Crime Prevention Policy in Estonia
1995-2005

For the past 2 decades Estonia has been observing the development of crime prevention policy in the UN, Council of Europe and different EU countries. And with the regaining of its independence in 1991, it has taken some of the words, and concepts, that were being used in these other countries and placed them into its own documents.

The Development of Crime Prevention in the UN and EU

In the early 70s a series of evaluations of the police, and corrections had demonstrated the limits of traditional criminal justices. The Sixth United Nations Congress on the Prevention of Crime and Treatment of Offenders in Caracas (1980) had urged that greater efforts should be made to seek new approaches and to develop better techniques for crime prevention.

The Seventh Congress (1985) in Milan adopted a Plan of Action and Guiding Principles for Crime Prevention and Criminal Justice that emphasized crime prevention as part of social policy: the relationship between development and criminality, studies on the social impact of crime, intersectoral planning, community participation in crime reduction efforts, traditional forms of social control, victim support, social marginality and injustice, periodic appraisal of criminal justice policies, unrestricted access for individuals to the legal system, scientific cooperation and cooperation among developing countries.

The Eighth Congress in Havana (1990) adopted a specific resolution on the prevention of urban crime.

The Ninth Congress in Cairo (1995) asked the Crime Commission to finalize and adopt the proposed guidelines in the field of urban crime prevention. This, the United Nations Economic and Social Council did in 1995.

The 9th UN Congress described two models of crime prevention- primary and situational. It wrote that

18. Crime prevention strategies vary in nature, level, scope, time-frame and cost. Primary prevention -seeking to create socio-economic conditions less conducive to crime - has the longest horizon, and its effects are not easy to assess. Community initiatives vary in time and scale. While situational crime prevention, aimed at reducing opportunities for crime, may be readily instituted, it should be carefully evaluated because its effect is likely to displace rather than prevent crime. Efforts to prevent crime might include target-hardening, access control, and deflecting offenders by increasing the risks and by reducing rewards. Eliminating or restricting facilitators of crime, such as firearms, is a matter for urgent consideration and decisive action (emphasis added).
In the same year HEUNI published *Crime Prevention Strategies in Europe and North America* (Graham and Bennett) which provided an excellent overview of the field. This work made a distinction between criminality prevention, situation prevention, and community crime prevention. It also mentioned the earlier typology, based on a public health model of prevention that divided crime prevention into three groups: primary prevention, secondary prevention, and tertiary prevention. This book was translated into the Estonian language, and would help guide Estonian policy makers.

In 1998 the UK created the Crime and Disorder Act with a legal framework for a country wide series of Crime and Disorder Partnerships. The British PM vowed to be „Hard on Crime, Hard on its Causes”. The UK experiment is ongoing, with a mixture of positive and outcomes.

By the 10th UN Congress in Vienna, crime prevention theory had developed significantly.

The 10th UN noted that

Policy discussions usually distinguish between just two kinds of prevention, social prevention and situational prevention, which correspond to the two main ways of preventing crime—reducing criminal motivation and reducing crime opportunities. For the purposes of the present discussion it is useful to distinguish among four different general approaches (three of which seek to reduce criminal motivation), which are distinguished by their own set of objectives and techniques. These four approaches to crime prevention are:

(a) Child development.
(b) Community development.
(c) Social development.
(d) Situational crime prevention... Unlike the three other forms of crime prevention, all of which seek to reduce the motivation for crime, situational prevention seeks to reduce opportunities for crime.

By 2002 the UN had completed its new Guidelines with an excellent short definition of crime prevention. The UN said that

“crime prevention” comprises strategies and measures that seek to reduce the risk of crimes occurring, and their potential harmful effects on individuals and society, including fear of crime, by intervening to influence their multiple causes.

It went on to say that

Crime prevention encompasses a wide range of approaches, including those which:
(a) Promote the well-being of people and encourage pro-social behaviour through social, economic, health and educational measures, with a particular emphasis on children and youth, and focus on the risk and protective factors
associated with crime and victimization (prevention through social development or social crime prevention);  
(b) Change the conditions in neighbourhoods that influence offending, victimization and the insecurity that results from crime by building on the initiatives, expertise and commitment of community members (locally based crime prevention);  
(c) Prevent the occurrence of crimes by reducing opportunities, increasing risks of being apprehended and minimizing benefits, including through environmental design, and by providing assistance and information to potential and actual victims (situational crime prevention);  
(d) Prevent recidivism by assisting in the social reintegration of offenders and other preventive mechanisms (reintegration programmes).

