

Development Plan  
for Combating Trafficking in Human Beings  
2006–2009

**Tallinn 2006**

## **Introduction**

This Plan is a development plan approved by the Government of the Republic on 26 January 2006 in the area of combating human trafficking which sets out the strategic objectives for combating trafficking in human beings and determines the main measures and activities for achieving such goals in 2006 to 2009. The Development Plan was prepared based on the decision of the Cabinet Meeting of the Government of the Republic passed on 13 January 2005 on the preparation of a national plan for combating human trafficking.

## **Nature of trafficking in human beings**

Trafficking in human beings is a phenomenon which is directly connected to organised crime, poses a threat to international and internal security and violates the basic rights and freedoms of human beings.

This Plan is guided by the definition of human trafficking as determined by the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime (hereinafter UN supplementary protocol on trafficking in persons) and Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings (hereinafter Council framework decision on combating trafficking in human beings).

Human trafficking involves the exploitation of persons by the trafficker or by other persons on his or her order. Human traffickers may use deception, fraud, physical violence or the vulnerable position of another person, etc. in order to coerce the victim into subordination or to break the resistance of the victim. The victims are often women and children. Unemployment and economic, regional and gender inequality are considered to be the main factors conducive to human trafficking.

Human trafficking has several sub-categories (e.g. white slavery or involuntary servitude; donation of organs or illegal removal of human organs; sexual exploitation), at least one half of the victims are recruited to work in the sex industry, mainly as prostitutes.

Lots of problems are also created as people have insufficient information on their rights and opportunities and are not able to protect their interests and rights to a sufficient extent. Lately, cases of involuntary labour have become the topic of the day, where the victims are forced, by deceit, abuse of violence or by taking advantage of their vulnerable position, to work under conditions materially different from those agreed upon (regarding the remuneration, working hours or nature of work) as well incidents where the identification documents of the victims have been withheld rendering termination of the employment relationship and leaving the country difficult. Such experiences damage the physical and mental well-being of the victim and often cause irreversible consequences to his or her quality of life. Regarding the so-called modern slave trading, Estonia which used to be a country of origin or transit for such activity is becoming a country of destination due to its rapid economic growth and deficit of workforce. Above all, this concerns the residents of the lesser developed republics of the former Soviet Union but according to some sources, Estonia may soon become a country of destination for migrants originating from Asian and African countries. As the standard of living in Estonia does not, as yet, reach the EU average, the danger of Estonian residents falling victim to human trafficking to more developed Western countries persists. Constant vigilance should be exercised towards the attempts to use Estonia, due to its favourable geographic position, as a transit area for conveyance of persons originating from third countries to the Member States.

Human trafficking is also accompanied by other offences and violations including falsification of documents (passports and visa applications) as well as corruptive pressure exercised by traffickers, above all by organised crime groupings, on supervisory officials.

In addition to the trade in narcotic substances and weapons and illegal immigration, human trafficking is considered to be one of the main sources of income of organised crime. According to the Annual Report 2005 of the European Police Office prepared on the basis of the estimates provided by the International Organisation for Migration (hereinafter IOM), the profit from human trafficking generated to organised crime groupings reaches 7 to 10 billion dollars a year globally and, based on the report, it may be presumed that a large portion of this profit also remains in Europe.

## **Human trafficking in Estonia**

Trafficking in human beings violates basic human rights as provided by the Constitution of the Republic of Estonia, above all human dignity, personal freedom, freedom of movement, privacy and self-determination. Although the Estonian Penal Code does not directly specify trafficking in human beings as a criminal offence, there are ca 15 articles prohibiting activities which are linked to human trafficking (e.g. enslavement, abduction, provision of opportunity to engage in unlawful activities, pimping, illegal donation of organs, manufacturing and distributing child pornography, also see Annex 3).

On the global scale, more effort than ever before is being exercised to try to solve the problem of human trafficking. Human trafficking became a problem in Estonia as a result of the political and economic changes which took place in the beginning of the 1990ies. Experts estimate that the problem of human trafficking may escalate after the year 2007 when, pursuant to the Schengen Agreement, all internal border controls over the movement of persons will be abolished within the EU.

Exact data on the number of victims of human trafficking is not available and due to the latent character of such category of offence, such information is also difficult to obtain. According to the initial statistics provided by the study which was carried out by the Institute of Law, University of Tartu at the order of the IOM, approximately 100 victims of human trafficking were traded from Estonia to other countries between 2001 and 2004.

According to the Report on Human Trafficking, prepared in 2005 by the United Nations Office on Drugs and Crime (UNODC), Estonia as a source country ranks high in the list of regions where human trafficking occurs.

Several studies have established Estonia both as a source country and transit country for human trafficking to surrounding EU countries including, above all, Scandinavian countries but also to Western Europe, e.g. to Germany. Human trafficking inside Estonia itself which, as a rule, follows the direction from NE Estonia to the capital of the Republic is also considered to be a problem. According to the report prepared by the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), Estonia is the destination country for trafficking victims from Russia.

The US Department of State prepares an annual report to the Congress on the progress of different countries in combating human trafficking. According to the 2005 Trafficking in Persons Report, Estonia falls within "tier 2" which means that the Government of Estonia does not yet fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so.

### **Basis for preparation of Development Plan**

The idea to prepare a national development plan was put in motion by the meeting of the Nordic and Baltic Ministers for Justice, Interior and Social Affairs on 9 April 2003 which also adopted recommendations for combating human trafficking. One of the recommendations was to acknowledge human trafficking as a priority issue by all countries and to prepare, by the year 2005 at the latest, national action plans for combating trafficking in human beings.

In March 2004, Estonia ratified the UN supplementary protocol on trafficking in persons. The protocol proposes that all states should elaborate strategies and take measures in order to prevent and combat trafficking in human beings and to protect persons who have fallen victim to human trafficking.

In its Cabinet Meeting of 13 January 2005, the Government of the Republic discussed issues related to human trafficking and decided that, as one of the measures of criminal policy, the Ministry of Justice will start co-ordinating the prevention of human trafficking. The meeting also agreed on the preparation of a relevant national action plan.

On 28 August 2005, the Minister of Justice and the Minister of Interior Affairs of the Republic of Estonia signed the so-called Laulasmaa declaration. As human trafficking is an important source of illegal income and taking account of its clandestine and transnational character and its hazardous effect on the most vulnerable members of the society, it was agreed in the declaration that the fight against crime related to the trafficking in human beings will become a common priority of the Prosecutor's Office and the police forces.

The principle of devoting more attention to certain types of criminal offences and giving priority to the conduct of proceedings in such matters was agreed upon already in 2003 as the Riigikogu approved the development trends for criminal policy up to the year 2010.

The fight against human trafficking is also considered a priority by the European Union. At the initiative of the European Commission, an EU Action Plan for combating trafficking in human beings was devised, and approved in December 2005. The aim of the Action Plan is to render the practices of the Member States and of the EU more effective and uniform. The Plan emphasises the duty of each Member State to prevent and fight human trafficking in all of its forms, also taking into consideration the need for victim protection and rehabilitation. The Plan considers the elaboration of common standards in the conduct of proceedings in matters of criminal offences related to human trafficking as well as other areas related to human trafficking to be of material importance.

