

HISTORY, PHILOSOPHY AND CONCEPT OF CRIME PREVENTION IN ESTONIA

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S u m m a r y

Recent trends in criminality in Estonia have been reviewed.

The rapid growth of crime started in 1989. The most crimes were registered in 1992. This was followed by some decrease and in 1995 the growing trend in criminality renewed. The detection of crimes is low (30 % of all crimes).

Important joint trends in criminality (esp. murder) and other death causes can be observed. Increase in murders is followed by growth in poisoning, suicides, car crashes, etc.

Also, other possible links between criminality and some other (rather negative) social phenomena were found.

To main dangers for Estonia belong:

- 1) Russian factor – increasing corruption and criminal activities;
- 2) drug trafficking in Eastern Europe;
- 3) the increasing flow of runaways from underdeveloped countries;
- 4) oppress by “dirty” money to the Estonian and other banks.

Different kinds of reactions of society to modern crime trends are reviewed.

I. Historical Background of Activities in Estonia at the Second Part of the Current Century

During the second part of the current century, Estonia has mainly belonged to the Soviet Union and was therefore naturally influenced by the “culture” of the Soviet crime. To understand better the crime level in the Soviet Union as well as in Estonia, it is worth to analyse the development of criminal activities of the Soviet era.

The registering regime and labour conscription may be considered to be the special anti-criminal measures in the Soviet Union, i.e. each grown-up person had to be registered at somewhere and to live at a certain address and each person capable to work had to work – that decreased essentially the social base of crime. The unemployment was an unfamiliar measure. Each workable person was quaranteed with occupation. Therefore, the crime level of the Soviet Union as well as that of the ESSR was low in comparison with the West-European capitalist countries. At the beginning of 1990ies, the described situation disappeared, giving path to crime; that was strongly felt also in Estonia, especially in

industrially developed North-Estonia. A question arises why was the data concerning crime during the Soviet era classified, although the crime level was considerably lower than that of the Western countries? An explanation is simple. According to the theory of Marxism and Leninism the crime in socialist countries is in constant decreasing process, but, unfortunately, it did not take place. On the contrary, the crime increased (see Attachment, Chart 1). Therefore, the data on crime was classified.

In the Soviet Union J. Stalin era the criminals (especially pickpockets) were started to be used by security officers to control political prisoners at detention places. In this way, a “pickpocket culture”, rooted at the Czarist Russia already was embodied. Pursuant to Marxism-Leninism theories criminals were actually closely linked with a revolutionary working class. As a final result, it was managed to build up a dangerous and feared “criminal class” from the pickpockets, the first “legal thieves”, possessing unlimited power inside the detention places (agents-trustees of the NKVD, afterwards SSC) made its appearance. At the same time, the ever increasing and more and more powerful “common treasures” of pickpockets started to form, meant for the better upkeep of criminal authorities and comrades of “business and ideas” in prison. Forming of such a prison culture changed the criminal habits of criminals in freedom, more and more favouring their level of organisation, especially among pickpockets. The mentioned influences reached Estonia along with criminals of other nationalities and prisoners, circulated in various prisons all over the Soviet Union according to the Soviet prisoners system, particularly with pickpockets and apartment thieves.

Certain changes into the general criminal culture were brought along with the forming of extorters, who, on the contrary to ordinary “legal thieves”, tried in every way to avoid being imprisoned, that by its side made conditions for great corruption in law enforcement units and detention institutions. A corruption, arisen in the Estonian government institutions during the Soviet era, may be observed as the influence of the culture of the Caucasian and Middle-Asian governmental ruling.

During L. Brezhnev era, an economic crime, according to the juridical concepts of that time, began to flourish because of the weakening influence and spread of juridical system (and taking into consideration the deficiency of foodstuffs and consumer goods): manufacturing of simple goods by private persons, “shadow economy” – particularly in the republics of Caucasia and Middle-Asia. That by its side aggregated considerably great sums of money to the hands of the leaders of shadow economy (“teneviki” in Russian). The last mentioned by its side increased the number of apartment robs as the owners with suspicious background were afraid to apply to the law enforcement units to whom they should have explained the origin of their riches. The criminal groups deemed to be the most undangerous to extort money from them. Criminal groups were set up in the Soviet Union travelling along the whole country and blackmailing money only from the practitioners of shadow economy. Similar processes took place also in Estonia, but in a lower extent, since there did not circulate as much money.

At the beginning of 1980ies, the establishing of co-operatives was finally legalised – in fact it meant the validation of shadow economy. The criminals in their turn had more extensive possibilities for extortions, since there were more “clients” and it was still easier to find them. A following situation has been formed by present day in Russia – the organized crime is assessing without selection the whole private enterprise till the “take-over of power” and also troubling minor state enterprises with “dubious financial deals”. Taking additionally into consideration the Russian state or private large enterprises, each of them owing its own safety units, we may say that Russia is conditionally again back to Mongol-Tatar yoke. At that time everybody had to pay imposts to the Mongol publicans *bashkaks* (in Russian “paskaak”, in Estonian we have direct loan word meaning “bastard”). However, in Estonia it was managed to hinder the “total taxing” of private enterprises by organised criminal groups as a result of more or less satisfying police practices and thanks to the amendments in legislation. But it is and was considerably more difficult for the policemen to combat with half-legal trading, practised by former criminals.

An interesting fact appears according to the sources of the Interior Ministry – at the end of 1980ies the Soviet special services recruited a great deal of members of criminal units active in Estonia for secret co-operation. Later, they were consigned by their former employers to become legalised. A lot of persons recruited at that time are currently engaged in companies, closely linked with the Russian Federation. Such companies often shelter extensive profitable business based on illegal trafficking, tax evasions and other similar activities.

An effective combat against such criminal activities is hindered by the high professional level of criminals. However, it seems that co-partners of the Soviet intelligence services, who belonged to the criminal elite at the end of 1980ies, are currently oriented rather to the protection of their economical interests in Estonia, Europe, world, than to the destabilisation of the economic– and political life of the Republic of Estonia [10].

II. Crime Prognosis as One Possible Way to Prevent Crime

1. Crime Prognosis on the Assumption of Crime “Itself”

In the recent years, crime has shortly activated or risen to a new stage in Estonia. It means that powerful transference has taken place during the last ten years from one, lower stage, lasting more than 40 years, to another, considerably higher stage and has stayed there at least provisionally (see Attachment, Chart 1). This is caused by the development of the economic system. Command economy, characteristic to the totalitarian state, is replaced with the liberal market economy that has brought along a rapid stratification of the property status of citizens as well as increasing unemployment that reached 10.5% by the second quarter of 1997 [5].

