



# Global Monitoring

status of action against commercial sexual exploitation of children

## ESTONIA



2<sup>nd</sup> EDITION

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# GLOSSARY OF TERMS AND ACRONYMS

- **AGIS:** Framework programme concerning police and judicial cooperation in criminal matters
- **CBSS:** Council of Baltic Sea States
- **CoE:** Council of Europe
- **COPSAT:** Joint Cooperation between Police and Social Service against Trafficking project
- **CRC:** Convention on the Rights of the Child
- **CSEC:** Commercial Sexual Exploitation of Children
- **EGCC:** Expert Group for Cooperation on Children at Risk
- **EU:** European Union
- **HDI:** Human Development Index
- **ICSE:** International Child Sexual Exploitation Database
- **ICT:** Information and Communication Technology
- **INHOPE:** International Association of Internet Hotlines
- **INSAFE:** European network of Awareness Centres
- **IOM:** International Organization for Migration
- **NCP:** National Contact Point
- **NGO:** Non-Governmental Organisation
- **NPA:** National Plan of Action
- **OPSC:** Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography
- **ROBERT:** Risktaking Online Behaviour Empowerment through Research and Training project
- **UN:** United Nations

# FOREWORD

At the First World Congress against Commercial Sexual Exploitation of Children (CSEC) held in Stockholm in 1996, governments from around the world first gave recognition that commercial sexual exploitation of children is a global crime of epidemic proportions. The Stockholm Declaration and Agenda for Action - a strategic framework for actions against CSEC - was adopted by the 122 governments participating in the Congress in order to guide a systematic global response against the sexual exploitation of children.

The outcome document of the First World Congress was soon followed by the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (OPSC). Adopted in 2000 as a legally binding treaty of the United Nations, the Optional Protocol (and other relevant international treaties) reaffirms the urgent need for political will and concrete actions from governments to ensure that children in their countries can live free from all forms of commercial sexual exploitation.

In 2001, high-level delegates from 136 governments, local and international non-governmental organisations and children and young people, convened in Yokohama for the Second World Congress to review the achievements and challenges in combating CSEC as well as to identify new priorities needed to bolster and enhance action. Seven years later, the World Congress III in Rio de Janeiro provided the largest global platform to date for delegates from 137 governments to renew their state's commitment to protect

children from commercial sexual exploitation. The Rio Declaration and Call for Action strongly urges all stakeholders, including the private sector, to continue their due diligence in taking the necessary follow-up actions to eliminate CSEC. The Rio Call for Action emphasises the obligation to uphold the rights of the child as identified in existing international human rights and child rights instruments. It also offers a framework for the accountability of all duty-bearers of children's rights, particularly governments, in the fight against sexual exploitation of children and re-affirms the continuing relevance of the Agenda for Action, first agreed to in Stockholm twelve years earlier.

This report, as part of the Second Edition series of country monitoring reports produced by ECPAT International, provides a comprehensive baseline of information on all manifestations of CSEC in the country and an assessment of achievements and challenges in implementing counteractions (including the participation of children and young people themselves) to eliminate CSEC. The report, which follows the framework of the Stockholm Agenda for Action, serves as an instrument for the sharing of information and experiences among various stakeholders and duty-bearers within the country as well as internationally. It also suggests concrete priority actions urgently needed to proactively advance the national fight against CSEC. Furthermore, this report enables the monitoring of the implementation of international instruments on child rights, related to commercial sexual exploitation that have been ratified by the concerned state.

The production of this report is achieved through extensive collaboration within the ECPAT global network. ECPAT International would like to thank ECPAT member groups in the countries assessed, local and global experts and other organisations for their invaluable inputs to this report. ECPAT International would also like to express its profound appreciation of all the hard work of its dedicated team from

within the Secretariat and for the generous support of its donors that helped make the finalisation of this report possible. The contributions of all involved have greatly strengthened the monitoring of the Agenda for Action and the heightened collaboration needed to fight the new and evolving complex manifestations of commercial sexual exploitation of children.

# METHODOLOGY

The Agenda for Action against Commercial Sexual Exploitation of Children provides a detailed framework and categories of actions to be taken by governments in partnership with civil society organizations and other relevant actors for combating commercial sexual crimes against children. Broadly, these actions are focused on: 1) Coordination and Cooperation; 2) Prevention; 3) Protection; 4) Recovery, Rehabilitation and Reintegration; and 5) Child Participation. The Agenda for Action is thus the formal and guiding structure used by governments that have adopted it and committed to work against CSEC. As such, the Agenda for Action is also the main organising framework for reporting on the status of implementation of the Agenda as seen in the World Congress II of 2001, the Mid-Term Review meetings held between 2004 and 2005 and the World Congress III in 2008. It has been used in the same way to structure and guide the research, analysis and preparation of information presented in these reports on the status of implementation of the Agenda in the individual countries.

Preparatory work for this 2<sup>nd</sup> Edition report involved a review of the literature available on sexual exploitation for each of the countries where ECPAT works. A number of tools were prepared, such as a detailed glossary of CSEC terms, explanatory literature on more difficult themes and concepts and a guide to relevant CSEC-related research tools, to assist researchers in their work and to ensure consistency in the gathering, interpreting and analysing of

information from different sources and parts of the world.

Desktop research has shown a continuing lack of information in the areas of Recovery, Rehabilitation and Reintegration. After extensive efforts to collect information relevant to these areas for each of the countries covered, it was decided that as this information was not consistently available, the reports thus focus only on those areas of the Agenda for Action where verifiable information can be obtained. Thus, the report covers: Coordination and Cooperation; Prevention; Protection and Child and Youth Participation, and where information on recovery, rehabilitation and reintegration, was available, it has been included under the country overview. These 2<sup>nd</sup> Edition Reports also reflect a greater focus on integrated and inter-sector collaboration for the realisation of the right of the child to protection from sexual exploitation, including the need nationally for comprehensive child protection systems.

Research of secondary sources, including CRC country and alternative reports, OPSC country and alternative reports, the reports of the Special Rapporteurs, as well as research and field studies of ECPAT, governmental and non-governmental organizations, regional bodies and UN agencies, provided the initial information for each report. This information was compiled, reviewed and used to produce first draft reports. In-house and consultant specialists undertook a similar process of review to generate information on

specialised areas of the reports, such as the legal sections. Nevertheless, researchers often encountered a lack of information. While sources also included unpublished reports and field and case reports of ECPAT and other partners, many countries lacked up-to-date data and information on areas relevant to this report.

Despite these limitations, sufficient information was gathered to provide a broad overview of the situation in each country. Subsequently, first drafts were prepared and shared with ECPAT groups, which then supplemented the information with other local sources and analysis (taking care to identify them and source appropriately). Upon receipt of these inputs, a series of questions were generated by the ECPAT International team for deeper discussion, which involved ECPAT groups and specialists invited by them. The information from these discussions was used to finalise inputs to each of the reports. These consultations proved to be invaluable for analysis of the country situation. They also served as a measure for triangulating and

validating information as different actors offered their perspective and analysis based on their direct work.

As previously noted, the information of each country report is organised to correspond to the structure of the Agenda for Action. Thus all the 2<sup>nd</sup> Edition reports feature updated information in relation to: (i) an overview of the main CSEC manifestations affecting the country; (ii) analysis of the country's National Plan of Action (NPA) against CSEC and its implementation (or the absence of an NPA); (iii) overview and analysis of coordination and cooperation efforts during the period under review; (iv) overview and analysis of prevention efforts; (v) overview and analysis of protection efforts, which includes detailed information on national legislation related to CSEC (see [www.ecpat.net](http://www.ecpat.net) for further details); (vi) overview and analysis of country's efforts incorporate participation of children in youth in the development and implementation of efforts to combat CSEC and (vii) priority actions required.



# ESTONIA

## INTRODUCTION

Estonia is a democratic parliamentary republic divided into 15 counties.<sup>1</sup> With a population of 1.27 million composed mainly of Estonians (68%) and Russians (25%),<sup>2</sup> it is one of the least-populous members of the European Union (EU).<sup>3</sup> Listed as a “high-income economy” by the World Bank,<sup>4</sup> Estonia has seen a steady annual GDP growth of 8% between 2003 and 2007 and is the wealthiest of the 15 former Soviet Republics.<sup>5</sup> After a contraction in 2009 due to the global economic crisis, the Estonian economy has returned to expand and now has the highest GDP growth rate in Europe, mainly as a result of a boom in exports and increased foreign investment following the adoption of the euro in January 2011.<sup>6</sup>

Estonia has registered a 16% increase in its Human Development Index (HDI) since 1990 and was ranked 34 out of 187 countries reviewed in 2011.<sup>7</sup> The number of children living below the national poverty line has been decreasing, although in recent years the rate has slowed.<sup>8</sup> A study released by the Children’s Ombudsman in 2012 revealed that one in five children are affected by poverty.<sup>9</sup> Despite some Estonians having experienced a dramatic increase in their standards of living, the demographic and social changes that occurred in the last two decades have created serious welfare problems for children and their families. The rates of HIV are rising (the country has the highest rate of infection in the European Union<sup>10</sup> with 21% of new cases affecting young people aged 14-25)<sup>11</sup> as are substance abuse problems along with behavioural problems and violence against

children. The number of children left without parental care has grown since 1995 and so has the number of social welfare institutions, especially small residential facilities, while the proportion of children in institutional care has decreased since 2007.<sup>12</sup> The number of child protection workers and social workers in local authorities has also increased and their training improved; as a result, children in need are now identified and registered more frequently than in the past. Nevertheless, according to information received by the Special Rapporteur on Sale of Children, Child Prostitution and Child Pornography, children without, or with insufficient, parental care constitute the main at-risk group for commercial sexual exploitation (CSE).<sup>13</sup>

Although education is free, universal and compulsory for grades 1-9 or up to the age of 17, the proportion of young people aged 18-24 who have interrupted their studies without having acquired a basic education is approximately 15%. A high dropout rate and late entry into the school system has been observed among Roma children who face various forms of discrimination, such as exclusion from the mainstream schools and assignment to special classes, such as classes for disabled children.<sup>14</sup>

Child abuse in Estonia is likely to be far more prevalent than generally thought. Whilst national statistics are not available, students from different types of schools who have participated in studies on the issue admit that they have encountered emotional, physical, and sexual abuse as well as negligence. The

incidence of sexual abuse is more common among students from schools with special needs.<sup>15</sup> According to government data, in 2010 there were 61 cases of sexual assault, 43 of which involved victims who were minors. In the same year, police registered 27 cases of forcible rape of minors and 204 cases of sexual abuse of persons younger than 18, including 53 cases involving victims younger than 14.<sup>16</sup> To note that in 2011 the number of cases of child sexual abuse grew by 14%, reaching 233.<sup>17</sup> A research on adolescents' sexuality published in 2007 showed that child sexual abuse has a strong gender connotation. According to this report, nearly 40% of girls and less than 10% of boys have experienced at least one such episode.<sup>18</sup>

Although women have the same legal rights as men, there is unequal treatment in the labour market of Estonia. According to data by the Department of Gender Equality of the Estonian Ministry of Social Affairs, women are mostly employed in less prestigious working places and there are a lot less women than men in higher positions.<sup>19</sup> The World Economic Forum's 2011 Global

Gender Gap Report shows that Estonia is among European countries with the highest gender pay gap and is now ranked 47 out of 137 countries examined.<sup>20</sup> The persisting gender-based discrimination combined with low wages and lack of possibilities for professional growth is considered one of the main causal factors of the trafficking of women and girls for sexual and labour exploitation.<sup>21</sup> Vulnerability is particularly high among Russian-speaking women who, due to their lack of Estonian language skills, often cannot get adequately paid jobs.<sup>22</sup>

There is a dearth of research and knowledge on the commercial sexual exploitation of children in Estonia. The Special Rapporteur on Sale of Children, Child Prostitution and Child Pornography has however expressed concern about its prevalence, noting that "given the development of tourism, easy accessibility by children to information technology, the growth in demand (sex industry) and the increasing sophistication of networks of human traffickers, children remain at risk of sexual exploitation for business purposes".<sup>23</sup>

## Prostitution of children

There are no official statistics nor estimates of the number of children exploited through prostitution in Estonia. The only available data are those related to criminal complaints and convictions for child prostitution related offences. Despite a lack of quantitative and qualitative information, there is enough anecdotal evidence to prove that this form of sexual exploitation affects Estonia.

The exact number of women who work in local brothels in Estonia is unknown, with estimates varying from less than 3,000 to 5,000. According to an interview study with police officers in Tallinn, only half believed that more than 1,000 women were working as prostitutes in Tallinn. According to other studies calculating known brothels and estimating the number of people engaged in prostitution annually, the estimates did not exceed a total of 1,000–1,500 in Estonia. An estimated 80% of all prostitutes in Estonia are

Russian-speaking, usually from the Russian-speaking minority outside Tallinn or from northeast Estonia.<sup>24</sup> Many of the women in prostitution are actually victims of trafficking.

