

## **ESTONIA (Tier 2)**

Estonia is a source country and, to a lesser extent, a destination country for women subjected to trafficking in persons, specifically forced prostitution, and for men and women in conditions of forced labor. Women from Estonia are found in sex trafficking situations in Finland, the Netherlands, the United Kingdom, Italy, and within Estonia. Latvian women are subjected to forced prostitution in Estonia. Men and women from Estonia are subjected to conditions of forced labor in Spain, Norway, and Finland.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. During the reporting period, the Estonian government took a number of important steps to bolster its anti-trafficking response. It provided training for government officials on the victim identification model adopted in January 2009 and increased its anti-trafficking budget from \$200,000 to \$242,000 – a significant amount of which was devoted to victim assistance. Estonia continued, however, to lack a trafficking-specific law, and existing laws do not adequately prohibit and punish all forms of human trafficking, including the transportation, harboring, obtaining, or recruitment of a trafficking victim and the use of coercion as a means to traffic a person.

### **Recommendations for Estonia:**

Draft a trafficking-specific criminal statute that incorporates a comprehensive definition of trafficking in persons, including the transportation, harboring, obtaining, or recruitment of a trafficking victim and the use of coercion as a prohibited means; increase efforts to investigate, prosecute, convict, and punish trafficking offenders; and continue to provide necessary funding for victim assistance.

### **Prosecution:**

The Government of Estonia demonstrated modest law enforcement efforts during the reporting period. Estonian law does not prohibit all forms of trafficking, though its criminal code prohibits some elements of human trafficking under Articles 133, 175, and 176 of the criminal code. The penalties prescribed for such acts range up to 12 years' imprisonment, which are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as sexual assault. During the reporting period, authorities conducted 73 trafficking investigations under Articles 133, 175, and 176, compared with two investigations reported in 2008. Estonian authorities prosecuted 18 individuals and convicted three trafficking offenders in 2009, compared with two prosecutions and two convictions in 2008. One offender was sentenced to 53 months' imprisonment in 2009, and two convicted trafficking offenders were not sentenced to time in prison. The Estonian government extradited one trafficking suspect during the reporting period. Law enforcement authorities continued their important information exchange with counterparts in several European countries.

### **Protection**

Estonia demonstrated strong victim assistance efforts during the reporting period. The government strengthened partnerships with anti-trafficking NGOs through which it conducted 40 training sessions and trained a total of 600 prosecutors, judges, social workers, and other officials on the victim identification model the government adopted in January 2009. The government allocated \$100,000 for two trafficking shelters and one victim rehabilitation center operated by NGOs; 78 trafficking victims received government-funded assistance from these NGOs – including some victims who were identified during previous reporting periods, compared with 55 victims assisted in 2008. At least six victims were also identified in 2009 through a government-funded hotline. In total, the government allocated \$181,500 for victim assistance during the reporting period, up from approximately \$150,000 provided for victim assistance in 2008. Although foreign victims are eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings in which they participate, no victims applied for residency in 2009. Estonian authorities did not penalize victims for unlawful acts

committed as a direct result of their being trafficked. The government encouraged trafficking victims to participate in trafficking investigations and prosecutions, though no victims chose to assist in the investigation and prosecution of their traffickers in 2009.

### **Prevention**

The Government of Estonia demonstrated some trafficking prevention efforts in 2009. The government distributed trafficking awareness materials at the Tallinn airport and ship harbors. The Ministry of Foreign Affairs continued its dissemination of trafficking awareness materials to participants at Estonia's annual tourism fair, attended by more than 23,000 people. The government did not conduct any activities to reduce the demand for commercial sex acts. In October 2009, the Government of Estonia signed the Council of Europe's Convention on Action against Trafficking in Human Beings.