

Estonia - United States Department of State

ESTONIA: Tier 1

The Government of Estonia fully meets the minimum standards for the elimination of trafficking. The government continued to demonstrate serious and sustained efforts during the reporting period; therefore Estonia remained on Tier 1. These efforts included investigating and prosecuting more trafficking cases and convicting more traffickers under Section 133 of the penal code. Additionally, authorities identified significantly more victims and referred more victims to government-sponsored care. Although the government meets the minimum standards, 11 out of 15 convicted traffickers received probation without serving any prison time, and authorities struggled to identify potential labor trafficking and child trafficking victims.

PRIORITIZED RECOMMENDATIONS:

Sentence traffickers to significant prison terms, with the majority of convicted traffickers serving time in prison. • Proactively identify potential child trafficking and labor trafficking victims, particularly among foreign workers, and refer them to government-sponsored assistance. • Encourage police and the labor inspectorate to investigate labor trafficking cases. • Increase efforts to investigate, prosecute, and convict traffickers under the anti-trafficking provision of the penal code. • Expand efforts to train law enforcement, prosecutors, judges, and front-line personnel to understand different forms of trafficking. • Provide specialized training for law enforcement, judicial, and civil service personnel on all forms of trafficking and working with victims. • Encourage more victims to assist prosecutions by facilitating access to effective legal counsel. • Broaden public awareness efforts to educate at-risk communities, such as migrants, on the risks of trafficking. • Develop, publish, and implement a national action plan for 2020.

PROSECUTION

The government increased law enforcement efforts. Sections 133, 133¹, and 175 of the penal code criminalized sex trafficking and labor trafficking. Section 133 (trafficking in human beings) criminalized placing a person in a situation of exploitation through force, fraud, or coercion and prescribed penalties of between one and seven years' imprisonment for offenses involving an adult victim and three to 15 years' imprisonment for those involving a child victim. Section 133¹ (support to human trafficking) separately criminalized the transportation, delivery, escorting, acceptance, concealment, or accommodation of an individual into a situation of exploitation through force, fraud, or coercion, and prescribed penalties of up to five years' imprisonment for offenses involving an adult victim, and between two and 10 years' imprisonment for those involving a child victim. Section 175 (human trafficking in order to take advantage of minors) criminalized inducing a child to engage in a criminal offense, begging, prostitution, or the

production of pornography without requiring a demonstration of force, fraud, or coercion and prescribed penalties of two to 10 years' imprisonment. The penalties under Sections 133, 133¹, and 175 were sufficiently stringent and, with respect to sex trafficking, commensurate with the penalties prescribed for other serious crimes, such as rape. Police investigated five new cases under Section 133, compared with four in 2018. Authorities prosecuted four cases (three in 2018), and courts convicted 12 traffickers (12 in 2018). Only four convicted traffickers received prison sentences; the remaining 11 received probation. Under Section 175, authorities investigated 32 crimes (28 in 2018), prosecuted 22 cases (30 in 2018), and convicted three traffickers (none in 2018). The government did not report any investigations, prosecutions, or convictions of government officials complicit in trafficking offenses.

Overextension of government personnel continued to constrain productivity. Given such constraints on human resources and the specialized knowledge required to combat trafficking, police expressed the need to establish a centralized unit that would collect and verify information on trafficking-related crimes. Experts reported the need for increased training for law enforcement, prosecutors, judges, and front-line personnel on understanding different forms of exploitation. The Ministry of Social Affairs organized a training on referral guidelines and working with persons with special needs and mental disabilities; 70 specialists from the police, Prosecutor's Office, Labor Inspectorate, and Victim Support Services attended. The Labor Inspectorate conducted a training for 10 inspectors.

PROTECTION

The government maintained protection efforts. In 2019, authorities identified 67 presumed victims, a nearly five-fold increase from 14 in 2018 (12 in 2017). Fifty-four victims were foreign nationals of whom 52 were Eastern European women involved in commercial sex acts. The government implemented identification and referral guidelines, describing all relevant authorities' responsibilities to assisting victims. All presumed victims received government-sponsored assistance. The Victim Support Act and the penal code allowed multiple actors, including NGOs, to identify victims and refer them to the Social Insurance Board, permitting victims to receive comprehensive, government-funded, trafficking-specific services without first requiring the victim's cooperation with police or the commencement of criminal proceedings. Victims who cooperated with law enforcement received services, such as accommodation, psychological, medical, and legal assistance, for an unrestricted period while presumed victims who did not participate in criminal proceedings could receive government-funded services for up to 60 days. The Aliens Act enabled foreign victims to receive temporary residence permits, accommodation, and education; the government did not grant temporary residence permits to any foreign victims in 2019. Despite reports of an increased number of foreign victims of labor trafficking in Estonia, authorities only identified one labor trafficking victim.

In 2019, the social board allocated €100,000 (\$112,360) to an NGO providing support services to women in commercial sex, some of whom may have been sex trafficking victims, and €25,000 (\$28,090) for trafficking victims' support, such as shelters, the same amounts as in 2018. Authorities placed child trafficking victims and unaccompanied children in alternative care facilities, including a dedicated center for child victims of abuse, including sexual violence and trafficking. During the reporting period, one child trafficking victim received shelter and support services. Despite the increase in the number of presumed victims, authorities only identified one child trafficking

victim, compared with six in 2018; officials acknowledged the need to increase procedural capacity regarding child sex trafficking victims.

PREVENTION

The government maintained prevention efforts. The government continued to fund and implement its 2015-2020 plan for reducing violence, which included trafficking. The anti-trafficking working group, comprising 35 government agencies and NGOs, met regularly and published an annual report of its activities. The government conducted two criminal policy courses on trafficking and trafficking-related training for students. Based on regional research examining illicit financial flows and labor trafficking victims, the government developed a business model explaining how legitimate business structures might be used to hide and exploit workers and highlighting the links between labor trafficking and economic crimes. When conducting oversight, the Labor Inspectorate disseminated information about foreign workers, the laws, and available services, including information on labor trafficking, and created a special website for foreign workers. The government did not make efforts to reduce the demand for commercial sex acts. The government operated an anti-trafficking hotline, which received 679 calls from vulnerable individuals and identified 67 potential trafficking victims; the hotline provided counseling and services in Estonian, Russian, and English.

TRAFFICKING PROFILE

As reported over the past five years, human traffickers exploit domestic and foreign victims in Estonia, and, to a lesser extent, traffickers exploit victims from Estonia abroad. Traffickers tend to recruit their victims via the internet and social media. In general, women and children are mainly at risk of sex trafficking and men of labor trafficking. Most sex trafficking victims originate from Eastern Europe, Asia, and South America. Observers noted the majority of trafficking cases in Estonia are sex trafficking. Reports indicate the number of migrants coming to Estonia for work increased by 12,400 persons from 2018 to 2019. Migrant workers are vulnerable to labor exploitation within Estonia, particularly in the construction and transportation sectors. Officials noted foreign “posted workers,” hired by temporary agencies and placed in Estonian companies, and their family members are especially vulnerable to trafficking.