# 1. Framework of Development Plan

## Objectives

The principal objective of the Development Plan is to render the fight against human trafficking more effective. In order to reach that aim, the Development Plan has 6 strategic subobjectives:

1. Continuous mapping of the problems related to human trafficking in order to get a comprehensive and trustworthy overview of the actual extent and forms of human trafficking.
2. Prevention of human trafficking by informing the public of the nature of human trafficking and dangers related thereto.
3. Development of the skills of the specialists engaging in the problem of human trafficking, and promoting cooperation between them.
4. Curbing human trafficking by means of more effective border controls and control over employment mediation.
5. Effective reaction to criminal offences related to human trafficking.
6. Providing assistance and rehabilitation to victims of human trafficking.

## Duration

The Development Plan determines objectives, measures and activities for the period of 2006 to 2009.

## Connection to other strategic documents in the area and international legislation

No strategic documents have been devised or implemented in the area of human trafficking. Nevertheless, the following strategic documents are closely related to the subject:

- The draft of the Schengen Action Plan 2006-2007 which is being prepared by the Ministry of Internal Affairs. The plan deals with border safety, application of biometric documents, issues related to the grant of visas and control over migration which are all relevant to the prevention of human trafficking and establishment of possible victims. This Development Plan doesn't copy the contents of the above mentioned plan. The Schengen Action Plan has a special emphasis on different



compensation measures (the Schengen information system, increased controls on external borders, monitoring of foreigners, cross-border police partnerships, and cooperation in visa policies, etc) in order to mitigate the potential negative consequences arising from the fact that that controls will no longer be carried out on the internal borders of Member States;

- The Action Plan for 2006-2009 concerning the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography. The Plan deals with the prevention of the sale of children, child prostitution and child pornography and provision of assistance to children who have fallen victim to such crime;
- The concept of the rights of the child, strategy for granting the rights of the child and the annual plans of action related thereto which stress the need to pay special attention to children in an emergency situation. The child victims of human trafficking are also deemed to be in an emergency situation;
- The State Budget Strategy for 2006-2009 lists, in the budget lines for different Ministries, several activities relevant to fighting human trafficking, including the combat against organised and transnational crime, increasing international cooperation in the area of justice, issues related to border control, devising of compensation measures, prevention of illegal crossing of borders, prevention of illegal immigration and illegal labour and curbing the possibility to work without registering an employment relationship or concluding a contract for employment.

The Development Plan is guided by the following international legislation:

- Article 5 of the Charter of fundamental rights of the European Union and 12. Declaration concerning the explanations relating to the Charter of Fundamental Rights, Article 5;
- Council Framework Decision of 19 July 2002 on combating trafficking in human beings (2002/629/JHA);
- Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities;

- Recommendation No. R (2000) 11 of the Committee of Ministers to member states on action against trafficking in human beings for the purpose of sexual exploitation;
- Recommendation No. R (91) 11 of the Committee of Ministers to member states concerning sexual exploitation, pornography and prostitution of, and trafficking in, children and young adults;
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (RT II 2004, 7, 23);
- European Convention for the Protection of Human Rights and Fundamental Freedoms (RT II 2000, 11, 57);
- In preparation of the Development Plan, the EU Action Plan for combating trafficking in human beings prepared by the European Commission was also taken into consideration. The EU Action Plan prescribes different measures for preventing human trafficking, including:
  - 1) coordination of action at the EU level (effective exchange of information between Member States and financing of different programmes);
  - 2) establishing the scope of the problem (elaboration of common standards for data collection, organisation of research);
  - 3) prevention of human trafficking (dealing with the social problems conducive to human trafficking, increasing the awareness of the public, rendering early recognition of trafficking victims more effective);
  - 4) decrease of demand (exchange of experiences);
  - 5) criminal procedure (using Interpol and Europol, effective cooperation in criminal proceedings, training of judges);
  - 6) assistance and support to victims (including in cooperation with non-profit associations, identification of victims);
  - 7) return and rehabilitation of victims;
  - 8) cooperation with third countries.

### **Organisation of preparation of Development Plan**

As the topic of fighting human trafficking belongs within the area of activity of several Ministries and agencies, the Development Plan was prepared as a joint project of different institutions. The preparation of the Development Plan was coordinated by the Ministry of

Justice. The proposals of the Ministry of Education and Research, the Ministry of Internal Affairs, the Ministry of Foreign Affairs, non-profit associations and the IOM were taken into consideration in preparing the Development Plan.

Officials responsible for the area held discussions in order to prepare the Development Plan, and the representatives of Ministries were able to participate in the process by presenting proposals.

### **Implementation of, reporting on, supplementation and completion of the Development Plan**

Annex 1 contains the schedule for implementation of the Development Plan.

The implementation of the Development Plan is coordinated by the Ministry of Justice. The Ministry of Justice, the Ministry of Education and Research, the Ministry of Internal Affairs, the Ministry of Social Affairs and the Ministry of Foreign Affairs together with the agencies within their areas of administration shall participate in the implementation of the Development Plan, and non-profit associations will also be involved in the implementation of the Plan.

In order to obtain an up-to-date overview of compliance with the Development Plan, the situation in carrying out the Plan shall be assessed each year. For such purpose, the relevant Ministries (the Ministry of Foreign Affairs, the Ministry of Internal Affairs, the Ministry of Education and Research and the Ministry of Social Affairs) must prepare a summary on implementation of the measures and activities within their corresponding areas of responsibility and submit the summary to the Ministry of Justice by 1 February of the next year at the latest. The Ministry of Justice shall prepare a summary on implementation of the measures and activities within its area of responsibility. Based on the received summaries, a round table will be organised at the initiative of the Ministry of Justice, uniting specialists engaged in the combat against human trafficking employed by the Ministries, and research and social services agencies. Representatives of non-profit associations will be involved in the deliberations of the summary.

Based on the annual summaries and round table discussions, the Ministry of Justice shall prepare a report on the implementation of the Development Plan. The report shall be submitted to the Government of the Republic for approval by the latest in March of each year.

The annual round table meeting shall decide whether the Development Plan needs to be amended in the area of measures or activities. Where necessary, proposals for amendment of the Development Plan shall be submitted to the Government together with the annual report on implementation of the Development Plan.

For preparation of the final report on implementation of the Development Plan, each Ministry shall submit, by 1 February 2010 at the latest, a report to the Ministry of Justice concerning the implementation of the measures and activities in their areas of responsibility during the entire period of the Development Plan. The summaries submitted by the Ministries shall be discussed at the final round table meeting of the Development Plan organised at the initiative of the Ministry of Justice in which specialists engaged in the combat against human trafficking employed by the Ministries, and research and social services agencies as well as representatives of non-profit associations will participate.

Based on the recapitulative conclusions of the Ministries as well as on the discussions of the round table, the Ministry of Justice shall prepare the final report of the Development Plan. The final report shall be coordinated beforehand with the relevant Ministries (the Ministry of Internal Affairs, the Ministry of Social Affairs, the Ministry of Education and Research and the Ministry of Foreign Affairs) and non-profit associations. By 15 March 2010 at the latest, the Ministry of Justice shall submit the final report to the Government of the Republic for approval.