There are no figures on children involved in prostitution in Estonia and the number of cases brought to trial remain low. According to criminal statistics, between 2006 and 2010 there have been a total of 30 cases of "disposing minors to engage in prostitution" (article 175 of the Criminal Code) and

“aiding prostitution involving minors” (article 176).<sup>25</sup> A study on prostitution in Estonia published in 2006 involved 408 women, 7% of whom were aged 15-18 years old. The research found that groups at-risk of exploitation in prostitution and trafficking included primarily those with limited education, unemployment, and without citizenship.<sup>26</sup>

The provision of sexual services by minors may be “organised” and facilitated by a number of intermediaries. For example, in 2010 four individuals were convicted for aiding prostitution by means of violence and coercion; the victims were women, some of them underage.<sup>27</sup> There are also minors who end up in prostitution independently, rather than through procuring organisations or “pimps”. The Special Rapporteur on Sale of Children, Child Prostitution and Child Pornography noted with concern that some children (girls and boys) provide sexual services in return for some form of consideration, such as money, shoes or mobile telephones. According to the Child Protection Division of the Põhja Police

Prefecture, which deals with cases of child abuse and child pornography, there have been cases of boys as young as 7 or 8 who have traded sexual acts for consumer goods.<sup>28</sup>

Research on adolescents’ sexuality published in 2007 found that 2.4% of girls and 0.4% of boys aged 16-18 claimed to have provided sex for money or other forms of reimbursement. A majority of the respondents who reported offering sexual services had previously been victims of sexual abuse; many of them abused drugs and drank alcohol regularly. The study also exposed a relatively tolerant attitude among children towards child prostitution. 4.7% of 16-year-old and 3% of 17-year-old boys considered it possible that they could engage in sexual intercourse for remuneration.<sup>29</sup> Another research published in 2010 showed that a phenomenon of week-end prostitution exists among young girls. According to social workers and outreach workers, “prostitution, drug abuse and crimes have become part and parcel of a modern party culture among groups of young persons in larger cities.”<sup>30</sup>

## Trafficking in children for sexual exploitation

Although the government reported no child trafficking cases between 2006 and 2008,<sup>31</sup> research on human trafficking in the Baltic States and court cases suggest that Estonia is primarily an origin country for underage trafficking victims and is also affected by domestic child sex trafficking.

A study published in 2008 exposed cases of underage girls involved in local and transnational trafficking for sexual exploitation. Destinations for minor victims from Estonia include mainly Nordic countries such as Sweden, Finland and Norway. Some of the girls trafficked abroad are already working in the sex industry in Estonia before coming to the destination country. Recruitment may take place via explicit advertising in newspapers or magazines in Estonia while transportation involves mostly the use of ferries. Girls recruited for

sexual exploitation may come from broken families and may have experienced problems of domestic violence and alcoholism in the home.<sup>32</sup>

Women and girls belonging to the Russian-speaking minority are particularly vulnerable to trafficking for sexual exploitation. According to a 2006 research conducted by the *Estonian Open Society Institute*, Russian women have to suffer twice as much contact from recruiters than Estonians. For example, in the age group from 15-29 every third questioned Russian

woman has received an offer to become a prostitute, while among Estonians such an

offer was received by every eleventh woman questioned.<sup>33</sup>

## Trafficking to Norway and Finland

In May 2010, the Harju County Court convicted an Estonian man and his wife for organising prostitution, use of an illegal weapon, and for 'snooping' in the flats of prostitutes; they were sentenced to jail for 2 years and 10 months. In reality, the two were human traffickers. The man indeed trafficked Estonian girls and young women for his prostitution business, sending some of them to Finland, where he rented seven flats to use as brothels in 2007 – 2008. His trafficking approach was as follows: girls that were 'trained' and 'stabilised' in Estonia were sent to Finland for a week at the beginning, usually accompanied by the man himself. By the end of the week, each girl had to give him 1,200 euros of the money earned and 100 additional euros for Internet advertisements on Finnish websites.<sup>34</sup>

In April 2005, three men - two Norwegian and one Estonian - were prosecuted for the prostitution and trafficking of a 16-year-old Estonian girl into Norway. The Estonian girl's case was the first time a child trafficking case reached the judicial process. The Estonian and one of the Norwegian men were accused of recruiting, transporting and exploiting the girl, while the other Norwegian was accused of housing her.<sup>35</sup>

Although Estonia does not have official statistical data on internal trafficking, there are clear indicators suggesting that some girls are trafficked within the borders of Estonia for sexual exploitation, typically but not only

from the North-Eastern region (where the employment rate is lower and most of the population is from the Russian minority<sup>36</sup>) to the capital city, Tallinn.<sup>37</sup>

## Domestic child sex trafficking

In April 2010 the Harju County Court convicted a group of 15 criminals for running a brothel for prostitution in the centre of Tallinn during the years 2002-2007. Among the trafficked females, some were minors. They were forced to provide sexual services for about a dozen clients per day, including groups in sauna parties. Drugs were administered to the girls to control them and any rebellious acts were punished with violence.<sup>38</sup>

At the beginning of 2006 Harju County Court prosecuted two people for prostitution. According to the charges, between 2002-2004 two Estonian nationals (a man and a woman) organised the provision of sexual services in Saaremaa. Women and girls from Ida-Virumaa were exploited for this purpose, with the suspects covering travel and living expenses in Kuresaare and Nasva. After threat of a fine of 10,000 kroons (€640), two females were trafficked to Sweden for the purpose of sexual exploitation; one of them was a minor.<sup>39</sup>

Estonian criminal groups are reported to be highly organised and compete with Russian (St. Petersburg-based) criminal groups, which control the prostitution circles in Finland.<sup>40</sup> Given that until March 2012 there was no legislation specifically criminalising human

trafficking in Estonia, no prosecutions nor convictions were recorded in the last few years in the country. However, according to police statistics in 2011, a total of 143 human trafficking related crimes were registered in Estonia, 9.5% less than in 2010.<sup>41</sup>

According to research published in 2003, men and women from different age groups can be found among local traffickers and procurers. Women procurers have often been previously

involved in prostitution themselves. It has also been reported that those who are involved in human trafficking are often also involved in drug trafficking.<sup>42</sup>

The U.S. Department of State annually releases a Trafficking in Persons Report which categorises countries into different “tiers” based on the extent of government action combating human trafficking. Countries that have the highest levels of compliance with the Trafficking Victims Protection Act’s minimum standards for the elimination of trafficking are placed in **Tier 1**. Those that have made “significant efforts” to meet the standards are placed in **Tier 2** and countries that are not making significant efforts to combat human trafficking are placed in **Tier 3**.

In the 2012 report, Estonia was placed in **Tier 2**.<sup>43</sup>

## Child pornography / child abuse images

There is no comprehensive research on child abuse images and sexual exploitation of children through ICTs in Estonia. However, an increasing number of media reports and police statistics show that child pornography related offences have become more and more common in the last few years.<sup>44</sup> The rapid growth of Internet use in the country, while opening up a world of opportunities, has indeed made Estonia a new “high risk” country for children and young people interacting online.<sup>45</sup>

Crimes related to producing, storing, handing over, displaying, or making available of child pornography (§ 178 of the Penal Code) have significantly increased in recent times. Whilst in 2006 a total of 29 cases were registered in application of this provision, the number of investigations has more than doubled in 2010, reaching 76 cases. On the other hand, reported incidents where minors were used in manufacturing pornographic works (article 177 of the Penal Code) have decreased, dropping to two cases in 2010.<sup>46</sup>

The dissemination of child abuse images has been greatly facilitated by the spread of the Internet. In an effort to enable users to provide information about material being distributed online depicting illegal content (particularly that presenting the sexual abuse or exploitation of minors and child trafficking), the Estonian Union for Child Welfare established an internet hotline [www.vihjeliin.ee](http://www.vihjeliin.ee) in February 2011.<sup>47</sup> According to statistics collected by this organisation, reports of child abuse images

received between mid-August 2011 and January 2012 totaled 63.<sup>48</sup> One of the cases involved a suspected Estonian-based website distributing child pornography.<sup>49</sup>

In June 2011, Estonia established an online police constable whose function is to receive reports, collect facts and forward relevant information to start up investigations. The constable has received several reports regarding minors to date, with the most severe cases concerning child pornography and sexual exploitation of adolescents.<sup>50</sup>

According to a senior Police and Border Guard criminal police commissioner, whilst there is no single profile of online sex offenders, there may be minors involved in this type of crime, as reflected by the case of the 15-year-old teenager punished for possession of child pornography. Most of the images reported to police are said to depict rape of pre-adolescent children, from infancy to 11 years of age.<sup>51</sup>

## Producing and possessing child pornography

In February 2010, the Estonian Northern District Prosecutor initiated criminal proceedings against a 34-year-old suspect who was arrested in 2009 when he was found with more than 2,000 pictures in his possession. He was accused of child rape, using minors under 16 years of age for violent sex, using a minor for creation of pornographic work, and making child pornography.<sup>52</sup>

In November 2010, the police conducted an operation in Tallinn and surrounding Harju County involving 20 people suspected of possessing child pornography. According to the North Police Prefecture, this was the first time that such a major investigation had been undertaken to tackle possession of child abuse images. A police spokesperson said the 20 people questioned did not include any producers of such pornography but that some of them did send files to others.<sup>53</sup>

In the framework of the code-named "Icarus operation" coordinated by Europol and involving 22 European countries, six Estonian men were accused of possessing child pornography in January 2012 (among them was a famous musician who was sentenced to a 12-month probation period).<sup>54</sup>

Estonian children are increasingly accessing the Internet at a younger age and go online more often than their peers in many other European countries. 82% of 9 to 16 year olds go online every day.<sup>55</sup> A number of research and police statistics confirm that Internet use has rendered Estonian children particularly vulnerable to a series of online risks, including solicitation for the purpose of sexual exploitation.

The number of registered cases of solicitation

of children online for sexual purposes ("grooming") in Estonia saw a dramatic increase in 2011, reaching as high as 57 compared to 13 in 2010.<sup>56</sup> Incidents investigated in 2008 included several types of solicitation. While some children were asked to undress in front of a web camera to have sex, or were sent pornographic material through social networking websites, others were filmed with a web cam and the videos were uploaded on the Internet.<sup>57</sup>

## Online solicitation of children (grooming) for sexual purposes

Grooming is a process by which the offender wins the trust of the child over a period of time and manages to lower the inhibition to convince them to act according to the intent of the offender and prepares him/her for sexual abuse or exploitation.

In December 2011, the Harju County Court sentenced a prominent member of the Estonian football establishment to a term in prison for sex offences, including possession of child pornography, soliciting of a minor and inappropriate conduct involving a minor. The man was apprehended in a sting operation where a police officer posed as an 11-year-old online. According to the prosecution, he proposed a meeting in Tallinn for the purpose of sexual exploitation.<sup>58</sup>

A study on adolescents' sexuality published in 2007 found that half of the 15 girls who reported offering sexual services for pay exchanged nude photographs and/or exposed their sex organs for pay. Moreover, 5% of boys from all age groups who reported to have

seen pornography, admitted to have watched pornographic materials depicting sex between an adult and a child.<sup>59</sup>

The more recent EU Kids Online surveys indicated that exposure to online dangers

of Estonian children is one of the highest among European countries. Nearly 20% of the teenagers surveyed have seen/received sexual messages online, more than half had have contact with a stranger online, and a

quarter have met with a stranger in person.<sup>60</sup> Also, parental awareness of online risks faced by children as well as parental supervision remains at the bottom of the pan-European rankings.<sup>61</sup>

## Child sex tourism

As a result of the increase in tourism and closer contact with western European countries, Estonia has had to contend with the escalating issue of sexual exploitation of children in tourism. Although its extent and prevalence remains unknown due to a lack of research and data collection, opinion makers have noted that sex tourism in the country appears to be growing;<sup>62</sup> this has in turn contributed to an increased level of violence in local prostitution scenes and a growth in internal trafficking cases.<sup>63</sup>

The Government has no information on sex tourism; however, two cases of travelling sex offenders from other countries were officially reported in the last 13 years.<sup>64</sup> A number of news articles, court cases and surveys suggest that Estonia is a destination for child sex tourists mainly from neighbouring countries, especially Finland. According to a 2006 survey of the Estonian Open Society Institute which involved adult sex workers and some underage girls exploited in prostitution, approximately half of the sex buyers are Estonian men followed by Finns (23%),

Russians (19%) and Swedes (2%). British bachelors were also mentioned as a separate category of sex buyers. Furthermore, 70-80% of questioned people are disturbed by the fact that Estonia has an image of being a sex country and consider it to be damaging to the republic's reputation.<sup>65</sup> In line with these findings, another 2008 survey on the attitudes of Estonians towards prostitution found that 75% of questioned people believe that Estonia's advertising as a sex tourism destination would cause irreparable harm to the state reputation.<sup>66</sup>

### Finnish and German child sex offenders in Estonia

In 1999 a Finnish citizen travelled to Estonia to write a book about paedophiles. He approached street children in public places and also invited them to his flat. Unfortunately in that period there were a great number of street children who lacked parental care and came from broken families. He bought food, snacks and sweets for the children. Subsequently, he invited them to his flat and asked to touch and fondle his private parts; he did the same to the children.

