



G R E T A

Group of Experts on Action
against Trafficking in Human Beings

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Questionnaire for the evaluation of the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by the Parties

Third evaluation round

**Thematic focus: Access to justice and effective remedies for
victims of trafficking in human beings**

Replies should be sent to: Trafficking@coe.int

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Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings ("the Convention"), GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

The first round of monitoring of the Convention provided an overview of its implementation by State Parties. The second evaluation round of the Convention examined the impact of legislative, policy and practical measures on the prevention of trafficking in human beings (THB), the protection of the rights of victims of trafficking, and the prosecution of traffickers, paying particular attention to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking.

GRETA has decided that the third evaluation round of the Convention will focus on trafficking victims' **access to justice and effective remedies**, which is essential for victims' rehabilitation and reinstatement of rights and reflects a victim-centred and human-rights based approach to the fight against human trafficking. A number of provisions of the Convention establishing substantive and procedural obligations are relevant to this topic. Moreover, victims of trafficking, by virtue of their status as victims of human rights violations, are entitled to effective remedies under the European Convention on Human Rights. Access to justice and effective remedies must be guaranteed, in a gender- and age-sensitive manner, to all victims of trafficking subject to the jurisdiction of State Parties, irrespective of their immigration status or presence on the national territory and notwithstanding their capacity or willingness to co-operate in any criminal investigation.

Access to justice and effective remedies is contingent on the fulfilment of a number of preconditions, including prompt and accurate identification of victims of trafficking, the provision of a recovery and reflection period, the availability of material, psychological, medical and legal assistance, regularisation of the victim's stay, the right to seek and enjoy asylum, and the application of the principle of *non-refoulement*. These preconditions, corresponding to different provisions of the Convention, have been examined at length during the first and second evaluation rounds of monitoring of the Convention. Consequently, GRETA has decided to ask each State Party for an update on the implementation of GRETA's previous recommendations on selected topics, through a separate country-specific part of the questionnaire, rather than including once again questions related to the same provisions in the general questionnaire for the third evaluation round.

States Parties are requested to transmit to GRETA a reply to this questionnaire **within four months** from the date it was sent. The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's second evaluation report. States Parties should provide links, copies or extracts of relevant legislation, regulations, national action plans and case law mentioned in the reply to the questionnaire, in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.

Part I - Access to justice and effective remedies

1. Right to information (Articles 12 and 15)

1.1 How, at what stage and by whom are presumed victims and victims of THB informed of their rights, the relevant judicial and administrative proceedings, and the legal possibilities for obtaining compensation and other remedies, in a language that they can understand? Please provide copies of any information materials developed to inform victims of THB, including any materials specifically developed for child victims, in the languages in which they exist.

Basic information about general victim rights is provided here in an easily understandable language: <https://www.justdigi.ee/kuritegevus-ja-selle-ennetus/ohvrite-toetamine/kuriteoohvrite-oigused>. Victim's information sheet in several languages (est, eng, rus), English version: https://www.justdigi.ee/sites/default/files/documents/2024-11/Kuriteoohvri_infoleht_11_2024_ENG.pdf.

Special information about THB victimization is described here: <https://www.sotsiaalkindlustusamet.ee/inimkaubandus> (available in Estonian, Russian and English) and <https://www.palunabi.ee/et/inimkaubandus> (available in Estonian, Russian and English).

More specially about working rights to prevent THB: <https://rights.justdigi.ee/en> (available in Estonian, Russian and English).

These aforementioned pages describe first-hand information about what a person needs, if there is a doubt that he/she is a victim of THB. Detailed flows and description of the roles of the authorities in contact with possible victims are given in the national referral mechanism (NREM) (<https://heyzone.com/flip-book/e2d2b7423a.html>), which is not yet available in English. Earlier of NREM general procedures were in use, which were described in the national guidelines of referral and victim assistance: https://www.justdigi.ee/sites/default/files/documents/2021-08/inimkaubanduse_juhis_2019.pdf.

