ESTONIA (Tier 2)
Estonia is a source, transit, and destination country for women subjected to forced prostitution, and for men and women subjected to conditions of forced labor. Estonian women are subjected to sex trafficking in Finland, the Netherlands, the United Kingdom, Germany, Spain, France, Cyprus, Portugal, Ireland, and Italy. Estonian women, including women with mental disabilities, were forced into prostitution in Tallinn. Estonian men were reportedly subject to labor trafficking in Finland and the United Kingdom. Young Estonian women forced into marriage abroad after promises of employment are also vulnerable to trafficking in persons. Men and women from Estonia are subjected to conditions of forced labor in Spain, Sweden, Norway, and Finland. Men and women with Russian citizenship or stateless residents of Estonia are the most vulnerable to labor trafficking. Third-country nationals who enter Estonia on the basis of the Schengen agreement are at risk for labor trafficking within the country. Ukrainian nationals were reportedly subjected to labor exploitation within Estonia within the reporting period.

The Government of Estonia does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. In March 2012, the Government of Estonia took an important step forward in its anti-trafficking efforts by enacting a law criminalizing trafficking in persons. The government collaborated closely with NGOs on the law, which should set the groundwork for future efforts to prosecute trafficking offenders and protect victims. Prior to enacting the law, the Government of Estonia pursued very few criminal trafficking cases in comparison to the number of victims of trafficking identified. In 2011, Estonian authorities failed to convict any trafficking offenders under the previous law against enslavement (Article 133). Nevertheless, the government funded trafficking victim care through NGOs, which reported a strong and supportive relationship with the Ministry of Social Affairs. The government also funded an active anti-trafficking hotline to educate vulnerable individuals about trafficking and to refer them to care.

Recommendations for Estonia: Implement the new anti-trafficking statute vigorously; using the new trafficking statute, increase efforts to investigate, prosecute, convict, and punish trafficking offenders; increase efforts to investigate labor recruiters as potential trafficking offenders; broaden the authority of the labor inspectorate to investigate human trafficking and energize labor inspectors to address trafficking in persons; increase government efforts to proactively identify victims of trafficking; strengthen anti-trafficking training to include adding a distinct section on human trafficking to the curriculum of the Public Service Academy and other professional development programs for law enforcement personnel, and encourage a diverse range of government officials to engage in the trafficking victim identification process; ensure that potential trafficking victims are fully informed of their rights upon identification, including the right to apply for a residency permit; encourage more victims to assist in the
prosecution of trafficking offenders by consistently funding legal counsel for victims; consider incorporating NGOs into law enforcement interviews; increase victim protections during trial; increase the number of repatriated Estonian trafficking victims assisted; consider coordinating trafficking victim services with the Ministry of Foreign Affairs to ensure that repatriated victims are fully aware of available victim services; fully implement the trafficking-specific policy objectives in the Development Plan for Reducing Violence for Years 2010-2014; collect law enforcement data and victim protection data on trafficking; and publish an annual report on trafficking.

Prosecution
The Government of Estonia improved its law enforcement efforts during the reporting period by enacting legislation that prohibits all forms of trafficking in persons. In March 2012, the Estonian parliament passed an anti-trafficking law that amended Article 133. The penalties trafficking offenses now range up to 15 years' imprisonment, penalties that are sufficiently stringent and commensurate with penalties prescribed for other serious crimes, such as forcible sexual assault. During the reporting period, Estonian authorities conducted three new investigations and prosecuted one trafficking offender under the existing Article 133, compared with approximately three investigations and three prosecutions under this statute in 2010. The Estonian police also investigated a high profile sex trafficking case under a non-trafficking statute in February 2012. Estonian authorities did not convict any trafficking offenders under Article 133, compared with three convictions in 2010. Many trafficking cases were closed in the pre-trial investigation stage. A study on labor trafficking concluded that awareness of trafficking remained low among law enforcement officials. Prosecutors allegedly lacked experience trying trafficking cases and had difficulty constructing trafficking cases because of victims' unwillingness to testify given uncertainties in the victim protection scheme. The government did not report conducting any specialized anti-trafficking trainings for law enforcement officials during the reporting period. Law enforcement officials did have access to a government-produced trafficking victim identification guide in Estonian and Russian. The government had no specialized law enforcement unit for trafficking. Estonian law enforcement authorities collaborated on trafficking investigations with foreign counterparts, including authorities in the Netherlands, Finland, Sweden, Germany, Norway, Cyprus, and Luxembourg. The Estonian government did not report the investigation, prosecution, or conviction of any government employees complicit in trafficking during the reporting period.

Protection
The Government of Estonia modestly improved victim protection efforts during the reporting period, mainly by increasing its funding of victim services. Nevertheless, victim identification remained low. Government-funded NGOs assisted 56 victims of trafficking in 2011; 57 trafficking victims were assisted in 2010. Of the 56 victims, 39 were women and 17 were men; 37 were sex trafficking victims, and 19 were labor trafficking victims. The government
did not record the number of victims it directly identified; one NGO reported that two of the 29 trafficking victims it cared for were referred by law enforcement during the reporting period. NGOs reported that the law enforcement authorities struggled with victim identification and that the government focused disproportionately on victim identification for sex trafficking rather than labor trafficking. According to a study, the institutions with access to workplaces vulnerable to labor trafficking, such as the labor inspectorate, lacked the jurisdiction and interest to investigate suspected labor trafficking offenses. In total, the government allocated the equivalent of approximately $158,000 for victim assistance during the reporting period, an increase from $142,630 in 2010. During 2011, as in 2010, no victims participated in the prosecution of trafficking offenders. NGOs reported that victims of trafficking were afraid to cooperate with the police or testify in court, in part because of fear of reprisals. The government assisted three trafficking victims repatriated to Estonia by providing them with medical aid, shelter, financial and legal assistance; an inter-governmental organization funded the travel costs of the victims’ repatriation. The government claimed that no identified trafficking victims were penalized for unlawful acts committed while being trafficked. Although foreign victims are eligible to apply for temporary residency for the duration of criminal investigations and legal proceedings in which they participate, no victims applied for such residency in 2011; one NGO reported that no trafficking victim has ever applied for a trafficking temporary residence permit since the introduction of such permits in 2007.

Prevention
The government demonstrated limited prevention activities during the reporting period. The government provided an NGO with the equivalent of $42,148 to operate an anti-trafficking hotline; the hotline received an average of 50 calls a month from individuals vulnerable to trafficking. 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 of Estonia collaborated with other Nordic and Baltic countries in the Council of Baltic Sea States project “DEFLECT” in addressing labor trafficking. Nevertheless, the Government of Estonia conducted no broad-based awareness raising campaign on trafficking during the reporting period. The Ministry of Justice led the government’s anti-trafficking working group, bringing together approximately 75 representatives of various government agencies who met regularly to discuss anti-trafficking policy. The working group prepares an annual report of activity. There were no special campaigns to reduce the demand for commercial sex acts, though the topic was covered at trainings and seminars conducted by the Ministry of Social Affairs.