At the end of 1999 a criminal investigation was initiated against him for sexual child abuse. He allegedly committed sexual abuse against 14 children (aged 7 to 16). The man left Estonia and went back to Finland before the police were able to acquire evidence to arrest him. The criminal procedures however continued in partnership with the law enforcement structures of the two countries and in February 2004 he was convicted to two years and ten months imprisonment for 7 instances of sexual abuse and two attempts of sexual abuse of children in 1999 in Tartu, Estonia. In March 2009 the same man, now with a new name, was convicted in Estonia for a child pornography crime and sentenced to one year and six months imprisonment. After the sentence he has been repatriated to Finland.<sup>67</sup>

In October 2006, a 47-year-old German bus driver was arrested in a small town in southern Estonia for seducing and fondling several young boys. The man used to run a club for children in Hamburg and had also been accused of abusing a child in his home country. After moving to Estonia he tried to establish contacts with children in different ways, including by teaching handicrafts to little boys. The man served seven months in a prison in Estonia and then was later expelled from the country.<sup>68</sup>

Following the 1996 Stockholm and the 2001 Yokohama World Congresses on Commercial Sexual Exploitation of Children, Estonia reaffirmed its commitments at the World Congress III against the Sexual Exploitation of Children and Adolescents, in November 2008 in Brazil. The World Congress III renewed global commitment and galvanised international resolve to combat sexual exploitation of children and adolescents.

## NATIONAL PLAN OF ACTION

Estonia has not adopted a national plan of action (NPA) that comprehensively tackles all forms of commercial sexual exploitation of children. Some aspects of CSEC are addressed and dealt with in other NPAs, such as the *Development plan for reducing violence for years 2010-2014*, as well as in policy documents related to crime reduction. During the Universal Periodic Review on human rights in Estonia, the government refused the recommendation to develop a NPA to combat the sale of children, child prostitution and child pornography, arguing that “Estonia already possesses national instruments dealing with crimes against children”.<sup>69</sup> Despite this declaration, it remains of concern that Estonia has not yet incorporated the Rio Declaration and Call to Action into its national policies.

In 2006 the Estonian Government approved the first *Development Plan for Combating Trafficking in Human Beings 2006-2009* while in 2007 a section on preventing and combating the sale of children, child prostitution, and child pornography was added to the Plan.<sup>70</sup> With regard to children, activities under the Plan included, *inter alia*, informing the public on the issue of child trafficking and organising a seminar on the different forms of CSEC. Continuous improved professional development of specialists engaged in work with children and measures to strengthen protection of minors who cross EU external borders were additionally envisaged.<sup>71</sup> Different stakeholders were involved in the implementation of the anti-trafficking

NPA (see section on “Coordination and collaboration”), and several activities were conducted to tackle child trafficking (although the focus often included greater attention to the smuggling of illegal immigrants and related border control). However, despite the fact that the additional section was supposed to deal with the various forms of CSEC, initiatives to address crimes such as child pornography and child sex tourism do not appear to have been included in the plan. Moreover, very few measures were targeted specifically at child victims and no external evaluation was conducted to assess the impact of the activities in order to improve the planning of future policies and interventions to combat human and child trafficking.

Following the anti-trafficking NPA, a *Development Plan Against Violence 2010–2014* was adopted in April 2010 which was developed in consultation with NGOs and civil society organisations (although with no meaningful involvement of children).<sup>72</sup> The development plan covers four areas: violence against children; violence committed by minors; domestic violence and violence against women; and, trafficking in human beings, including prostitution.<sup>73</sup> A number of measures under this plan address aspects of CSEC including, among other: a) Provision of information on trafficking in human beings to the general public and risk groups, especially young people and girls; b) Training for child protection officials focusing on identification of unaccompanied and trafficked children; c) Implementation of the Safer Internet programme (for more information, see sections on “coordination and cooperation” and “prevention”). The realisation of the plan is attributed to different actors, including government agencies and non-profit associations, while the Ministry of Justice is mandated to monitor the activities conducted under the plan through annual reports.<sup>74</sup> It must be noted that NGOs working in the field of trafficking prevention were against the adoption of the Development Plan and expressed concern that human trafficking would not get enough attention compared to other themes covered by the Plan.<sup>75</sup> Also, as with the previous anti-trafficking NPA, the development plan envisages only a few measures to address CSEC and completely neglects the problem of travelling child sex offenders, mainly due to the limited number of child sex tourism cases officially registered in the recent years.<sup>76</sup>

The *Strategy of Children and Families 2012–2020* was approved in October 2011 and is aimed at increasing the wellbeing and quality of life of children and families. It was prepared by the Ministry of Social Affairs in collaboration with other ministries,

local authorities, NGOs, private sector, research institutions and young persons. The Strategy contains a specific line of action on “identifying and helping unaccompanied and trafficked children” which envisages a number of measures aimed at this target group, including the development and implementation of a guardianship system for these children and training for specialists who work and have contact with them. Two operational programmes will be prepared from 2012 to 2020 to ensure the strategy implementation while the performance of the activities specified in these programmes will be monitored through annual reports. An evaluation will also be carried out after the first operational programme of 2012–2015 in order to determine whether revised measures are necessary.<sup>77</sup>

According to the Estonian government, there are other policy documents relating to crime reduction which partly deal with CSEC issues. The *Main Guidelines of Estonia's Security Policy until 2015* define the long-term objectives of the security policy, one of which is to improve the capacity for combating criminal offences committed through ICT. In implementing these guidelines in 2010, the Government reported that police officers were trained in combating the sexual abuse of children on the Internet and child pornography.<sup>78</sup> The *Guidelines for Development of Criminal Policy until 2018* also include combating cyber crimes amongst its objectives, specifying that the focus should be on sexual abuse of minors, awareness of vulnerable children in cooperation with the private sector, and establishment of a sufficient number of IT specialists in law enforcement agencies.<sup>79</sup> Whilst these policy documents explicitly mention the importance of addressing online child sexual exploitation, they lack a specific and comprehensive focus on CSEC offences and can be considered as general principles aimed at guiding the activities of the different ministries involved in addressing all types of crimes.

# COORDINATION AND COOPERATION

## Local and national level

Examples of joint initiatives to prevent and counteract the different forms of CSEC are rare in Estonia. In the initial report on the implementation of the OPSC, the Estonian government admitted that one of the state priorities for the future is to develop cooperation networks at the national level.<sup>80</sup> The CRC Committee has echoed this observation, highlighting “the lack of a holistic approach to identifying and protecting child victims of offences under the Optional Protocol, and in particular gaps in information-sharing between the police and the social services.”<sup>81</sup> More efforts should therefore be spearheaded to provide integrated and effective assistance to sexually exploited children at the local level, including by enhancing **joint referral and establishing structured approaches to information management**. Furthermore, it is essential that existing national mechanisms for cooperation established in recent years – such as thematic roundtables and working groups gathering together specialists with different backgrounds – receive the necessary support and resources for their sustained functioning.

Some efforts were made in recent years to foster cooperation against human trafficking. A National Coordinator (NC) was appointed in 2006 under the Ministry of Justice following the *Development Plan for Combating Trafficking in Human Beings (2006–2009)*. The NC is responsible for producing data and analysis, such as criminal statistics on crimes related to human trafficking. It also gathers information on the progress of the implementation of the national action plan, and collects input from different stakeholders, all of which is collated into an annual report.<sup>82</sup>

A ‘National Human Trafficking Network’ was additionally established with participation of ministries, other governmental institutions and NGOs, and a series of roundtables were also organised with the aim to foster this collaboration. Even though by 2008 a total of 74 people from 35 organisations were participating in this “national cooperation network”, no special attention was devoted in this framework to the special rights

of trafficked children.<sup>83</sup> To support the implementation of the *Development Plan Against Violence 2010–2014*, working groups have been set up and are coordinated by the Ministry of Justice for each of the themes addressed, including violence against children, trafficking in human beings/prostitution.<sup>84</sup>

The Ministry of Social Affairs is the National Contact Point (NCP) for unaccompanied and trafficked children to the Working Group for Cooperation on Children at Risk within the Council of the Baltic Sea States (now called Expert Group for Cooperation on Children at Risk – EGCC). The NCP in Estonia coordinates activities between various agencies (namely, Ministry of Social Affairs, Ministry of Internal Affairs, Ministry of Foreign Affairs and the Citizenship and Immigration Board) and is tasked with defining national procedures for action in the cases of unaccompanied and trafficked children; it is also a bilateral point of contact for individual cases if other contacts cannot be found.<sup>85</sup>

## Children's Ombudsman established

In an effort to strengthen protection and promotion of children's rights, since March 2011 the Chancellor of Justice has assumed the position of Children's Ombudsman. Functions performed by the Chancellor of Justice include ensuring that all state institutions and other actors respect children's rights and promote the best interests of children and youngsters; providing education and information on children's rights and the UN Convention on the Rights of the Child; conducting studies and analyses and preparing opinions on these topics; and investigating cases of infringement of the rights of the child and making relevant inquiries, including following complaints submitted directly by children. To fulfil its mandate, the Chancellor is assisted by a four-member department and an advisory committee consisting of youth representing child protection organisations.<sup>86</sup> A child-friendly website was launched in March 2012 to raise the visibility of this institution and promote children's rights in Estonia.<sup>87</sup> The Chancellor has also published "Guidelines on data protection and reporting suspected cases of children in need of help" which have been distributed all over the country to specialists dealing with vulnerable children, including trafficked children.<sup>88</sup>

Estonia does not have a national referral mechanism in place for adult and child victims of human trafficking, but the Ministry of Social Affairs in cooperation with other relevant authorities developed guidelines for the identification of and assistance to victims of trafficking. The tool includes indicators for different forms of exploitation, instructions about referral practices specifying different options and entry points (who should contact whom depending on the circumstance of identification), rules for ethical interviewing, a model interview structure of reference and contact details for assistance service providers and anti-trafficking actors in Estonia.<sup>89</sup> NGOs working in the field of human trafficking and governmental institutions (Ministry of Foreign Affairs, police and border guard, social workers) share the responsibility of identifying trafficking victims. However, joint referral between the police and service providers happens only sporadically<sup>90</sup> and structured regional/local approaches to information management is still lacking.<sup>91</sup>

In 2010, an effort to promote safe Internet use by children and their parents and to prevent the online distribution of material containing illegal content, a Safer Internet Centre was launched which includes an Awareness

Centre, a Hotline and a Helpline. The project is coordinated by the Estonian Union for Child Welfare and involves four additional organisations, namely the Ministry of Social Affairs, Tiger Leap Foundation, Estonian Police Board and the Estonian Advice Centre (see <http://www.targaltinternetis.ee/>).<sup>92</sup> This initiative is part of the EU Safer Internet Program and coordinated by INSAFE network. An Advisory Board composed by young people and representatives of relevant government agencies, NGOs and associations, the ICT industry, social networking websites, as well as universities, was formed to contribute knowledge and experiences for ensuring the project success. The Advisory Board meets at least once a quarter.<sup>93</sup> An evaluation conducted in 2012 revealed that while the strong point of the programme has been the cooperation between various educational facilities and research groups, larger inclusion of parents, teachers of subjects other than ICT, officials of local governments and business partners is needed.<sup>94</sup> The Children helpline 116111 is run by the Estonian Advice Centre under the supervision of the Ministry of Social Affairs and the Estonian Police Board is the project partner on awareness work, Hotline and Helpline.<sup>95</sup>

## Regional and international level

Although Estonia has continued to participate in regional fora and projects to address human and child trafficking, efforts spearheaded by the government to enhance collaboration with other countries to detect, investigate and prosecute these offences and ensure child victims' assistance and safe repatriation appear to be limited. Similarly, Estonia's initiatives to support enhanced cross-border judicial and law enforcement cooperation to tackle the production and dissemination of child abuse images as well as child sex tourism have recently increased and proved effective but remain sporadic and insufficient. In light of this appraisal, the recommendation elaborated by the CRC Committee in 2010 to further "strengthen international cooperation through multilateral, regional and bilateral arrangements, especially with neighbouring countries, [...] with a view to improving prevention, detection, investigation, prosecution and punishment"<sup>96</sup> of CSEC crimes, is yet to be fully implemented.

Estonia continues to be a part of the Expert Group for Cooperation on Children at Risk (EGCC, previously named Working Group for Cooperation on Children at Risk).<sup>97</sup> The EGCC is comprised of senior officials from the ministries responsible for children's issues in the member countries of the Council of Baltic Sea States and the European Commission.<sup>98</sup> The EGCC identifies, supports and implements cooperative efforts focused on children at risk among countries and organisations in the region. It also examines and reviews areas of concern with regard to children, as identified by its network of national coordinators and experts.<sup>99</sup> From September 2006 to January 2008, a "Baltic Sea Region Comprehensive Assistance to Children Victims of Trafficking" training programme brought together 55 experts from 9 countries in the region for a series of six meetings on care, protection and rehabilitation of child victims of trafficking and on care for unaccompanied children. The group of experts is now a national and regional resource.<sup>100</sup> As part of this joint initiative, in January 2008, a report, "The Frail Chain", on child trafficking in the region was launched<sup>201</sup> while in 2010 another study, "Baltic Sea Region – Information Management to Prevent Trafficking", explored the existing information structures on child trafficking in the CBSS countries.<sup>102</sup> In October 2008, a second Plan of Action on Unaccompanied and Trafficked Children

in the region of the Baltic Sea States was adopted, covering the period between April 2008 and June 2011. It includes a number of measures to address child trafficking and sexual exploitation.<sup>103</sup> Estonia held the Presidency of the EGCC in 2007-2008.<sup>104</sup>

Estonia exchanges good practices with Nordic countries and the Nordic Council of Ministers.<sup>105</sup> Besides Estonia, the Nordic Council and Nordic Council of Ministers work with Russia, Latvia and Lithuania to fight against human trafficking and provide assistance to victims.<sup>106</sup> As part of these efforts, Estonia participated in the project "Nordic-Baltic knowledge overview and action plan for removing obstacles to health care access in sexual trafficking" which included a Nordic-Baltic expert meeting to review current knowledge, a Nordic-Baltic case study conducted in all eight countries, and a concluding international conference in Riga 2010.<sup>107</sup> However, these initiatives revolve mainly around human trafficking without paying sufficient attention to trafficked children.