The rapid growth of crime started in 1989, when 19 141 crime cases (rate of growth 57%) were registered at the police. A number of registered crimes since the year 1989 up to 1992 is increasing. The most crimes were registered in 1992 – 41 254. Following the year 1992, the number of registered crimes started to decrease to some degree. That tendency did not last for a long time and in 1995 39 579 crimes were registered, the number that exceeds by 11% the number of registered crimes of 1994. In 1996 a number of crimes decreased by 10%, but increased in 1997 with 40 972 registered crimes or an exceed by 32%.

The detection of crimes is low. In the recent years, ca 30% of crimes registered at the police have been detected.

Table 1. A number of registered crimes in police (militia) and the crime level per 100 000 citizens during the period of 1986-1997

Year	Number of registered crimes	Crime level per 100 000 citizens	Number of citizens (in thousands)
1986	12 500	811	1541
1987	11 465	737	1556
1988	12 167	775	1558
1989	19 141	1222	1566
1990	23 807	1504	1571
1991	31 748	2029	1570
1992	41 254	2641	1562
1993	37 163	2435	1526
1994	35 739	2395	1506
1995	39 570	2682	1491
1996	35 411	2407	1471
1997	40 972	2802	1462

Note: Data of the Police Board. Data of the Statistics Board

The curve of intended murders and murder attempts is almost the same (see Attachment, Chart 2). An intended murder is often regarded as a crime, according to which it is best to compare crime levels of different countries, as the mentioned crime type is situated

metaphorically on the peak of pyramid and “collects” into itself all minor crimes from the foot of a pyramid.

However, in spite of the fact that the number of registered crimes in police was the highest in 1992, a number of registered crimes per 100 000 citizens has increased. In 1992 1641 crimes were committed per 100 000 citizens, but in 1995 2682 and in 1997 2802 crimes. At the same time the population of Estonia has decreased since 1990.

We have likewise made an attempt to forecast the number of registered crimes (included a number of intended murders) for a year 2010, according to a crime itself that theoretically is certainly wrong, but yet provides to some degree and very easily manageable (nevertheless, the prognoses are based on medium rates) imagination on a possible number of registered crimes in the police in future.

Anyway, Charts 1 and 2 (see Attachment) prove the simple fact that a 50 years long time line that is sufficient to be a source material for a solid forecast according to a time line based on “itself”, would be with considerably high rate of probability, but practically it is not [1]. In case we examine the time lines beginning in 1945, 1975 or 1985 as bases, we certainly come to the forecast that does not correspond to real events. We get a forecast with a higher rate of probability when we take for example the years of 1991 or 1992 as the basis – the forecast telling us that a number of registered crimes in Estonia stayed in the limits of about 38 000.

We certainly have to take into consideration that in case of all examples we know only the crimes, registered in the police (militia), but these numbers do not often correspond to real events.

2. Trends of Crime, Injuries and Poisonings as the Causes of Death

Hereinafter we study the results working in the society, that is, injuries and poisonings as the causes of death, in order to find common standing points for deaths caused by crime, injuries and poisonings. Generally the point is in observing the dynamics of the registered crimes and deaths caused by poisoning and injuries.

Table 2. Injuries and poisonings as death causes in 1970-1996 and crimes, registered in the police (militia) (in absolute figures)

Year	Crimes registered in police (militia)	Injuries and poisonings	Car crashes	Alcohol poisonings	Drowning	Suicides	Murders
1970	6099	1513	355	67	149	429	58
1975	7759	1802	371	115	197	532	64
1980	11 125	2089	421	232	149	498	122
1985	14 828	1860	290	223	119	470	101
1990	23 807	2054	561	164	157	425	173
1991	31 748	2212	593	206	197	423	169
1992	41 254	1355	367	255	175	497	302
1993	37 163	2758	414	306	156	579	391
1994	35 739	3497	706	429	245	614	423
1995	39 570	2950	445	342	209	595	329
1996	35 411	2323	273	262	101	551	292

Note: Data of the Police Board; A. Lepp. Crime in Estonia. Tartu, 1991, p 64; J. Uibu. Health of the Population of Estonia in the Beginning of the 21st Century. Tallinn, 1997, p. 21.

The table’s second data column presents the total number of injuries and poisonings (code E 800-999 of international disease classification (IDC-9)) and the following columns present the most common death causes thereof.

Table 2 shows that during the period of 1970-1995 the total number of deaths in the country caused by injuries and poisonings doubled, at the same time while crimes registered in police (militia) increased for 7 times! Deaths caused by alcohol poisonings increased 5 times, but the number of murders for almost 6 times. Anyway, we have to underline the

decrease of deaths caused by injuries and poisonings in 1996 and according to preliminary data in 1997 that gives us a somehow hopeful tendency among mostly negative trends.

During the years of 1965-1995, 11 063 men and 3428 women committed suicide in Estonia. The number of suicides in the whole world in 1990 was 786 000. Estonia is among the countries with a very high rate of suicides. The number of suicides during the years of 1965-1984 was comparatively stable, ranging for about 33 cases per 100 000 citizens a year. In 1988 the starting decay of the Soviet power in Estonia brought along the decrease of suicides, comparing with earlier periods, that is presumably connected with the hope of the Estonians for independence.

While adding up the number of deaths caused by alcohol poisonings, drowning, suicides and murders, we get ca 2000-3000 cases a year for the 1990ies. So we may claim that to some extent avoidable or "senseless", but at the same time fatal deaths form 10-15% from all death cases [4].

The analysis herein before shows a very interesting fact: the highest number of crimes was registered in the police in 1992, but at the same time the greatest number of injuries and poisonings, traffic crashes, alcohol poisonings, drowning, suicides and intended murders, intended and serious injuries and rapes was registered in 1994. Why is it like that? Answering that question is not so very easy. We assume for one possible reason the decrease of the national output up to the lowest rate during the last nine years in Estonia.

But pursuant to Table 3, the number of persons with deviations in psychology and behaviour has been constantly increasing, the fact is probably somehow linked with crime, especially committing of contra-personality crimes.

Table 3. National output and deviations in psychology and behaviour in Estonia during the years of 1989-1997

Year	Decrease or increase of national output in percents, comparing with previous year	Deviations in behaviour and psychology (in absolute figures)
1989	–	–
1990	–6,5	11 898
1991	–13,6	12 756
1992	–14,2	11 800
1993	–8,6	13 148
1994	–3,2	15 411
1995	+1,5	16 074
1996	+6,0	17 641
1997	ca+8,0	no data

Note: Data of the Estonian Statistics Board

3. Possible Links Between Income Distribution and Criminal Activities

In Estonia, as in other post communist countries, there exist no adequate databases on the property status of people during the Soviet period. The private ownership could not be of very high rate at that time. The highest value limit of possessed capital assets and movable goods were actually fixed by laws and the so-called unearned income was declared to be criminal. In fact we also could not get an idea on the private ownership of today according to statistics. So for Estonia we can analyse only the difference between family incomes as the only so-so adequately fixed parameter [2].

