

Crime prevention policy	
EU- priority	Trafficking of human beings (THB)
Country	Estonia
Year	2018

1. Overview of the field

Definition of trafficking

Under Estonian law, THB is defined in § 133 of the Penal Code as follows:

§ 133. Trafficking in human beings

(1) Placing a person in a situation where he or she is forced to work under unusual conditions, engage in prostitution, beg, commit a criminal offence or perform other disagreeable duties, or keeping a person in such situation, if such act is performed through deprivation of liberty, violence, deceit, threatening to cause damage, by taking advantage of dependence on another person, helpless or vulnerable situation of the person, is punishable by one to seven years' imprisonment.

(2) The same act if:

- 1) committed against two or more persons;
 - 2) committed against a person of less than eighteen years of age;
 - 3) committed against a person in a helpless situation;
 - 4) committed in a torturous or cruel manner;
 - 5) serious health damage is caused thereby;
 - 6) danger to life is caused thereby;
 - 7) committed by a group;
 - 8) committed by taking advantage of official position,
 - 9) serious consequences are caused thereby;
 - 10) committed by a person who has previously committed a criminal offence provided for in this section or §§ 1331, 1332, 1333 or 175;
- is punishable by three to fifteen years' imprisonment.

(3) An act provided for in subsection (1) or (2) of this section, if committed by a legal person, is punishable by a pecuniary punishment.

(4) For the criminal offence provided for in this section, the court may impose extended confiscation of assets or property acquired by the criminal offence pursuant to the provisions of § 832 of this Code.

(5) For the purposes of this section, vulnerable situation is a situation where a person lacks an actual or acceptable opportunity not to commit any of the acts specified in subsection (1) of this section.

Assessment of trends and developments

In international assessments, Estonia is considered a source, transit and destination country for trafficking in human beings (U.S. TIP report Tier 1, UN, European Commission, etc.). Organised crime, incl. trafficking in human beings is a priority in combating crime; it is included in both the criminal policy development directions until 2018 adopted by the parliament and the national priorities in combating crime.

Council of Europe Convention on Action against Trafficking in Human Beings entered into force regards Estonia in 1.06.2015 and at the moment the first evaluation round by GRETA is in process for Estonia, first evaluation visit took place in May 2017 and the report is available here: <https://rm.coe.int/greta-2018-6-fgr-est-en/16808b292c>.

Recent overview of statistics and research

Overall the numbers of crimes of THB have been during the last 10 years quite stable, but there are some small changes in statistics on yearly basis.

Crimes of THB, incl crimes related to THB are as follows:

Penal Code § 133. Trafficking in human beings (inimkaubandus)

Penal Code § 133¹. Support to human trafficking (inimkaubanduse toetamine)

Penal Code § 133². Pimping (kupeldamine)

Penal Code § 133³. Aiding prostitution (prostitutsioonile kaasaaitamine)

Penal Code § 175. Human trafficking in order to take advantage of minors (inimkaubandus alaealiste ärakasutamise eesmärgil).

KarS-i §	2013	2014	2015	2016	2017	Muutus (2016-2017)
Inimkaubandus alaealiste ärakasutamise eesmärgil (175)	18	15	63	59	67	+8
Kupeldamine (133 ²)	13	8	17	19	13	-6
Prostitutsioonile kaasaaitamine (133 ³)	1	0	1	0	2	+2
Inimkaubandus (133)	8	5	4	15	10	-5
Inimkaubanduse toetamine (133 ¹)	2	0	0	1	1	0

There are number of the studies done in recent years either in Estonia or within the international cooperation projects as follows:

1. HEUNI report series 83. Addressing Human Trafficking in the Baltic Sea: Nordic-Baltic Partnership with Passenger Ferry Companies to Counter Trafficking in Human Beings, Smuggling of Migrants and Exploitation of Migrant Workers in the Baltic Sea Region: <http://heuni.fi/en/index/publications/heunireports/reportseries83.addressinghumantraffickinginthebalticsea.html>

2. HEUNI report series 82. Exploitative Sham Marriages: Exploring the Links between Human Trafficking and Sham Marriages in Estonia, Ireland, Latvia, Lithuania and Slovakia: <http://heuni.fi/material/attachments/heuni/reports/ci5Y5cgbB/Nettiin.pdf>.