### **Cost estimate of Development Plan**

The activities necessary for the implementation of the Development Plan can be divided into two groups according to their financing. The first group contains activities financed within the framework of the operating expenses of Ministries and agencies within the area of their administration, e.g. development of the register of criminal matters, preparation of the annual overview on crime, collection of data on cases of human trafficking, legislative drafting. The schedule for implementation (see Annex 1) contains an overview of activities which are financed from operating expenses. The second group includes activities financed for the

specific purpose of dealing with the problem of human trafficking (e.g. studies, media campaigns, training). The costs intended for specific purposes needed for the implementation of the Development Plan amount to 2 600 000 Estonian kroons in total. The division of costs intended for specific purposes by year is shown in Table 1.

**Table 1.** Costs intended for specific purposes necessary for implementation of the Development Plan in 2006-2009

2006	2007	2008	2009	Costs in total
170 000	1 155 000	975 000	300 000	2 600 000

All costs necessary for implementation of the Development Plan shall be prescribed and planned in the budget of the relevant Ministry. Annex 2 contains a division of costs by strategic objectives, measures/activities and sources.

## **2. Mapping of problems related to human trafficking**

### **2.1. Current situation**

The number of victims of human trafficking in Estonia has been estimated differently. The estimated numbers remain between 100 to 200. As of now, there is no systematic overview of the scope and nature of the problem of human trafficking in Estonia.

Several authorities (foreign missions, medical institutions, shelters, etc) as well as the third sector deal with cases of human trafficking but no systematic collection of information on the cases and victims of human trafficking has been organised at the level of the state. Human trafficking is a crime not easily detected. The victims themselves and third persons only rarely report on this crime. The victims are ashamed of their experience, afraid of the disapproval of the society or the threats of the criminals. The clandestine nature of the criminal offence makes it more difficult to get an overview of the situation.

The official statistics related to crime does not reflect the problem of human trafficking adequately as it only provides data on the number of proceedings initiated based on a particular section of the Penal Code (enslavement, pimping). For example, during the year 2005, approximately 160 offences possibly related to human trafficking were registered and a criminal conviction of approximately 100 persons likely to have links to human trafficking entered into force (see Annex 3). But human trafficking is a complex phenomenon where several different offences and victims may be connected to a single case. In addition, crimes which involve human trafficking are often perpetrated in a foreign country and information on such offences may even not reach Estonia due to which all offences may not be reflected by the official statistics. Collection and exchange of international data on crime, including on cases of human trafficking is currently one of the tasks of the Central Criminal Police in the framework of international cooperation.

Estonia has already started to study the problem of human trafficking to a greater depth which is a positive development. For example, studies have been carried out related to:

- the evaluation of experts concerning anti-trafficking activities;

- attitudes and opinions of the society regarding prostitution, its causes and consequences;
- trafficking in minors for sexual exploitation;
- awareness of human trafficking of final grade school girls.

As of today, research has not been consistent and fails to cover all the aspects of the problem, for example, several issues related to the causes and types of trafficking and channels of becoming victim to trafficking have not yet been studied. Qualitative data should supplement the official statistics related to crime, provide an in-depth assessment of the scope of occurrence of different forms of trafficking and enable a more reasoned planning of the measures to combat human trafficking.

## 2.2. Measures and activities for continuous mapping of problem of human trafficking

**The strategic objective** is to continuously map the problems related to human trafficking in order to get a comprehensive and trustworthy picture of the actual extent and forms of human trafficking.

### **Measure 1: Organisation of statistical data related to cases of human trafficking**

Activities:

- 1.1. Development of the register of criminal matters and further on, development of the database of integral procedural information called "E-file" with the aim to obtain an accurate overview of the criminal offences related to human trafficking.
- 1.2. Preparation of annual summaries of criminal offences on the basis of the data in the register of criminal matters which shall, among other, reflect the scope of occurrence of offences related to human trafficking based on the relevant sections of the Penal Code.
- 1.3. Collection of data on criminal proceedings related to human trafficking initiated abroad where the victim or perpetrator was a citizen or permanent resident of Estonia.
- 1.4. Collection of information on cases of human trafficking which became evident through the foreign missions of the Republic of Estonia.

### **Measure 2: Conduct of studies related to human trafficking**

Activities:

- 2.1. Conduct of a qualitative study of the demand for human trafficking

2.2. Repeated study of awareness of human trafficking among final grade school girls

2.3. Analysis of studies of cases of human trafficking, application of legislation and court judgments

**Indicators:**

- a statistical overview of cases related to human trafficking is prepared on an annual basis;
- a more detailed overview of the problems related to human trafficking exists, at least three studies in the area have been conducted.



### 3. Prevention of human trafficking by informing the public

#### 3.1. Current situation

The studies conducted within the framework of the Nordic-Baltic information campaign against the trafficking in women in Estonia have shown that in general, people in Estonia are not well informed of the nature of human trafficking and have insufficient or no knowledge in the issues of human rights, gender equality and the damage caused to the society by spreading human trafficking and prostitution. Anyone who does not know how to seek a job abroad in a safe manner or how to legally enter into an employment contract may easily become a member of risk group. People who due to their social or economic position are particularly vulnerable to the offers of human traffickers (persons who have a low income, little or no education, the unemployed, etc.) are also considered to be at risk.

The results of the survey show that young people have an increasing interest in working in foreign country and the general understanding is that living abroad always results in a higher standard of living. Knowledge of foreign languages is not considered to be of particular importance and if a good job offer should appear, many are willing to work illegally. A widespread opinion among those questioned was that "nothing bad can happen to me over there" or "human trafficking does not concern me".

A positive development is that beginning from 2002, several campaigns and projects to inform the public of the dangers of human trafficking have been organised in cooperation with and with the financial assistance of the Nordic Council and the IOM. The Estonian Women's Studies and Resource Centre, the non-profit association "Living for Tomorrow", AIDS Information & Support Centre and AIDS Prevention Centre have also actively participated in the prevention work. Some examples of activities directed at increasing the public awareness:

- In 2002, a joint campaign against the trafficking in women was initiated by the Nordic and Baltic countries with the support of the Nordic Council with the aim to initiate a public discussion about trafficking in women as a social problem in Estonia and to bring on a change in the attitudes of the public concerning that issue. At the same time with the main campaign, IOM also organised a media campaign under the slogan "They'll trade you like a puppet" [*"Sind müüakse nagu nukku"*] in 2002;

- In 2003-2004, a project to follow up the joint campaign specified above was organised in Estonia during which 36 lectures and seminars for people from all walks of life were held, an essay-writing competition was organised for young adults and a selection of articles concerning the effects of legalising prostitution was translated into Estonian;
- With the aim to prevent human trafficking, telephone consultation services were commenced in October 2004 which provided free legal consultation and information on safe travelling and job search. The above was a one-year project "Anti-trafficking hotline for women" financed by foreign countries (USA, Great Britain and Finland) and carried out by the non-profit associations the AIDS Prevention Centre, "Living for Tomorrow" and "Unioni" from Finland;
- A training programme for Estonian educators, job counsellors and youth workers was organised with the support of the Nordic Council of Ministers. Seminars were held in schools and local governments. The Embassies of Sweden, United States and Norway, the non-profit association AIDS Prevention Centre, "Living for Tomorrow", etc. assisted in organising the information events;
- In 2005, the IOM Tallinn office launched an information campaign for young adults and opened a website [www.toovalismaal.ee](http://www.toovalismaal.ee) which provides advice for safe travel abroad.
- In the framework of crime prevention, the police has organised different projects in cooperation with local governments and non-profit associations in order to prevent people from falling victim to human trafficking and prostitution. The target group mainly consists of underage girls who are at risk to falling prey to human trafficking and above all, to the sex industry. The East Police Prefecture has applied for 28 000 kroons from the police budget to carry out a follow-up project called "Preventive work with girls in the risk group" in 2006. The project is co-financed by Narva and Jõhvi City Governments in the amount of 63 000 kroons.
- In spring 2005, the Ministry of Justice put up a web page [www.kuriteoennetus.ee](http://www.kuriteoennetus.ee) which, among other, provides information on the problem of human trafficking and advises on how to avoid becoming a victim.