The dynamics of different incomes per family members per month is presented in Chart 3 (see Attachment) as deciles (divided into ten income groups); the comprising period here is 1992-1997. We can see from the Chart that the 10th and 9th decile, i.e. the richest deciles or a twentieth are operating sovereignly in a wealthy sphere. The 8th decile is going in the direction of an imaginative middle class and the income of the remaining ones, i.e. 70% of the families, is comparatively small or simply poor, or they are living below the poverty line, for example the 1st decile.

We have to take into account the following circumstances regarding that Chart:

Firstly, instead of differences in people's wealth, only income differences are shown, and that, of course, is a minus. Secondly, there is a great disproportion in a 10th decile regarding dividing the income differences – 20% are rich, 10% with middle income, 60% poor and 10% very poor. Thirdly, we have to point out that there exists no formed middle class in Estonia and that is one reason for high crime level and its increase [3].

In Estonia the income-tax is valid – 26% – that does not depend on the income level, the fact that favours more the enrichment of well-to-do people and the impoverishment of the poor and at the same time influences the criminal activities towards negativity. Therefore, the income tax should be progressive.

4. Possible Links Between Unemployment and Criminal Activities

The difference between people's wealth – and naturally the income difference – influence the curve of crime, but there should be more visible links between unemployment and crime.

On the Chart (see Attachment, Chart 4), there are unemployed persons and persons looking for a job, registered in the Employment Board per months. What can we see according to Chart 4? The movement of registered job searchers per months shows that in the summer months – during a warmer period – the number of job searchers is lower than during colder times. As job searchers do not get allowances, we may assume that the curve shown on the Chart is more true to life than the curve of the registered unemployed, because the state has to pay allowance to them, and that by its side is connected to bureaucracy.

Comparing the Charts 4 and 5 we may examine a very interesting fact – a number of crimes per months registered in the police “moves” as a number of unemployed, registered in the Employment Board. What is the reason for such a concurrence? Firstly, the registration of crimes as well as the numbers – as remarkable as it could be – “directs” the registration of both unemployed and crimes. Crimes are registered in March, October and December and there are more unemployed in March, November and especially in December – this can not be only an accidental concurrence. We have to say that 85% of crimes are committed against property relations, therefore the similarity between the curves of unemployed and crime should not be so very surprising. Interesting to know, is it like that regarding other countries?

In summary, we have to mention that the before said is only one attempt forward to show the connections between crime and people's income differences and crime and the unemployment that enables in the near future to forecast crime according to those parameters. That by its side enables to anticipate committing of crimes. To get more detailed forecast on crime, we have to analyse single criminal files.

III. Organized Crime in Estonia: Cross-Road of International Organized Crime

1. Spread of Organized Crime

Organized crime in Estonia as well as in the whole world is expanding and becoming more varied. The degree of criminal organization is continuously accelerating and its links with international organized crime are intensifying. At the same time, the criminals are becoming more refined and more difficult to detect (economic crimes, money laundering, drug trafficking, etc.), the amount of money circulating in organized criminal circles are also increasing, together with attempts to invest it in legal business as well as to several types of real estate in Estonia and also in neighbouring countries Finland, Sweden, etc. One of the methods of money laundering – exporting of money via offshore companies into tax-free areas – is expanding. It is very easy in Estonia to carry the method out because of lacking of restrictive money laundering laws and therefore these activities are not the subject to criminal liability. Estonia was previously a favourable transit country to international organized crime (weapons, metals, cars, drugs, alcohol), then as the Estonian economy continues to develop, capital investments are made here increasingly. Organized crime attempts to extend its activity in the Estonian State structures both horizontally and vertically, particularly as regarding bribing, or in other ways criminally involving employees of law and order bodies and representatives of state power.

Organized crime in Estonia does not exist in a closed space or time but retains close contacts with organized crime in neighbouring countries, especially in Russia and Latvia, but also in Finland, Sweden, Lithuania, Poland and Germany. The role of ever strengthening Russian Mafia and its influence on the progress of events is particularly strongly felt. Estonia's criminal cadres and its replacements have come and continue to come from Russia, as do their ideology, orders, assassins, as Russia is an unlimited market for cars stolen in Western-Europe, illicit alcohol, weapons, etc. [6, 7, 10].

2. Influence of the Russian Mafia (in its traditional meaning) on Estonia and Other Baltic Republics

The organized crime active in Estonia currently do not originate in Estonia but was imported from the former Soviet Union, the present Russian Federation, but far from being a new phenomenon. Its development can be traced through several decades of Soviet history and is directly connected with the prevailing centralized command economy. As early as the 1960'ies there was a marked increase in the role of the shadow economy in the Soviet Union that became an intermediary base between organized crime and public authorities during the years of stagnation. The first mentioned couldn't exist without the silent consent by shadow economy and public authorities. The other one could not gain profit without using the services of criminal underworld. The corruption of justice system as well close relations between public authorities and organized crime are prevailing in Russia till nowadays.

A new stage in the development of organized crime began during the perestroika period. It was then when a strong foundation for the Mafia in its present form was laid. The birth of private enterprises (co-operatives) provided an opportunity for organized crime to bring the huge sums of ill-gotten money in its possession into legal circulation. The "dirty" money flowed uncontrollably into co-operatives, joint ventures and banks, as a result of which the borderline between legal and illegal became very vague. Investigations have shown that by the late 1980s organized crime controlled most of the small firms set up during the perestroika period. But the corrupt power in the Soviet borderlands (for instance, illicit cotton growing practices in Central Asia) gained the main attention and was written about at that time, without any mention of the metropolis. According to the official statistics, the rapid growth of organized crime took place in 1989 (in Estonia 1991). When the giant empire collapsed, all inhibitions that controlled the free development of organized crime into Mafia

were eliminated. Such power structures as the KGB, the armed forces, the militia force and the detention institution system disappeared entirely or disintegrated. The last three didn't disappear entirely but emerged from under central control, became scattered throughout the territory of the former Soviet Union and could no longer execute their hitherto functions. Control was also lifted from vast material and financial resources and equipment, ranging from neglected weapons and combat machines to Communist Party and KGB accounts somewhere in foreign banks; hundreds of firms were established with this money and links between organized crime and the former nomenclature bureaucracy was brought to a new level. Well defended and controlled state borders both in the former Soviet Union and other East-European countries ceased to exist. A large number of people became redundant and no longer found appropriate engagement or had an adequate income. Included in this number were thousands of veterans of the Soviet intervention in Afghanistan, former KGB and GRU officer, etc. They had the necessary ideology and ambitions, as well as experiences and qualifications.