Within a few years crime prevention policy with examples of good evidence based practice had improved dramatically. The UN Guidelines for the Prevention of Crime (2002) are excellent. Some of the key policy points include:

1. There is clear evidence that well-planned crime prevention strategies not only prevent crime and victimization, but also promote community safety and contribute to the sustainable development of countries. Effective, responsible crime prevention enhances the quality of life of all citizens. It has long-term benefits in terms of reducing the costs associated with the formal criminal justice system, as well as other social costs that result from crime. Crime prevention offers opportunities for a humane and more cost-effective approach to the problems of crime.

2. It is the responsibility of all levels of government to create, maintain and promote a context within which relevant governmental institutions and all segments of civil society, including the corporate sector, can better play their part in preventing crime.

4. The present Guidelines address crime and its effects on victims and society and take into account the growing internationalization of criminal activities.

5. Community involvement and cooperation/ partnerships represent important elements of the concept of crime prevention set out herein. While the term "community" may be defined in different ways, its essence in this context is the involvement of civil society at the local level.

8. Crime prevention considerations should be integrated into all relevant social and economic policies and programmes, including those addressing employment, education, health, housing and urban planning, poverty, social marginalization and exclusion. Particular emphasis should be placed on communities, families, children and youth at risk.

10. Crime prevention requires adequate resources, including funding for structures and activities, in order to be sustained. There should be clear accountability for funding, implementation and evaluation and for the achievement of planned results.

This last point (#10) is critical if crime prevention is to be institutionalized.
Of course the EU had to then come up with its own documentation.

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT

First it provided a nice definition of crime which does help to remind everyone that crime is a social construction.

The prevention of crime in the European Union

2.2.1. The concept of crime
Crime includes punishable conduct by individuals and by spontaneous associations of persons. The concept, however, covers separate realities:
– crime in the strict sense, i.e. offences defined as such in national criminal laws (e.g. homicide, rape, certain illegal trafficking);
– less serious offences that are actually more frequent (e.g. theft, handling stolen goods, acts of violence, fraud, embezzlement);
– violence in various contexts (schools, sports stadiums, public highways, domestic violence etc.);
– anti-social conduct which, without necessarily being a criminal offence, can by its cumulative effect generate a climate of tension and insecurity.

The potential for expansion has proven to be a very critical point in the UK which has gone far past crime control, crime prevention or crime reduction into the promotion of community safety, and the whole issue of the quality of life in UK communities.

Since the UN definition was too simple and clear the EU Commission’s definition was the reverse:

Crime prevention includes all activities which contribute to halting or reducing crime as a social phenomenon, both quantitatively and qualitatively, either through permanent and structured cooperation measures or through ad hoc initiatives. These activities are undertaken by all the actors likely to play a preventive role: local representatives, enforcement services and the judicial system, social services, education system, associations in the broad sense, industry, banks and the private sector, research workers and scientists, and the general public, supported by the media.

The COMMUNICATION FROM THE COMMISSION TO THE COUNCIL AND THE EUROPEAN PARLIAMENT went on to describe three different categories of crime prevention.

Three categories of measures can thus be distinguished according to whether they are intended to:

· reduce opportunities, making crime more difficult and riskier and reducing the profits to criminals;

· reduce the social and economic factors which encourage the development of crime;
provide information and protection for victims and prevent victimisation.

The EU established the EUCPN (European Union Crime Prevention Network) on the 28th of May, 2001. The EUCPN covers all types of crime, but pay particular attention to juvenile, urban and drug-related crime. The core objectives of EUCPN are to contribute to developing the various aspects of crime prevention at Union level and support crime prevention activities at local and national level. Issues of structure and adequate resource allocation have always prevented the full development of the EUCPN.

The Council of Europe has also recommended to the European Parliament the need to establish a European observatory on urban security, which, at the level of Council of Europe member states, would be responsible for:

1. gathering, analysing and making available to all parties concerned information on crime and the operation of systems of justice in the different countries;
2. keeping a regularly updated register of the security practices which bring the best results;
3. organising exchanges between those in charge of security policies;
4. offering training courses for security policy agents.

Such a European observatory would be a major step in the development of crime prevention at the EU level.

There are several efforts within the EU to establish Masters level training programs in crime prevention. The EFUS is working with the University of Burgundy to start a Masters in Urban Safety. The 1st Beccaria project has been promoting quality management in crime prevention and is hoping to establish a Masters Degree program in Crime Prevention.