### 3.2. Measures and activities for informing the public

The strategic objective is the prevention of human trafficking by informing the public of the nature of human trafficking and the dangers related thereto.

**Measure 3: Informing the public of the problems related to human trafficking and human rights**

Activities:

- 3.1. Organising lectures throughout Estonia. Each year 10 lectures shall be held, totalling in 40 lectures during the entire period of the Development Plan.
- 3.2. Organising a media campaign in order to decrease the demand for human trafficking.
- 3.3. Continuing the operation of the hotline for providing information on human trafficking. This means that Estonia must start financing the project "Anti-trafficking hotline for women" which was formerly financed by foreign countries.
- 3.4. Media campaign for increasing awareness of human trafficking
- 3.5. Preparation and publishing of educational information material
- 3.6. Including the topic of human trafficking in the national general education curricula (e.g. social study).
- 3.7. Distribution of information on human trafficking via the world wide web.

**Measure 4: Informing the general public of matters of labour law and consular services**

Activities:

- 4.1. Distribution of information materials on consular services.
- 4.2. For ensuring better consular protection, providing persons travelling abroad with an opportunity to leave their contact details with the Ministry of Foreign Affairs.
- 4.3. Provision of information on labour law to job seekers through the local offices of the Labour Market Board.

**Indicators**

- at least 10 lectures are organised on a yearly basis;
- media campaigns are conducted to decrease demand and increase awareness;
- the hotline for information on human trafficking is kept in operation.

## **4. Development of the skills of the specialists engaging in the problem of human trafficking, and promoting cooperation between them**

### **4.1. Current situation**

Specialists in the fields of law, social affairs, education, employment and migration have to deal with the problem of human trafficking in their work. In most cases, human trafficking is a phenomenon touching multiple layers of the society and in order to combat it effectively, widespread national and international cooperation involving both state authorities and non-governmental organisations is needed.

In 2003, a project supported by the Nordic Council was carried out aiming, among other, at determining the problems encountered by the specialists working in the area of prevention of trafficking. Employees and officers of the police, border guard, the Prosecutor's Office, courts, the Citizenship and Migration Board and non-profit associations were questioned. As the result of the study, the following problems were established:

- Lack of efficacy in inter-agency cooperation and exchange of information and absence of systematic approach to the fight against human trafficking. The success achieved in combating human trafficking often depends on personal contacts but at present, there is no working cooperation network of cooperation.
- The scope of responsibility and role of each agency has not been clearly outlined, authorities are not informed of each others' activities and there is no clear procedure for dealing with cases of human trafficking.
- Officials have little knowledge in issues related to human trafficking and they need to be trained. As of today, only few cases of human trafficking have been detected and this is one of the reasons why many of the specialists have very little hands-on experience in helping the victims of human trafficking. Due to the above, there is a sore need of practical training where workers of different organisations could work together to find solutions to problem situations.

A positive development is the active role assumed by the Department of Equality of the Ministry of Social Affairs who organises training for police officers, social workers and educators.

At the initiative of the Personal Protection Service, beginning from the year 2004, a course dealing with the problem of human trafficking, its nature, prevention work among risk groups and networking with relevant institutions was included in the in-service training programme for police constables. Within the period of 2004 to 2005, a total of seven in-service training courses in regional police work and criminal prevention were carried out at the Paikuse Police School.

The need for increased cooperation in the fight against human trafficking was also underlined by the Ministers of Internal Affairs and Justice at the time of signing the Laulasmaa declaration in August 2005.

At present, an EU AGIS Project is being carried out for the elaboration and implementation of anti-trafficking training modules for judges and prosecutors. Representatives from Estonia also take part in the project. The project lasts for 12 months. The project activities will continue at the beginning of the year 2006 at which time, a follow-up seminar will take place.

#### **4.2. Measures and activities for developing the skills of specialists and promoting cooperation between them**

The strategic aim is to develop the skills of the specialists engaging in the problem of human trafficking, and promoting cooperation among them.

##### **Measure 5: Training of specialists**

Activities:

5.1. Organisation of anti-trafficking training for specialists engaging in the prevention of and fight against human trafficking and assisting trafficking victims. The Ministry of Social Affairs shall organise 2 training events per year, totalling in 8 events.

##### **Measure 6: Promoting cooperation among specialists**

Activities:

6.1. Appointment of contact persons, dividing the tasks and responsibilities between different agencies who deal with the problem of human trafficking.

6.2. Organising round table meetings for the cooperation network

## **Measure 7: International co-operation**

### Activities:

7.1. Taking part in the implementation of the EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings.

7.2. Participating in the EU AGIS training programme

### **Indicators**

- at least 2 anti-trafficking in-service training events are organised on a yearly basis;
- a cooperation network of competent specialists of Estonia has been organised for combating human trafficking;
- on a yearly basis, at least 5 specialists employed by the authorities conducting criminal proceedings take part in the anti-trafficking training and cooperation projects organised by the EU.

## **5. Curbing human trafficking by means of more effective border controls and control over employment mediation**

### **5.1. Current situation**

#### **Employment mediation**

According to the Labour Market Services and Support Act, employment mediation means finding suitable work for the unemployed and job seekers, and finding suitable workers for employers.

The Labour Market Board provides employment mediation as a state employment service, making use of job offers received directly from the employers as well as information on free positions received from other sources. The quality control over employment mediation must become more stringent in order to avoid a situation where the customer may receive an unlawful or dishonest job offer.

Legal persons in private law and sole proprietors entered in the commercial register (hereinafter sole proprietors) are also permitted to provide employment mediation services. However, employment agencies are not allowed to charge a person wishing to find employment for the mediation service and only the employer or other legal persons in private law and sole proprietors may be asked for a fee. Until 31 December 2005, a private undertaking could mediate job offers provided that it had a corresponding activity licence issued by the Minister of Social Affairs. Beginning from 1 January 2006, such activity must be registered in the register of economic activities. Activity licences already issued remain valid until the date of expiry specified therein. A good overall picture of the situation of employment mediation services is provided by the website of the Ministry of Social Affairs which contains a list of holders of activity licences for employment services and a list of persons providing employment services entered in the register of economic activities. There have been some cases where employment mediators, both illegal and legal, have taken advantage of the ignorance and trust of people and demanded unjustified payment, failed to provide the promised service, violated the rules regarding working conditions, etc.