By the authorities getting into touch with victims there are also its own procedures described in guidance set for the authority.

1) In **Social Insurance Board (SiB)** there is an internal guideline for the THB Victim Support Service for giving guidance for service provision and processes. Presumed and identified victims are informed through immediate, needs-based counselling delivered by SiB THB victim support head specialists. The informing is client-centred, trauma-informed and rights-based.

Information is provided via: telephone counselling +372 6607 320 (primary channel for initial contact and trust-building); e-mail counselling (response time max 24 hours); online counselling (Teams preferred; other platforms if needed); in-person counselling (by appointment; at least two days per week possibility in Tallinn, Paldiski mnt 80; can be arranged also in other SiB offices / Police and Border Guard Board buildings all over Estonia).

The presumed or identified victim must be counselled without delay: (the victim must be counselled immediately), except when additional time is needed to verify information with other institutions. Information on rights and options is provided at: first contact / initial counselling (telephone, e-mail, web, or in person) for presumed victims and other callers. Upon engagement with the THB support service (including when a suspected THB situation triggers risk assessment and service decision-making). During the full support and case management process, including through cooperation with Police and Border Guard Board / prosecutor and other partners, and when preparing actions for remedies/claims.

Victims are informed about their rights primarily by SiB THB Victim Support Service head specialist, who performs THB victim identification support, counselling, risk assessment, and case management.

The on-duty head specialist operates under a weekly duty roster and responds to referrals/alerts (including

from Police and Border Guard Board and other agencies).

The head specialist: conducts needs assessment and initial risk assessment; informs the victim of their rights and further assistance options.

Victims can be informed in languages they understand through: counselling available in Estonian, Russian and English; translation/interpreting organised as part of the THB victim service (OAS §24 includes arranging translation to enable assistance) - For unique languages, finding a translation service is a longer process, but basic information can be exchanged and shared initially via AI and/or translation apps. Counselling can be anonymous if needed and is confidential.

- 2) In the **Police and Border Guard Board** victims are informed about their rights in the investigative procedures and also there is a special service for the migration matters and there is a special e-mail address for the notifications about THB. Migration advice service is for foreigners about legal information about immigration, work requirements for third country nationals and also information about their legal statuses in Estonia. Such advice is given in Estonian, English or Russian language. The counselling is given by phone +372 612 3500 (M – F 9AM to 3PM), e-mail, Facebook, Teams or face or face meetings. Also, migration advisers are arranging every year information sessions for foreigners and their employers online and as physical meetings. Counselling and information provision include explanation of victim rights and available assistance/services; guidance on administrative and judicial options, including how to file complaints/applications; assistance in contacts with police/prosecutor, labour authorities, courts, bailiffs, etc.; arranging interpretation/translation as necessary for access to support.
- 3) **The Labour Inspectorate** offers free advice on matters related to labour relations and the working environment to employees (including third-country nationals), and any other individual or entity who seeks consultation from the authority. Among other labour law matters, the consultation is given on recourse to the Labour Dispute Committee, as well as court. Cases involving administrative procedure are referred to the department of supervision or to other competent authorities. When potential cases of labour exploitation or human trafficking are discovered, the information is shared with the Victim Support Unit of the Social Insurance Board and the Police and Border Guard. Advice is provided generally by phone or email in Estonian, Russian and English languages.

1.2 How is the obligation to provide translation and interpretation services, when appropriate, met at different stages of the legal and administrative proceedings by different agencies?

The person has the right to understand the procedures happening to him/her and obligation to provide translation and interpretation services is regulated in several acts. In the practice in the criminal and civil procedures the assistance of an interpreter or translator is used, but also other communication and translation possibilities are used, like Google Translate, Webgate, etc.

