laitinen, who previously worked for the Finnish Border Guard.

In addition to coordinating co-operation between EU Member States, FRONTEX also pays attention to co-operation with third countries' border security authorities, in line with general EU external policy. Co-operation with the neighbouring countries that share common goals is being gradually developed towards "sustainable partnership", in which working arrangements concluded between FRONTEX and its third country partners precede practical measures (FRONTEX 2007a).

In practice, the process is often carried out in close co-operation with experts from the Member States. As an example, the Border Guard of Finland and FRONTEX organized together a border management co-operation conference in Imatra, Finland, in November 2006. The total of 54 participants from 24 different countries, EU Member and non-Member States, registered for the conference. (FRONTEX 2006, 14.) The conference was the first major event under the FRONTEX umbrella that aimed at enhancing daily co-operation of Border Guard services on both sides of the external border. During the conference, best practices within the Member States' border management co-operation at the external border were identified and further developed. These included e.g. various existing agreements, exchange of information and joint actions (see: Border Guard 2006).

The discussion during the conference continued by concentrating on four main themes: (1) the border delegate organization between Finland and Russia; (2) sharing and

¹⁶ FRONTEX was established by Council Regulation (EC) 2007/2004 of 26 October 2004 (see also OJ L 349/25.11.2004) having regard to the Treaty establishing the European Community. This Regulation was later amended by the Regulation (EC) No 863/2007 of the European Parliament and of the Council of 11 July 2007 establishing a mechanism for the creation of Rapid Border Intervention Teams and amending Council Regulation (EC) No 2007/2004 as regards that mechanism and regulating the tasks and powers of guest officers (FRONTEX 2007b). For more information concerning the operations of FRONTEX, see: <http://www.Frontex.europa.eu/>; for a critical analysis of the operations of FRONTEX, see: Carrera (2007); and for more information concerning the fundamental questions related to the issue of integrated border management, see: Jorry (2007).

¹⁷ Council Decision 2005/358/EC of 26 April 2005.

comparing border management co-operation related to the cross-border traffic on the external land border crossing points as it was introduced by Poland; (3) border management co-operation related to crime prevention and exchange of information presented by Germany; and (4) practical co-operation in the border delegate organization framework on Finnish-Russian border, particularly at Imatra-Svetogorsk border crossing point (Border Guard 2006).

4 The Finnish-Russian border

4.1 General background

The total length of the border, from the Gulf of Finland to the high north almost up to the Barents Sea, is 1,323 kilometres. In geographical terms, the Finnish-Russian border does not follow any clear-cut natural barriers to human interaction. For most part it runs through forests and extremely sparsely populated rural areas.

The total number of population living on the Finnish side in the municipalities (NUTS 5) sharing the border with the Russian Federation is 276,000. At the NUTS 4 level, the respective figure is 479,000, and at the NUTS 3 level 1.14 million (Statistics Finland 2006a). Population concentrates in the southern part of the border in Kymenlaakso, South Karelia and, to a lesser extent, North Karelia, where also the largest cities in the border region are located. Apart from the industrial town of Svetogorsk, which lies across the border from the Finnish town of Imatra, there is no settlement in close proximity to the border on the Russian side at all. The larger towns of Vyborg, Sortavala, and Kostamuksha are located further, 40-60 kilometres, and the metropolis of St. Petersburg approximately 150 kilometres from the border.

In order to maintain and enhance good relations, public order and national security, a special border zone, three kilometres wide at a maximum, has been established on Finland's eastern border. Movement and stay in the border zone is allowed with the Border Guard authority's permission (Border Guard 2007b). A similar zone exists on the Russian side. The actual width of the Russian border zone has been altered every now

and then. At present, the zone is in most places approximately 15 kilometres wide, whereas in 2006 the width of the zone was in some places up to 130 kilometres.

A common character for the whole border region is that it is losing population continuously; the few exceptions are Joensuu and Lappeenranta regions. On the Russian side, the total number of inhabitants in the three border regions (Leningrad Region, Republic of Karelia and Murmansk Region) is 3.27 million, while St. Petersburg with its 4.63 million (Statistics Finland 2006b) inhabitants is a separate administrative unit inside the Leningrad Region. The uneven territorial distribution of population and, hence, economic activity is an important conditioning factor for cross-border interactions, as well as regional development.

The full personnel of the Finnish Border Guard numbers 3,100 people. Approximately 1,800 of them are serving at the border between Finland and Russia; more than a half of them are involved in actual border checks. Since border surveillance and border checks are jointly managed, personnel can be allocated to one or the other as required (Border Guard 2007c; Poutiainen 2007). About 600 people from Finnish Customs are involved in customs controls and border checks, and approximately 400 of them work at the border between Finland and Russia (Niemenkari 2002, 7).

The volume of traffic at the Finnish-Russian border began to increase fairly rapidly soon after the collapse of the Soviet Union (Figure 2). The number of crossings was around 100,000 in 1990, but that number was doubled already by 1994. The greatest increase, however, took place in 1994-1995 as the number of border crossings grew from 200,000 to 380,000. During the following years, the number of border crossings grew constantly before becoming more stable after 2000. The total number of border crossings in 2006 was 6.74 million. Whereas in the early 1990s most people crossing the border were Finns, today it is Russians who constitute the vast majority of the crossings.

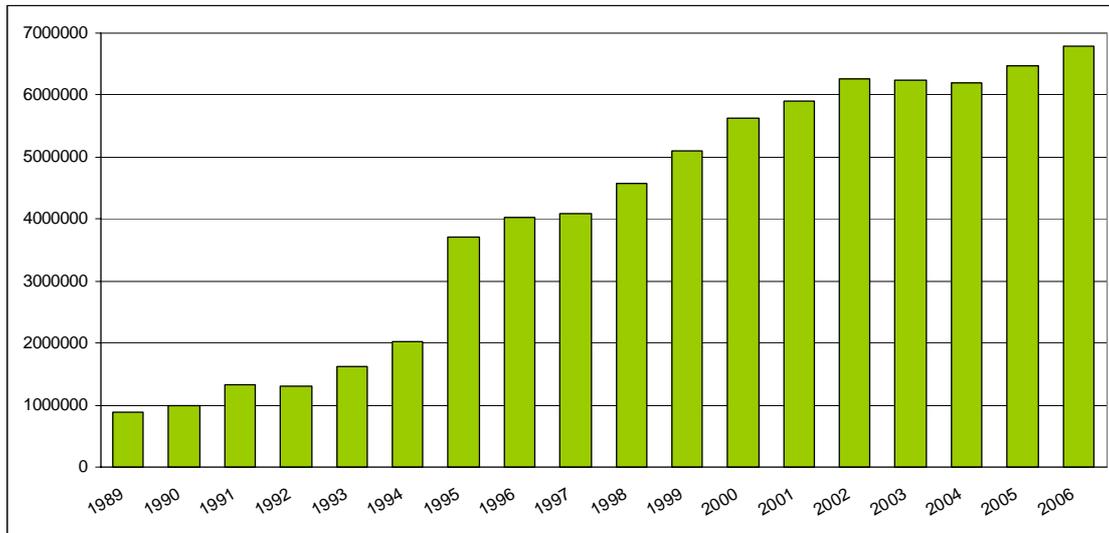


Figure 2. Border crossings at the Finnish-Russian border. Source: Statistics of the Border Guard, Finland.

Entry into and exit from Finland is allowed via official border crossing points¹⁸ in accordance with Section 4 of the Government Decree on border crossing points and the division of border check duties at them (901/2006) and Section 13 of the Border Guard Act (578/2005). As Kuusamo border crossing point was opened to international traffic in October 2006, there are nine international border crossing points at the Finnish-Russian border at present (Figure 3). In addition to these, there are several temporary border crossing points that are subject to license (The Border Guard 2007d). These crossing points are mainly used for importing round wood from Russia.

¹⁸ See: Agreement on crossing points at the Finnish-Russian state frontier (66/1994) and its amendments 64/1995 and 49/2006.



Figure 3. Border crossing points at the Finnish-Russian border. Total number of crossings at the international crossing points in 2006: 6,742,419.