#### **Border control**

Based on § 11<sup>2</sup> of the State Borders Act, the only document that a minor crossing the state border must have is the identity document. Upon crossing the state border, an Estonian citizen

under 15 years of age need not hold a travel document, an identity card or a certificate of return if his or her name, date of birth, citizenship and photograph are entered in the travel document held by a parent accompanying the minor. If the Estonian citizen is under 7 years of age, his or her photograph need not be entered in the travel document held by the person accompanying him or her. The same requirement for identity document apply to the entry into Estonia, stay in Estonia or leaving Estonia of an alien less than 15 years of age. Estonian legislation has not established any other documents (authorisations) for crossing the Estonian state border except for the identity document requirement specified above.

In April 2004, the European Council passed a Decision amending the Common Manual in order to include provision for targeted border controls on accompanied minors (2004/466/EC). For compliance with the Schengen requirements, Estonia must start to pay more attention to minors who are crossing the external boundaries of the EU.

Based on the EU Common Border Control Manual, an alien must, if required to do so, provide his or her application for entry. In case of doubt, the controlling officials may demand additional documents from both adults and minors. The possibility to demand additional proof is essential in view of the simplified procedure for crossing the border that will be implemented after Estonia joins the Schengen area in 2007.

Different countries have established various restrictions for unaccompanied minors crossing the border. E.g. both Spain and France demand that a minor under 18 years of age travelling without a parent or legal guardian must have an authorisation signed by a parent while Portugal has established a travelling permit for unaccompanied minors. As a rule, children younger than 14 years are not allowed to cross the border alone. A child under 14 years of age must have a person over 16 years responsible for the child accompanying him or her. Estonian travel companies have established their own restrictions for travelling minors. For example, the shipping company Tallink demands that children under 15 years of age may travel only if accompanied by a parent or another adult. If a child under 15 years is accompanied by an adult who is not the child's parent, the child must have a travel permit signed by a parent that sets out the name and personal identification code of the person accompanying the child.



## 5.2. Measures and activities for curbing human trafficking by means of more effective border controls and control over employment mediation

The strategic aim is to cut down human trafficking by means of more effective border controls and control over employment mediation.

### **Measure 8: Targeted border controls on accompanied minors**

Activities:

8.1. Paying more attention to minors who cross the EU external borders (where necessary, by questioning the minor or the person accompanying him or her, contacting the parents of the child, demanding additional documents, etc.)

### **Measure 9: Achieving transparency in the employment mediation system**

Activities:

9.1. An analysis of the employment mediation system is carried out in the course of which the operation of the state employment system is mapped, and the practices of different countries in control over employment mediation, quality controls and evaluation of the efficacy of the system are studied.

9.2. Improvement of the employment mediation system and provision of information on the possibilities of employment mediation

Based on the results of the analysis of the employment mediation system, the principles of operation of the system will be improved. It is of essential importance that information on the rights and obligations of persons and the opportunities and dangers related to working and employment mediation will be provided on a continuous basis in order to prevent people from falling prey to exploitation and human trafficking.

### **Indicators**

- more control over employment mediation is exercised in order to prevent people from falling victim to human trafficking through the employment mediation system;
- more control is exercised over the movement of minors across the external borders of the EU.

## **6. Effective reaction to criminal offences related to human trafficking.**

### **6.1. Current situation**

Several international conventions have been adopted in order to prevent trafficking in human beings and Estonia is party to the majority of them. In March 2004, Estonia ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime. The Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings was adopted with the aim to harmonise the penal law of the Member States in the field of combating human trafficking.

Although Estonian law does not specify human trafficking as a criminal offence, other related crimes such as enslavement, abduction, illegal transportation of aliens across state border or temporary border line of Republic of Estonia, provision of opportunity to engage in unlawful activities and pimping are punishable as criminal offences. Disposing minors to engage in prostitution or aiding prostitution involving minors, use of minors in manufacture of pornographic works, manufacture of works involving child pornography or making child pornography available and sale or purchase of children is prohibited by law. However, additional analysis is needed whether all the acts which, pursuant to the UN supplementary protocol on trafficking in persons and Council framework decision on combating trafficking in human beings, are criminal offences are also punishable under the Estonian Penal Code.

Human trafficking is a serious offence against the person which is often closely connected to organised crime. Due to this, cases of human trafficking are difficult to detect as the organisers of the offence are not easily reached, evidence must be often collected abroad, and witnesses and victims are reluctant to give testimony because they have been threatened or bribed into silence. Often the victims fail to address the police out of the fear that their experience may become public knowledge.

At present, a person who has arrived in Estonia illegally or whose right to stay in Estonia has terminated (e.g. due to an expired visa or residence permit) has no legal basis for staying on in Estonia even if he or she is a material witness in a criminal case. As a result, the conduct of

criminal proceedings is often difficult. A special regulation can be applied only after the person is given the status of a refugee. However, in order to be granted such status, the person must apply for protection from the Republic of Estonia based on the UN Convention relating to the Status of Refugees and to the 1967 protocol relating to the status of refugees, which means that the person has to submit an application for asylum to the Citizenship and Migration Board (Refugees Act, above all §§ 3–7<sup>1</sup>).

Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities prescribes a possibility to issue residence permits to trafficking victims (or third country nationals who have been the subject of an action to facilitate illegal immigration) to whom the residence permit offers a sufficient incentive to cooperate with the competent authorities. The Directive is above all directed to rendering criminal proceedings more effective in matters related to human trafficking so that the interests of the trafficking victims could be taken into consideration. In order to achieve this goal, a legal framework should be created which would allow the trafficking victim to stay on in Estonia during the time of the criminal proceeding at the same time offering the victim opportunities for recuperation and rehabilitation (reflection period, residence permit, work permit, health care, etc.) The Directive has not yet been nationally transposed. An initial analysis shows that for such purpose, Estonian legislation and, above all, the Aliens Act needs to be amended.

The testimony of the victim is essential evidence against a trafficker. Estonian law prescribes various witness protection measures applicable in the course of criminal proceedings. Among other, the Code of Criminal Procedure stipulates the possibility to declare witnesses anonymous and the Witness Protection Act provides extensive measures for the protection of witnesses, including the concealment of the identity of the witness from the criminal offender. On 17 March 2000, Estonia, Latvia, and Lithuania signed an agreement on the protection of witnesses and victims of crime. The Agreement enters into force with regard to Estonia on the date on which the depository (Latvia) receives the last notification about the completion of necessary internal legal procedures concerning entry into force of the Agreement. Lithuania and Latvia have complied with the above and also stated that the agreement is in force between those two countries already from the year 2001. Estonia was not able to comply until the necessary internal legal procedures had been completed which, in this case, meant the

approval of the Witness Protection Act (entered into force on 21 July 2005); notification of the depositary is currently being prepared. In November 2005, Estonia, Latvia and Lithuania signed the so-called transfer protocol as part of their international agreement on victim and witness protection, the protocol will enter into force after the depositary receives final notification of internal state conditions being fulfilled.

Estonia has ratified the European Convention on Mutual Assistance in Criminal Matters together with the protocols thereto and the Convention on Mutual Assistance in Criminal Matters between the Member States of the European Union. Estonia has entered into several agreements with various countries regarding cooperation in the area of criminal proceedings. As a Member State, Estonia has access to EU judicial cooperation mechanisms (Europol, Eurojust, the European judicial network in criminal matters). For example, Europol offers action analyses and prepares strategic reports based on operative information and other data for Member States.