The Council of Europe had the project Responses to violence in everyday life in a democratic society (2002-2004) which resulted in a series of excellent publications. The one on Urban crime prevention – a guide for local authorities was translated by the Ministry of Justice. Another important document was Security and democracy under pressure from violence written by Michel Marcus who is a magistrate and the executive director of the European Forum for Urban Safety, a non-governmental organisation with a membership of 300 European local authorities. This project also developed a set of 12 principles for dealing with violence for which a wide consensus is emerging at the European level:

- **Integrated approach**: violence in everyday life necessitates a comprehensive and co-ordinated response applied through the thematic, horizontal, vertical and strategic integration of national prevention policy and its implementation at all levels;
- **Systematic reliance on partnerships**: an integrated response to everyday violence should be based on partnerships of all the people and institutions involved in reducing violence, in order to pool resources and share responsibility.
• **Democratic accountability and participation of civil society:** responses to violence should be accountable to citizens’ democratically elected representatives at all levels and involve the active participation of civil society.

• **Preventive approach:** in the first place violence should be prevented before it takes place but when violence occurs its consequences should be minimised.

• **Victim-oriented approach:** satisfactory support, care and protection of victims should be used as essential standards for planning, implementing and evaluating responses to violence.

• **Offender-oriented prevention:** rehabilitation of offenders, their eventual reintegration into society and the prevention of recidivism should be taken as serious aims in a comprehensive prevention policy.

• **Developing the use of mediation:** mediation as a non-violent and restorative means of preventing and solving conflicts should be promoted while its scope of application, methods and ethics should be clarified.

• **Giving priority to local prevention programmes:** sufficient priority and resources should be given to local partnerships for the prevention of violence.

• **Planning and continuous evaluation:** responses to violence should be carefully planned based on situational analyses, adequately documented and continuously evaluated through evidence-based criteria.

• **Sustainability:** prevention programmes should be designed and resourced for sufficiently long periods of time to ensure that the targeted impact can be reached and sustained.

• **Training for all partners:** people working in violence prevention partnerships should receive training or guidance to match the skills required in their tasks.

• **Interdisciplinary research policy:** interdisciplinary research into violence should be supported in order to generate an adequate knowledge base for policy development and practice.

These basic principles could be applied to crime prevention in general and not just for violence. Indeed crime can be seen as always involving some violence, direct or indirect, overt or covert, against the individuals and/or communities that are being negatively impacted upon by the actions of the individual criminal or by organized crime.

As a result of this project, the Council has continued it with a new project using these principles with an emphasis on *Children and violence* (2005-2007).

In many ways it would seem that Crime Prevention policy and practices are in good shape. However the picture is more complex and unclear.

There is almost a separate and competing movement to develop EU level policy and practices to deal with the threat posed to the different States by organized crime. This effort could easily divert funding from the urban based model of crime prevention which has been developing for the past decade. The UNODC and the European Commission have agreed to increase mutual efforts and provide joint financing for projects aimed at preventing and controlling drug addiction, production and trafficking, as well as other forms of organized crime.
But first it is time to look at the internal efforts of Estonia in the period of 1991 to its becoming part of the EU in May, 2004. Much of its policy was derived from the Crime Prevention activities within the UN and EU.


The first few years of the restored Estonian Republic had been chaotic with a massive increase in social disorder and recorded rates of crime. To what degree there was such a real increase in crime, or just a more accurate recording of criminal events, is open to debate. What is clear is that crime was going up along with the fear of crime and a general sense of insecurity. The worst period had ended in 1994 when the murder rate peaked. To the degree that there was social policy planning, it was based on the priority to establish a strong economy based on neo-liberal economic principles, and then let the “invisible hand” of the market work to solve Estonia’s social problems.

By 2000 Estonia was ready to produce its own crime prevention documents.

**DESCRIPTION OF THE CRIME PREVENTION SYSTEM AND DEVELOPMENT STRATEGY 2000 - 2003**

The three crime prevention strategies were very similar to existing UN and EU documents. They were

- **Implementation of social preventative measures** – the aim is to weaken and, if possible, to eliminate the effect of crime causation and enabling factors.

- **Implementation of situational preventative measures** – the aim is to make it difficult to commit an offence and to increase the risk and hazard of “being caught” for the potential offender.

- **Dealing with the consequences of offences** – the aim is to decrease the number of repeated offences by offenders.

And it was noted that

Preventative activities occur on mainly three levels:

- **STATE LEVEL**;

- **LOCAL GOVERNMENT LEVEL**;

- **COMMUNITY LEVEL**.