Thanks to such favourable preconditions it did not take long for criminal organizations to be set up on a mass scale. As in 1990, there were numbered 785 criminal groups on the whole territory of the former Soviet Union, but at the beginning of 1994 there were 5691 criminal groups on the territory of Russia only. According to the Russian Interior Ministry sources, there are at least 100 000 persons directly engaged in the organized criminal activities. For today then Russian Federation has grown to a state whose situation is described by Cohen, the analyst of Heritage Foundation, to the Representatives' Board of the Juridical Committee of the USA Congress in 1996; he claimed that there are more than 5000 active criminal groups in Russia (150 of them having foreign relationships), 300 Mafia bosses and almost 40 000 companies are under the control of criminal groups. The annual turnover of criminal groups exceeds 10 billions USA dollars (pursuant to an Italian prosecutor even 150 billions USA dollars). According to Cohen, the situation in the underdeveloped former Soviet Republics is even more critical and in some of them even the foreign exchange rate is determined by the criminal organizations. Taking into consideration all above mentioned, the situation grown in the Russian Federation by today may directly jeopardize the Republic of Estonia [7, 8, 9].

3. Growth and Development of Organized Crime in Estonia

The Estonian criminal groups are by fact non-Estonian origin since they were imported from the area of the former Soviet Union. The organized crime in Estonia as well as in other Baltic States was activated intensively by the metal boom starting in 1990. The criminal activities started to center around the transit and trafficking of non-ferrous metals. Larceny, robbing and purchasing of non-ferrous metals from Russia became completely independent activities, as well as transit trafficking and safeguarding transit trafficking and operations, recovering debts, etc. Thanks to the Russian-sided enforcement on 100% customs fee for non-ferrous metals imported through Estonia, the metal-trading is almost stagnated at present and groups engaged in these activities were reorganized for transit operations with fuel and other raw materials (wood, ores). Therewith the main part of these operations are tax evasions. On the top, the smuggling of alcohol and tobacco have increased that may be observed as specific occasion of tax evasions.

Along with the metal-boom, the illegal transportation of mostly Curtian refugees developed because of weakening border controls. The illegal transportation took place through the countries of the Union of Socialist Republics to the Baltic States, the target countries being the Northern States, particularly Sweden. After the strengthening of border controls, the activity decreased but is actual till today.

The Baltic States have also grown one of the transit point for drug trafficking from the Arabian states and even the states of the Asian "golden triangle" to the Northern countries and Central Europe. Besides the increasing transiting, the diffusion of drugs in Estonia, mainly because of the increasing number of younger users, may be observed.

4. Trends of Organized Crime in Estonia at Short Run

An ever increasing problem in Estonia is becoming to be the criminal activities linked with drugs and the using of them is constantly growing, particularly among (school) youngsters. According to specialist assessments, the annual accession of drug addicts in recent years has been at least 50% and even 100% among teenagers. During the first three months of 1997 as many youngsters went to the doctors with drug poisoning as during the whole year of 1996 – that means a 300% increase. From one side it shows the growth of criminal activities linked with illicit drug trafficking and producing (estimatedly there is at least one drug lab running in Estonia). On the other hand it is seen in the increase of street – and teenagers crimes, since drug addicts need more and more money for buying drugs. A characteristic feature of the Estonian drug crime is that, for example, during 1996 only 8% of persons concerned with drug crimes were the citizens of Estonia. This indicates to the fact that in majority non-Estonians are engaged in drug crime [11].

Governmental offices are constantly intensifying the check-up of customs deceptions that was a great profit source for criminals and therefore the criminal groups are centering their interests more to illicit trafficking, drug producing and commerce (just like during the shadow economy era), deceptions linked with privatization and real estate. At the same time a half-legal business (tax evasions, smuggling) is increasing in the economy.

5. New Types of Criminal Groups

a) Engaging of teenagers in organized crime

Disappearing of the special controlling system over children at the Soviet era, the unemployment, gap between the rich and the poor and other social problems have brought along a lot of homeless children or children who do not attend school and whose parents are not able or do not want to nurture them. Those children who are homeless or with insufficient supervision are by their side a feed for juvenile criminal groups dealing mostly with illicit and public stealing and distributing of drugs in minor quantities. Comparing the data of 1992 and 1996 in Estonia, we see that the varied juvenile delinquency has increased for 2-4 times. Besides crimes performed today, the present day juvenile groups will have passed “effective criminal basic schooling” in about five years and are then a great potential danger, since the mentioned persons are not engaged socially and criminal activities are their only source of subsistence.

Another tendency regarding juvenile delinquency is that sole elderly thieves are organizing in bigger cities groups, consisting of homeless boys or boys (aged 8-12) originating from families with very low income and using them as slaves for selling for example flowers, stolen from graveyards or they are taught or forced to beg and steal from cars and appartements.

b) Crimes Linked With Communication Means

Along with ever increasing using of the Internet and mobile phones, the crimes against them are increasing too.

The characteristic feature of computer crimes is the lack of judicial practice. The main tendencies are crimes connected with Internet-banking, the using of others' Internet bank accounts for stealing information, reading private letters or distributing false reports.

Regarding mobile phones' crimes, there exist criminal groups specialized in stealing the mobile phones. Mobile phones are stolen even from cars. Taking into account the short period of using mobile phones in Estonia, the structure of work allocation has also been formed: some are thieves, others overcoders and resellers. A mobile phones' operator Q-GSM has launched a new service – a mobile phones' speaking card that does not require presenting of the owner's identification data and may therefore activate the stealing of mobile phones.

6) Main Dangers for Estonia

The main criminal danger for Estonia is undoubtedly Russia because:

- a) The governmental power in Russia is weakening, but at the same time corruption and criminal activities are increasing;
- b) organized crime in Russia is becoming of global scale and developing intensive co-operations with organized crime from other countries;
- c) the ever increasing possibility that the Russian organized criminal groups may seize nuclear and warfare techniques;
- d) drug trafficking is increasing in Eastern Europe and new transit routes to West- and North Europe are gaining popularity;
- e) the increasing flow of runaways from underdeveloped countries to developed European states;
- f) resulting from the joint measures by developed countries against money laundering, the oppress by "dirty" money to the Estonian and other banks in the Baltic States would increase. Taking into consideration the geographical location of Estonia, the above mentioned aspects would jeopardize the security of the independence of our state [9].

IV. Reformation of Criminal Laws in Estonia

The Criminal Code with its numerous amendments valid in today Estonia is constituted according to an Enactment of May 07, 1992 and became valid on June 01, 1992 (see the Riigi Teataja 1992, 20 287).

Valid Criminal Treating Code is adopted on January 06, 1961 according to an Enactment of the USSR "On Adoption of "Criminal Process Code of the USSR"" (see the Informer of the Main Council of the ESSR 1961, 1,4 and Supplement) and it became valid since April 01, 1961. The Code has been amended with numerous enactments.