Most of the traffic is concentrated on the southern part of the border, on the Helsinki-St. Petersburg axis, whereas the volume of traffic in the north is significantly smaller, principally due to the population scarcity of the northern areas in question (Figure 4). This division will only grow stronger as the volume of traffic is increasing in the south, whereas it is more stable or even decreasing at the more northern border crossings. The volume of both goods and passenger traffic in 2006 increased somewhat compared with the previous year at all border crossing points apart from Kuusamo, despite the fact that the border crossing point was opened for international traffic¹⁹.

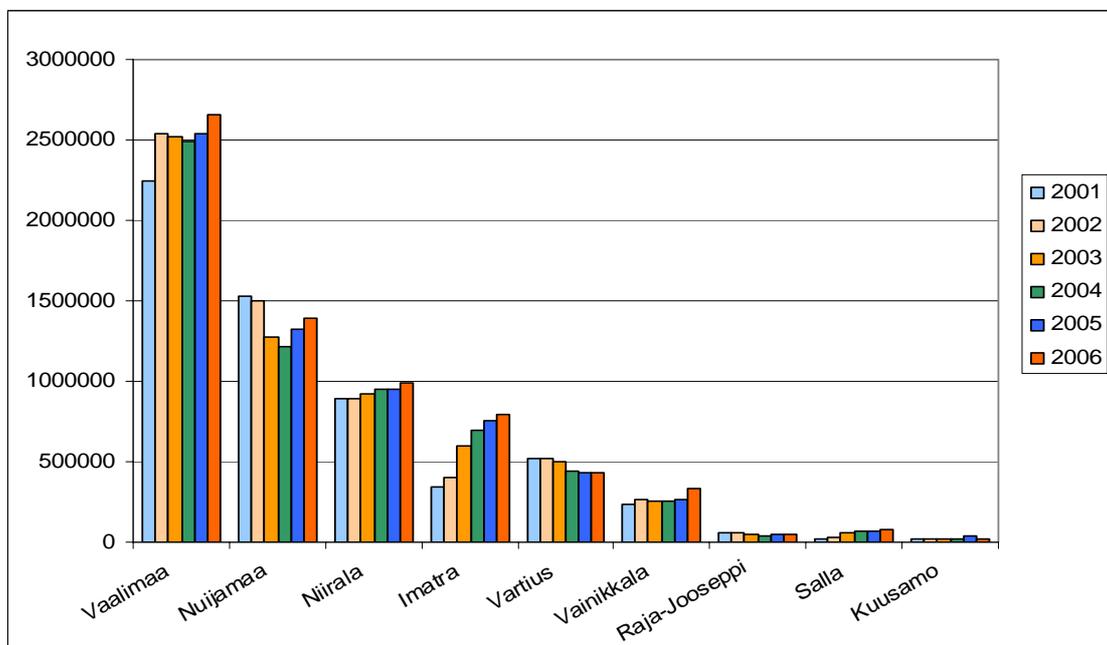


Figure 4. Border crossings at the international border crossing points in 2001-2006. Source: Statistics of the Border Guard, Finland.

4.2 Vaalimaa border crossing point

The Vaalimaa border crossing point is not only the busiest border crossing point at the Finnish-Russian border, but also the busiest at the external EU border with Russia as a

¹⁹ It has to be pointed out that in 2005 a significant number of crossings consisted of Finnish construction workers who were building the border crossing facilities on the Russian side.

whole (see: e.g. Ministry of Foreign Affairs 2006). In 2006, more than 2.6 million people crossed the border at Vaalimaa; this was 39.3% of all crossings at the Finnish-Russian border that year. The remaining 60.7%, or 4.1 million people, was divided between the eight other international border crossing points.

The E 18 road that runs through Vaalimaa is the main road link between Finland and Russia (Figure 5). In practice this means that the road on both sides of the border is in better condition than at other border crossings; thus, passenger traffic as well as freight traffic originating further away have begun to use the Vaalimaa border crossing more and more instead of other border crossing points, even if it may require extra driving.

Even though the present report focuses on passenger traffic, it cannot completely ignore freight traffic given the fact that the Vaalimaa crossing point has been in the spotlight of the Finnish media during recent years. Vaalimaa is the busiest border crossing point between the countries in freight traffic, measured by either the number of vehicles or tonnes that they carry²⁰. The rapid increase of freight traffic through Vaalimaa, especially during the last few years, has caused a severe problem at the border in terms of long lines of trucks waiting for their turn to the border and customs control. The Vaalimaa border crossing has become famous in this respect as the problem is visible in the media almost daily. This issue cannot be ignored in this report as the truck lines affect the passenger traffic at times, for example, by blocking the road between the Finnish and Russian border control points at Vaalimaa.

²⁰ For a more detailed study on cross-border freight traffic in south-eastern Finland, see: Finnish Road Administration (2006).

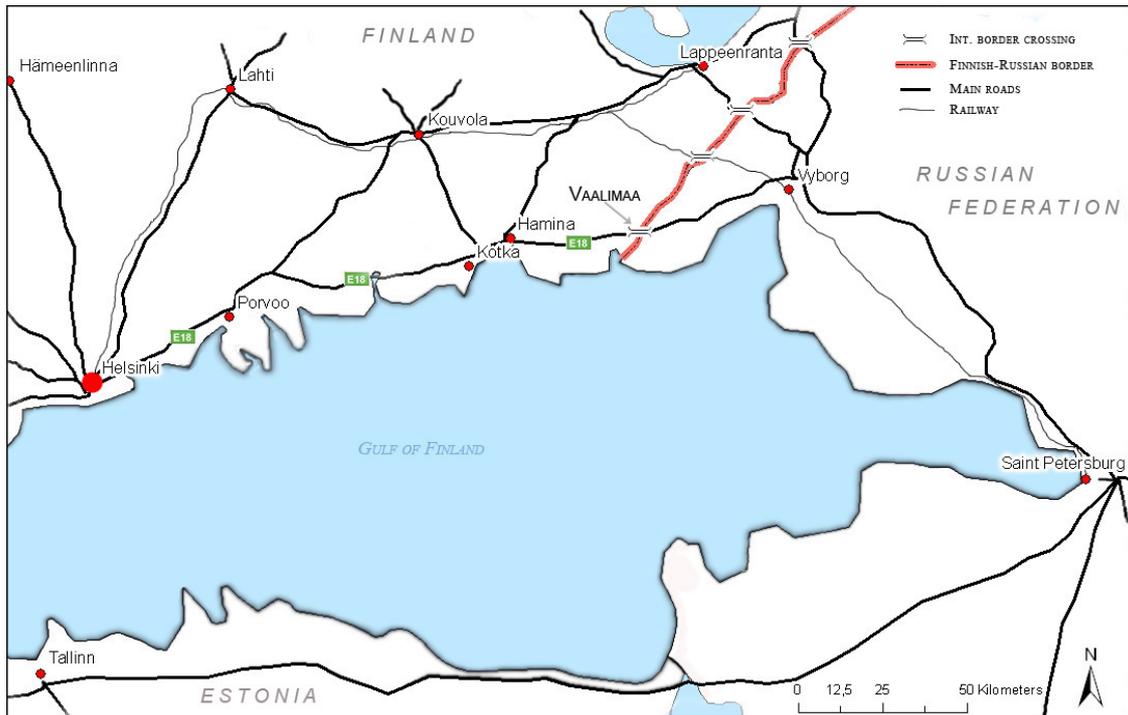


Figure 5. Helsinki-St. Petersburg axis.

The influence of Vaalimaa spreads to a broad area; the border crossing is used by travellers from the entire southern Finland, if not from the country as a whole. For the most part, however, the traffic flow that runs through the Vaalimaa border crossing is directed at the towns along the E 18-road between Helsinki and St. Petersburg. The freight traffic originates commonly from the harbours of Helsinki, Kotka and Hamina and runs towards St. Petersburg. Russians prefer to import goods through Finland to minimize the risk of theft and because Russian harbours near St. Petersburg do not have enough necessary equipments or warehouses. A significant share of the traffic that runs through Vaalimaa is directed towards Kouvola and Lahti. Passenger traffic is more diverse by its origins and destinations. Yet, a majority is directed to and from the immediate surroundings of the border crossing point. On the Russian side, a quarter of cross-border trips originates from or terminates in a Venko service station east of Vyborg, which describes the importance of the short-term shopping trips made by Finns. The rest of the traffic that runs through Vaalimaa is directed towards Vyborg and St. Petersburg (Salanne et al. 2004, p. 32, p. 35.). It can be concluded, among other things, that the rapid growth in road transport between Finland and Russia means that additional measures

must be taken to improve the maintenance, infrastructure, safety and services at the border-crossing points, particularly in places where the traffic is the busiest; i.e. at Vaalimaa and on the roads leading to this crossing point. Extra emphasis should, according to the study, be put on co-operation with Russian border-crossing points, where congestion is often a result of their inability to handle the increased amount of traffic.