Five ministries, the Ministry of Justice (MOJ), the Ministry of Interior, the Ministry of Education and the Ministry of Social Affairs, participate in crime prevention work through the National Crime Prevention Council (NCPC). Board crime prevention policy was worked out at the State level in the NCPC with support from the Crime Policy unit in the Ministry of Justice. Then Parliament would vote on the proposed directives.
On the level of local municipalities, crime prevention means working out specific measures and applying them locally in order to increase the security of local people. For better co-ordination of work some of the counties and also local municipalities have established their own crime prevention councils or they have committees working with other organizations.

However **crime prevention work is not obligatory, it is voluntary at the local level.** The State makes its plans, its different Ministries work out strategies, but the delivery at the local level is not mandated. Thus the crime prevention strategy has no legal teeth to support local crime prevention partnerships.

The Estonian CP document did set out some general goals in what is very much a top down planning document with little room for the involvement of either local government or the participation of the public.

**VI. GOALS FOR THE CREATION OF A FUNCTIONING PREVENTION SYSTEM UNTIL THE YEAR 2003**

2000-Organisation of crime preventative activities at state level.
2001-Increase in the responsibility of local authorities for crime prevention.
2002-Supplementation of the financing principles of crime prevention.
2003-Making the population aware of the possibilities regarding crime prevention, creating the law-abidance of the population.
2004-Increasing the competence of people who participate in crime prevention.
2005- Systematic investigation of the reasons for, and consequences of crimes and the measurement of the effectiveness of preventative means.

In terms of crime prevention planning, it is rather remarkable that the gathering of the necessary criminal intelligence is left so late in this timeline. It is impossible to evaluate this plan since it has no baseline. One organizes without any clear information about the nature of the problem. This very vague statement of strategic interest was soon followed by a more concrete emphasis.

**STATE STRATEGY FOR CRIME PREVENTION UNTIL THE YEAR 2005**

1. Goals of the strategy
1.1. More efficient inclusion of the public in crime prevention
1.2. More efficient protection of property
1.3. Increased safety on streets and public places
1.4. Decrease in criminal offence and crimes committed by young people
1.5. Better availability of victim assistance
1.6. Prevention of repeated crimes

At least some of these tactical steps could be measured. The first Crime Prevention document had had some broad principles and a very odd timeline. The next Crime Prevention document was focused on action. There have been some real results.

* There is a Criminal Policy department inside the Ministry of Justice since December 2003. Crime Prevention policy and practice is one of the
department’s functions. It is looking at the research done in this area and promoting an evidence based approach to criminal policy

- There is a new victim support system with the Victim Support Act (which came into force on the 1st of February 2004). The VS volunteers are working in regions across Estonia.
- A State Legal Aid Act was passed in 28 June 2004 and the purpose of this Act is to ensure the timely and sufficient availability of competent and reliable legal services to all persons.
- The police are now more community based, and focused on targeted crime reduction. The result is that people have more trust in the police. This increase in public confidence is a real positive change.
- There has been a reduction in the number of crimes of violence against persons. The number of crimes against property has not been reduced.
- Individuals have started to take steps to protect their property themselves.
- There is new Code of Criminal Procedure (entered into force 1 July 2004), which gives the leading role to the prosecutors in pre-trial criminal procedure.
- The old Soviet camp system is starting to be replaced by new single cell design prisons in accordance with EU standards but also giving better control over the prison population.

These are real accomplishments. However most involve the improvement of the criminal justice system. Crime Prevention is seen as a function within the CJS and not as a significant innovation.

One of the real successes of crime prevention in Estonia has been the active participation of civil society organizations, or NGOS. The third sector is actively involved in crime prevention, mainly through social work, youth work, drug prevention and the Neighbourhood Watch movement. Eesti Naabrivalve was identified by the ICPC as an example of best practices in crime prevention work with youth in the urban context.

The Ministry of Justice has several different good cooperation partners from the different NGOs: for example Estonian Neighbourhood Watch Association, Caritas Estonia, Estonian Union for Child Welfare, Tallinn Children Support Centre, etc.

At the international level, Estonia is a member of the European Crime Prevention Network (EUCPN), it currently have 2 bilateral cooperation projects (COPS, BECCARIA) with different European Countries. The leading partners are the UK and Germany. Both the UK and Germany have provided major inputs into the development of probation and policing in Estonia as well as crime prevention. The Dutch and Sweden have also contributed to the development of Victim Services, and Sweden produced a book on crime prevention that has been translated into both Estonian and Russian languages.