To date, Estonia has not developed a programme for the safe return and reintegration of victims of trafficking, including children.<sup>108</sup> The Central Criminal Police have however entered into cooperation agreements on general criminal procedure, including issues involving trafficking in

children. For example, the agreement on mutual assistance in criminal matters between Estonia and Finland includes the topic of trafficking in children.<sup>109</sup> The Ministry of the Interior reported that police also cooperate regularly with Europol, Interpol, as well as with neighbouring countries such as Sweden and Latvia. The Special Rapporteur has noted though that the vast majority of cases identified through such cooperation relate to adult victims of trafficking, rather than children.<sup>110</sup>

A series of joint projects funded through the European Union financial programmes were recently implemented in Estonia, focusing primarily on human trafficking. Between 2006 and 2008, the Institute of Law of Tartu University participated in the project “Mapping Organised Crime – A Market Perspective on Trafficking in Persons for the Purpose of Sexual Exploitation”, coordinated by the National Council for Crime Prevention from Sweden and involving also the European Institute for Crime Prevention and Control. The research conducted as part of this project sheds light on the organisation and structures of criminal networks involved in human trafficking for sexual purposes in Sweden, Finland and Estonia while also analysing the entire process of trafficking. This begins from the point of recruitment in the country of origin and continues to the transporting of women and girls to the country of destination, where procuring has taken place. The study was mainly financed by the AGIS programme of the European Commission.<sup>111</sup> Estonia has also been a partner in the EQUAL project “Integration of women involved in prostitution, including victims of human trafficking, into the legal labour market” 2005-2008 implemented in Lithuania, Germany, Italy, Portugal and Poland. In the framework of this initiative, several surveys were conducted among the general public and those engaging in prostitution, including underage girls number of additional activities were undertaken, such as awareness raising, training of specialists and the creation of a

rehabilitation centre for women and girls involved in prostitution.<sup>112</sup> The EU-funded COPSAT project (Joint Cooperation between Police and Social Service against Trafficking) was launched in 2009 by the metropolitan Stockholm police to strengthen the operational partnership and co-operation between the police, social services and NGOs in Sweden, Estonia, Romania and Poland. Its purposes is to combat human trafficking for sexual purposes. The main outcomes of this multi-country intervention include the creation of joint investigation teams bringing together police from participating countries and establishing case-based teamwork in each country to improve the investigation and prosecution of trafficking cases and provide effective assistance and protection to victims.<sup>113</sup> The University of Tartu participated in the ROBERT project (“Risktaking Online Behaviour Empowerment through Research and Training”), funded by the European Commission Safer Internet Programme and coordinated by the EGCC. The project was implemented between June 2010 to June 2012 and was intended to make online interaction safe for children and young people by: a) learning from experiences of online abuse processes and factors that make young people vulnerable; b) exploring perpetrators’ strategies in relation to grooming of children online; and c) empowering children and young people for improved self-protection. Besides Estonia, countries involved in the ROBERT project were Sweden, the UK, Denmark, Italy, Germany, and the Netherlands.<sup>114</sup>

Whilst there are no relevant examples of regional and international law enforcement cooperation in the area of child pornography, the Estonian government has organised and/or participated in events on cybercrime and child safety on the Internet. In 2010, government representatives attended the ‘Regional consultative forum and training workshops on the protection of children from sexual exploitation through the use of ICTs in the Baltic Region and the Commonwealth

of Independent States' organised in Kiev by ECPAT International together with the All-Ukrainian network against CSEC. The forum gathered together 61 participants from Belarus, Estonia, Kyrgyzstan, Moldova, the Russian Federation and Ukraine, providing an opportunity to share experiences, knowledge and good practices in the area of Internet safety for children.<sup>115</sup> In April 2011, Estonia hosted the conference to launch the Council of Europe (CoE) project "Eastern Partnership – Cooperation against Cybercrime"<sup>116</sup> which is being implemented in Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine. Its aim is to strengthen the capacities of

criminal justice authorities to cooperate effectively against cybercrime, including child pornography.<sup>117</sup>

International cooperation on child safety on the Internet was also fostered by the Safer Internet Centre of Estonia by joining the INSAFE network ([www.saferinternet.org](http://www.saferinternet.org)) that unites Europe's safer internet centres, attending the Internet Safety Forum organised by the European Commission, and creating a hotline that is now part of the INHOPE network, an international internet-based hotline association with a total of over 40 members from all over the world.<sup>118</sup>

## PREVENTION

Increasing attention has been given in recent years to promoting online safety for children and preventing their sexual exploitation through ICTs, especially through the Safer Internet Programme. As part of the implementation of relevant NPAs, a number of efforts were also made to improve awareness, education and training on human trafficking and sexual exploitation for different target groups, including young people and school children. As stressed by the Committee on the Rights of the Child back in 2010, the issue of child sex tourism continues to be neglected by the Government<sup>119</sup> and the few initiatives addressing this form of CSEC are conducted by NGOs, with very limited (if any) involvement of the private sector. In light of this persisting gap, it remains of the utmost importance that Estonia undertakes "measures to prevent child sex tourism, including by conducting studies and collecting information on known cases to establish its extent and root causes, as well as by raising awareness among the general public."<sup>120</sup> With regard to other forms of CSEC, Estonia should consider developing in-depth research on "independent youth prostitution" and latest trends in online sexual exploitation of children and, based on the research findings, should design and implement specific programmes to address the root causes of these phenomena.

### CHILD PORNOGRAPHY

Over the last few years, some Internet security related campaigns and studies have been conducted in Estonia but, with the exception of the Safer Internet Programme, they were poorly coordinated, lacked continuity and relied mostly on volunteers.

Research undertaken in recent times has looked at different aspects of Internet

safety for children, such as the use of social networking sites of pre-teens and related online risks, teenage girls' perception of virtual identity and self-expression, and student awareness of online dangers and behavioural practices of parents.<sup>121</sup> Information and sensitisation work has been conducted by different actors (e.g. government agencies, the ICT industry, NGOs, universities and

other educational institutions) and has involved numerous activities. These activities have included the design of web-based information sheets for teachers and games for children, lectures for parents, teachers and students, videos and case studies of internet security risks, and information campaigns for the public at large.<sup>122</sup> Changes in the

school national curriculum have also been introduced with the result that teachers should now address topics such as privacy, online self-protection and safe socialisation in their lessons. However, computer lessons are mostly complementary (with voluntary participation) and no particular teacher can be held responsible for these tasks.<sup>123</sup>

## An information campaign targeting parents

An information campaign called “You protect your child in real life. Do it on the internet, too!” was conducted by 14 institutions both from the private and public sectors in February and March 2009. An advertisement reminding parents that the dangers on the internet are as concrete as in real life was broadcast on television more than 300 times over a period of four weeks. During the campaign the Estonian Informatics Centre (now Estonian Information System’s Authority) created the webpage <http://lapsnetis.eesti.ee> which collects important information for parents and children on how to make the internet safer for children. The webpage continued to be active also after the campaign period.<sup>124</sup>

The Safer Internet Programme launched in 2010 envisaged three types of activities: trainings and informative work, hotline activity and helpline activity regarding the child helpline 116 111. According to a final evaluation of the programme, trainings have been conducted in 75 schools, kindergartens, youth centre or libraries reaching over 5,000 students, 700 teachers, and 500 parents.<sup>125</sup> The workshops for students addressed such topics as privacy on the Internet, solving problems, and protection from online risks. Methods used for this purpose comprised of team and peer-to-peer work, role play and discussions. The interactive seminars for teachers and parents raised awareness on all the most common threats on the Internet that youngsters encounter, including online sexual grooming.<sup>126</sup> A 6-week e-learning course was additionally organised for 85 teachers with the aim of giving a broader overview of the topic to common teachers.<sup>127</sup>

As part of the Safer Internet Programme in Estonia, since September 2010 the nationwide 24/7 child advice phone 116 111

offers information and help about Internet safety through various channels, including MSN messenger and Skype. A major part of the helpline work involves cases of sexual harassment, adults approaching children and youngsters with the intention of creating a sexual relationship, and possible harmful content, such as pornography.<sup>128</sup> The hotline [www.vihjeliin.ee](http://www.vihjeliin.ee) was also established in the framework of the programme to facilitate reporting of illegal content, including child abuse images, and information about its existence and work is constantly shown in press notices and articles in printed and online media.<sup>129</sup>

With financial support from ECPAT International, in 2011 Tartu Child Support Centre conducted training for social workers and psychologists working in shelters on how to protect children from the risks of being sexually exploited through the use of ICTs. Training was also provided to students and teachers at schools for children with hearing and seeing disabilities.

## The code of conduct on safer mobile use by younger teenagers and children

In June 2010, Estonia's mobile operators signed a code of conduct on safer mobile use by younger teenagers and children. This agreement falls under the umbrella of the European Union's European Framework for Safer Mobile Use and includes such requirements as the need to offer access control restrictions where adult content is provided. Signatories to the Code take a commitment to raise awareness and promote education for children and parents on safer use of mobile phones and the internet. They also pledge to continue supporting the authorities in their fight against child pornography and to support state initiatives and legal mechanisms for restricting the distribution of illegal content.<sup>130</sup>

### TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

Although various preventive actions have been carried out in Estonia on trafficking in human beings and various informational materials have been developed and distributed reaching specific target groups (i.e. young people and women) and the general public, little is known about the impact that such awareness raising activities had on the target groups.<sup>131</sup> Moreover, most of the information campaigns have addressed human trafficking in general, rather than child trafficking specifically, and have been partially criticized by the Russian community because materials and websites were only available in the Estonian language. In addition, participation of children in these initiatives was considered insufficient.<sup>132</sup>

A number of activities to prevent trafficking in children and sexual exploitation were conducted under the *Development Plan for Combating Trafficking in Human Beings 2006–2009*. Apart from distributing pamphlets in tourism fairs, airports and consulates and undertaking a campaign for leaving contact information with the Ministry of Foreign Affairs before going abroad, a media campaign to target the demand for prostitution with a message – “A real man doesn't buy sex”, was implemented in 2006 by the Eesti Naisuurimus- ja Teabekeskusest (Estonian Women's Studies and Resource Centre).<sup>133</sup> In 2008, several lectures and

workshops were organised for victim support officials, child protection officials, youth workers, teachers of social education and history, school children, students, (youth) police officers, prosecutors, and workers of non-profit associations, reaching a total of 800 persons.<sup>134</sup> In 2011, consular officers from the Ministry of Foreign Affairs visited Estonian schools to educate middle school students on the dangers of human trafficking, reaching approximately 500 students. The government also distributed trafficking related materials at an annual tourism fair and at three job fairs intended to recruit Estonian job seekers for foreign employment.

The Government has also developed a national study programme and subject syllabuses on human studies and social education which include modules on human trafficking.<sup>135</sup> However, such modules have not been integrated into the teachers' textbooks of social science to date (but according to the *Development Plan for Reducing Violence 2010–2014* this should happen by 2014)<sup>136</sup> and it remains unclear whether the links between human trafficking and the different forms of child sexual exploitation are duly examined and discussed with students as part of these lessons.

The Tallinn Office of the International Organisation for Migration (IOM) has issued

guidelines for work with youth, *Prevention of Human Trafficking: Methodology for Cooperation with Young People*. The guidelines

are meant to be used in general education schools so that the topic can be discussed in lessons on social subjects.

## STOP Sex Trafficking of Children & Young People Campaign

Conducted in partnership between The Body Shop and ECPAT, this three year campaign launched in 2009. Its intention was to provide immediate relief to child victims with funds raised and to create long-term changes through engaging the public in awareness raising and lobbying decision makers to strengthen concerted action against child trafficking for sexual purposes. In Estonia, the Tartu Child Support Centre, the ECPAT member group in the country, used funds raised through the campaign to co-finance a project to raise awareness on the phenomenon of child sex tourism which is one of the main contributors to cross-border and internal trafficking of young girls for sexual exploitation. Thanks to this support, the Tartu Child Support Centre was able to conduct several activities, including participating in the International Tourism Fair TOUREST 2010 and 2011 where thousands of visitors had an opportunity to learn more about child sex tourism<sup>137</sup> (see section below on “sexual exploitation of children in tourism” for more details).