It is crucial to keep in mind that the functioning of the Vaalimaa border crossing point is affected by the actions of the Russian Customs, Russian border control and some other Russian authorities in Torfjanovka, the border crossing point across the border opposite Vaalimaa. This report, however, focuses only on the functioning of the Finnish side of the border crossing point.

Due to increased traffic flow through Vaalimaa, the border crossing point has undergone a phase of intense development. The improvements have been supported by local enterprises and municipalities, the regional council of Kymenlaakso, various state level institutions and authorities, as well as the European Union. As part of the development phase, a new Border Guard and Customs building was completed in 1996 and new animal and animal products inspection facilities the following year (Figure 6). The incoming and outgoing traffic is directed through the main building, where a passport and customs control is carried out. Special fast lanes were also constructed for passengers with nothing to declare. Next to the main building, a separate inspection hall for incoming traffic is located, where in addition to Customs and Police, also the Ministry of Agriculture and Forestry has inspection facilities for foodstuffs, in accordance with the EU-regulations. A separate passport and customs control point is reserved for freight traffic. However, both passenger and freight traffic have to use the same single-lane road to proceed from the Vaalimaa check point of the Finnish side to the Torfjanovka check point on the Russian side, which at times causes congestion.

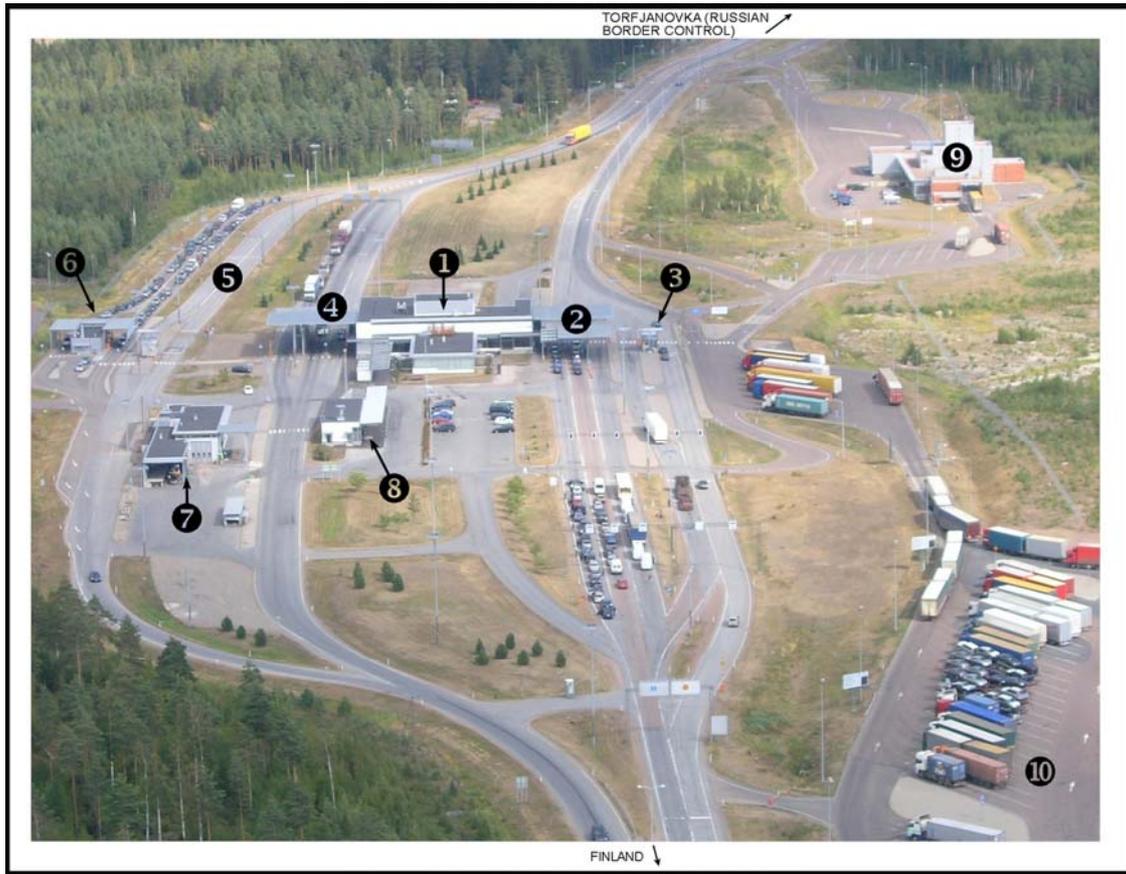


Figure 6. Vaalimaa border crossing point in 2006: 1) Main building with the Border Guard and Customs premises; 2) Check point for outgoing traffic; 3) Fast lane for outgoing traffic; 4) Check point for incoming traffic; 5) EU lane for incoming traffic; 6) Fast lane for incoming traffic; 7) Inspection hall; 8) Waiting hall/toilet facilities; 9) X-ray; 10) Truck park. Source: Southeast Finland Border Guard District. Reproduced by permission.

The next major investment was the truck X-ray system, which was completed in 1999. The Finnish Road Administration has carried out significant improvements by contracting new lanes and the municipality of Vironlahti has supported the improvements, as well as the construction of road network and of other infrastructure. In addition, the municipality of Vironlahti has striven to assist the development of public and private services in the area by the means of area planning, active industrial and commercial policy and acquisition of building land.

The so-called truck park was extended to have a capacity for 160 trucks in summer 2004 and the queue number system was introduced in 2006. The extension and renovation of

the main building was carried out in 2005-2006, when a separate waiting hall with toilet and child care facilities for passengers was constructed. In addition, a separate 3.2 kilometre long lane for trucks, leading to the truck park next to the border control point, and a bicycle path from Vironjoki to Vaalimaa were constructed in 2006. The street lighting was also improved and an adjustable speed limit and information system was constructed. During the 2007, the truck lane was extended with the EU support to 5 kilometers (Poutiainen 2007, Municipality of Vironlahti 2007).

A major improvement is already in sight: an approved and budgeted plan for separating the passenger and freight traffic completely from each other at Vaalimaa exists already (Figure 7). According to the plan, a separate freight traffic centre will be built next to the current border control station. When completed by the beginning of 2010, all freight traffic will be handled at the new facility from which the trucks will then be able to proceed directly to the corresponding facility at Torfjanovka on the Russian side using a road connection that will be constructed specifically for the purpose. The budget of the entire plan for separation of passenger and freight traffic is approximately 17 million euro (Poutiainen 2007).

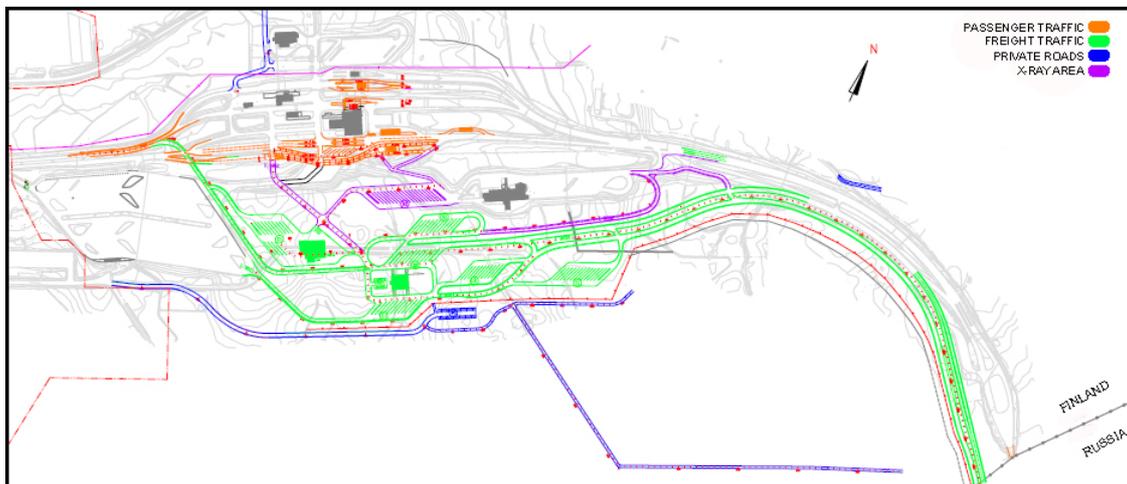


Figure 7. Plan for the separation of passenger and freight traffic at Vaalimaa. Source: Finnish Customs. Reproduced by permission.

