

[National Laws](#)

Legislation of Interpol member states on sexual offences against children

Estonia - Estonie - Estonia

Tallinn

The information on this page is up to date as of spring 2006

I. Ages for legal purposes

Age of simple majority

The legal age of majority is eighteen (18) years. In context of different laws and legal activities the age when a person becomes fully responsible for his actions and the age of criminal responsibility is provided differently.

Age of consent for sexual activity

The legal age of consent for sexual activity is fourteen (14) years.

Age of consent for marriage

The age of consent for marriage is according to Family Law Act sec. 3 following:

1. A person who has attained eighteen (18) years of age is of age to marry.
2. A minor between fifteen (15) and eighteen (18) years of age may marry with the written consent of his or her parents or guardian.
3. If a child has one parent or other parent is declared to be missing or without active legal capacity or if one parent is deprived of parental rights, the consent of one parent is sufficient for the minor between fifteen (15) and eighteen (18) years of age to marry.
4. If even one of the parents or a
5. guardian does not consent to the marriage, a court may grant permission to marry on the application of one parent or the guardianship authority. A court shall grant permission to marry if the marriage is in the interests of the minor.

II. Rape

Estonian Penal Code, § 141. Rape

1. *Sexual intercourse with a person against his or her will by using force or taking advantage of a situation in which the person is not capable of initiating resistance or comprehending the situation is punishable by 1 to 5 years' imprisonment.*
2. *The same act, if:*
 1. *committed against a person of less than 18 years of age;*
 2. *committed by two or more persons;*
3. *serious damage is thereby caused to the health of the victim;*
4. *it causes the death of the victim;*
5. *it leads the victim to suicide or a suicide attempt, or*
6. *committed by a person who has previously committed rape, is punishable by 6 to 15 years' imprisonment.*

§ 142. Satisfaction of sexual desire by violence

1. *Involving a person against his or her will in satisfaction of sexual desire in a manner other than sexual intercourse by using force or taking advantage of a situation in which the person is not capable of initiating resistance or comprehending the situation is punishable by up to 3 years' imprisonment.*
2. *The same act, if committed against a person of less than 18 years of age, is punishable by up to 5 years' imprisonment.*

§ 143. Compelling person to engage in sexual intercourse

1. *Sexual intercourse with a person against his or her will by taking advantage of the dependency of the victim from the offender but without using force or outside a situation where the person was not capable of initiating resistance or comprehending the situation as provided for in § 141 of this Code, is punishable by up to 3 years' imprisonment.*
2. *The same act, if committed against a person of less than 18 years of age, is punishable by up to 5 years' imprisonment.*

§ 144. Sexual intercourse with descendant

A parent, a person with the rights of a parent, or a grandparent, who engages in sexual intercourse with his or her child or grandchild shall be punished by up to 3 years' imprisonment.

III. Other forms of child sex abuse

§ 145. Sexual intercourse with child

An adult person who engages in sexual intercourse with a person of less than 14 years of age shall be punished by up to 3 years' imprisonment.

§ 146. Satisfaction of sexual desire with child

An adult person who involves a person of less than 14 years of age in satisfaction of sexual desire in a manner other than sexual intercourse shall be punished by up to 2 years' imprisonment.

§ 147. Inability of person of less than 10 years to comprehend

Within the meaning of the offences provided for in this Division, a person is deemed to be incapable to comprehend if he or she is less than 10 years of age.

IV. Child prostitution

§ 175. Disposing minors to engage in prostitution

A person who by inducement, threat or any other act influences a person of less than 18 years of age in order to cause him or her to commence or continue prostitution, but the act does not have the necessary elements of an offence provided for in § 133 or 143 of this Code, shall be punished by a pecuniary punishment or up to 3 years' imprisonment.

§ 176. Aiding prostitution involving minors

- 1. Aiding prostitution involving a person of less than 18 years of age by mediation, provision of premises or in any other manner is punishable by a pecuniary punishment or up to 5 years' imprisonment. (12.06.2002 entered into force 01.09.2002 - RT I 2002, 56, 350)*
- 2. The same act, if committed by a legal person, is punishable by a pecuniary punishment.*
- 3. For an offence provided for in this section, a court may impose a fine to the extent of assets as a supplementary punishment pursuant to § 53 of this Code.*

V. Child pornography

§ 177. Use of minors in manufacture of pornographic works

1. *Use of a person of less than 18 years of age as a model or actor in the manufacture of a pornographic or erotic picture, film or other work is punishable by a pecuniary punishment or up to one year of imprisonment.*
2. *The same act, if committed by a legal person, is punishable by a pecuniary punishment.*

§ 178. Manufacture of works involving child pornography or making child pornography available

1. *A person who manufactures, stores, hands over, displays or makes available in any other manner pictures, writings or other works or reproductions of works depicting a person of less than 14 years of age in erotic or pornographic situations shall be punished by a pecuniary punishment or up to one year of imprisonment.*
2. *The same act, if committed by a legal person, is punishable by a pecuniary punishment.*

§ 179. Sexual enticement of children

1. *A person who hands over, displays or makes otherwise knowingly available pornographic works or reproductions thereof to a person of less than 14 years of age, engages in sexual intercourse in the presence of such person or knowingly sexually entices such person in any other manner shall be punished by a pecuniary punishment or up to one year of imprisonment.*
2. *The same act, if committed by a legal person, is punishable by a pecuniary punishment.*

VI. Internet

The Estonian Penal Code covers Internet facilitated crimes against children through § 177 and § 178.