The Code of Criminal Procedure (Chapter 19) prescribes different measures in the area of international judicial cooperation, including extradition of persons, surrender of persons to Member States, mutual assistance in criminal matters (performance of various procedural acts, including hearing of persons staying in foreign state by telephone or video-conference), execution of foreign court judgments and taking over and transfer of criminal proceedings.

## **6.2. Measures and actions in reaction to cases of trafficking in human beings**

The strategic objective is effective counteraction to criminal offences related to trafficking in human beings.

### **Measure 10: Exchange of surveillance information**

Activities:

10.1. Regular exchange of information with other countries and international investigative agencies (Europol) concerning possible cases of human trafficking.

### **Measure 11: Effective conduct of proceedings in matters of criminal offences**

Activities:

11.1. Analysis of Estonian penal law in order to ensure its compliance with the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which

supplements the United Nations Convention against Transnational Organized Crime and Council Framework Decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings

11.2. Effective use of international legal aid in criminal proceedings in matters related to human trafficking

11.3. National transposition of Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities

11.4. Issue of temporary residence permits to trafficking victims who are residents of foreign states for the time of the conduct of criminal proceedings

11.5. Where necessary, application of the measures prescribed by the Witness Protection Act and ensuring the anonymity of witnesses

### **Indicators**

- more extensive international cooperation in the conduct of proceedings in cases related to human trafficking, the opportunities offered by Interpol and Europol are made use of more frequently;
- criminal proceedings in matters of human trafficking have become more effective due to extensive use of the cooperation of victims and wider application of international legal assistance;
- greater number of judgments passed in all cases related to human trafficking;
- Estonian penal law is harmonised with the UN supplementary protocol on trafficking in persons and Council framework decision on combating trafficking in human beings.

## **7. Provision of assistance to trafficking victims**

### **7.1. Current situation**

Although Estonia has no special system for assisting persons who have fallen victim to human trafficking, help is still offered to trafficking victims according to the general procedure. For example, trafficking victims receive help within the framework of the recently launched victim support system.

Victim support may be divided into two subcategories: the victim support service and payment of compensation. The victim support service consists, above all, of providing consultations to the victim and assisting the victim in communication with local government agencies and legal persons. Compensation is paid to the victims of crimes of violence perpetrated in the territory of Estonia, Estonian citizens who fall victim to such crimes in a foreign country and the dependents of the victims. Acts resulting in the death of the victim, serious bodily injury of the victim or a health disorder lasting for more than six months are deemed to be crimes of violence.

Organisations of the civil society play an important role in providing support to those who have become victims of human trafficking in Estonia as well as other parts of the world. Trafficking victims can receive legal assistance from the non-profit associations AIDS Prevention Centre and "Living for Tomorrow". These organisations have also launched a hotline phone for providing support to trafficking victims and persons close to them but financial support from the state is needed in order to keep this project going. There are various shelters for women and children and trafficking victims have access to their services.

Council Directive 2004/80/EC relating to compensation to crime victims must be nationally transposed by 5 August 2006 at the latest which will facilitate compensation in cases where a person became a victim of an offence during his or her visit to a foreign country. Although conformity of the Estonian law to EU legislation in that part has not yet been analysed, the national transposition of the Directive will probably not bring along extensive amendment of the Victim Support Act.

At present, Estonian foreign missions are guided by the Consular Act in helping trafficking victims. If an Estonian citizen turns to an embassy for help in such matter, a consular officer or honorary consul will advise the victim and help the victim to contact his or her family or other persons close to the victim, assist the victim in returning home, help the victim in protecting his or her rights, arrange for his or her health care, legal aid or make other necessary arrangements. If the person's passport is lost or has been withheld, the official will issue an emergency travel document (certificate of return) to an Estonian citizen or alien living in Estonia on the basis of a residence permit. Aliens living in Estonia are provided with consular assistance according to international practices.

## 7.2. Measures and activities for providing assistance to trafficking victims

The strategic aim is to provide assistance and support to trafficking victims and to rehabilitate the victims.

### **Measure 12: Assisting persons who fall victim to human trafficking while abroad**

Activities:

- 12.1. Elaboration of guidelines for Estonian foreign missions in assisting victims originating from Estonia and helping them to return to Estonia
- 12.2. Where necessary, provision of support to trafficking victims returning home (by providing transport, accommodation, etc.)

### **Measure 13: Helping trafficking victims in Estonia**

Activities:

- 13.1. Involving experts in mapping the needs of trafficking victims and elaborating a service package for them
- 13.2. Preparing instructions, including to victim support and health care workers
- 13.3. Organising training courses in how to make use the instructions, including to victim support and health care workers

### **Indicators**

- assistance is provided in foreign countries to trafficking victims originating from Estonia and their safe return is guaranteed;
- Estonia has competent specialists who can assist people who become victims of human trafficking

## Annexes

### Annex 1 Schedule for implementation of Development Plan

MEASURES	ACTIVITIES	EXPENDITURE	DEADLINE	RESPONSIBLE AUTHORITY
<b>Strategic objective 1: Continuous mapping of the problems related to human trafficking in order to get a comprehensive and trustworthy picture of the actual extent and forms of human trafficking.</b>				
1. Organisation of statistical data related to cases of human trafficking	1.1. Development of the register of criminal matters and further on, development of the database of integral procedural information called "E-file" with the aim to obtain an accurate overview of the criminal offences related to human trafficking	Operating costs of Ministry of Justice (IT costs)	Currently	Ministry of Justice
	1.2. Preparation of the annual summary related to criminal offences on the basis of the data in the register of criminal matters which shall, among other, reflect the scope of occurrence of offences related to human trafficking based on the relevant sections of the Penal Code.	Operating costs of Ministry of Justice	Currently	Ministry of Justice
	1.3. Collection of data on criminal proceedings related to human trafficking which were initiated abroad and where the victim or perpetrator was a citizen or permanent resident of Estonia.	Operating costs of Ministry of Internal Affairs (Central Criminal Police)	Currently	Ministry of Internal Affairs (Central Criminal Police)
	1.4. Collection of information on cases of human trafficking which became evident through the foreign missions of the Republic of Estonia.	Operating costs of Ministry of Foreign Affairs (foreign missions)	Currently	Ministry of Foreign Affairs



2. Conduct of studies related to human trafficking	2.1. Conduct of a qualitative study of the demand for human trafficking	80 000.-	2006	Ministry of Social Affairs, involving non-profit associations and research institutions
	2.2. Repeated study of awareness of human trafficking among final grade school girls	100 000.-	2007	Ministry of Social Affairs, involving non-profit associations and research institutions
	2.3. Analysis of studies of cases of human trafficking, application of legislation and court judgments	120 000.-	2008	Ministry of Social Affairs, involving Ministry of Justice non-profit associations and research institutions
<b>MEASURES</b>	<b>ACTIVITIES</b>	<b>EXPENDITURE</b>	<b>DEADLINE</b>	<b>RESPONSIBLE AUTHORITY</b>
<b>Strategic objective 2: prevention of human trafficking by informing the public of the nature of human trafficking and related dangers</b>				