3. HEUNI report series 87: The costs of assisting victims of trafficking in human beings: a pilot study of services provided in Latvia, Estonia, Lithuania: http://www.heuni.fi/material/attachments/heuni/reports/HY3EXasQ3/HEUNI_Report_no.87.pdf.

4. Studies of public awareness (labour exploitation and prostitution):

1) In 2014 and in 2016, TNS EMOR studied the population's awareness of trafficking, in the first report more detailed look at the labour exploitation; the population study asked residents to assess several situations hinting at exploitation and trafficking in human beings and also

about victimization (2016 report available in Estonian:

http://www.sm.ee/sites/default/files/content-editors/eesmargid_ja_tegevused/Norra_toetused/Koduse_ja_soopohise_vagivalla_vahendamise_programm/soopohise_vagivalla_uuring_2016_aruanne_emor_loplik.pdf).

2) TNS EMOR also studied the awareness of THB from youngsters, from the 10-12th grade students (report available in Estonian:

<http://ft.ee/admin/upload/files/Noorteuurimus%202015.pdf>).

2. Crime strategy and coordination

Objectives of the crime strategy

Estonia has a national policy and a strategic development plan of the Government of the Republic for combating trafficking in human beings since 2006. There are three national/governmental level strategies worked out, which are confirmed by the government. The third strategy is in implementation now, for the years 2015-2020. The Strategy for Preventing Violence in 2015–2020 encompasses violence between children, abuse of children, domestic violence (intimate partner violence), sexual violence and trafficking in human beings. The Strategy for Preventing Violence discusses violence prevention in its wider meaning, at three prevention levels encompassing universal prevention, victim protection and work with consequences of violence. First, the Strategy addresses awareness raising and educating of the public; second, the Strategy focuses on people at risk of becoming a victim or committing an offence; and third, the Strategy is used for working with consequences of violence, offering support measures to victims as well as interventions concerning perpetrators of violence. The solutions proposed in the Strategy are guided by the World Health Organisation's understanding that risk factors for violence are related to the society (e.g. norms favouring violence, gender inequality), the community (e.g. lacking victim support services), relationships (e.g. domestic conflicts, poor parenting skills) and persons (e.g. history of abuse as a child, psychological and behavioural problems, addiction problems).

Role of prevention in the crime strategy on state/regional/local level

One part of the strategy is dedicated to prevention, which is carried out mainly on the state level, but some of the activities are carried out on local and regional level.

Implementation of the policy (which level is responsible for the implementation and how is the implementation coordinated?)

The implementation of the policy through the Strategy for Preventing Violence is coordinated by the Ministry of Justice, which submits annual reports to the Government on the basis of contributions from other relevant ministries and public bodies. Other ministries responsible for the implementation of the Strategy are the Ministry of Education and Research, the Ministry of Culture, the Ministry of Economic Affairs and Communications, the Ministry of the Interior, the Ministry of Social Affairs, the Ministry of Foreign Affairs, the Estonian Forensic Science Institute, the Prosecutor's Office, the Police and Border Guard Board, the National Social Insurance Board, and the National Institute for Health Development. The implementation of the Strategy takes place in co-operation with state authorities and health-care and educational institutions.

The Criminal Policy Department at the Ministry of Justice hold the post of the National

Coordinator on Trafficking in Human Beings in Estonia, which is a part time work for one of the advisers in Analysis Division. The National Coordinator is Estonia's equivalent mechanism to the National Rapporteur and has the role to coordinate the implementation of anti-trafficking policies, incl. organization of the meetings of the stakeholders at all levels, analysing crime statistics, comprehensive data collecting and reporting to the agencies asking information about Estonian situation of THB. The National Coordinator is responsible for setting the agenda for the meetings of the National Coordination network, which monitors the implementation of the National Strategy and its Action Plan (NAP). The National Coordinator gathers information on the status of implementation of the measures foreseen by the NAP and collects input and suggestions from different stakeholders for the yearly report on NAP implementation for the government.