**From Urban Crime Prevention to State Security**

The recent acceptance of the document “Criminal Policy Development Strategy until the year 2010” should have been a positive moment. It includes an excellent review of the policy issues and the best evidence available on what works in the area of crime prevention. This document provides guidelines for the work of the different Ministries
responsible for integrating crime prevention into the everyday work of these different Ministries.

The analysis in the document is quite critical of the present situation in Estonia, and also makes clear that despite the body of knowledge that has been built up over the past few decades; the institutionalization of crime prevention is still unsuccessful in Estonia just as it has been in much of the EU (Van Dijk, 2004).

Estonia is basically still depending upon the repression of crime through the use of traditional practices of the criminal justice system, and it has the highest largest rate of incarceration in the EU despite the establishment of a probation service in 1998 which might have helped to reduce the size of the prison population. Instead of a reduction, there has been a doubling of the total population that is under some form of state supervision.

Estonia is like a hungry man who is looking at a buffet of crime prevention strategies, and choosing to stay hungry. Estonia is not yet ready to really move into a state level system of crime prevention activities since that would require both the political will to create the necessary legal framework, and also the allocation of significant resources over a long period of time.

Estonia looks at the UK which is an example of a country that has created the necessary legal framework and allocated massive amounts of resources to the implementation of its crime and disorder reduction partnerships with resultant real gains but which is still experiencing significant problems. So crime prevention as a laudable idea is to be commended but Estonia has other priorities.

The UN system has always had a tension between two models of crime prevention. The International Centre for the Prevention of Crime in Montreal has advocated for crime prevention at the level of the city, and an emphasis on crime prevention through social development. The European Forum on Urban Safety also focuses in on the level of the city. Both organizations have been supported by Canada and France who have supported the CPSD (crime prevention through social development) model.

In the UK and in the USA, CPSP/OR (crime prevention through situational prevention or opportunity reduction) has had been far more policy influence. Indeed the Jill Dando Institute of Crime Science, at University College London, makes it clear that only crime prevention through situational prevention warrants the name “crime science”. Implicitly crime prevention through social development is devalued. And it is clear that CPSP has established a body of evidence in support of this approach, especially in the work of Ron Clarke and Herman Goldstein.

The UN office in Vienna has now had a name change. The Centre for International Crime Prevention vanished. The new name, United Nations Office for Drug Control, more accurately described its emphasis on corruption, organized crime, trafficking in women, and terrorism. Terrorism and organized crime are often linked in its analysis. It could be argued that it represents the influence of the dominant American perspective on crime, drugs and terrorism. What is clear is that it new name is more honest and represents its position. Thus one can choose between the ICPC and the UNODC positions since both are quite explicit. And both have real value.
The 11th UN Congress: For Reasons of State

11th UN Congress was not just another Crime Prevention and Offender Rehabilitation Congress. Rather it was named the Crime Prevention and Criminal Justice congress. The new name was a reflection of the way that the world has greatly changed since 9/11.

In the previous UN Congresses, such as 9th (1995) and 10th UN Congress (2000), the emphasis had been on Crime Prevention and Offender Rehabilitation. Van Dijk (2004) points out that the crime prevention philosophy advocated by Bonnemaison in France in the 80s was predicated on the assumption that law breakers can and should be socially reintegrated. To a large degree the end goal of social inclusion and integration was replaced in the 11th UN Congress by exclusion and an active State defence against organized crime and terrorism.

There was still a significant emphasis on CPSD with the ICPC running Workshop 3: Strategies and best practices for crime prevention, in particular in relation to urban crime and youth at risk. The ICPC also released its newest publication, Urban Crime Prevention and Youth at Risk: Compendium of Promising Strategies and Programmes from around the World. As mentioned, Eesti Naabrivalve, Estonian Neighbourhood Watch Association, is identified as an example of a promising strategy.

However it is also clear that the overall emphasis was on the protection of the State against corruption, organized crime and terrorism. Crime Prevention is clearly seen as being subordinate to Criminal Justice and the protection of the State.