Increase in traffic

The Vaalimaa border crossing point was officially opened for tourism and freight traffic in August 1958. However, during the first years the border crossing point was open only in certain months. By 1966, the traffic had increased to the extent that it was decided to keep the crossing point open year-around, even if only during the daytime. It was not until 1993 when the border crossing point was opened for 24 hour per day traffic.

Until 1991, the primary duty of Border Guard was to guard the border and to enforce that the regulations and laws concerning the border crossing were followed, whereas passport control at Vaalimaa was carried out by the police. On January 1, 1991, the duty of passport control was lawfully transferred from the police to the Border Guard and subsequently the Border Guard has become the leading authority responsible for the control.

The so-called opening of the border can easily be seen from Figure 8. After the collapse of the Soviet Union, the border became a lot more transparent for everyday people. Another significant step was taken in 1995, around the time that Finland became a member of the European Union. Today, more than 7,200 people on average cross the border at Vaalimaa daily; that is almost twice the number of crossings during the first year that the border crossing point was open to traffic 49 years ago.

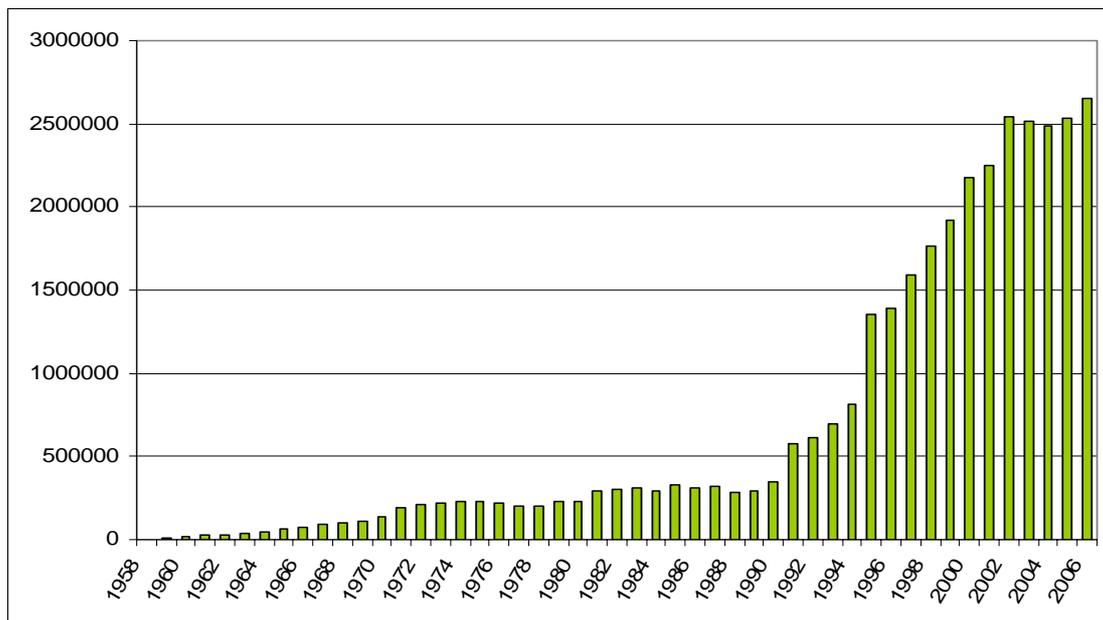


Figure 8. Border crossings at Vaalimaa in 1958-2006. Source: Statistics of the Border Guard, Finland.

It has to be pointed out that the rapid increase in cross-border traffic of the 1990s can partly be explained by the introduction by Russia of the so-called “Vyborg Card” by Russia, which enabled Finns to visit the Russian border town of Vyborg without actual Russian visas. This scheme was cancelled in May 2000, because of lack of reciprocity on the Finnish side. In addition, one-year-long multi-entry visas became easier and cheaper to obtain, which in practice meant that many people crossed the border more often than they had done before and, thus, contributed to the quantitative growth of the cross-border traffic. According to a study carried out in 2003, 72.6% of travellers crossed the border at least once per week and no fewer than 94.2% at least once per month (Salanne et al. 2004). Moreover, a vast majority of the cross border trips are exceedingly short-term by their nature; 87% of the trip last less than a day and 81% less than eight hours (*Ibid.*). This can be explained by the fact that a great share of the crossings by Finns were, and to a lesser extent still are, made in order to buy cheaper goods, namely alcohol, cigarettes, and gasoline, from the stores and gas stations that are located right across the border in Russia. Given the significant price difference, many found this to be a relatively easy way to earn extra income and, thus, crossed the border even many times per day.

As for the nationality of the persons crossing the border at Vaalimaa, an interesting pattern can be observed. Whereas the share of Russians was only a bit over 7% of all the border crossings at Vaalimaa in 1990, in 2006 it was already 76.0% and during the first half of the year 2007 not less than 80.0% (Figure 9). Interestingly, in addition to relative shares, the actual number in absolute terms of border crossings made by Finns has been decreasing during the last few years.

There are number of factors that may explain such a development. As the volume of traffic grew, also the waiting time at the border increased. This, together with raising prices on the Russian side of the border, meant that fewer people from Finland were willing to cross the border only to purchase some goods. Finns' share decreased even more as Estonia joined to the EU in 2004, after which alcohol and cigarettes could be brought from Estonia to Finland practically without a limit. Secondly, the share of Russians increased together with their purchasing power. More and more Russians crossed the border to Finland to buy goods that were not available in Russia. Moreover, Finland becoming a member of the Schengen agreement had an interesting impact on the cross-border traffic. In practice, the actual procedures at the Finnish-Russian border underwent only minor adjustments, as the control had already been fairly strict before that. Thus, unlike often claimed, the Schengen *acquis* did not create a new kind of curtain at the Finnish-Russian border. On the contrary: now, after being admitted entry to Finland, a Russian was free to travel wherever he or she pleased within the Schengen area with the same visa. In this sense, Finland has become of course a target county for Russian holidaymakers, but also a transit country, a window to the West, for an increasing number of Russians.

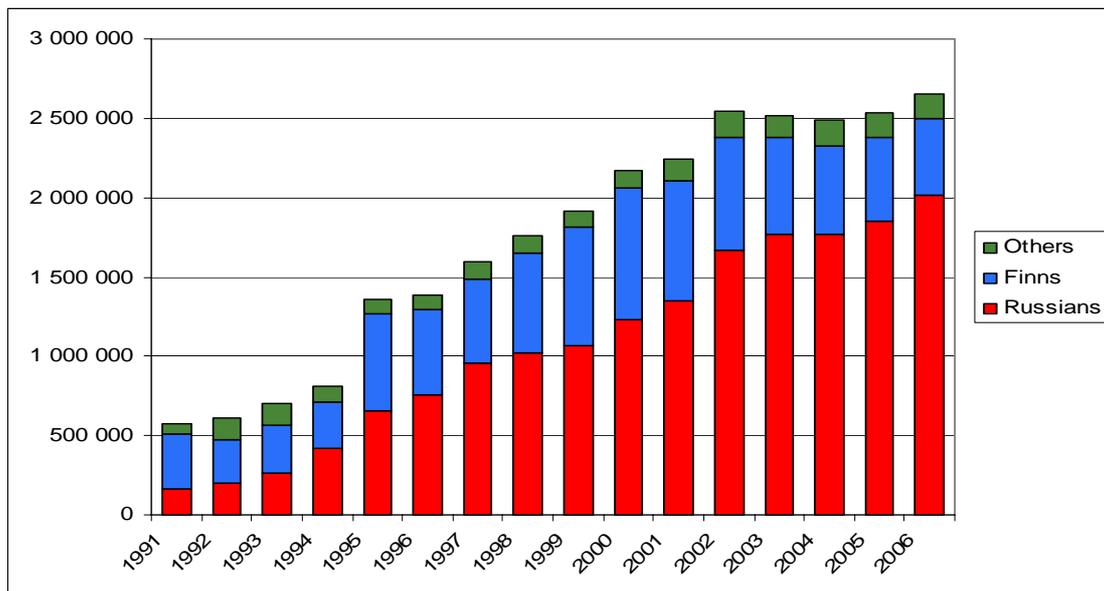


Figure 9. Border crossings at Vaalimaa by nationality in 1991-2006. Source: Statistics of the Border Guard, Finland.