As we know, the Republic of Estonia makes attempts to join the European Union. The European Union has naturally determined requirements for member countries and states that try to become a member. Accordingly, there is a need to lay down a new Criminal Code and Criminal Treating Code. Both Codes originate from the Soviet era; and although the Criminal Code was adopted at the same period of newly independent Republic, it is for a large quantity a collection of the Soviet criminal standards [12, 14].

Both Codes are currently under formation. The general part of the Defensive Code is ready. Both – crimes and violating of administrative law – are pointed out in the new Defensive Code. Such a solution is naturally possible, although the problem – according to which criteria one behaviour is determined as a crime, but another one as a violation of administrative law – presumably still, exists. Or in other words, where is the border between crime and violation of administrative law?

As we understand, the real reformation of criminal enactments should begin with an adoption of new Penalty Code and Criminal Treating Code in the Parliament. That should be a logical progression, since all other enactments, subordinated by the mentioned two, as the Police Act, the Bar Act, the Prosecution Act, etc., should have been adopted in new redaction after the adoption of the Criminal Treating Code and the Penalty Code in the Parliament. So there would be no need to make more amendments for example into new Police Act, Prosecution Act, etc., subordinated acts [13, 14].

But the real progress has followed the opposite path because of the myopic behaviour regarding crime politics by the government. The reformation of crime laws has started from a wrong side – the first subjects to reformation being the Police Service Act, the Police Act, the Prosecution Act, the Act on the Status of Judge, the Bar Act, the Act of Judicial Aid. I can not remember how many times have the Amending and Updating Act of the Criminal Treating Code, the Criminal Code and the Customs Act been amended again [14].

Everything regarding legislature should later on the attention of the Council of Criminal Prevention; below we have a glimpse at its activities and analyze them, since the functions of the Council are directly linked with crime prevention.

V. Short Review on the Activities of the Council of Criminal Prevention

The Council of Criminal Prevention, acting pursuant to the rights of a commission of the Government of the Republic, has been set up according to the order by the Government of the Republic No 279 of September 10, 1993. The Council is acting pursuant to its Statute, approved by the Regulation of the Government of the Republic No 461 of December 14, 1994 (amended according to the Regulation No 352 of November 21, 1995). Pursuant to the Statute, the main goal of the Council is to work out and develop the country's criminal policy and consult the Government of the Republic in all problems regarding the support to legal order.

According to point 17 of the Statute of the Council of Criminal Prevention, the Chairman of the Council is obliged to present a report on the activities of the Council to the government of the Republic at least once a year, after the validation of the amendments to the Statute, at least twice a year. The present Report is presented in order to fulfil the Statute's requirement [15].

1. Composition and Working Order of the Council

The composition of the Council of Criminal Prevention has been fixed by the order No 1063-k of the Government of the Republic of December 14, 1994. The composition of the Council has been subsequently changed four times. At present, 24 members belong to the Council. Representatives of 5 Ministries and Boards of their administrative fields as well as from courts, the bar and science circles. In addition, specialists not belonging to the membership have been joined to the work of the Council, meetings have been attended by the representative of the Justice Commission of the Parliament.

The Council is conducted by a Chairman, appointed from among the Ministers by the Government of the Republic. The Council has been ruled by the Deputy Chairman – the Chancellor of the Justice Ministry – at the time the Chairman – currently the Ministry of Justice – is away or by his authorization.

The activities of the Council are arranged by the Managing Board consisting of the Chairman of the Council, the Deputy Chairman and the Chairmen of the Commissions. Pursuant to the Statute the meetings of the Managing Board take place in case of need, but not more frequently than once a month, pursuant to the amendments to the Statute not more frequently than twice a month.

All members of the Council, the Chairman and the Deputy Chairman excluded, participate in the systematic service through permanent Commissions. At the Meeting of the Council of January 05, 1995, four permanent Commissions were formed and their membership was determined.

Commission on Analyse and Prognosis

The specific goal of that Commission is to analyse the criminal situation in the country and to prepare the appropriate report for presenting to the Government; and also to make suggestions on arranging scientific researches regarding the fields of criminal policy and criminology.

Commission and Public Relations

The specific goal of the Commission is to issue information and other publications and information and explanations on safeguarding legal order and measures for preventing criminal activities through mass communication means; to co-ordinate legal propaganda and activities for creating people's legal consciousness.

Commission on Expertise

The specific goal of the Commission is to give expert opinions on draft of a law regarding criminal rights, its treating and everything concerned, and also to evaluate the amendment proposals of the laws.

Commission on Clearing out Material Requirements

The specific goal of the Commission is to clear out the needs for finances and material equipment of law enforcement institutions, to analyse the salary policy of governmental institutions and to present suggestions concerning the question if necessary.

Within the period of January 05 to June 05, 1995, a temporary Programme Commission was acting, too, with the goal to examine suggestions on compiling the Public Programme of the Criminal Prevention. The authority of the Commission was over regarding the submitting of the Draft Public Programme of the Criminal Prevention to the Government.

The Council laid down the Draft Public Programme on Criminal Prevention (approved by order No 686-k of July 31, 1995 of the Government of the Republic).

Within the period of September 19-20, 1995, the experts of the European Institute on Criminal Prevention and Control at the UNO (HEUNI) and of the Finnish Council of Criminal Prevention visited Tallinn in order to examine possibilities for UNO and international publicity to support the forming and execution of the Public Programme of Criminal Prevention is assessed likewise. The report has been forwarded to each leading Ministry concerned with compiling the programme.

2. Basis and Order of Compiling and Executing the Public Programme of Criminal Prevention

1. The aim of the Public Programme of Criminal Prevention is to attain a considerable decrease of crime level and safety for the citizens by operating with and using optimally the social personal and educational potential and material benefits and by co-ordinated activities.

2. The following operational programmes are followed on compiling the Public Programme of Criminal Prevention:

- 1) to influence the reasons and favourable conditions of crime by public economical and socio-political means to strengthen those spheres of economical and social processes that possess restrictive or preventive effects on crime and to counteract possible criminal externalities of the mentioned processes;
- 2) to restrict crime by the means of criminal policy, i.e. compiling practical and updated criminal laws, forming balanced law enforcement system, guaranteeing the unavoidability of punishment and laying down effective punishment policy;
- 3) to adopt such measures for crime prevention that would avoid the execution of criminal will or restrict it (effective social control, constructional or technical defensive means and facilities, self-defence of citizens, etc.);
- 4) crime preventional work in risk-groups (teenagers with development problems and from problematic families, unemployed persons, alcoholics, drug addicts, etc.);
- 5) to work out an effective system to resocialize persons who have committed crimes;
- 6) to offer social, judicial and psychological aid for crime victims;
- 7) to carry out researches concerning crime prevention and to execute the results, to use foreign experience and researches on this sphere;
- 8) to integrate into international crime prevention operations.