The Bangkok Declaration is quite clear in its emphasis:

Greatly concerned by the expansion and dimensions of transnational organized crime, including illicit drug trafficking, money-laundering, trafficking in persons, smuggling of migrants, illegal arms trafficking and terrorism, and any existing links between them, and by the increasing sophistication and diversification of the activities of organized criminal groups,

Emphasizing that .... international cooperation, which is among the most important elements to combat terrorism in all its forms and manifestations, and reaffirming that no terrorist act can be justified in any circumstances,

3. In a spirit of common and shared responsibility, we reaffirm our readiness to seek to improve international cooperation in the fight against crime and terrorism, at the multilateral, regional and bilateral levels, in areas including, among others, extradition and mutual legal assistance. We seek to ensure our national capacity and, where appropriate, the coherence of our international capacity, through the United Nations and other relevant global and regional organizations, to engage in international cooperation, in particular in the prevention, investigation, prosecution and adjudication of transnational organized crime and terrorism and in discovering any existing links between them.

5. We call upon donor States and financial institutions to continue to make adequate voluntary contributions on a regular basis for the provision of technical
assistance to developing countries and to countries with economies in transition, in
order to help build their capacity to prevent and tackle crime in all its forms and
apply the United Nations standards and norms in crime prevention and criminal
justice and, in particular, to facilitate their becoming parties to and implementing
the international instruments against terrorism and the relevant
international instruments against crime, such as the United Nations
Convention against Transnational Organized Crime and the Protocols
thereto, the United Nations Convention against Corruption and the
international drug control conventions (all emphasis added).

The “war on Drugs”, the “War on Terrorism”, the “War on Corruption” are all
merged into one thing, the protection of the State. The State will wage war against
its enemies, whether they are external or internal.

Human Rights Concerns and the New Crime Prevention

And there is a real danger that the “ends” will subvert the “means”. It is no accident
that the recent efforts by the UK government to extend the Anti-social Behavior
Orders has drawn criticism because of human rights concerns in the same way as it
stands accused of flouting international human rights law over its treatment of
foreign terror suspects rounded up after the 11 September attacks in America.

The respond by Louise Casey, director of the Home Office antisocial behaviour unit,
was that these critics including "youth workers, social workers and the liberal
intelligentsia" should accept there is strong public support for the sanctions in
addressing "a culture of intimidation". And these critics are "not living in the real
world".

The Council of Europe's Commissioner for Human Rights, Alvaro Gil-Robles, who
had expressed concern about the use of Asbos,: and the members of Asbo Concern
which include organizations such as

- National Association of Probation Officers
- Community and Youth Workers Union
- British Association of Social Workers [website]
- Mind
- Children's Rights Alliance
- National Autistic Society
- Developmental Adult Neuro-Diversity Association
- Forum on Prisoner Education
- British Section of the European Group for the Study of Deviance and Social
  Control
- Staff group of Manchester Law Centre

As well as a diverse group of sex worker associations, were all organizations that
were not living in the real world.

It is very similar to the way that President Bush dismissed the concerns of Amnesty
International about abuses in Guantánamo, Afghanistan and other detention camps
around the world. The issue is not dealt with, the messenger is devalued.

Where now, Estonia?

If the recent document on “Criminal Policy Development Strategy until the year
2010” was strong on analysis but weak on implementation at the local level, there is
another key document that may be more critical for the future of crime prevention in
Estonia.

This document is the National Security Concept of the Republic of Estonia (2004).
It presents the goal and guidelines of Estonia's National Security Policy and a general evaluation of the existing security environment. This document was drawn up and adopted on the basis of the Peacetime National Defence Act.

The document includes sections on terrorism and organized crime which are presented side by side. The potential linkage is made very clear. It writes that

**Threat of international terrorism**

Although the likelihood of a direct military threat is decreasing, non-conventional threats, primarily the global nature of international terrorism, and the possibility of the uncontrolled proliferation of chemical, biological, and radioactive or nuclear weapons are presenting international cooperation with serious new tasks.

**International terrorism and organised crime, the latter providing a hotbed for the former, are spreading in areas where national security, law and order, as well as rule of law are failing.** The elimination of the threat of terrorism requires quick and effective international cooperation, in which Estonia participates within the scope of its commitments and capabilities. In addition to international cooperation, Estonia also implements domestic counter-terrorism measures.

**Threat deriving from organised crime**

**International organised crime could often be extensively intertwined with the activities of terrorist organisations and be connected with the proliferation of weapons of mass destruction. It is therefore a significant threat factor to international stability and Estonia's national security.**

A noticeable threat to the functioning of the rule of law in Estonia, and thereby, to national security, is the possible increase in the influence of international organised crime within society and the accompanying corruption as well as its penetration into politics, the civil service, and the economy (emphasis added, pg.7).