The Vaalimaa border crossing is also the main on-road freight connection between the two countries. From the total of 2.5 million people crossing the border in 2006, close to 450,000 were truck drivers. According to the recent statistics by the Finnish Customs (2007), a total of 205,548 trucks, 398,255 passenger cars and 7,888 busses passed through Vaalimaa to Russia. Vaalimaa was also the most used through-traffic route from Russia to Finland, the respective numbers being 231,644; 393,468 and 8,533. Figure 10 illustrates the development of the respective shares in two-way traffic. While the number of busses has remained more or less stable, the number of passenger cars has recently decreased and that of trucks in turn increased. The amount of goods imported through Finland has doubled since 2002 to about three million tonnes in 2006 (Finnish Customs 2007). Crossing points at the Finnish-Russian border cannot manage such a growth as they simply are not of sufficient size. The high utilization rate of the Vaalimaa border crossing has had serious and well-visible consequences as the queues of trucks waiting for their turn to the border and customs control have repeatedly stretched to intolerable lengths, at times close to 60 kilometres from the border.

It has been predicted that during the upcoming winter, the queues may grow to be more than 100 kilometres in which case the waiting time to the border would take almost an entire working week (Lehtonen 2007). These queues involve serious safety risks for other traffic, harm people living along the route, cause logistical losses and have negative consequences on the EU-Russian trade. There have been efforts to ease the situation by temporary solutions, for example by constructing truck parks and lanes where the trucks can wait for their turn instead of waiting by the road. These parking areas are, however, insufficient and do little to eliminate the actual problem.

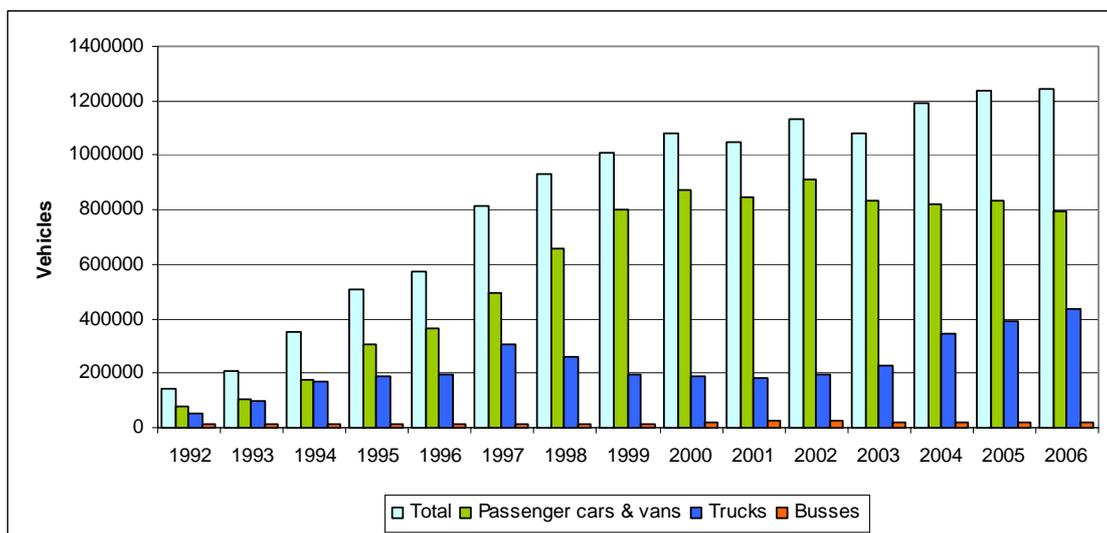


Figure 10. Distribution of border crossings at Vaalimaa (vehicles). Source: Statistics of the Finnish Road Administration and Finnish Customs.

Distribution of traffic

The flow of traffic through Vaalimaa is distributed rather evenly throughout the year. In passenger car as well as bus traffic, the busiest months are the July and August. As Figure 11 illustrates, the flow of passenger traffic towards Russia is rather equal to the flow towards Finland, which can be explained by the typical short-term nature of the cross-border trips, i.e. most people who cross the border tend to come back fairly before long. Freight traffic in turn is slightly busier in the autumn than in spring. Due to the importance of transit traffic flow from Finland to Russia, there are more trucks going to

Russia than there are coming to Finland throughout the year. As a result of the increased volume of freight traffic and continuous queues at the border, the truck flow across the border is now equal at all hours of a day, whereas passenger traffic slows down during the night.

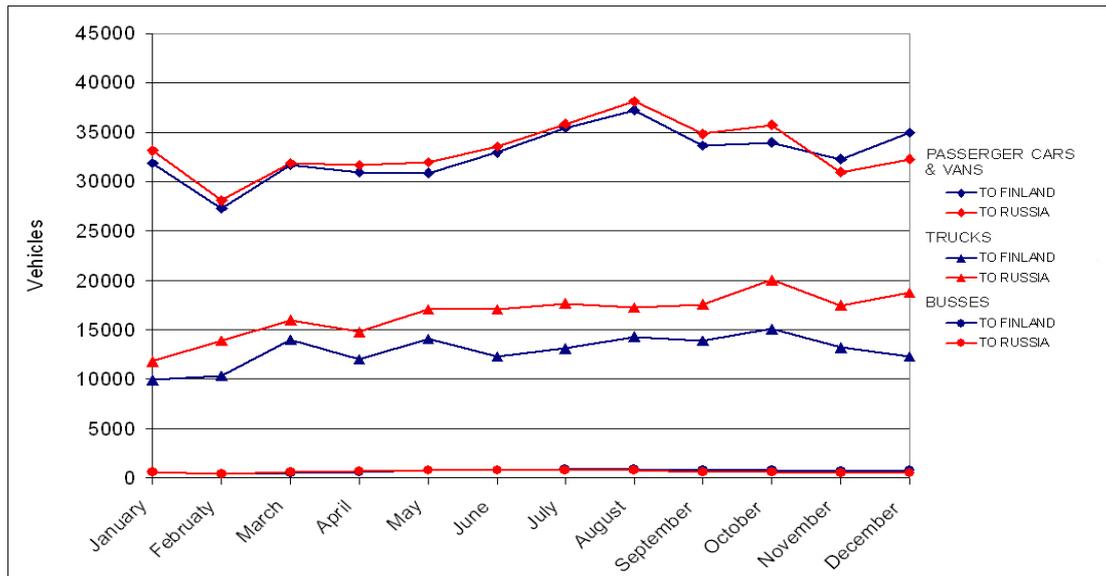


Figure 11. Border crossings per month at Vaalimaa in 2006. Source: Statistics of the Finnish Road Administration.

4.3 The perspective of the Border Guard and Finnish Customs

The interviewed Border Guard and Customs officers see the functioning of the Vaalimaa border crossing in a positive light. In their opinion, however, despite the recent improvements, the present infrastructure is becoming rapidly insufficient to handle the increased traffic flow. So far, the increased traffic has been tackled by introducing more technical equipment and instruments in order to meet the passport control and customs clearance objectives. In addition to numerous electronic registers, also a licence plate recognition system (LIPRE) and X-ray and fibre endoscopes are in use to help and expedite the control at the border. Given that the increase in traffic is expected to

continue, a complete separation of passenger and freight traffic is seen as necessary and hoped to be introduced as soon as possible. Also the passenger traffic side could use an extra lane and, thus, more labour force.