3. The Public Programme of Criminal Prevention consists of primary tasks of criminal prevention and interdepartmental subprograms that are adjusted in the action programmes of Ministries and other departments. Regional subprograms are also laid down, if necessary.

4. The primary goal of criminal prevention has to be executed in a year since the approvement of the Programme of Criminal Prevention.

5. The interdepartmental subprograms are compiled regarding problems, solving of which needs co-ordinated acting of several departments or it is relevant for the operation of several departments.

6. The nature of problem and general basis for solution are in the subprogram. The subprogram has to be in compliance with the broad principles of criminal prevention, include the conception for solution of the problem, tasks of problem solution and terms of their execution, executors and their work allocation, necessary sums and other appliances and sources for pursuing them must be put down as well as other relevant matters.

7. The compiling of the Public Programme of Criminal Prevention is managed and co-ordinated by the Councils of Criminal Prevention.

8. The managing Ministry, appointed by the Government of the republic, is responsible for the compiling and executing of each subprogram. The compiling and executing of a programme may be assisted besides governmental institutions by local municipal institutions and associations and leagues of residents.

9. The managing Ministry submits the subprogram for examining to the Council of Criminal Prevention and thereupon to the Government of the Republic.

10. The Government of the Republic determines its opinion regarding the subprogram. The executing of subprograms is co-ordinated by the Ministries.

11. The Council of Criminal Prevention supervises the progression of execution of the Public Programme of Criminal Prevention and submits suggestions concerning it to the Government of the Republic. The Programme is amended or changed if necessary according to the suggestion by Ministries and the Council of Criminal Prevention.

12. Citizens are informed on the progression of compiling and executing of the Public Programme of Criminal Prevention [16].

3. On Activities of the Council of Criminal prevention in 1997

In 1997 five Council's meetings took place, three at the first half-year, two at the second part of the year. The meetings of the Managing Board that co-ordinates the operations of the Council have taken place 2-3 times a month. The operation of the Council is guaranteed by the criminal prevention office of the Ministry of Justice [17].

a) Execution of the Public Programme of Criminal Prevention

At the meeting of the Council of Criminal Prevention of February 26, 1997, a following subprogram was under discussion: "Prevention of Juvenile Delinquency by Judicial, Social and Pedagogical Means", prepared by the Ministry of Education and accepted by the Government of the Republic at the meeting of August 28, 1997.

At the meeting of June 12, 1997, the subprogram "Establishment of a System for Assistance of Crime Victims", prepared by the Social Ministry, was examined. The Council estimated it as a very important aspect in arranging crime victims' system and found the subprogram to be necessary to submit to the Government of the Republic and its quick execution.

On October 02, 1997 a subprogram "Using of Local Municipal Officials, State Institutions, Juridical Persons and Citizens in Preventing and Restricting Law Violations", prepared by the Interior Ministry, was estimated. The Council's Opinion was that the programme as it was presented is not ready for submitting to the Government of the Republic and, taking into account the shortcomings, proposed to present the subprogram to the Council of Criminal Prevention for another examination.

b) Development of the Activities of Criminal Prevention

On May 26, 1997 the Council arranged a national conference "Crime as a Social Problem II" for the representatives of local municipal officials. The possibilities of local municipal officials and regional governments to avoid crime was treated, the subprogram of the Public Programme of Criminal Prevention "Using of Local Municipal Officials, State

Institutions, Juridical Persons and Citizens in Preventing and Restricting Law Violation” was introduced. The Prime Secretary of the Finnish Council of Criminal Prevention presented the methods of preventing crime in the Northern Countries. A report “Basic Subjects of Criminal Prevention” was prepared for their conference. For the assistance of better and effective arrangements of local crime prevention operations, the Council also prepared a sample Statute of local council of criminal prevention, consisting of possible various fields of activities.

To introduce operations of crime prevention in Europe, the Council translated and issued in 1997 the basic principles of the Sweden criminal prevention “Our Common Charge”.

c) Problems of Legislature

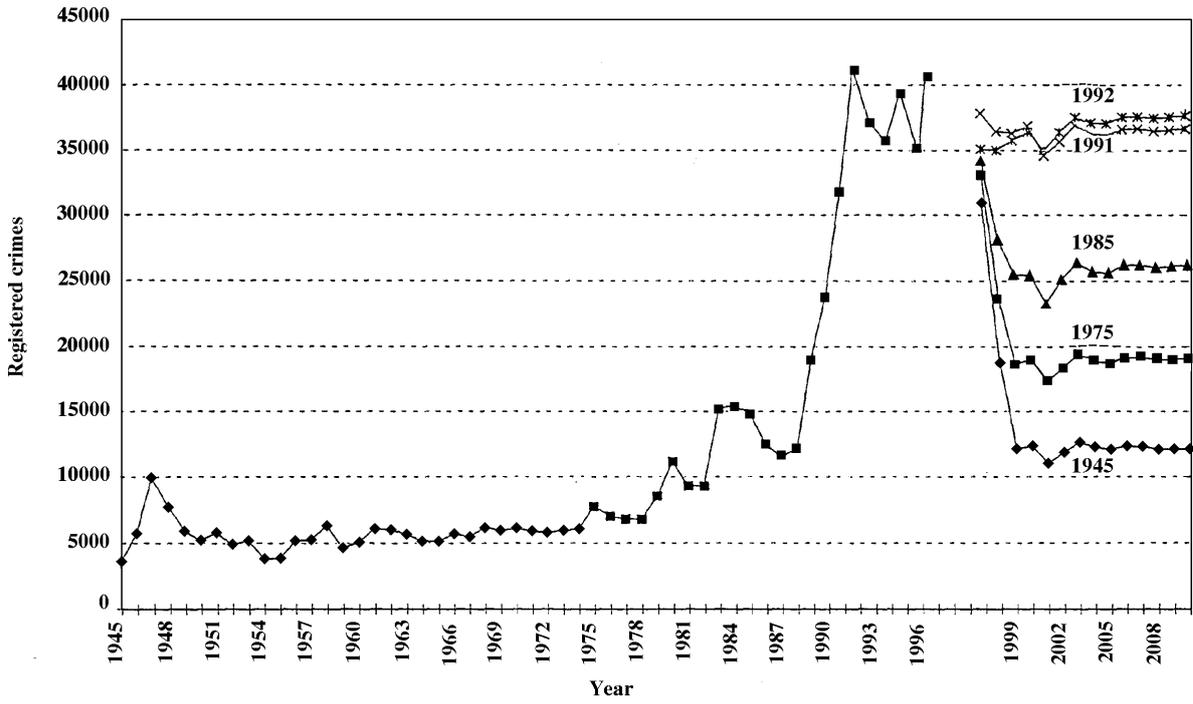
At the meeting of December 18, 1997, a draft of a law of preventing money laundering, prepared by the Ministry of Finances, was examined. The Council did not find it possible to treat that Bill in the Government of the Republic and made a suggestion according to the estimation for adjusting it.