After a section on environmental threats, especially from the older type nuclear power plants (in Russia) there is a section on threats of a social origin.

**Threats of a social origin**

Drug addiction, alcoholism, and the spread of HIV/AIDS, along with other dangerous contagious diseases, pose a threat to Estonia's economic welfare as well as the nation's social and political stability. Emergencies in Estonia's vicinity could be accompanied by a large flow of refugees and extensive migration.

In another section the issue of the danger of organized crime to National security reappears

**4.2.2. Maintaining law and order**

The central government agency in the fight against organized crime is the Central Criminal Police (Keskkriminaalpoliitsei). In this sphere, the Central
Criminal Police cooperates closely with other police agencies, the Security Police Board, the Board of Border Guard (Piirivalveamet), the Tax and Customs Board (Maksu- ja Tolliamet), and the Prosecutor's Office (Prokuratuur). The systematic fight against organized crime must concentrate upon the avoidance and prevention of crimes providing large illegal profits.

Greater emphasis is being put upon making more efficient use of various opportunities offered by Interpol and Europol as well as upon cooperation with neighbouring states. It is also necessary to establish a witness protection system, in order to participate in international witness protection programs (pg. 12).

The report is a mixture of internal and external concerns, of hard and soft security issues. At the end the issue of HIV reappears again.

4.3.2. Enhancing social safety

To enhance the nation's social safety, it is essential to solve labour market problems, establish a sustainable social security system that covers risk groups, and educate and train a sufficiently large qualified work force to ensure the continuation of economic growth.

In the case of public health emergencies, there could be large numbers of people requiring medical care due to the outbreak of contagious diseases, poisonings, or exposure to radiation. Estonia is establishing its national preparedness for public health emergencies, basing it upon close cooperation with other EU Member States.

Fighting contagious diseases, including the spread of HIV/AIDS and tuberculosis, is the state's responsibility. In Estonia, measures for preventing the spread of particularly dangerous contagious diseases are implemented in accordance with international medical regulations. National programs are being implemented to reduce drug addiction, to limit the spread of HIV/AIDS and tuberculosis (pg.19-20)

When read in combination with the Bangkok Declaration it is quite clear that Estonia could easily go in a direction where concerns about human rights and harm reduction are subordinate to issues of State security. Indeed it is a direction that can be seen across most of the EU.

Possible futures

In his presentation at the Opening Plenary of the Conference on Sustainable Prevention Policies and Practices: Present and Future Challenges December, 1, 2004, Paris ICPC 10th Anniversary Colloquium, which was entitled Crime prevention in a globalized world: foundations, setbacks and challenges. Prof. JAN VAN DIJK Deputy director, United Nations Interregional Crime and Justice Research Institute (UNICRI) Turin, Italy made it quite clear that crime prevention had not gone the way that he had hoped.
He told how fifteen years ago, he had identified the advance of crime prevention, alternative sanctions and victim assistance in Europe and the USA in the eighties as manifestations of a further stage in the 'civilizing process', replacing imprisonment by less inhumane, preventive and reintegrative responses to problems of crime (Van Dijk, 1989). Now the current stagnation or rollback of many social and penal reforms introduced in the final decades of the last century seemed to fly in the face of such optimistic notions. He put it rather bluntly:

The is little point in denying that for crime prevention the political winds seem to be blowing in the wrong direction.

However he also thought that the present setbacks may also include the potential for future gains. He used the example of the earlier cholera epidemics where repressive steps had been followed by proactive and inclusive public health measures. He had the following argument:

I will sketch how the HIV epidemic may start to influence drugs and other social policies in the West in unexpected ways.

Since a few years the world is confronted with a second HIV epidemic, largely transmitted through drugs injection, commercial sex and prison communities. The epidemic is most concentrated in Asia and in the countries of the former soviet-union. The overlapping populations of injecting drugs users, prisoners and exploited sex workers comprise of over fifty million people worldwide. If current regional trends in drugs injection, imprisonment and migrant sex work prevail, the group will become gradually larger in the coming years. At the same time, if current trends can be extrapolated, larger and larger segments of it may carry the HIV virus. They will increasingly also reside in Western Europe and North America.

The main actual and potential carriers of the new HIV epidemic, then, comprise of an expanding underclass of injecting drug users, prisoners, ex prisoners and exploited sex workers, all pursuing an increasingly transnational lifestyle. The main cities of the nineteen century were confronted with streams of poor immigrants from rural areas seeking employment in the new urban industries. They constituted for some time a problematic group and were called the 'criminal underclass'. In the framework of globalization, developed countries are now similarly confronted with an emerging group of loosely integrated immigrants. They constitute a transnational underclass drifting to the powerhouses of the globalizing economy.