### SEXUAL EXPLOITATION OF CHILDREN IN TOURISM

To date, prevention activities against sexual exploitation of children in tourism implemented are very limited and are conducted mainly by civil society organisations. The Government reported that the state has organised campaigns to provide information on risks related to child sex tourism and has supported the activities of NGOs in the field of combating child sex tourism by enabling them to carry out awareness-raising events on the premises of the ministries.<sup>138</sup>

The organisation Tartu Child Support Centre has been an active partner in the “Offenders Beware” project implemented between 2008 and 2011 with the aim to increase awareness and knowledge of sexual exploitation of children in tourism and build capacity for preventive actions among tourism professionals, students, and other relevant stakeholders, such as law enforcement and

governmental authorities. The project was supported by the European Commission and other donors (including The Body Shop), and was carried out by ECPAT groups from Austria, Estonia, Germany, Italy, the Netherlands and partners from the Global South.<sup>139</sup> In Estonia, activities implemented as part of this initiative included trainings for students of tourism schools, faculty members and tourism professionals; the production and distribution of information materials for the same target groups and the public at large; and, awareness raising on child sex tourism through articles in newspapers and magazines and television interviews. Furthermore, the e-learning tool for tourism professionals developed by ECPAT Germany was translated into Estonian<sup>140</sup> and the information about it was disseminated amongst tourism stakeholders and tourism training institutions.

# PROTECTION

International instruments		
Human rights bodies related to child rights	Comments	
Charter-based bodies		
Working Group of the Universal Periodic Review – Human Rights Council	Last Review: October 2011 Next Review: October 2016	
Special Rapporteur on the sale of children, child prostitution and child pornography	2008	
Special Rapporteur on trafficking in persons, especially in women and children	No visits so far	
Treaty-based bodies		
Committee on the Rights of the Child		
Children's rights instruments	Date of ratification	Date of submitted reports
Convention on the Rights of the Child – 1989	Acceded in 1991	2001
Optional Protocol on the sale of children, child prostitution and child pornography – 2000	2004	2008
ILO Convention on the Worst Forms of Child Labour – 1999 (No. 182)	Ratified in 2001	
UN Convention against Transnational Organised Crime	Ratified in 2003	
Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children – 2000 (supplementing the UN Convention against Transnational Organised Crime)	Ratified in 2004	
Regional Instruments	Date of ratification	
Council of Europe Convention on Cybercrime	2003	
Council of Europe Convention on Action against Trafficking in Human Beings	Signed in 2010	
Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	Signed in 2008	

Estonia is party to the main international legal instruments protecting children from sexual exploitation. The country acceded to the *Convention on the Rights of the Child* (CRC) and ratified its *Optional Protocol on the Sale of Children, Child prostitution and Child Pornography* (OPSC). Estonia has also been a

party to the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* since 2004.

Although Estonia has been a member of the Council of Europe (CoE) since 1993, it needs to further strengthen its framework of child

protection by ratifying the CoE *Convention on Action against Trafficking in Human Beings* and the CoE *Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*.

According to the Constitution of the Republic of Estonia, international agreements

ratified by the Parliament are superior to the legislation of the state. The UN Convention on the Rights of the Child is therefore a part of the Estonian legal system and directly enforceable in the courts. Similarly, the relevant definitions contained in international treaties, including the OPSC, are legally recognised in the country.<sup>141</sup>

## National legislation

Besides the Penal Code (which entered into force in 2002 and was subsequently amended), a number of Estonian laws deal with various aspects of child protection from sexual exploitation, including the *Child Protection Act* and the *Act to Regulate Dissemination of Works containing Pornography or Promoting Violence and Cruelty*.

The *Child Protection Act* defines a “child” as a human being below the age of 18 years. Pursuant to article 33, the child shall be protected from all forms of sexual exploitation, and an adult is prohibited from inducing a child to engage in sexual activity and exploitatively use children in prostitution or for pornographic purposes. Moreover, article 50 of the *Child Protection Act* stipulates that it is prohibited to produce or distribute obscene (pornographic) materials, printed matter and films for or among children, as well as the use of children in the production and distribution of obscene materials.<sup>142</sup>

The *Act to Regulate Dissemination of Works which Contain Pornography or Promote Violence or Cruelty* entered into force in 1997 and provides a definition of pornography: a manner of representation in which sexual acts are brought to the foreground in a vulgar and intrusive manner and other human relations are disregarded or relegated to the background. Furthermore, it prescribes measures to protect children from exposure to pornography. Pursuant to this Act, transmission of television or radio broadcasts containing pornography has been prohibited

while advertising of works containing pornography or promoting violence or cruelty is only permitted within specialised places of business which should not be located in the proximity of schools or nursery schools.<sup>143</sup>

In the 2008 country visit report, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography, though noting a significant political commitment in Estonia to prioritise the rights of the child, highlighted a number of legal gaps which ought to be closed to enhance the protection of children from sexual exploitation. The main legal loopholes identified by the Special Rapporteur included the lack of a clear definition of child pornography in line with the OPSC; an absence of statutes clearly specifying that a child under 18 years of age is unable to consent to any form of sexual exploitation; a lack of legislation to criminalise child trafficking; and, no protection of children between 14 and 18 years of age from being depicted in erotic materials. In 2010, the Committee on the Rights of the Child echoed this concern by recommending that Estonia completes “the process of harmonisation of its national legislation with the Optional Protocol in order to adequately implement all provisions contained therein, and, with reference to the Penal Code, to ensure explicit reference to all the acts and activities constituting offences under the Optional Protocol.”<sup>144</sup> In an effort to fulfil these recommendations, in the last couple of years Estonia has undertaken to reform its legislation to better

protect children from trafficking and sexual exploitation. The main legal improvements recently made involved the introduction of specific anti-trafficking statutes and the

enactment of a number of provisions to counteract child pornography and online sexual exploitation of children, including sexual grooming.

## The new Advertising Act

In order to prevent human and child trafficking by decreasing the demand, the new *Advertising Act* entered into force in 2008 prohibiting the advertising of services offered for the satisfaction of sexual desire, including publicising prostitution or services contributing to mediation of prostitution as well as the advertising of works containing pornography or promoting violence or cruelty.<sup>145</sup>

### TRAFFICKING IN CHILDREN FOR SEXUAL PURPOSES

As a result of the recent adoption of specific anti-trafficking statutes, the Estonian legislation against trafficking in children for sexual exploitation is now in conformity with international legal standards set forth in the *Trafficking Protocol*.

In March 2012, the Estonian Parliament passed amendments to the Penal Code banning human trafficking.<sup>146</sup> According to the newly introduced article 133, trafficking in human beings is “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”. These acts are punishable by 1 to 7 years’ imprisonment, increased to 3 up to 15 years’ imprisonment when committed against a person of less than 18 years of age. article 133(1) punishes “support to human trafficking” with up to 5 years’ imprisonment. This involves “transportation, delivery, escorting, acceptance, concealment or accommodation without prior authorisation of a person placed in any situation specified

in subsection 133 of the Code, or aiding without prior authorisation his or her forced acts in any other way”. In case these acts are committed against a person of less than 18 years of age, the punishment is 2 to 10 years’ imprisonment.

The amended Penal Code includes also specific provisions against trafficking in minors. Pursuant to article 175, whoever “influences a person of less than 18 years of age in order to cause him or her to commence or continue commission of a criminal offence, begging, engagement in prostitution or working under unusual conditions or to appear as a model or actor in the manufacture of a pornographic or erotic performance or work” shall be punished by 2 to 10 years’ imprisonment when these acts do not contain the necessary elements of an offence provided for in article 133 of the Code (ie. violence, deceit, threatening to cause damage, etc.). The same punishment applies for “aiding” the above-mentioned activities.

Following the recent adoption of specific anti-trafficking statutes, the previous Estonian legislation against prostitution of children has been repealed and related offences are now punished under the new provisions against trafficking in children for sexual exploitation. It is unclear, however, whether acts constituting prostitution of children contemplated by the Optional Protocol, namely the obtaining, offering, procuring and providing of a child for prostitution, are now all punished under the new legislation. Furthermore, current provisions do not appear to explicitly punish the purchase of sexual services from children above the age of sexual consent (14 years). To rectify this loophole, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography has recommended that “Estonian law clearly stipulates that a child under 18 years of age, irrespective of the legal age of consent to sexual activity, is unable to consent to any form of sexual exploitation, including child prostitution.”

Under the Penal Code, the age of sexual consent is 14. As such, an adult who engages in sexual intercourse with a person younger than 14 years old is subject to 5 years’ imprisonment.<sup>147</sup> Compelling a person younger than 18 years old to engage in sexual intercourse by taking advantage of the victim’s situation of dependency, but without using force, is punishable by up to 5 years’ imprisonment.<sup>148</sup>

Pursuant to the newly introduced article 133, “placing a person in a situation where he or she is forced to [...] engage in prostitution” is considered trafficking in human beings” if such act is performed through the deprivation of liberty, violence, deceit, threatening to cause damage, or taking advantage of the

dependence on another person, helpless or vulnerable situation of the person”. These acts are punishable by 1 to 7 years’ imprisonment, increased to 3 to 15 years’ imprisonment when committed against a person of less than 18 years of age. As previously mentioned, the recently adopted article 175 guarantees that whoever “influences a person of less than 18 years of age in order to cause him or her to commence or continue [...] engagement in prostitution” shall be punished by 2 to 10 years’ imprisonment when these acts do not contain the necessary elements of an offence provided for in article 133 of the Code (violence, deceit, threatening to cause damage, etc.). The same punishment applies for “aiding” the above-mentioned activities.

### Estonia introduces “chemical castration”

In February 2012, Estonian Parliament passed a bill that allows sex offenders to voluntarily undergo so-called chemical castration. The new law targets offenders whose victims are children and who, despite having served time in jail, have a high probability of committing similar crimes in the future. According to the new legislation, courts have the right to offer release on parole in exchange for consenting to chemical castration. However those who abandon the treatment program must continue serving their initial jail term. The court is in charge of appointing the length of the treatment which should last at least 18 months.<sup>149</sup>

Despite Estonia's ratification of the *Optional Protocol* in 2004 and the recent legal reform which has introduced new offences and stiffer penalties, the Penal Code provisions on child pornography do not fully comply with the Protocol requirements. Besides lacking a specific definition of child pornography, the Penal Code fails to criminalise "virtual child pornography" which includes computer-generated images, cartoons, drawings and videogames, where no real child is involved,<sup>150</sup> but which promote a culture of tolerance toward child pornography/child abuse images. The Penal Code also fails to criminalise as well as knowingly obtaining access, through information and communication technologies, to child pornography, as prescribed by the *CoE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*. Moreover, Estonia has not yet introduced a legal obligation Internet providers to report, block or delete resources containing child pornography.

With the recent amendments the Penal Code, Estonia has further enhanced its legislation against child pornography. The newly introduced article 175 of the Penal Code punishes by 2 to 10 years' imprisonment whoever "influences a person of less than 18 years of age in order to cause him or her to commence or continue [...] to appear as a model or actor in the manufacture of a pornographic or erotic performance or work" when these acts do not contain the necessary elements of an offence provided for in article 133 of the Code on trafficking in human beings (ie. violence, deceit, threatening to cause damage, etc.). The same punishment applies to "aiding" the above-mentioned activities.

Pursuant to the new article 178 of the Penal Code, "a person who manufactures, stores, hands over, displays or makes available in any other manner pictures, writings or other works or reproductions of works depicting a person of less than 18 years of age in a pornographic situation, or a person of less than 18 years of age in a pornographic

or erotic situation shall be punished by a pecuniary punishment or up to 3 years' imprisonment." By criminalising the mere possession (storage) of child pornography, the Estonian legal framework goes beyond the scope of the OPSC and complies with article 20 of the *Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*, even though this Convention has not yet been ratified by Estonia.

The Penal Code also criminalises the "sexual enticement of children" by making it an offence to hand over, display or otherwise knowingly make available pornographic materials or reproductions thereof to children younger than 14 years, engage in sexual intercourse in the presence of such children or knowingly sexually entice such children in any other manner. As a result of the recent amendments, punishment for this act has been increased from one to three years' imprisonment or a fine if the act is committed by a legal person.<sup>151</sup>

### New provisions against sexual grooming

In 2012, Estonia has enacted important provisions to punish the sexual grooming of children for the purpose of sexual exploitation. Article 178(1) of the Penal Code criminalises "making a proposal for meeting a person of less than 18 years of age who was not capable of comprehending the situation, or a person of less than 14 years of age, or concluding an agreement to meet him or her, and performance of an act preparing the meeting". The act is punished if the purpose of the meeting is to commit offences provided for in the Code including, *inter alia*: trafficking in human beings

(article 133); supporting trafficking in human beings (article 133 -1); sexual intercourse with a child (article 145); human trafficking in order to take advantage of minors (article 175); manufacture of works involving child pornography or making child pornography available (article 178); and sexual enticement of children (article 179). The act shall be punished by a pecuniary punishment or up to 3 years' imprisonment.