As most of the travellers are now of Russian nationality, the flow of passenger traffic is the most intense in the mornings, especially on the incoming side, and in the afternoons on the outgoing side, late evenings and midday hours being the least busy times of travelling. To a certain extent, the incoming passenger traffic from Russia to Finland begins to intensify immediately after the midnight as the travellers wish to utilize the entire period of validity of their visas. On the one hand traffic is hardly ever non-existent, but on the other hand noticeable queues in passenger traffic seldom occur on the Finnish side. In practice, the time that a passenger arriving to Finland has to spend on the Finnish border formalities after passing the Russian border control is the time that the actual passport and customs control requires. When leaving Finland, one can proceed through the border control point even faster as no regular custom control is implemented and the waiting time for the passport control is usually not more than a couple of minutes. Queues may, however, occur at times if the freight traffic has blocked up the single-lane road between the Finnish and Russian border control points, in which case the Finnish side has to momentarily stop letting more passenger cars through.

Freight traffic, in turn, flows through the Vaalimaa border crossing point fairly evenly throughout the day, at the level of approximately 700–800 trucks per day. There are constant queues for the border and customs control, which often reach intolerable lengths. Generally speaking, at least three major causes for that can be indicated. Firstly, the volume of traffic has simply increased to the extent that the infrastructure and facilities of the border control point as a whole (i.e. Finnish and Russian sides combined) have become insufficient. Secondly, the volume of freight traffic is not distributed evenly among the border crossing points at the Finnish-Russian border. Oftentimes, the queues at Vaalimaa may be 10–20 kilometres, whereas at Nuijamaa, which lies only 30 kilometres north, only 10–20 trucks are queuing up for the border. The reasons for this are, again, multiple. Vaalimaa's ability to handle freight traffic is twofold compared to

that of Nuijamaa. In addition, as most of the freight is in Russian ownership, it is also up to Russian holders of goods to decide which border crossing their trucks use. Even if the queue is long, it moves fast. Thus, owing to the well functioning border crossing point, Vaalimaa is the fastest route between the countries. Another reason for Russian holders of goods to choose Vaalimaa is the fact the E-18 road that runs through Vaalimaa towards St. Petersburg is in a significantly better repair on the Russian side than the roads after the other border crossing points. Transporting the freight this way reduces the risk of accidents, which again reduces the insurance costs. Some Russian insurance companies have even refused to grant insurance for a company that uses other border crossings than Vaalimaa (Poutiainen 2007). Lastly, according to the Russian customs legislation, certain types of goods may simply not be imported through any other border crossing than Vaalimaa (*Ibid.*).

The third reason for long queues is the functioning of Russian Customs. According to various opinions, there are too many authorities working at the Russian border stations. While on the Finnish side there are two authorities responsible for the border control, the Border Guard and the Customs, on the Russian side there are seven authorities²¹ in total. Even if the Finnish side was able to handle more traffic, it could not, as the Russian side is not able to keep up the pace. Bureaucracy, labour deficit, frequently changing rules and the lack of available information concerning these changes are certainly prejudicing the situation, but it has to be also borne in mind that the control of imported goods is fundamentally different as a procedure than that of exported goods. When a truck arrives to the Finnish border control point, it goes through export procedures in which no duties are imposed on the transported goods. The paper work on the Finnish side takes, thus, only approximately three minutes per truck. Accordingly, the Finnish Customs could easily double the number of trucks that pass through Vaalimaa. The limit is, however, set by the Russian side and the Finnish side simply cannot let more trucks through than the Russian side can manage. As the same truck arrives to the Russian border control point, it has to go through import procedures, which are more detailed as appropriate duties have

²¹ Russian border stations have e.g. Border Guards, Traffic Inspection, veterinary, phytosanitary, and certificate offices.

to be imposed. Even though the Finnish side has only three customer service points, whilst the Russian side has 16, the Finnish Custom's capacity to handle traffic is still twofold compared to the Russian side. This is, again, mainly due to the fact that importing procedures simply differ greatly from those of exporting. To elaborate the point, it probably suffices to say that whereas the Finnish Customs stamps a truck's papers five times before letting it through, on the Russian side 45-55 stamps are required.

Freight has to be transported on road as Russian harbours lack the needed equipment and sufficient warehouse facilities. The reason why Russian companies have chosen to transport the goods particularly through Finland has to do with deteriorated relations between Russia and some of its nearest neighbours, especially from the former Soviet Union. The Finnish-Russian relations in this respect are commonly perceived to be in better order. The president of Finland, Tarja Halonen, discussed the topic with Russian president, Vladimir Putin. As a consequence, Russia has already made decisions that will help to improve border traffic, when they are actually implemented. As an example, Russia has promised to cut the number of separate authorities working at the border from seven to two and to increase the number of personnel.

The invariably worsening situation has forced the Finnish Customs to contemplate restricting the incoming traffic from Russia. According to Mr. Kivilaako, head of the Eastern Customs District, even closing the border as an extreme measure to solve the situation has come up in the discussions (Tulli pohtii... 2007). If the incoming traffic was cut off, trucks would accumulate on the Russian side instead of the Finnish side. Such a measure would, however, have its side-effects that would hamper Finland as well. A more workable plan to put an end to the lines would be to introduce the use of an electronic customs declaration. According to Mr. Poutiainen, head of the Finnish Customs at Vaalimaa, the electronic declaration is not in use because the agreement would have to be made between the European Union and Russia, not between Finland and Russia (Russian economy... 2007).

According to their own assessment, the domestic co-operation between the two authorities working at the border is intensive, constant, and fruitful. Even though the fundamental objective of both the Customs and the Border Guard is the same: to carry out the control and prevent crime, each authority has its own well-defined duties. A well co-ordinated co-operation is seen to raise the efficiency of these activities. Moreover, efficient co-operation increases the operational and economic efficiency with which these public authorities fulfil their functions.

The co-operation with the corresponding Russian authorities has also increased and deepened. Today it is fairly intensive, yet not comparable to the level of co-operation among the domestic authorities. The cross-border co-operation consists mainly of co-operative reactions to various difficult situations, but more deterrent activities are also undertaken. The co-operation takes the form of meetings, exchange of information, exchange of practical experience, trainings and common investigations and joint actions. It is based, of course, on current legislation and agreements, but also on personal relationships. Meetings are scheduled on a regular monthly basis in which Finnish Customs and the Border Guard meet with the Russian Customs and the Border Guard. More meetings can be organized on ad hoc basis as the need is felt by one of the parties. Meetings with the colleagues on the other side of the border are unproblematic as the personnel of the Customs and the Border Guard are allowed to cross the to the border control point on the other side without any passport and visa procedures. The main purpose of these meetings is to process all open border incidents and exchange information. In addition to meetings, the two sides communicate with each other almost on a daily basis either by phone or fax.

The co-operation takes place on various levels. The heads of the two countries' Border Guard organizations meet at least twice per year, a permanent Finnish–Russian Border Guard Committee has meetings four to six times a year, the regional border delegates of the respective countries and their substitutes have about 1,000 annual meetings and local officers solve the acute questions arising from the control on both sides of the border.

For example, the capacity of Russian Customs to handle traffic has increased significantly as a result of co-operation. When the Russian side receives information about long truck queues on the Finnish side, it can increase the number of personnel working at the border, if possible, in order to speed up the process. The role the Finnish Road Administration is also important in this respect as they provide real-time information concerning the length of the queues online (see: Appendix 1) and make it thus accessible for the other authorities and people in general.

Difficulties have at times arisen from differences in culture, bureaucracy and professionalism. Russian counterparts have not received the same level of education and training as Finnish Border Guards have. Joint seminars have therefore been organized on problematic areas. One form of joint operation at this level is implemented in the field of documentation examination; it is possible for Russian Border Guard to use Finnish equipment if they suspect that there could be a problem with a travel document.

As a whole, both the Finnish Customs and the Border Guard are of the opinion that the current level of co-operation with their Russian colleagues is sufficient. Co-operation is fairly well coordinated, yet it has to be borne in mind that the guidelines on how the control has to be carried out derive from the respective state legislation on both sides. To make the two different legislations meet to the extent that a certain activity could become a responsibility of only one side is an issue that can not be settled at the very border.