The emergence of drugs-related HIV epidemics within the ranks of this transnational underclass will raise the stakes of policies regarding their presence. As was the case with cholera and many other contagious diseases, those living in poor physical, economic and social conditions are especially at risk to be infected by HIV. From these vulnerable groups the virus will spread out to the general public, through the commercial sex industries or otherwise. The inhumane living conditions of those constituting the new urban underclass can no longer be neglected.
As has happened with epidemics in the nineteen century, the initial dominant response has been to blame the drugs and crime-related HIV problems on the carriers of the virus themselves. A policy of repression and exclusion curried favour with public opinion so far. Such policies of exclusion are known to be counterproductive and will soon be seen to fail. The risk groups may be driven further underground but the transmission of the epidemic will continue from there unabated. Subsequently policies advocating a more practical, public health approach which shows results, will increasingly find support from a public confronted with the impact of the epidemic on their own communities. In the coming years the drugs-related HIV epidemic is likely to propel more and more governments towards the development of new institutional arrangements for adequate health care for injecting drug users, reaching out to marginalized groups, including prisoners, regardless of their nationality or residential status.

The international community has still a long way to go before real progress can be made in the prevention of the drugs-and crime related HIV epidemic. The world's public opinion resembles that of Europe and the USA during the first cholera epidemic of 1832. The infected drugs users like before the patients of cholera are made the scapegoats of their own, environmentally induced misery. Majority support is not yet available for an evidence-based, public health approach to the problem, reaching out with adequate medical and social care to the groups most at risk, rather than discriminating against them. However, when awareness will grow of the seriousness of the current epidemic in Asia and Eastern Europe in particular, and of the subsequent danger of spreads of the virus among the middle classes in the West, a shift in public opinion is likely to occur. More and more opinion leaders will then speak out in favour of politically controversial but much more cost-effective approaches than the current model. A radical shift in public opinion took place in all major Western countries with the arrival of the second cholera epidemic of 1849. The first signs of a drugs-related HIV epidemic in Western Europe imported from the East, might well trigger a similar, fear-induced but eminently sensible response now.

Many beautiful words have been written about the need for global governance to give globalization a social dimension (ILO, 2004). If the scenario suggested above becomes reality, not those high-minded proposals but fear of HIV and related contagious diseases will act as catalyst of institutional arrangements of care for some of the most marginalized and disenfranchised groups in our times. The dreadful HIV epidemic , or other epidemics such as Avian flu, may so, surprisingly and paradoxically, become once again the driving force behind new policies of social inclusion. Countries may soon be forced to accept legal harmonization and global solidarity to an extent unimaginable in the current political climate, not because of interdependencies in international trade but because of the transmission of dangerous viruses among the very poor.

In conclusion, globalization processes have eroded political support for policies of social inclusion, notwithstanding its proven effectiveness in reducing crime. Globalization processes are creating interdependencies in the security domain, including the transnational transmission of HIV and other
blood-borne or air-borne diseases. **The world may soon witness a renaissance of crime prevention approaches driven by concerns about HIV and other global security concerns.** The knowledge base on what works in crime prevention may soon be very much in demand. ICPC as the United Nations specialized agency on crime prevention is well-placed to play a catalyzing role in its worldwide promotion (all emphasis added).

His analysis would seem very accurate in its description of the present tend toward repression, and hopefully also in the potential for real change. Given that Estonia is now facing the very HIV pan epidemic that he is using as an example; his analysis gains even more force here in Estonia.

Estonia will probably continue to move toward more repression since it is the direction implicitly outlined in its National Security Plan and explicitly in the Bangkok declaration. It is not likely that any Estonian political party is ready to promote crime prevention beyond vague slogans. However the crisis that Van Dijk mentions is already upon Estonia.

Perhaps Estonia will be one of the first of the EU countries to move to providing the crime prevention resources necessary for the real institutionalization. It is clear that Jan Van Dijk and the UN Guidelines of 2002 argue that such a political will is necessary for real deeds and not just words.

Today crime prevention is like the weather in Estonia which is often overcast and cool. However Estonia also has its own brief summer, so we can hope that it will be a leader in the realization of the promise of urban crime prevention and social inclusion. Only time, and our efforts to create the future we wish, will tell whether or not Van Dijk has valid reasons for hope.

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