In the Code of Criminal Procedure § 10 (<https://www.riigiteataja.ee/en/eli/529122025005/consolide>) is regulating the language question in criminal proceedings as such:

§ 10. Language of criminal proceedings

(1) The language of criminal proceedings is Estonian. With the consent of the proceedings authority, of the parties to proceedings and of the parties to judicial proceedings, criminal proceedings may also be conducted in another language, provided the authority and the parties concerned are proficient in that language.

(2) Suspects, accused, victims, civil defendants and third parties who are not proficient in the Estonian language are provided with the assistance of an interpreter or translator. Should there be doubt, the proceedings authority ascertains the knowledge of Estonian possessed by the person concerned. If it is not possible to ascertain a person's knowledge of Estonian, or if such knowledge turns out to be insufficient, the person is provided with the assistance of an interpreter or translator.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

(21) If the suspect or accused is not proficient in the Estonian language, they are, on their application or on an application of their defence counsel, provided with the assistance of an interpreter at a meeting with the defence counsel that is directly related to the procedural operation that is being performed with respect to the suspect or accused, or to an application or complaint to be made or to an appeal to be filed. If the proceedings authority finds that the assistance of an interpreter or translator is not necessary, it states its refusal by means of a corresponding order.

[RT I, 04.10.2013, 3 - entry into force 27.10.2013]

(3) All documents whose inclusion in the criminal file or court file is applied for must be in the Estonian language or must have an Estonian translation. Documents that, in criminal proceedings that have been terminated, were issued by an investigative authority or the Prosecutor's Office in another language are translated into Estonian if the Prosecutor's Office so directs or if a party to proceedings files a corresponding application.

[RT I, 23.02.2011, 1 - entry into force 01.09.2011]

(4) On an application of a party to judicial proceedings, a text in a language other than Estonian may be included in the record of the trial or hearing. In such a case, a translation of the text into the Estonian language is annexed to the record.

(5) If the suspect or accused is not proficient in the Estonian language, they are provided with a translation, into their native language or a language in which they are proficient, of the text, or at least the part of the text that is essential for understanding the substance of the suspicion or of the charges, or for ensuring the fairness of proceedings, of the report on the arrest of the person concerned as a suspect, of the order committing that person in custody, of the European arrest warrant, of the statement of charges and of the judgment rendered in their case.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

(6) If the suspect or accused is not proficient in the Estonian language, they or their defence counsel may make a reasoned application for the translation, into their native tongue or into another language in which they are proficient, of a document that is essential for the purposes of understanding the substance of the suspicion or charges in the criminal case or for ensuring the fairness of proceedings. If the proceedings authority finds that such an application is not justified either in its entirety or in part, it states its refusal by means of an order.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

(61) If an individual victim is not proficient in the Estonian language, they may, within ten days, apply to be provided with a translation, into their native language or a language in which they are proficient, of a text that is essential for the purposes of understanding the substance of the order by which criminal proceedings in the case were terminated, or of the judgment rendered, or for the purposes of ensuring the fairness of proceedings. An individual victim may also apply to be provided with a translation of other documents essential for ensuring their procedural rights. If the proceedings authority finds that the application is not justified, it states its refusal by means of an order.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

(7) In the stead of a written translation of the documents listed in subsections 5–61 of this section, a sight translation of such documents may be provided or the documents may be summarised orally, if:

- 1) this does not affect the fairness of proceedings; or
- 2) the suspect or accused, having been informed of the consequences of waiving a written translation of the documents listed in subsections 5 and 6 of this section, has filed, in a form reproducible in writing, a statement waiving such a translation, or a record of such a statement has been made by another method.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

(8) Interpretation is provided to the suspect or accused without delay, whereas written translations of documents are provided to them within a reasonable time such that this does not have an adverse impact on the exercise of their right of defence.