The Customs and the Border Guard employ at Vaalimaa approximately 125 persons each. Both authorities agree that just as the infrastructure, also the number of personnel has become insufficient in relation to the increased volume of traffic, especially at times the traffic is the busiest. Extra labour force would not, however, make the actual border crossing any faster as the waiting time for the control on the passenger traffic side is already only nominal and the reasons for queues on the freight traffic side lie elsewhere.

The qualifications for working at the border control have been tightened. In order to be able to apply for a job at the Customs one has to obtain a second cycle degree. After an

initial training period one has to go through a special customs school, a vocational basic training two and half years after which he or she receives an actual vocational qualification to work as a Customs inspector. The Border Guard has similar proceedings, as a one-year vocational basic training is required before one is qualified to work as a Border Guard officer. Russian language skills are not required, but well appreciated. All people working at the border know at least a couple of words in Russian, and several of them know it fluently. In addition, a professional interpreter is always available. English is spoken widely among the personnel, but as approximately 80% of the travellers are now Russians, the Russian language is evidently the main language in use.

At Vaalimaa border crossing point, travellers have good access to basic information on the immigration and customs regulations. Information can be obtained from the personnel, but also acquired from leaflets, brochures, posters and notice boards that are clearly visible for a traveller. The available information is updated regularly in response to respective regulation changes. In the case of major changes, the updated information is also put up on the Russian side in order to allow travellers to obtain the information as early as possible. Yet, it has to be kept in mind that in the end it is a traveller's responsibility to find out and acquaint oneself with the current regulations and legislation before arriving to the border. Both the Customs and the Border Guard agree that in general terms travellers seem to be well aware of the regulations and disagreement and misunderstanding are rather rare. If, however, a traveller is dissatisfied with the received treatment by either authority, he or she may lodge a complaint or an appeal either immediately or afterwards. Instructions to do so are easily available in all the main languages. A few dozen of such complaints are received every year. The complaints are firstly handled at Vaalimaa, where the head the respective authority gives a dictum after reading the written statements by the traveller and the officer in question. The dictum is then sent to the respective organizational district, where the final decision is made.

When it comes to the categorization of travellers, the perception of Customs and Border Guard officers dovetail with the official statistics. Approximately 80% of the travellers are now Russians, and approximately 440,000 border crossings, out of more than 2.6

million in total, are made annually by truck drives only. Thus, the role of the freight traffic at Vaalimaa is important and well visible. The remaining two million passengers cross the border for various purposes. It has, however, become observable for persons working at the border that especially the number of Finns crossing the border for short visits in order to buy cheap goods has decreased – as has the number of Finns in absolute terms as a whole. The number of tourists especially from other countries (central Europe, North America and China) tends to increase during summer months.

Travellers crossing the border have not only increased by number but also their place of origin has become more diverse. Yet, the number of offences detected during checks has showed a slight decline during the last years, being now approximately 4,600 annually. The number of refusals of entry also decreased from being close to 3,500 in 2002 to less than 1,500 in 2006 and the number of asylum applications has come down from 1,010 to 309 during the same period of time (Border Guard 2007c). The grounds for refusal and other sanctions come from national legislation, which is bounded by applicable international agreements, most importantly in this respect by the Schengen border code (EC REG No 562/2006).

The personnel at the Vaalimaa border crossing point has not heard about incidents of corruption on the Finnish side. If any corruption-related activities were detected, the offender would be discharged from his or her duties instantaneously. There seems to be a general awareness, however, that corruption occurs at some level of the Russian border and customs control, but it is difficult to substantiate and indicate in practice.

From the perspective of Customs and Border Guard officers, the infrastructure currently meets the basic needs of travellers sufficiently. Recent renovation improved not only the facilities for personnel, but those for the travellers as well. The waiting area of the main building was made larger to allow several busloads of people to wait for their turn inside simultaneously and a separate waiting hall with all the basic facilities was build next to the main building. In addition, special arrangements for disabled travellers were constructed in every building. A wider selection of facilities and services can be found

less than a kilometre from the actual check point. Separate facilities exist also for more thorough inspections and potential strip-searches as the legislation dictating the procedures of these activities is remarkably strict. Body search, then, is always performed by a qualified medical doctor under strict supervision as it interferes in the basic rights of an individual.

4.4 The travellers' perspective

In general terms, the perspective of travellers does not differ to any major extent from the opinion of the Border Guard and Customs officers. In regard to the passenger traffic, Vaalimaa is perceived as a well functioning border crossing point. The more critical comments were directed at the freight traffic or, to a certain extent, at the Torfjanovka border control station on the Russian side.

From the travellers' perspective, the actual border crossing point has all the needed basic facilities but not anything extra. This is, however, considered by most only as a positive feature, as it is understood that in order for a crossing point to function in an efficient manner the passengers have to be in and out as fast as the procedures allow. By definition, the function of a control point is to control and guard, not to provide all possible other kind of services. As all the additional services (such as restaurants, shops, currency exchange, tax return offices, gas stations, etc.) are located only several hundred meters from the border crossing point, travellers are happy to make a stop there right before or after going through the border crossing formalities. The infrastructure located prior to the actual border crossing point also meets the needs of travellers. The only major problem seems to be the constant line of trucks alongside the road leading to Vaalimaa, which causes severe safety risks for passenger traffic.

No problems are perceived concerning the behaviour of Border Guard and Customs officers towards travellers. The passport control and possible customs inspections procedures are also carried out in an appropriate manner. A number of passengers stated that personnel's Russian language skills could be improved to allow easier

communication between officers and travellers. Vaalimaa border crossing was, however, seen to function better also in this respect than other border crossing points at the Finnish-Russian border. As yet, the number of personnel working at the border has been sufficient to handle the traffic on the passenger side. Interestingly, though, several Russian travellers were unable to distinguish the Border Guard from Customs as two separate authorities and, thus, their work was often evaluated as one.

Apart from obvious legislation-based division between the EU nationals and non-EU nationals, the interviewed travellers could not point out any differences in treatment during the passport or customs control. In general terms, Finns, Russians as well as travellers of other origin are treated according to the same lines. It is widely understood that being an external EU border crossing point, all incoming and outgoing traffic has to be controlled at Vaalimaa. If a traveller is from a non-EU member country, e.g. Russia, he or she is obliged to go through more thorough inspection, which consists, in addition to a basic travel document check, of questioning concerning particularly the purpose of travel and possession of sufficient financial resources for the entire length of the visit. These procedures obviously take time, yet the total time that a traveller has to spend on the procedures on the Finnish side is still perceived not to represent any noteworthy inconveniences.

Travellers seem also to be fairly well aware of the applicable rules and regulations concerning the border crossing procedures and customs limits. The relevant information is available at the border crossing point, but Internet sources (most importantly, official web pages of the authorities in question) are used more and more for acquiring relevant information

In general, motives for crossing the border differ between Finns and Russians. To put it bluntly, Finns tend to cross the border in order to save some money, whereas Russians come to Finland to spend their savings. According to the research carried out by the Finnish Road Administration in 2003 (see: Salanne et al. 2004, 26-28), a majority of travellers cross the border for shopping purposes (Figure 12). The second most common

motive to cross the border was “other work-related trip”, which excludes daily commuting. Other common motives to cross the border are vacation trips and other leisure time trips, which includes visiting relatives or friends.