d) Researches

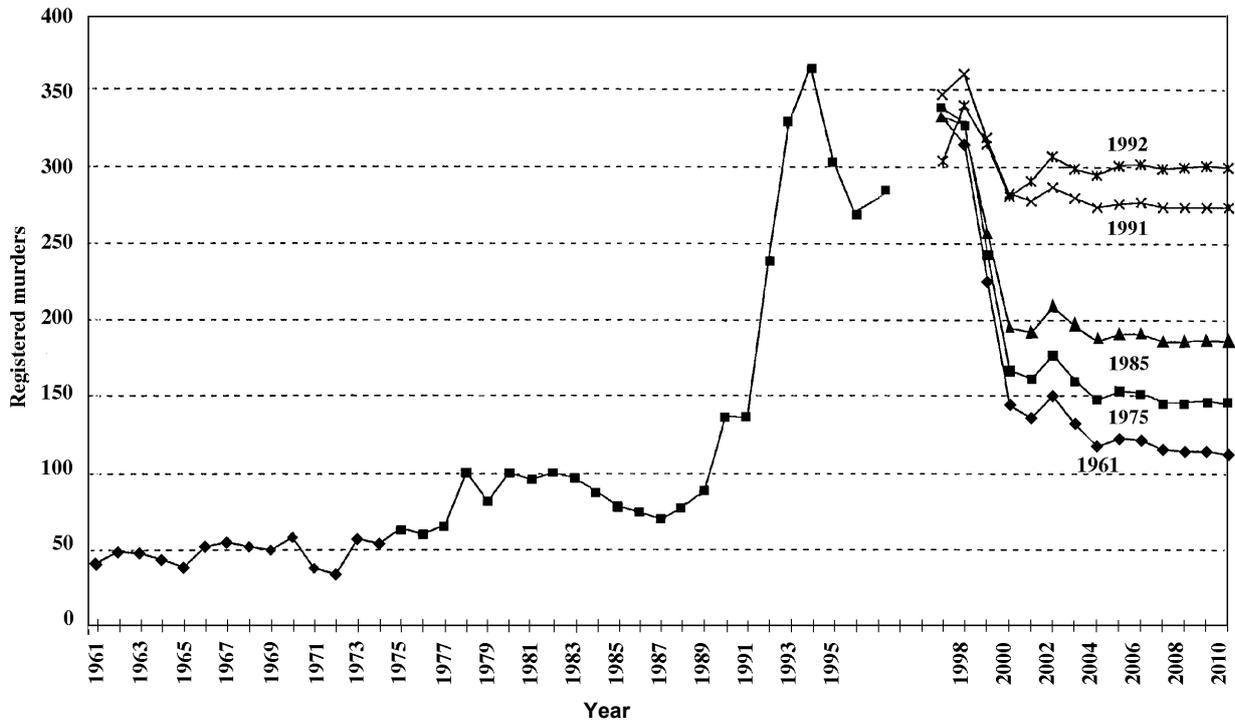
Within the years 1995-1997, I. Aimre carried out a research “Reverberation of Law Violations and Crime Activities in Police Information and the Attitudes of Residents”, on request of the order by the Council of Criminal Prevention. The research cleared out that the fixation of law violation and crime is inaccurate and that the statistics does not reverberate all cases.

The Council requested a research from Mart Remmel “Dynamics of Crime in Estonia and Prognosis 1991-2000”. The first two parts of the research “Statistical Ensemble 1991–1997 and Prognosis of Crime, registered in Estonia” and “Estonian Crime in the Socio-Economical Light 1991–1997 and Prognosis” were ready in 1997. The third part, “Estonian Crime in International Light 1991–1997 and Prognosis” will be ready by the first half of 1998.

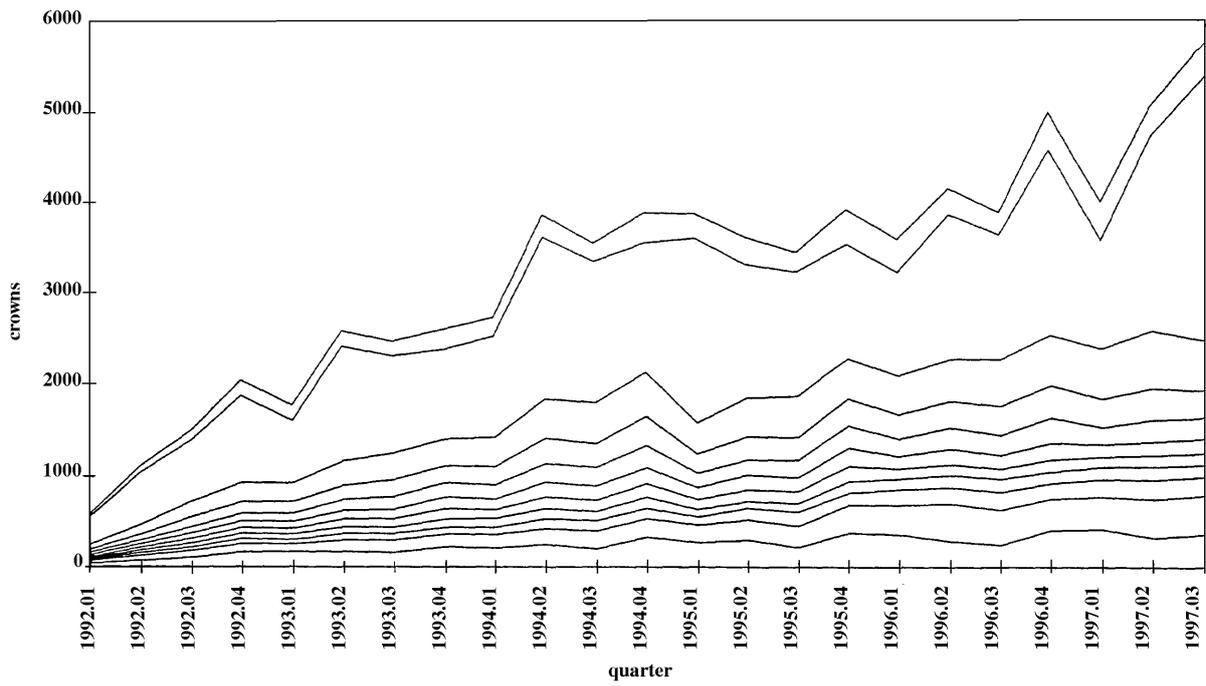
Drawing 1: Registered crimes until 1997 and prognoses until 2010