[RT I, 04.10.2013, 3 - entry into force 27.10.2013]

(9) A person may contest a refusal to provide a translation or the provision of a partial translation under this section according to the provisions of §§ 228 or 229 or following Chapter 15 of this Code.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

(10) Where a translation of a procedural document is provided to a person under this section, the time

limits for any complaints or appeals in respect of the document are calculated as of receipt of the translation.

[RT I, 06.01.2016, 5 - entry into force 16.01.2016]

In the Code of Civil Procedure (<https://www.riigiteataja.ee/en/eli/510042025001/consolide>) chapter 5 regulates the language in court proceedings as such:

§ 32. Working language of the court

(1) Judicial proceedings and clerical business at the court are conducted in the Estonian language.

(2) The record of proceedings at the trial or hearing and at any other procedural operation is kept in the Estonian language. The court may, where this is needed for accurate rendition of the testimony or statement given at the trial or hearing in a foreign language, in addition to their translation into the Estonian language, also incorporate them in the record in the language in which they were given.
[RT I 2008, 59, 330 – entry into force 01.01.2009]

(3) Under paragraph 2 of Article 57 of Regulation (EU) No 1215/2012 of the European Parliament and of the Council on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (OJ L 351, 20.12.2012, p. 1–32), the Republic of Estonia accepts translations of forms into the English language.

[RT I, 31.12.2014, 1 – entry into force 10.01.2015]

§ 33. Foreign-language documents in judicial proceedings

(1) Where the court claim, petition, motion, application, appeal or objection that a party to proceedings has filed with the court is not in the Estonian language, the court requires the person who filed the document to provide its Estonian translation by the due date set by the court. Where an item of documentary evidence that has been produced to the court by a party to proceedings is not in the Estonian language, the court requires the person who produced the item to provide its Estonian translation by the due date set by the court unless translation of the item is unreasonable considering its substance or volume and the other parties to proceedings do not object to accepting the evidence in a language other than Estonian.

(2) The court may require a translation made by a sworn translator to be provided or caution the translator regarding the liability that attaches to a knowingly false translation.
[RT I, 23.12.2013, 1 – entry into force 01.01.2020]

(3) If the translation is not filed by the due date, the court may disregard the court claim, petition, motion, application, appeal, objection or item of documentary evidence.

(4) The court arranges translation of a judicial disposition into a foreign language for a party to proceedings strictly where the party so requests and provided the party does not have a representative in the proceedings and has been granted financial aid for bearing translation costs. To a person mentioned in subsection 4 of § 34 of this Code, the court arranges translation of the judicial disposition on the Republic of Estonia's account regardless of whether the person has a representative or has been granted financial aid.

[RT I 2008, 59, 330 – entry into force 01.01.2009]

(5) The translation, into the English or French language, of a request lodged under § 6811 of this Code with the European Court of Human Rights and the translation of the Court's disposition concerning the request into Estonian is arranged by the Supreme Court on the state's account.
[RT I, 26.06.2017, 17 – entry into force 06.07.2017, subsection 5 is applied from the day of entry into force, in respect of Estonia, of Protocol 16 to the European Convention on the Protection of Human Rights and Fundamental Freedoms.]

§ 34. Participation of interpreter or translator in proceedings

(1) Where a party to proceedings is not proficient in the Estonian language and does not have a representative in the proceedings, the court, where this is possible, enlists the assistance of an interpreter or translator in the proceedings on a motion of the party or of its own motion. The enlisting of such assistance is not required if the party's representations are understandable for the court and for the other parties to proceedings.

[RT I 2008, 59, 330 – entry into force 01.01.2009]

(2) Where it is not possible for the court to enlist the assistance of an interpreter or translator without delay, the court makes an order by which it directs the party to proceedings who needs the interpreter or translator to secure, within the period determined by the court, the assistance of an interpreter or translator – or of a representative who has sufficient knowledge of Estonian. Failure to comply with the requirement does not preclude the court from disposing of the case. Where the person who does not comply is the claimant, the court may dismiss the court claim.