## EXTRADITION LAW

As Estonia has been identified as a destination country for child sex tourism, the Government should consider reforming national laws to prohibit the advertising or promoting of child sex tours and the organising/making of travel arrangements for a person for the purpose of engaging in sexual activity with a child at the destination.

Pursuant to paragraph 6 of the penal Code, Estonian courts have jurisdiction over any offence committed in Estonia. Therefore, foreign child sex abusers can be prosecuted in Estonia for crimes committed on the Estonian territory.

According to paragraph 7 of the Penal Code of Estonia, acts committed outside the country by Estonian citizens are punishable if such acts constitute criminal offences pursuant to the penal law of Estonia, and if they are punishable at the place where they were committed, or if no penal law is

applicable at the place where the acts were committed.

Under the Code of Criminal Procedure, "Estonia as the requested state is entitled to extradite a person on the basis of a request for extradition if criminal proceedings have been initiated and an arrest warrant has been issued with regard to the person in the requesting state or if the person has been sentenced to imprisonment by a judgment of conviction which has entered into force."<sup>152</sup>

## Child protection units

According to Government information, child protection units mandated to investigate crimes against children, including CSEC, have been set up in the criminal bureaus of every prefecture.<sup>153</sup> Pre-court proceedings of criminal cases concerning children are conducted by specifically-trained police officers specialised in the treatment of child victims of criminal offences. In addition, child-friendly investigation rooms for child victims of sexual abuse, trafficking, prostitution and pornography exist in all police prefectures, where interrogations can also be video-recorded. Court hearings of children below 14 years of age are conducted

in the presence of a child protection official, social worker or psychologist.<sup>154</sup> By virtue of a recent amendment to the *Criminal Procedure Code*, the hearing of child witnesses and victims is now video-taped and used as evidence in legal proceedings in order to limit the number of interviews. The new provision applies to all children up to 18 years of age.<sup>155</sup>

In 2009 a unit composed by a group of dedicated investigators was established under the coordination of the Police Department to prevent and counteract all types of cyber crimes, including child prostitution and child pornography cases. However, according

to non-government actors, the number of staff working within this division remains insufficient to tackle the increasing number

of incidents of sexual exploitation of children through ICTs reported in Estonia.<sup>156</sup>

## Support services for children

Specialised programmes to ensure comprehensive assistance to sexually exploited children are still lacking in Estonia and existing support services continue to be concentrated in major cities and towns and delivered by different agencies with limited coordination. In light of these gaps, the Government should “increase the human and financial resources available to social services with a view to raising the number of child protection workers”<sup>157</sup> at county level. Support should also be given to the systematic training on CSEC for all professionals responsible for assisting child victims in an effort to improve their identification and strengthen access to quality services.

Under the *Child Protection Act*, the local social services are required to act immediately upon receiving notification of a child in need of protection and assistance (including CSEC victims), regardless of the region or group to which the child belongs. Services provided to child victims include, *inter alia*, a shelter, social and psychological counseling, and the services of a support person. The state provides financial assistance to local authorities for improving the quality and accessibility of existing services and for developing new ones. The government reports that case management is applied when dealing with incidents of children who have become victims of violence. As such, the necessary support scheme for the child is usually developed by the child protection worker in close cooperation with the police, medical workers, psychologists, victim support workers and other members of the network.<sup>158</sup> According to information provided by non-governmental organisations, some rural municipalities still lack well trained social workers able to deliver assistance to abused children.<sup>159</sup> The situation is even more concerning when considering that capacity building, specifically on the recovery of sexually exploited children, is almost absent.

NGOs play a crucial role in providing

services to abused children. Examples of organisations offering quality long-term support include Tallinn Child Support Centre and Tartu Child Support Centre as well as similar centres recently established in other areas of the country, such as Pärnu and Ida-Viru County. Tartu Child Support Centre offers daily counselling and has organised a number of training events for raising the professional competence of specialists dealing with trafficking of children and sexual exploitation.<sup>160</sup>

There are currently no dedicated shelters for trafficked children, mainly due to the small number of child trafficking cases reported to date. However, where trafficked child needs assistance, he/she can be placed in a children’s shelter or, in case the victim is a teenage girl, in other facilities accommodating young women. Medical and psychological services are available for child victims of trafficking although they are not specialised enough to meet the support needs of sexually exploited children. According to the *Victim Support Act*, all victims, including children and youth, have a right to free counseling and medical/psychological treatment. The State provides health insurance for all children aged 0-19 living permanently in Estonia or holding a permanent residence permit. Each person

living in Estonia is guaranteed with first aid treatment (including psychological and mental health services), provided on the level of medical practitioner's competence and within the available means. According to an agreement between the Social Ministry and the Estonian Health Insurance Agency, where an individual does not have health insurance, the medical expenses are covered by the State. Also, additional medical and psychological services for uninsured victims have been included into the budgets of shelters and institutions that provide rehabilitation services.<sup>161</sup> Again, most of the services for victims of trafficking, including children, are provided by NGOs who depend on support from the State budget which is provided on an annual basis. The NGO Eluliin, the rehabilitation centre Atoll for women involved in prostitution and the shelter Vega for victims of trafficking for sexual exploitation offer a wide range of services tailored to victims' needs. The NGO Estonian Women's Shelters Union provides shelter as well as psychological, legal and social assistance in the Ida-Virumaa region. The NGO AIDS Support Centre provides medical assistance to women involved in prostitution.<sup>162</sup>

A specific helpline exists for the prevention of human trafficking (the number being 6607320), operated by the non-profit organisation Living for Tomorrow and supported by the Government. This number provides information on all aspects of trafficking, including help in checking a foreign company where a person intends to go to work. It also ensures specialised assistance to child victims of trafficking. Furthermore, a nationwide state-funded free helpline for children (116-111) was established in January 2009 with the aim to provide information to children at risk, including trafficked children, and to report cases of child abuse.<sup>163</sup> Since 2010 the helpline has extended its scope to provide counseling, information and

assistance on sexual exploitation of children on the Internet.

An amendment to the *Aliens Act* was introduced in February 2007 which providing for an unconditional reflection period of 30-60 days and for the issuance of temporary residence permits to victims of trafficking (including children) who agree to cooperate in criminal proceedings. The duration of the temporary residence permit is one year.<sup>164</sup> According to one NGO, no trafficking victim has ever applied for a trafficking temporary residence permit since the introduction of such permits in 2007.<sup>165</sup> Both asylum and temporary protection are also available for child victims of trafficking. According to the *Aliens Act*, for the duration of processing the residence permit, an unaccompanied minor is placed with an adult relative, under custody or care in a family, or in a children's social care institution. The rights and interests of the children are taken into account both in processing the application for the residence permit and in deciding their place of stay.<sup>166</sup> The *Development Plan for Reducing Violence 2010-2014* places emphasis on the identification of and provision of support to unaccompanied minors and trafficked children. In this framework, the Ministry of Social affairs in association with the NGO Omapäi started work for setting up a guardianship system for unaccompanied children.<sup>167</sup> Furthermore, since the existing guidelines for the identification of and assistance to victims of trafficking do not include specific rules of procedure (what to do and where to send a person in the event of a suspected case of CSEC, who has which role in the casework, liability, obligations etc.), nor do they differentiate minors from adults, the government plans to undertake reforms. Specifically, the government will update and refine this tool to further enhance identification of unaccompanied and trafficked children.<sup>168</sup>

## Restrictions related to working with children

In 2007, restrictions were introduced in order to prevent persons who have been convicted of sexual offences from working in contact with children. The prohibition extends to people convicted for a number of offences, including enslaving a minor, prostitution of a minor and pornography offences. In order to ensure compliance with the law, employers have an obligation to verify whether the person to be employed has been convicted for sexual offences and punishment is prescribed in case such rules are not respected. Regrettably, at present the abovementioned restriction does not apply to all persons convicted of sexual offences (e.g. persons who have been convicted of sexual enticement of a minor) and does not cover all employees of social welfare institutions nor volunteers. Moreover, awareness of the new provisions is low among employers. In an effort to fill this gap, a draft amendment concerning the extension of restrictions was submitted to the Government of the Republic<sup>169</sup> but was still pending approval at the time of writing this report.

## Training law enforcement personnel

Whilst several capacity building activities for representatives of law enforcement agencies have been conducted in recent years on the issue of human trafficking in cooperation with NGOs, the rights of the child and the special position of vulnerable and trafficked children have been largely disregarded. As noted by the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and reiterated by the Committee on the Rights of the Child, Estonia needs to increase training of police officers in relevant child protection legislation and policies to enable the proper identification of and intervention in cases of child sexual exploitation. This is to include the production of child sexual abuse materials.<sup>170</sup> In light of Estonia's commitment to enact the EU Directive on combating the sexual abuse and sexual exploitation of children and child pornography (2011) by April 2013, further training of law enforcement personnel are planned.

The Tartu Children's Support Centre has organised training concerning abuse of children for judges as well as capacity building for police officers about video-interviewing of minors and using the recordings as evidence.<sup>171</sup> The Police Board reported that the subject of child sexual abuse has been included in the basic training of police officers working with children and several in-service training courses and seminars were also organised on crimes against children and conducting child-friendly interviews.<sup>172</sup> According to government information, judges and prosecutors dealing with children are also trained on similar relevant subjects.<sup>173</sup> Despite these efforts, a 2009 study on interrogation of minors found that the agencies conducting proceedings need additional knowledge concerning the developmental psychology of the child and the interrogation methods suitable for children and sample cases.<sup>174</sup> Moreover, this capacity building activity does

not appear to specifically address the special needs of sexually exploited children.

Within the framework of the national development plan for combating trafficking in human beings, several trainings were delivered to different target groups, including law enforcers. For example, in 2009 the government in collaboration with anti-trafficking NGOs conducted 40 training sessions and trained a total of 600 prosecutors, judges, police officers, social workers, and other officials on the victim identification model the government adopted in January 2009.<sup>175</sup> Similarly, in September, October, and November of 2010, the Estonian government funded 8 anti-trafficking trainings for police officers, border guards, migration officers and youth workers. The trainings were conducted in both Estonian and Russian in order to reach all vulnerable populations.<sup>176</sup> Regrettably, most of these capacity building

activities have tackled human trafficking in general without focusing on child trafficking and sexual exploitation distinctively.

Capacity building on investigating and prosecuting child pornography has also been conducted. In July 2011, 16 law enforcement officials received training from Interpol on the use of the ICSE (International Child Sexual Exploitation Database). In October

of the same year, the police and border guards organised a training workshop for 90 participants from these departments focusing on how to process cases of child pornography committed by minors. Furthermore, police officers from Estonia attended a training in Selm, Germany, organised by Europol about specific strategies to investigate cases of child abuse on the Internet.<sup>179</sup>

## CHILD AND YOUTH PARTICIPATION

Although the government reported that “children are more frequently involved in decision-making concerning activities aimed at them”,<sup>178</sup> child participation in Estonian society has not been sufficiently developed nor has it been mainstreamed into the policy-making processes of the state and local governments. As highlighted by the Special Rapporteur back in 2008, the meaningful involvement of children in all issues affecting their lives, including CSEC, should be strengthened and their views be given due weight.<sup>179</sup>

Under the *Child Protection Act*, children have the right “to engage in organisations and movements” as well as “to participate in the development of child protection programmes either personally or through a representative selected by the child.”<sup>180</sup> Estonia has also developed a number of regulations and policies on youth work, including the *1999 Youth Work Act*, Estonian Youth Work Concept adopted in 2001, the Development Plan of Estonian Youth Work for 2001-2004 and the Youth Work Strategy for 2006-2013.<sup>181</sup>

Permanent active youth parliaments are not present in Estonia. However, three project-based annual events exist to bring together young people on issues of social and political significance: a) national session of European Youth Forum, organised by Active Estonian Youth (TEN); b) ‘101 children at Toompea’, organised jointly by the Estonian Union for Child Welfare and Estonian Student Council Union; and c) the ‘Youth Parliament’, organised by youth organisation ELO (Eriti Lahe Olemine/Specially Cool Being) jointly with Scouts, Guides, Estonia 4H, EYMCA and EYWCA Estonia. The main mechanism of participation is via various

youth councils active at national, regional and local levels. Activities organised by children and young people are mainly project based and funds are provided by several foundations and organisations, although there is also a system of annual financial support to youth organisations from the State budget.<sup>182</sup>

Some organisations actively engage children and young people in initiatives that contribute to reducing CSEC. Living for Tomorrow, for example, involves youth as volunteers in preventive activities, including supporting and counseling their peers on issues of sexual education. Some young people have also been trained to assist in operating counseling hotline services.<sup>183</sup>

As part of the Safer Internet Centre, a youth panel was formed comprising 16 young people aged between 14 and 18 from different parts of Estonia. The panel provides advice on the planning and implementation of project activities aimed at young people, passing on opinions and views that young people have regarding the type of information they need to use the Internet safely and how this information would be best conveyed to kids.<sup>184</sup>



## PRIORITY ACTIONS REQUIRED

### National plans and policies

- Estonia should ensure that all measures under the *Development Plan for Reducing Violence 2010-2014* related to preventing and combating child trafficking, as well as to protecting children from violence in cyberspace, are funded and timely implemented. Participation of young people in the design, implementation and evaluation of all planned actions should be ensured while also taking care to conduct an external evaluation to assess the effectiveness and impact of the plan;
- Although Estonia has adopted a number of policies to address some sexual crimes against children, it should also consider developing a national plan of action or a multi-faceted strategy to address all forms of CSEC, especially the emerging ones that have been neglected or have received limited attention to date (e.g. independent youth prostitution, internal trafficking for sexual exploitation, sexual exploitation of children in tourism and online sexual grooming).