3. Informing the public of the problems related to human trafficking and of human rights	3.1. Organising lectures throughout Estonia. Each year 10 lectures shall be held, totalling in 40 lectures during the entire period of the Development Plan.	80 000.-: 2006: 20 000.- 2007: 20 000.- 2008: 20 000.- 2009: 20 000.-	2009	Ministry of Social Affairs, involving non-profit associations
	3.2. A media campaign shall be held in order to decrease the demand for human trafficking	300 000.-	2007	Ministry of Social Affairs, involving non-profit associations
	3.3. Continuing the operation of the hotline for prevention human trafficking	540 000.-: 2007: 180 000.- 2008: 180 000.- 2009: 180 000.-	2007–2009	Ministry of Social Affairs, involving non-profit associations
	3.4. Media campaign for increasing awareness of human trafficking	320 000.-	2008	Ministry of Social Affairs, involving non-profit associations
	3.5. Preparation and publishing of educational information material	150 000.-: 2007: 75 000.- 2008: 75 000.-	2007–2008	Ministry of Social Affairs, involving non-profit associations
	3.6. Including the topic of human trafficking in the national curricula of general education (e.g. in social study classes, etc.).	Costs of Ministry of Education and Research	currently	Costs of Ministry of Education
	3.7. Distribution of information on human trafficking via the world wide web	Operating costs of Ministry of Justice	Currently	Ministry of Justice

4. Informing the general public of matters of labour law and consular services	4.1. Distribution of information materials on consular services	Operating costs of Ministry of Foreign Affairs	Currently	Ministry of Foreign Affairs
	4.2. For ensuring better consular protection, persons travelling abroad shall be given an opportunity to leave their contact details with the Ministry of Foreign Affairs	Operating costs of Ministry of Foreign Affairs	Currently	Ministry of Foreign Affairs
	4.3. Insemination of information on labour law to job seekers through the local offices of the Labour Market Board.	Operating costs of Ministry of Social Affairs (Labour Market Board)	Currently	Ministry of Social Affairs
<b>MEASURES</b>	<b>ACTIVITIES</b>	<b>EXPENDITURE</b>	<b>DEADLINE</b>	<b>RESPONSIBLE AUTHORITY</b>
<b>Strategic objective 3: development of the skills of the specialists engaging in the problem of human trafficking, and promoting cooperation between them</b>				
5. Training of specialists	5.1. Organisation of anti-trafficking training for specialists engaging in the prevention of and fight against human trafficking and assisting trafficking victims. The Ministry of Social Affairs shall organise 2 training events per year, totalling in 8 events.	300 000 (Ministry of Social Affairs): 2006 – 70 000.- 2007 – 70 000.- 2008 – 80 000.- 2009 – 80 000.- Cost of one training 35 000 – 40 000.-	2006–2009	Ministry of Social Affairs (Prosecutor's Office), Ministry of Internal Affairs (Citizenship and Migration Board, Border Guard Administration, Police Board, Central Criminal Police)

6. Promoting cooperation among specialists	6.1. Appointment of contact persons, agreeing on the division of tasks and responsibilities between different anti-trafficking agencies.	Operating costs of relevant ministries	2006	Ministry of Education and Research, Ministry of Internal Affairs, Ministry of Justice, Ministry of Social Affairs, Ministry of Foreign Affairs involving other state institutions, local governments and non-profit associations
	6.2. Organising round table meetings for the cooperation network	Operating costs of Ministry of Justice	Currently	Ministry of Justice involving other state institutions, local governments and non-profit associations
7. International Co-operation	7.1. Taking part in the implementation of the EU plan on best practices, standards and procedures for combating and preventing trafficking in human beings.	Operating costs of the Ministry of Justice and Ministry of Internal Affairs (Citizenship and Migration Board, Border Guard Administration, Police Board)	Currently	Ministry of Justice and Ministry of Internal Affairs (Citizenship and Migration Board, Border Guard Administration, Police Board)
	7.2. Participating in the EU AGIS training programme	Operating costs of Ministry of Justice		Ministry of Justice (Prosecutor's Office, courts)

MEASURES	ACTIVITIES	EXPENDITURE	DEADLINE	RESPONSIBLE AUTHORITY
<b>Strategic objective 4: curbing human trafficking by means of more effective border control and control over the employment mediation.</b>				
8. Targeted border controls on accompanied minors	8.1. Paying attention on minors crossing the EU external borders (including, if necessary, by questioning the minor or the person accompanying him or her, contacting the parents of the child, demanding additional documents, etc.)	Operating costs of Ministry of Internal Affairs (Border Guard Administration)	Currently	Ministry of Internal Affairs (Border Guard Administration)
9. Transparent employment mediation system	9.1. Analysis of employment mediation system	200 000.-	2007	Ministry of Social Affairs
	9.2. Supplementation of the employment mediation system and provision of information on the possibilities of employment mediation	100 000.-	2008	Ministry of Social Affairs
<b>Strategic objective 5: effective reaction to criminal offences related to human trafficking.</b>				
10. Exchange of surveillance information	10.1. Regular exchange of information with other countries and international investigative agencies (Europol) concerning possible cases of human trafficking.	Operating costs of Ministry of Internal Affairs (Central Criminal Police)	Currently	Ministry of Internal Affairs (Central Criminal Police)

11. Effective conduct of proceedings in matters of criminal offences	11.1. Analysis of Estonian penal law to guarantee conformity with UN supplementary protocol on trafficking in persons and Council framework decision 2002/629/JHA of 19 July 2002 on combating trafficking in human beings	Operating costs of Ministry of Justice	2006	Ministry of Justice
	11.2. Effective use of international legal aid in criminal proceedings in matters related to human trafficking.	Operating costs of Ministry of Internal Affairs (Central Criminal Police), Ministry of Justice	Currently	Ministry of Internal Affairs (Central Criminal Police), Ministry of Justice (Prosecutor's Office)
	11.3. National transposition of Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities	Operating costs of Ministry of Internal Affairs	2006	Ministry of Internal Affairs
	11.4. Issue of temporary residence permits to trafficking victims who are residents of foreign states for the time of the conduct of criminal proceedings	Operating costs of Ministry of Internal Affairs, Ministry of Justice	Currently after performance of activity 11.3	Ministry of Internal Affairs, Ministry of Justice (Prosecutor's Office), Ministry of Social Affairs
	11.5. Where necessary, application of the measures prescribed by the Witness Protection Act and ensuring the anonymity of witnesses	Operating costs of Ministry of Internal Affairs, Ministry of Justice	Currently	Ministry of Internal Affairs (Central Criminal Police), Ministry of Justice (Prosecutor's Office)

MEASURES	ACTIVITIES	EXPENDITURE	DEADLINE	RESPONSIBLE AUTHORITY
<b>Strategic objective 6: Provision of assistance to trafficking victims</b>				
12. Assisting persons who fall victim to human trafficking while abroad	12.1. Elaboration of guidelines for Estonian foreign missions for assisting victims originating from Estonia and helping them to return to Estonia	Operating costs of Ministry of Foreign Affairs, Ministry of Social Affairs	2007	Ministry of Foreign Affairs Ministry of Social Affairs
	12.2. Where necessary, provision of support to trafficking victims returning home (by providing transport, accommodation, etc.)	60 000.-: 2007: 20 000.- 2008: 20 000.- 2009: 20 000.-	Currently	Ministry of Foreign Affairs (foreign missions)
13. Helping trafficking victims in Estonia	13.1. Involving experts in mapping of the needs of trafficking victims and elaboration of a service package directed to them	150 000.-	2007	Ministry of Social Affairs, involving Ministry of Internal Affairs (Citizenship and Migration Board), local governments and non-profit associations
	13.2. Preparation of instructions, including to victim support and health care workers	40 000.-	2007	Ministry of Social Affairs, involving Ministry of Internal Affairs (Citizenship and Migration Board), local governments and non-profit associations
	13.3. Training courses in how to use the instructions, including to victim support and health care workers	60 000.-	2008	Ministry of Social Affairs, involving Ministry of Internal Affairs (Citizenship and Migration Board), local governments and non-profit associations