(3) Before the interpreter or translator proceeds to interpret or translate in the proceedings, they are cautioned regarding the liability that attaches to false interpretation or translation, and the interpreter or translator signs the relevant acknowledgment.

[RT I, 23.12.2013, 1 – entry into force 01.01.2014]

(4) The assistance of an interpreter or translator must be ensured in proceedings for placing a person in a secure institution and in proceedings for establishing a legal guardianship for a person.

[RT I 2008, 59, 330 – entry into force 01.01.2009]

(5) No interpreter or translator is enlisted in the proceedings for a party's contractual representative or adviser.

[RT I 2008, 59, 330 – entry into force 01.01.2009]

§ 35. Enlisting the assistance of an interpreter or translator for a deaf, mute or deaf-mute party to proceedings

Where a party to proceedings is a deaf, mute or deaf-mute person, the course of the proceedings is relayed to them in writing, or the assistance of an interpreter or translator is enlisted in the proceedings.

§ 36. Oath and signed acknowledgement of a person not proficient in the Estonian language

(1) A person who is not proficient in the Estonian language pronounces the oath or provides signed acknowledgement of having been cautioned of their liability in a language in which they are proficient.

(2) Signed acknowledgement is provided on the Estonian-language text of the oath or caution that is translated to the person at first hand before they sign.

Victims of THB who are assisted in SIB can be informed in languages they understand through: counselling available in Estonian, Russian and English; translation/interpreting organised as part of the THB victim service (OAS/VSA §24, point 10 includes arranging translation to enable assistance) as such:

Human Trafficking Victims Service

§ 24. Purpose and content of human trafficking victims service

(1) The purpose of the human trafficking victims service is to contribute to the development of the victim's sense of security, physical and psychosocial recovery and to prevent re-victimisation.

(2) The human trafficking victims service includes the following:

- 1) readiness to provide 24-hour primary psychosocial support to the victim;
- 2) assessment of a victim's need for support in order to decide on the need and volume of the service;
- 3) implementation of case management where a victim needs long-term and comprehensive support in order to achieve independent coping;
- 4) counselling of a victim and ensuring psychosocial support;
- 5) 24-hour safe temporary accommodation;
- 6) catering and other necessary material assistance;
- 7) organisation of access to necessary health services;
- 8) psychological counselling or psychotherapy;
- 9) legal aid;
- 10) organisation of translation services for enabling the support specified in this subsection.

In the Labour Inspectorate the translation need arises the most in relation to the labour disputes and in the Labour Dispute Resolution Act (<https://www.riigiteataja.ee/en/eli/ee/502122020006/consolide/current>) the procedure for the resolution of a labour dispute at the Labour Dispute Committee says about the interpretation and translation

possibilities following:

§ 13¹. Working language

(1) Proceedings, including record-keeping, shall take place in Estonian. With the consent of the parties and members of the labour dispute committee, a session of the labour dispute committee may also be held in another language.

(2) A party to proceedings may withdraw their consent referred to in subsection 1 of this section at any given time if the party to proceedings finds that their language proficiency is not sufficient for resolving the dispute.

(3) If a party does not have command of Estonian or they do not have a representative in the proceedings who has command of Estonian and also in cases when they require the assistance of a sign language interpreter, they are required to find an interpreter for the session of the labour dispute committee. If the party fails to find an interpreter for a good reason or the interpreter is unable to attend the session, the labour dispute committee may postpone the resolution of the dispute.

(4) The labour dispute committee does not compensate for any expenses related to interpretation. [RT I, 24.11.2020, 1 – entry into force 04.12.2020].

The Labour Inspectorate is required to use an interpreter in misdemeanour proceedings. In other respects, the Labour Inspectorate, as an administrative authority, follows Section 20 of the Administrative Procedure Act, according to which the language of administrative proceedings is Estonian. A foreign language may be used in cases provided for by law, as well as where the official and the party to the proceedings agree on the use of a foreign language. When accepting documents in a foreign language, Section 12 of the Language Act applies, meaning that the Labour Inspectorate has the right to require the person who submits the document to submit the translation of the document into Estonian.