### Coordination and cooperation

- Ensure that sufficient attention is given to the issue of CSEC and child trafficking in all relevant coordination mechanisms presently active (e.g. working groups established under the *Development Plan for Reducing Violence 2010-2014*, national anti-trafficking coordinator, etc.);
- Provide more financial resources to enhance the visibility of the newly established Ombudsman for Children through the dissemination of information on its existence so as to strengthen access to this mechanism by sexually exploited children;
- Enhance cooperation between the police and NGOs at the local level, especially as regards identification of child victims of trafficking and sexual exploitation;
- The Department for Child and Family Policies within the Ministry of Social Affairs should be given sufficient authority and human, technical and financial resources to fulfill its mandate as a mechanism for coordination between ministries, agencies and services, and between the national and local authorities in CSEC areas;

- Ensure that the Advisory Board that was established under the Safer Internet Programme continues to be active beyond the project's timeframe and that the issue of online sexual exploitation of children and child pornography is further mainstreamed in its work;
- Estonia should urgently engage to establish and enhance regional and international judicial, police and victim-oriented cooperation activities with other States in order to better counteract emerging forms of commercial sexual exploitation of children, particularly the production and dissemination of child abusive materials and child sex tourism;
- Estonia should develop specific co-operation agreements with States from which Estonian nationals are being repatriated with a view to facilitating the identification of potential victims of trafficking among illegal migrants and unaccompanied minors prior to their repatriation. This would ensure an effective and comprehensive risk assessment and enable their safe return to the Estonia.

## Prevention

- Estonia should consider developing in-depth research on emerging and evolving forms of CSEC, including independent youth prostitution and sexual exploitation of children on the Internet and through ICTs. Based on the research findings specific programmes to address the root causes of these phenomena should be designed and implemented;
- Improve the availability of psychological and social assistance for children, youth and their families, especially for those living in rural municipalities in order to prevent cases of child abuse and CSEC;
- Sensitise professionals, parents, children and the general public to the problem of sexual exploitation of children and adolescents, especially online sexual exploitation of children, through education, including media campaigns;
- Awareness-raising on CSEC should be integrated into the compulsory training programme for teachers. Lessons on this topic should be systematically delivered to school children from different age groups;
- The Government of Estonia should strengthen cooperation with the tourism industry, NGOs and civil society in order to promote responsible tourism, including through the dissemination of the Code of Conduct on the protection of children from sexual exploitation in travel and tourism among all relevant partners;
- Encourage financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services facilitating access to child pornography.

## Protection

- Ratify the CoE *Convention on Action against Trafficking in Human Beings* and the CoE *Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse*;
- Introduce specific provisions to punish the purchase of sexual services from children above the age of sexual consent (14 years);
- Introduce specific provisions to criminalise “virtual” child pornography and knowingly accessing child pornography;
- Estonia should also consider reforming national laws to prohibit the advertising or promoting of child sex tours and the organising/making of travel arrangements for a person for the purpose of engaging in sexual activity with a child at the destination;
- Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report, block or remove child pornography websites and child sexual abuse images;
- Increase investigation, prosecution, and conviction of all CSEC related offences, especially child sex tourism;
- Deliver specialised training on child pornography and other CSEC crimes as well as on child-sensitive approaches during the legal process, victim identification, protection and assistance to police officers and the judiciary; enhance law enforcement efforts to identify children depicted in abusive images;
- Develop and ensure the application of specific indicators for the identification of child victims of trafficking and sexual exploitation, and ensure that all involved relevant actors adopt a more proactive approach to child victims’ identification and increase their outreach;
- Develop a formal national referral mechanism for child victims of trafficking and sexual exploitation and prioritise the rehabilitation of child victims of CSEC by establishing dedicated shelters, services and programmes catering to their special needs; in this framework, develop specialised support services for children depicted in abuse images;
- Increase the number of child protection workers at county level and ensure that professionals responsible for providing assistance to sexually exploited children receive specialised training;

- Expand education and training programmes for CSEC victims to ensure that they have access to the tools to build new professions for themselves and do not fall into a cycle of exploitation and re-victimisation;
- Pay more attention and allocate funds to the treatment of adult sex offenders as well as minors with deviant sexual behavior.

## Child participation

- Institutionalise the participation of children and young people in the development, implementation and evaluation of programmes and policies against CSEC;
- Estonia should strengthen children's capacities for effective participation and sensitise adults to the benefits of children's participation rights;
- Professionals working with children, including government officials, require capacity building to ensure they can implement and monitor safe, ethical and inclusive participatory practices with children and youth.

# ANNEX

## The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents\*

*Note: This is a condensed version. The full Rio Declaration and Call to Action also contains: Preamble; A. Review of progress and outstanding challenges; and B. Declaration.*

### C. Call for Action

We call on all States, with the support of international organizations and civil society, including NGOs, the private sector, adolescents and young people to establish and implement robust frameworks for the protection of children and adolescents from all forms of sexual exploitation, and we call upon them to:

#### I - International and Regional Instruments

- (1) Continue working towards ratification of relevant international instruments, including as appropriate the United Nations Convention on the Rights of the Child and the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography, ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and the Convention on the Elimination of All Forms of Discrimination against Women.
- (2) Continue working towards ratification of relevant regional instruments, including as appropriate the African Charter on the Rights and Welfare of the Child, the ASEAN Charter,

the Inter-American Conventions on International Traffic in Minors and on the Prevention, Punishment and Eradication of Violence against Women, the SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution, and the Council of Europe Conventions on Action against Trafficking in Human Beings, on Cybercrime and on the Protection of Children against Sexual Exploitation and Sexual Abuse, conventions which can be ratified by States that are non-members of the Council of Europe.

- (3) State Parties should take all necessary measures to implement the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, taking into due accounts the conclusions and the recommendations of the Committee on the Rights of the Child in the context of its review of State Parties' reports. All countries are encouraged to use this as an important reference.

#### II – Forms of Sexual Exploitation and its New Scenarios

*Child pornography/child abuse images*

- (4) Criminalize the intentional production, distribution, receipt and possession of child pornography, including virtual

\* The Rio de Janeiro Declaration and Call for Action to Prevent and Stop Sexual Exploitation of Children and Adolescents (2008), full text available at: [http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII\\_Outcome\\_Document\\_Final.pdf](http://www.ecpat.net/WorldCongressIII/PDF/Outcome/WCIII_Outcome_Document_Final.pdf)

images and the sexually exploitative representation of children, as well as the intentional consumption, access and viewing of such materials where there has been no physical contact with a child; legal liability should be extended to entities such as corporations and companies in case the responsibility for or involvement in the production and/or dissemination of materials.

- (5) Undertake specific and targeted actions to prevent and stop child pornography and the use of the Internet and new technologies for the grooming of children into online and off-line abuse and for the production and dissemination of child pornography and other materials. Victim identification, support and care by specialized staff should be made a high priority.
- (6) Conduct educational and awareness-raising campaigns focusing on children, parents, teachers, youth organizations and others working with and for children with a view to improve their understanding of the risks of sexually exploitative use of the Internet, mobile telephones and other new technologies, including information for children on how to protect themselves, how to get help and to report incidences of child pornography and online sexual exploitation.
- (7) Take the necessary legislative measures to require Internet service providers, mobile phone companies, search engines and other relevant actors to report and remove child pornography websites and child sexual abuse images, and develop indicators to monitor results and enhance efforts.
- (8) Call upon Internet service providers, mobile phone companies, Internet cafes and other relevant actors to develop and

implement voluntary Codes of Conduct and other corporate social responsibility mechanisms together with the development of legal tools for enabling the adoption of child protection measures in these businesses.

- (9) Call upon financial institutions to undertake actions to trace and stop the flow of financial transactions undertaken through their services which facilitate access to child pornography.
- (10) Set up a common list of websites, under the auspices of Interpol, containing sexual abuse images, based on uniform standards, whose access will be blocked; the list has to be continuously updated, exchanged on international level, and be used by the provider to perform the access blocking.
- (11) Undertake research and development, in the realm of the private sector, of robust technologies to identify images taken with electronic digital devices and trace and retract them to help identify the perpetrators.
- (12) Promote public/private partnerships to enhance the research and development of robust technologies to investigate and to trace the victims with a view to immediately stop their exploitation and provide them with all the necessary support for full recovery.
- (13) Make technologies easily available, affordable and usable for parents and other caregivers, including to assist with the use of filters to block inappropriate and harmful images of children.

#### *Sexual exploitation of children and adolescents in prostitution*

- (14) Address the demand that leads to children being prostituted by making

the purchase of sex or any form of transaction to obtain sexual services from a child a criminal transaction under criminal law, even when the adult is unaware of the child's age.

- (15) Provide specialized and appropriate health care for children who have been exploited in prostitution, and support child centered local models of recovery, social work systems, realistic economic alternatives and cooperation among programmes for holistic response.

*Sexual exploitation of children and adolescents in travel and tourism.*

- (16) Encourage and support the tourism, travel and hotel sectors in adopting professional Codes of Conduct, for example by joining and implementing the Code of Conduct for the Protection of Children from Sexual Exploitation in Travel and Tourism; encourage the use of businesses that put in place appropriate child protection-focused corporate social responsibility strategies; and/or provide other incentives for those participating.
- (17) Ensure that all stakeholders pay specific attention to unregulated tourism to prevent domestic and international travellers from sexually exploiting children and adolescents.
- (18) Cooperate in the establishment of an international travel notification system, such as the Interpol 'green notice' system, in accordance with applicable law and human rights standards.
- (19) Ensure investigation and, where sufficient evidence exists, that appropriate charges are brought and vigorously pursued against the State's nationals who are reported or alleged to have sexually exploited a child in a foreign country.

- (20) Prohibit the production and dissemination of material advertising the sexual exploitation of children in tourism; and alert travellers to criminal sanctions that will apply in cases of sexual exploitation of children.

- (21) Monitor new and emerging tourist destinations and establish proactive measures to work with private sector partners involved in the development of tourism services on measures to prevent the sexual exploitation of children and adolescents, including the use of socially and environmentally responsible strategies that promote equitable development.

*Trafficking and the sexual exploitation of children and adolescents*

- (22) Mobilize communities, including children and adolescents with a view to engaging them in dialogue on and a critical review of social norms and practices and economic and social conditions that make children vulnerable to trafficking, and establish procedures that involve them in developing strategies and programmes where they participate, where appropriate, in the planning, implementation and monitoring of such programmes.
- (23) Pilot and adapt or replicate successful models of community-based prevention and rehabilitation and reintegration programmes for child victims of trafficking.
- (24) Establish policies and programmes that address not only cross-border but also internal trafficking of children and that include, among other elements, a standard operating procedure for the safe repatriation and return of children based on the child's view and on a careful assessment of the needs and risks to the child of returning to her/his place of origin to ensure that the best interests of the child are taken into account.

- (25) Continue strengthening cross-border and internal cooperation of law enforcement officials, for example by establishing coordinating units with a mandate to issue clear guidelines for child centered investigation of cases of trafficking of children and for treating trafficked children not as criminals but as victims in need of protection.
- (26) Take legislative and other measures to ensure that a guardian is appointed without delay for every unaccompanied trafficked child, that an effective system of registration and documentation of all trafficked children is established, and that every trafficked child is provided with not only short-term protection but also with the necessary economic and psycho-social support for full and long-lasting recovery and social reintegration (in line with the UNICEF *Guidelines on the Protection of Child Victims of Trafficking* and UNHCR *Guidelines on Formal Determination of the Best Interests of the Child*).
- (27) Undertake and/or support, with the involvement of civil society and children, the regular evaluation of programmes and policies to prevent and stop the trafficking of children and of legislation that may have a conducive impact on trafficking, for example laws on marriage, free education, adoption and migration, birth registration, accordance of citizenship, refugee or other status.
- (29) Establish effective extraterritorial jurisdiction, abolishing the requirement of double criminality for offences of sexual exploitation of children and adolescents, and facilitate mutual legal assistance, in order to achieve effective prosecution of perpetrators and appropriate sanctions. Make all acts of sexual exploitation of children and adolescents an extraditable offence in existing or newly established extradition treaties.
- (30) Designate a lead law enforcement agency, where appropriate to national circumstances, to proactively enforce extraterritorial laws related to sexual exploitation of children and adolescents.
- (31) Ensure that child victims of sexual exploitation are not criminalized or punished for their acts directly related to their exploitation, but are given the status of victim in law and are treated accordingly.
- (32) Establish special gender sensitive units/ children's desks within police forces, involving when appropriate other professionals like health care and social workers and teachers, to address sexual crimes against children, and provide specialized training to judicial and law enforcement personnel.
- (33) Address corruption in law enforcement and the judiciary, as well as other authorities with a duty of care to children, recognizing corruption as a major obstacle to effective law enforcement and protection for children.