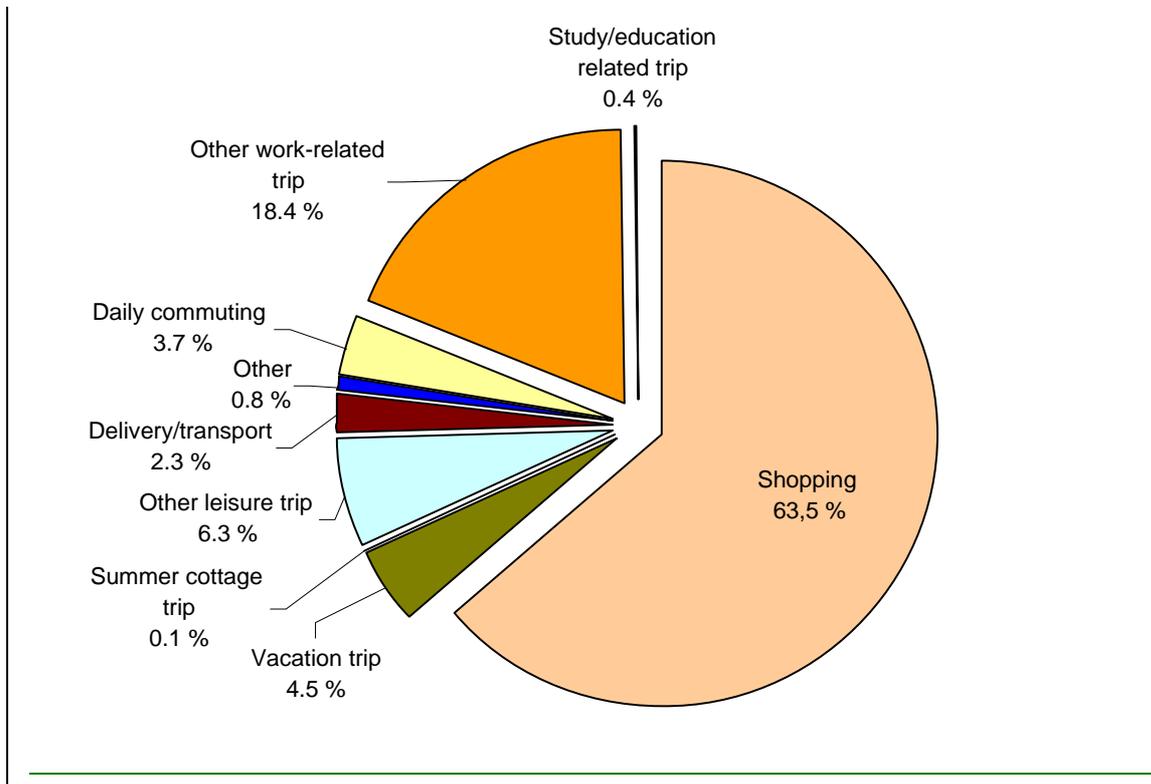


Figure 12. Purposes for crossing the border in 2003.

The motives to cross the borders differ to some extent between nationalities (Figure 13). Even if remarkably different by content, shopping is the main underlying motive for both Finns and Russians. Only approximately eight per cent of Finns cross the border for work-related purposes, whereas the corresponding share of Russians is close to 30% (Salanne et al. 2004, pp. 26-30.) Other nationalities cross the border for other purposes. These often included study excursions or tourism.

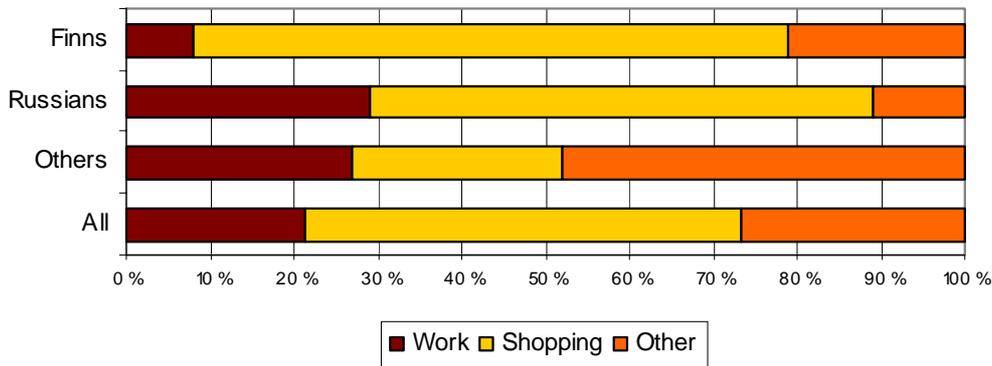


Figure 13. Purpose of crossing the border at Vaalimaa by nationality.

In all, from the point of view of travellers, everything is functioning well. One has to take into consideration that the respondents were frequently comparing the situation at the Finnish side of the border with its Russian counterpart. In the admittance of the respondents, the Finnish side of the border is better organized, passport and customs control take on average less time (approximately 10-15 min per person). It has been noted that on the Finnish side of the border, “there is less bureaucracy” than on the Russian side, which is again the consequence of relatively quick service and clarity of rules and procedures.

As for issues that would merit improvement, it was noted that the language skills of the border personnel could be improved, particularly the command of Russian. This problem has been acknowledged by Border Guard. For instance, at the Vaalimaa border crossing point, a Border Guard officer who speaks fluent Russian often travels to other border crossing points where the demand in the Russian-speakers is even higher. The situation would be different if native Russian speakers among immigrants were hired as border personnel. So far, according to the respondents at the Vaalimaa border point, no one with the Russian background has ever been employed.

Another problem that often cropped up in the interviews is that the processing of the documents for freight transport and cars is done in the same line, which causes delays and longer queues.

In all, it seems that problems at the border are mainly technical. However, on a broader level one could detect the presence of structural problems stemming from the combination of policies that are aimed at promoting co-operation on one hand and control at the border on the other.

5 Conclusions: The relevance of the Finnish-Russian border for the EU's policies as regards its external border

The starting point for this assessment was the view that the Finnish-Russian border is part of the external border of the European Union. In general, it seems that the border is functioning well; in fact it is often referred to as an exemplary case in the EU. The “assets” of the border that were presented by the border personnel include “stability”, “good organization” and high level of security. Undoubtedly, these are important and relevant elements for the well-functioning of the border. Nonetheless, the “stability” of the EU-Russian border may have its dark side if it does not provide for essential political interaction between Russia and the EU, let alone some possible integration spillover. It is this stability that can be easily turned into marginalization or peripherization of the border. In this case, the EU-Russian border will run the risk of becoming an impermeable normative divide.

On a broader level, still, this observation goes to show the interrelation of the situation at the border with the general state of affairs between the EU and the country with which it shares this border. As the political relations between the EU and Russia are organized on the basis of Russia's non-membership in the EU, projects to further develop cross-border co-operation, for example as part of the Northern Dimension framework, have not acquired much speed. A promising novelty in this regard are the new guidelines for the

Northern Dimension policies that define them as a common project in which the Russian and European participants will have equal right to define their priorities.²² The practical implementation of this improvement remains to be seen. Another important feature of Russia-EU relations that has a direct implication for the work of the border is the visa-free dialogue that has been ongoing since 2002. According to the border personnel, the visa-free regime, should it become a reality one day, would speed up the border control procedures and in that way also decrease the waiting time at the border. However, on the other hand the visa-free regime would increase the traffic flow across the border, which would have obviously an inverse effect. According to Poutiainen's (2007) estimate, the Vaalimaa border crossing should be able to handle 10 million passengers annually, i.e. almost four times the present number, if and when the visa-free regime is implemented.

The border also reflects the economic side of the Russia-EU relations. Long queues of the freight transport at the border best exemplify the ever growing volume of trade between Russia and the EU. Indeed, half of Russia's trade is with the EU. This also reveals the third function for the border, namely that of economic and transport infrastructure.

In all, the case of the Finnish-Russian border can be seen as relevant for other EU's external borders in these three categories or functions of the border: control, trade and economic relations and cross-border co-operation.

²² 2006 Annual Progress Report on the Implementation of the Northern Dimension Action Plan (Commission Staff Working Document SEC(2007) 79). Available at: http://ec.europa.eu/external_relations/north_dim/doc/sec07_791_en.pdf

Appendix 1. Traffic situation at the border. Real-time online service offered by the Finnish Road Administration.

Rajaliikennetilanne



VAALIMAA		NUIJAMAA		IMATRA	
22.09 13.00	50 km	22.09 08.40	19 km	21.09 17.00	8 km
22.09 11.00	54 km	21.09 23.50	23 km	21.09 14.10	8 km
22.09 08.45	53 km	21.09 21.30	22 km	21.09 08.55	7 km
22.09 05.15	52 km	21.09 21.30	21 km		
22.09 03.25	50 km	21.09 18.45	21 km		
22.09 03.25	50 km	21.09 14.50	17 km		
21.09 22.40	50 km	21.09 08.44	19 km		
21.09 19.30	45 km				
21.09 17.10	28 km				
21.09 11.00	22 km				

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