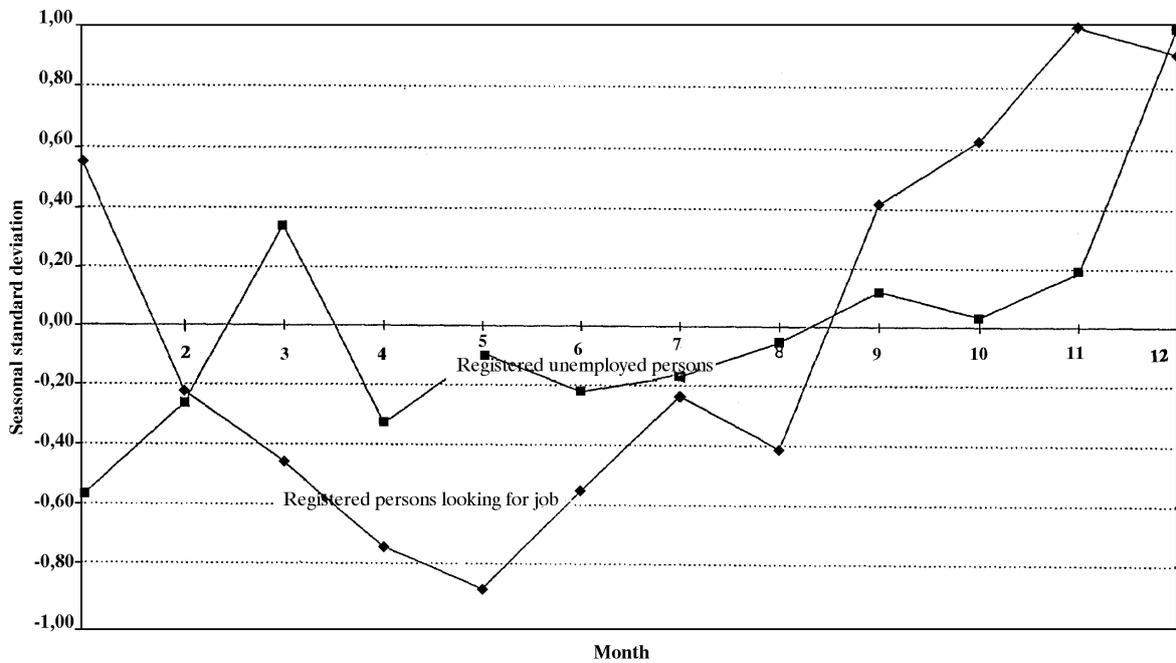
Drawing 2: Murders and killing attempts until 1997 and prognoses until 2010



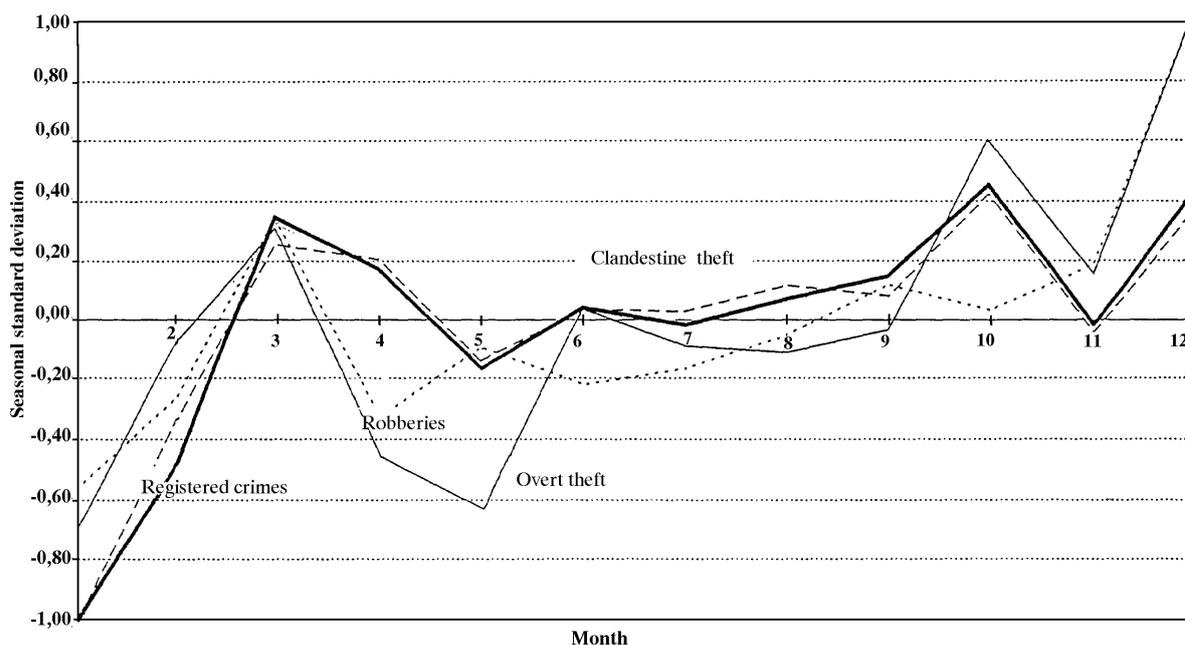
Drawing 3: The income of members of deciles



Drawing 4: Seasonal time-line in connection with two unemployment



Drawing 5: Seasons of 4 section crimes



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Estijos nusikalstamumo prevencijos istorija, filosofija ir koncepcija

prof. A. Leps

Estijos Respublikos Parlamentas

SANTRAUKA

Pranešime apžvelgiamos dabartinės nusikalstamumo tendencijos Estijoje. Nusikalstamumas šioje šalyje pradėjo staigiai didėti 1989 m. Daugiausia nusikaltimų užregistruota 1992 m. Vėliau nusikaltimų šiek tiek sumažėjo, o 1995 m. vėl pradėjo daugėti. Padarytų nusikaltimų ištiriama mažai (30 proc.). Smarkiai padaugėjo žmogžudysčių, nunuodijimų, savižudybių, autoavarijų ir t.t.

Numatyti ir kiti galimi ryšiai tarp nusikalstamumo ir kai kurių kitų (neigiamų) socialinių reiškinių.

Veiksniai, keliantys grėsmę Estijai:

- 1) *Rusija – didėjanti korupcija ir nusikalstama veikla;*
- 2) *narkotikų pervežimas Rytų Europoje;*
- 3) *didėjantis pabėgėlių iš trečiojo pasaulio šalių srautas;*
- 4) *“nešvarių” pinigų srautai į Estijos ir kitus bankus.*

Esama įvairių visuomenės nuomonių dėl naujausių nusikalstamumo tendencijų.