### **III – Legal Frameworks and Enforcement of the Law**

- (28) Define, prohibit and criminalize, in accordance with existing international human rights standards, all acts of sexual exploitation of children and adolescents in their jurisdiction, irrespective of any set age of consent or marriage or cultural practice, even when the adult is unaware of the child's age.
- (34) Establish and implement international, regional and national legal mechanisms and programmes for addressing sex offender behaviour and preventing recidivism, including through risk assessment and offender management programmes, the provision of voluntary extended and comprehensive rehabilitation services (in addition to but not in lieu of criminal sanctions

as appropriate), safe reintegration of convicted offenders and the collection and sharing of good practices and establish where appropriate sex offenders registers.

#### **IV – Integrated Cross-Sectoral Policies and National Plans of Action General**

- (35) Develop and implement comprehensive National Plans of Action on the sexual exploitation of children and adolescents, or include these in existing relevant planning frameworks, such as National Development Plans and ensure that these Plans are based in a cross-sectoral approach which brings all stakeholders together in a coherent and comprehensive framework for action. These Plans should incorporate gender-sensitive strategies, social protection measures and operational plans, with adequate monitoring and evaluation targeted resources and designated responsible actors, including civil society organizations for implementation of initiatives to prevent and stop the sexual exploitation of children and adolescents and provide support for child victims of sexual exploitation.
- (36) Promote and support multi-sectoral policies and programmes, including community-based programmes, within the framework of a comprehensive national child protection system to address phenomena that contribute to the sexual exploitation of children and adolescents including, for example, discrimination (including on the basis of sex), harmful traditional practices, child marriage and social norms that condone sexual exploitation.
- (37) Promote and fund meaningful child and youth participation at all levels in the design, monitoring and evaluation of policies and programmes, in campaigns and through peer-to-peer youth programmes, aimed at raising

awareness and preventing the sexual exploitation and trafficking of children and adolescents.

- (38) Initiate and support the collection and sharing of reliable information and cross-border cooperation, and contribute to databases on victims and perpetrators, to enhance assistance to children and address the demand for sex with children, in accordance with applicable laws.

#### *Prevention*

- (39) Ensure that all children born on their territory are registered immediately and for free after their birth and pay special attention to not yet registered children and children at risk and in marginalized situations.
- (40) Strengthen the role of educational institutions and staff to detect, denounce and help address sexual abuse and exploitation of children in all forms and sources.
- (41) Emphasize prevention of sexual exploitation of children and adolescents, through e.g. awareness raising and educational campaigns, support for parents and eradication of poverty while reinforcing or establishing multi-sectoral referral mechanisms to provide comprehensive support and services to children who have been victimized in sexual exploitation.
- (42) Support children to gain deeper knowledge of their own rights to be free from sexual exploitation, and the options available to help them to address abuse, so that they are empowered, with the partnership of adults, to end sexual exploitation.
- (43) Engage children in meaningful and critical examination of changing contemporary values and norms and their potential to increase vulnerability

to sexual exploitation; and promote education to enhance children's understanding of these issues in relation to sexual exploitation.

- (44) Undertake research on contemporary patterns of socialization of boys and men across different contexts to identify factors that promote and strengthen boys' and men's respect for the rights of girls and women and engage them in action initiatives that inhibit and discourage them from engaging in sexual exploitation of children and adolescents.

#### *Protection of the child*

- (45) Increase efforts to address the sexual exploitation of children and adolescents through the development of comprehensive and integrated national child protection systems, including the necessary budget allocations and based on identifications of settings where children are most at risk that aim to protect children from all forms of violence and abuse.
- (46) Establish by 2013 an effective and accessible system for reporting, follow up and support for child victims of suspected or actual incidents of sexual exploitation, for example by instituting mandatory reporting for people in positions of responsibility for the welfare of children.
- (47) Develop or enhance accessibility of existing telephone or web-based help lines, in particular for children in care and justice institutions, to encourage children and require care givers to confidentially report sexual exploitation and seek referral to appropriate services, and ensure that the operators of such reporting mechanisms are adequately trained and supervised.
- (48) Strengthen existing national child protection services or establish new

ones in order to provide all child victims of sexual exploitation, girls and boys, without discrimination, with the necessary economic and psycho-social support for their full physical and psychological recovery and social reintegration, and when appropriate, family reunification and interventions that support and strengthen families to mitigate the risk of further exploitation; such services to be provided by well trained multi-disciplinary teams of professionals.

- (49) Ensure that these services are accessible, appropriately resourced, comprehensive, child- and gender-sensitive, and reach all children without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex (or orientation), and social origin and including children with disabilities, from ethnic minorities, indigenous or Aboriginal children, refugee or asylum-seeking and children in domestic service or living on the streets and children displaced by conflict or emergency situations.
- (50) Develop programs that provide children of sex workers and children living in brothels with support and protection.
- (51) Promote and defend the privacy of the child victims and child perpetrators of sexual exploitation, taking into account relevant national laws and procedures, to protect their identity in investigatory or court proceedings or from disclosure by the media and ensure that these proceedings are child friendly and allow the child to participate in a meaningful way in the process of bringing the perpetrator to justice.
- (52) Ensure that children and adolescents exhibiting acts of sexual violence harmful to others receive appropriate care and attention as a first option through gender-sensitive and child-focused measures and programmes that balance their best interest with

due regard for the safety of others, and ensure compliance with the principle that depriving children of liberty should be pursued only as a measure of last resort, and ensure that those responsible for the care of such children are equipped with relevant and culturally appropriate training and skills.

## V – International Cooperation

- (53) Take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts of sexual exploitation of children and adolescents; and for the assistance of child victims in their physical and psychological recovery, social reintegration and, as appropriate, repatriation.
- (54) Establish and/or improve by 2013 concrete mechanisms and/or processes to facilitate coordination at national, regional and international levels for enhanced cooperation among government ministries, funding bodies, UN agencies, NGOs, the private sector, workers' and employers' organizations, the media, children's organizations and other representatives of civil society with a view to enabling and supporting concrete action to prevent and stop the sexual exploitation of children and adolescents.
- (55) Strengthen and improve the effectiveness of existing regional mechanisms for exchange, coordination and monitoring of progress on child protection including against sexual exploitation in order to review progress and strengthen follow-up on the implementation of the recommendations made.
- (56) Provide, when in a position to do so, financial, technical and other assistance through existing multilateral, regional, bilateral and other programmes for addressing the sexual exploitation of children and adolescents; and explore the potential of a fund for child and youth initiatives in this area.
- (57) Develop, where appropriate with the support of UN agencies, NGOs, civil society organizations and the private sector, workers' and employers' organizations, policies and programmes to promote and support corporate social responsibility of enterprises operating inter alia in tourism, travel, transport and financial services, and of communication, media, Internet services, advertising and entertainment sectors; so that child-rights focused policies, standards and codes of conduct are implemented throughout the supply chain and include an independent monitoring mechanism.
- (58) Support and contribute to the Interpol international child abuse images database and nominate a responsible national focal point person or unit to collect and update promptly national data on sexual exploitation of children and adolescents, and systematically share this information with Interpol in order to support cross-border (international) law enforcement action and strengthen its effectiveness, and adopt multilateral agreements especially for police investigation work.
- (59) Undertake national and international coordinated measures to curb and stop the involvement of organized crime

in commercial sexual exploitation of children and bring persons and/or legal entities responsible for this form of organized crime to justice.

## **VI – Social Responsibility Initiatives**

We encourage the private sector, employers' and workers' organizations, to proactively engage in all efforts to prevent and stop the sexual exploitation of children and adolescents, and to use their knowhow, human and financial resources, networks, structures and leveraging power to:

- (60) Integrate child protection, including the prevention of sexual exploitation of children, into new or existing corporate social responsibility policies of enterprises operating inter alia in tourism, travel, transport, agriculture and financial services, and of communication, media, Internet services, advertising and entertainment sectors, and ensure appropriate implementation of such policies and widespread public awareness.
- (61) Incorporate the prevention and protection of children from sexual exploitation in human resources policies, such as Codes of Conduct and other corporate social responsibility mechanisms throughout the supply chain.
- (62) Join efforts with Governments, UN agencies, national and international NGOs, and other stakeholders to prevent the production and dissemination of child pornography, including virtual images and the sexually exploitative representation of children, and stop the use of the Internet and

new technologies for the grooming of children into online and off-line abuse; undertake actions to trace and stop the flow of financial transactions for sexual exploitation of children through the services of financial institutions; support efforts to address the demand for sexual exploitation of children in prostitution and the strengthening of services for children victims and their families, including the establishment of accessible telephone or web-based help lines; and provide support for educational and awareness-raising campaigns targeting children, parents, teachers, youth organizations and others working with and for children, on the risks of sexual exploitation of children, sexually exploitative use of the Internet, mobile phones and other new technologies as well as on protective measures.

## **VII – Monitoring**

- (63) Establish by 2013 independent children's rights institutions such as children's ombudspersons or equivalents or focal points on children's rights in existing human rights institutions or general ombudsperson offices, highlighting the importance for States Parties to the Convention on the Rights of the Child of General Comment No 2 of the Committee on the Rights of the Child; these bodies should play a key role in the independent monitoring of actions taken for the prevention of sexual exploitation of children and adolescents, protection of children from such exploitation and the restoration of the rights of sexually exploited children, in advocating for effective legal frameworks and enforcement and

in ensuring, where necessary, that child victims have effective remedies and redress, including the possibility of filing complaints before these institutions.

We encourage the Committee on the Rights of the Child to:

- (64) Persevere with reviewing progress of States Parties' fulfilment of their obligations to uphold the right of children to protection from sexual exploitation and pay special attention to the recommendations in the Rio Call for Action in its examination of reports under the Convention on the Rights of the Child and its Optional Protocols.
- (65) Adopt as a matter of priority a General Comment on the right of the child to protection from sexual exploitation, trafficking for sexual purposes, and the abduction and sale of children, including detailed guidance to States on the development, implementation and enforcement of national legislation and policies in this regard.
- (66) Continue to work with the Office of the High Commissioner for Human Rights in protecting child rights, and raising awareness of relevant international and regional human rights mechanisms.

We encourage other United Nations human rights treaty bodies, special procedures of the Human Rights Council and special representatives of the United Nations Secretary-General, as well as regional human rights mechanisms, to:

- (67) Pay particular attention to combating the sexual exploitation of children and adolescents, within their respective mandates and during their examination of State Parties' reports, country visits, in their thematic work and/or other activities.

We urge the Human Rights Council to:

- (68) Ensure that the Universal Periodic Review process includes rigorous examination of States' fulfilment of their obligations to children, including preventing and stopping the sexual exploitation of children and adolescents and to respectfully the rights of child victims of such exploitation.

We urge the yet-to-be-appointed Special Representative of the Secretary-General on Violence against Children, the Special Representative of the Secretary-General for Children and Armed Conflict, the Special Rapporteur on the Sale of Children, Child Prostitution and Child Pornography and the Special Rapporteur on Trafficking in Persons, especially in Women and Children, together with other appropriate mandate holders and in collaboration with the Committee on the Rights of the Child, to:

- (69) Work together to avoid duplication and to maximise their impact in preventing and stopping the sexual exploitation of children and adolescents and, through their work, map experiences in the area of prevention and response to sexual exploitation of children and assess their effectiveness.

We encourage UN agencies, NGOs and human rights institutions to:

- (70) Support and provide information on the extent of and responses to sexual exploitation of children and adolescents to these bodies.
- (71) Work with the media to enhance their role in education and empowerment, and in protecting children from sexual exploitation, and to mitigate the harmful potential of the media, including

through the sexualization of children in advertising.

We call on international financial institutions such as the World Bank and the International Monetary Fund to:

- (72) Review their current macro-economic and poverty reduction strategies with a view to counteracting any negative social impact on children and their families, including loan conditionality which essentially limits social services and access to rights and minimizing the risk for children to sexual exploitation.

We call on religious communities to:

- (73) Reject, in the light of their consensus about the inherent dignity of every person, including children, all forms of violence against children including sexual exploitation of children and adolescents and establish, in that regard, multi-religious cooperation and partnership with other key stakeholders such as governments, children's organizations, UN agencies, NGOs, media and the private sector using their moral authority, social influence and leadership to guide communities in ending sexual exploitation of children and adolescents.

## C. Call for Action

(1) We commit ourselves to the most effective follow-up to this Call for Action:

- At the national level, inter alia, by biennial public reporting on the measures taken for the implementation of the Rio Declaration and Call for Action and promoting/initiating discussions on the progress made and the remaining challenges to named responsible mechanisms for monitoring implementation while also integrating such requirements into State reporting to the Committee on the Rights of the Child.
- At the international level, by encouraging and supporting coordinated actions by the relevant human rights treaty bodies, special procedures of the Human Rights Council and Special Representatives of the Secretary-General of the United Nations with a view to maintaining awareness of the Rio Declaration and Call for Action and promoting its implementation.

- (2) Encourage the private sector to join the United Nations Global Compact and communicate their implementation progress with regard to addressing the sexual exploitation of children and adolescents and supporting the realization of this platform for coordinated corporate efforts and sharing of best practices.

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