## Annex 2 Division of costs of Development Plan by year

The following table sets forth the division of the costs of the measures/activities specially financed for the purpose of combating human trafficking

Measures Activities	Expenditure source/responsible authority	2006	2007	2008	2009	Costs in total
<b>Measure 2: Conduct of studies related to human trafficking</b>						
Conduct of a qualitative study of the demand for human trafficking	Ministry of Social Affairs, involving non-profit associations and research institutions	80 000				<b>80 000</b>
Repeated study of awareness of human trafficking among final grade school girls	Ministry of Social Affairs, involving non-profit associations and research institutions		100 000			<b>100 000</b>
Analysis of studies of cases of human trafficking, application of legislation and court judgments	Ministry of Social Affairs, involving Ministry of Justice non-profit associations and research institutions			120 000		<b>120 000</b>
<b>Measure 3: Informing the public</b>						
Organising 10 lectures per year all over Estonia	Ministry of Social Affairs, involving non-profit associations	20 000	20 000	20 000	20 000	<b>80 000</b>
Organising a media campaign in order to decrease the demand for human trafficking	Ministry of Social Affairs, involving non-profit associations		300 000			<b>300 000</b>
Continuing the operation of the hotline for prevention human trafficking	Ministry of Social Affairs, involving non-profit associations		180 000	180 000	180 000	<b>540 000</b>
Media campaign for increasing awareness of human trafficking	Ministry of Social Affairs, involving non-profit associations			320 000		<b>320 000</b>



<b>Measures Activities</b>	<b>Expenditure source/responsible authority</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>Costs in total</b>
Preparation and publishing of educational information material concerning the problem of human trafficking	Ministry of Social Affairs, involving non-profit associations		75 000	75 000		<b>150 000</b>
<b>Measure 5: Training of specialists</b>						
Organisation of anti-trafficking training for specialists engaging in the prevention of and fight against human trafficking and assisting trafficking victims.	Ministry of Social Affairs involving the Ministry of Justice, Ministry of Internal Affairs, Ministry of Foreign Affairs	70 000	70 000	80 000	80 000	<b>300 000 (Ministry of Social Affairs)</b>
<b>Measure 9: Control over employment mediation</b>						
Analysis of employment mediation system	Ministry of Social Affairs		200 000			<b>200 000</b>
Supplementation of the employment mediation system and provision of information on the possibilities of employment mediation	Ministry of Social Affairs			100 000		<b>100 000</b>
<b>Measure 12: Assisting persons who fall victim to human trafficking while abroad</b>						
Where necessary, provision of support to trafficking victims returning home (by providing transport, accommodation, etc.)	Ministry of Foreign Affairs		20 000	20 000	20 000	<b>60 000</b>

Measures Activities	Expenditure source/responsible authority	2006	2007	2008	2009	Costs in total
<b>Measure 13: Assisting trafficking victims in Estonia</b>						
Involving experts in mapping of the needs of trafficking victims and elaboration of a service package directed to them	Ministry of Social Affairs, involving Ministry of Internal Affairs (Citizenship and Migration Board), local governments and non-profit associations		150 000			<b>150 000 (Ministry of Social Affairs):</b>
Preparation of instructions, including to victim support health care workers and officials of the Citizenship and Migration Board	Ministry of Social Affairs, involving Ministry of Internal Affairs (Citizenship and Migration Board), local governments and non-profit associations		40 000			<b>40 000 (Ministry of Social Affairs):</b>
Training on the use of the instructions, including to victim support health care workers and officials of the Citizenship and Migration Board	Ministry of Social Affairs, involving Ministry of Internal Affairs (Citizenship and Migration Board), local governments and non-profit associations			60 000		<b>60,000 (Ministry of Social Affairs):</b>
<b>COSTS IN TOTAL</b>		<b>170 000</b>	<b>1 155 000</b>	<b>975 000</b>	<b>300 000</b>	<b>2 600 000</b>

### Annex 3 Registered criminal offences related to human trafficking and court judgments which have entered into force in Estonia

Based on the data in the Register of Criminal Proceedings, approximately 160 criminal offences were registered in Estonia which may be linked to human trafficking.

Type of criminal offence according to the corresponding section of the Penal Code	Number of criminal offences
§ 133. Enslaving	1
§ 134. Abduction	0
§ 136. Unlawful deprivation of liberty	55
§ 138. Illegal conduct of human research	0
§ 139. Illegal removal of organs or tissue	0
§ 140. Inducing person to donate organs or tissue	0
§ 143. Compelling person to engage in sexual intercourse	5
§ 172. Child stealing	6
§ 173. Sale or purchase of children	1
§ 175. Disposing minors to engage in prostitution	0
§ 176. Aiding prostitution involving minors	3
§ 177. Use of minors in manufacture of pornographic works	26
§ 178. Manufacture of works involving child pornography or making child pornography available	3
§ 259. Illegal transportation of aliens across state border or temporary border line of Republic of Estonia	2
§ 268. Provision of opportunity to engage in unlawful activities, or pimping	59

Based on the data in the register of judicial decisions, approximately 100 court judgments in criminal matters related to human trafficking have entered into force in Estonia

Type of criminal offence according to section of the Penal Code	Number of criminal matters*	Number of convicted persons*
§ 133. Enslaving	2	7
§ 134. Abduction	0	0
§ 136. Unlawful deprivation of liberty	18	22
§ 138. Illegal conduct of human research	0	0
§ 139. Illegal removal of organs or tissue	0	0
§ 140. Inducing person to donate organs or tissue	0	0
§ 143. Compelling person to engage in sexual intercourse	3	3
§ 172. Child stealing	1	1
§ 173. Sale or purchase of children	0	0
§ 175. Disposing minors to engage in prostitution	1	1
§ 176. Aiding prostitution involving minors	4	15
§ 177. Use of minors in manufacture of pornographic works	3	3
§ 178. Manufacture of works involving child pornography or making child pornography available	1	1
§ 259. Illegal transportation of aliens across state border or temporary border line of Republic of Estonia	2	2
§ 268. Provision of opportunity to engage in unlawful activities, or pimping	17	40

\*The table sets forth, with reference to the appropriate sections of the Penal Code, the number of criminal cases and convicted persons in matters related to human trafficking. This means that the same criminal matter or convicted person may appear on more than one of the lines dedicated to the sections of the Penal Code. Based on the court judgments which entered into force in 2005, 44 different criminal cases were adjudicated and 79 persons were convicted to human trafficking.

## Annex 4 Abbreviations used in the Development plan

EU	European Union
EUROJUST	The European Union's Judicial Cooperation Unit
EUROPOL	European Police Office
HEUNI	European Institute for Crime Prevention and Control, affiliated with the United Nations
INTERPOL	International Police Organization
IOM	International Organization for Migration
UNODC	United Nations Office on Drugs and Crime
UN	United Nations Organisation