National Coordinator also organizes different prevention activities, also is engaged in the trainings organized by other authorities, incl other ministries. Training activities are done either on the local, regional or state level.

Stakeholders (working groups, specialised agencies, partners, etc)

There is a National Co-ordination Network, which meets twice a year, pursuant to an informal agreement by the stakeholders. Membership of the Network is open to agencies, NGOs and other relevant actors specializing in the prevention and combating of THB. All the relevant line ministries (justice, social affairs, interior, foreign affairs) are represented as well as line state institutions (police, prosecutors office, labour inspectorate, social insurance board, etc) and tight cooperation is done also in everyday business.

Social services and victim support is coordinated by the Social Insurance Board and contracted with NGOs as follows:

- 1) NGO Living for Tomorrow runs the hotline +3726607320.
- 2) For adults the shelter and other services are offered by the NGO Eluliin (Lifeline)
- 3) For children by the SOS Children Village.

Participation in European/ international networks, working groups, etc.

National Coordinator represents Estonia in regular basis in the European Commission's work group of national co-ordinators and independent rapporteurs, in the Task Force against Trafficking in Human Beings under the Council of the Baltic Sea States, is the contact person for Council of Europe and coordinates any other internal or international cooperation on the field of THB in case the need arises.

3. Good practices

Overview of recent good practices, prevention programs, etc.

Most of the anti-trafficking actions, incl prevention and trainings are organized by the governmental bodies and partners and are described in the Strategy for Preventing Violence and its national action plan for the years 2016-2020: <http://www.kriminaalpoliitika.ee/et/vagivalla-ennetamise-strateegia-rakendusplaan-aastateks-2016-2020>. The developmental plan is in the process of updating.

As one of the examples from the successful latest campaign is 1ELU (1LIFE) which took place in 2017 nationally in biggest towns of Estonia and also in national online media and

focused to prevent THB, turning attention for the possibilities of getting help and advice. The message of the campaign was - everybody has one life, which can be lived decently, with honor and without exploitation. Campaign was supported from European Commission Internal Safety Fund (ISF) with national co-financing 85000 EUR and Estonian Ministry of Internal Affairs and organized through the project run by Ministry of Justice and Social Affairs with the partnership of NGO Living For Tomorrow and Estonian Human Rights Centre. Visuals and campaign is worked out by the IDEA PR Agency. The need for this kind of campaign rose from the public opinion survey carried out in 2014, which also inquired the awareness of the victim support services and around 20% of the respondents said that they know which services are available for the victims of labour or sexual exploitation. There are online and social media activities in the campaign, also commercials in the shopping centres in the biggest towns in Estonia, commercials in Apollo cinemas in front of the movies, also informative videos shown on the screens in the Tallinn bus station, airport and ports in Tallinn, on Tallink ferries, also in e-school program for juveniles and parents, etc.

The campaign had three parts:

- First was dedicated to the labour exploitation and this was done with using videos (8 different ones in 2 languages) in commercial clips in shopping centres, in bus station, in the ports and airport and on Tallink ferries and the videos were shown in Apollo cinemas during 1 month before all the films.
- Second round was dedicated to the sexual exploitation focusing to the sex byers, also to prostitutes offering sex. This campaign was presented in the bigger daily online news web portals, also job recruitment and special portal using web banners.
- Third, was done for children used for criminal acts and was presented through study video, which was sent for teachers who can use it in schools. The announcement was done also in e-school portal, which is used by the parents, teachers, also students.
- Campaign didn't have much printed materials, but there were business cards with the information of the victim support services and special design was done for the public transport of Tallinn. There were handles in the buses for some weeks.
- Special FB page was established (<https://www.facebook.com/1ELU-705600759611129/?fref=ts>) and videos can be found in YouTube as follows: <https://www.youtube.com/channel/UCqWFDoe6VC0evDO3GU90VRg>.