The Administrative Procedure Act (<https://www.riigiteataja.ee/en/eli/ee/505122023003/consolide/current>) regulates the administrative procedure to the extent where the administrative procedure is not regulated by a special legal act.

§ 20. Language of administrative proceedings

(1) The language of administrative proceedings shall be Estonian.

(2) Foreign languages shall be used in administrative proceedings pursuant to the procedure provided for in the Language Act.

§ 21. Translators and interpreters

(1) If a participant in proceedings or his or her representative does not know the language of the proceedings, an interpreter or translator shall be involved in the proceedings at the request of the participant in the proceedings.

(2) A participant in proceedings who applies for the involvement of an interpreter or translator shall bear the costs of involvement of the interpreter or translator, unless otherwise provided by an Act or regulation or unless an administrative authority resolves otherwise. The administrative authority may establish a condition that the right granted to the person by an administrative decision does not arise before the costs of involvement of the interpreter or translator are paid.

Code of Misdemeanour Procedure (<https://www.riigiteataja.ee/en/eli/ee/501082025007/consolide/current>) lays down the rules of out-of-court procedure and of procedure before the courts in misdemeanour cases as well as the rules concerning enforcement of sanctions or sentences imposed for misdemeanours. Unless otherwise provided for by Code of Misdemeanour Procedure, the provisions of criminal procedure apply in misdemeanour procedure, without prejudice to rules special to misdemeanour procedure.

§ 24. Experts and interpreters or translators

(1) Experts participate in misdemeanour proceedings and recuse themselves or are recused on the grounds provided by, and following the rules of, criminal procedure.

(2) In out-of-court proceedings, interpreters or translators are enlisted to participate in a procedural operation on an application of the party to proceedings or of the witness; an interpreter or translator is

enlisted to participate in judicial proceedings whenever necessary. Interpreters or translators recuse themselves or are recused on the grounds provided by, and following the rules of, criminal procedure. [RT I, 14.02.2014, 1 - entry into force 24.02.2014].

[Tallinn Migration Centre](https://www.tallinn.ee/en/randekeskus/interpretation-service) offers in the biggest local authority, Tallinn, services to migrated people. Interpretation service is provided free of charge (both oral and written translation) to needs-based support to new immigrants, people with diverse linguistic and cultural backgrounds, and returnees aged 18+ living in Tallinn, in solving and preventing social problems. The condition for ordering interpretation services is a vital necessity, primarily related to the health sector (e.g., appointments with family doctor or specialist doctor), employment sector, and/or legal matters (e.g., resolving disputes arising from employment relationships or tenancy agreements, or court cases), counselling, or any other justified circumstance essential for supporting self-sufficiency, at the discretion of a staff member of the Tallinn Migration Centre. The service is funded from the resources allocated under the Minister of Culture's Directive No. 24 of 26 January 2023 "Support to Local Governments in Providing Integration, Including Adaptation, Services" through ESF+ supported activities. More information can be found on the following website: <https://www.tallinn.ee/en/randekeskus/interpretation-service>.

2. Legal assistance and free legal aid (Article 15)

2.1 How, by whom and from what moment is legal assistance provided to victims of trafficking? How is legal assistance provided to children?

Legal assistance to victims, incl children can be provided through state legal aid provided by State Funded Legal-Aid Act: <https://www.riigiteataja.ee/en/eli/501082025006/consolide>.

In addition to that State funds contracts which provide first-hand legal aid to the people in need, there are three contracts funded by the Ministry of Justice and Digital Affairs:

- The Estonian Lawyers Association NGO manage the legal aid portal Jurist Aitab (<https://www.juristaitab.ee/et>) and the NGO's lawyers will answer legal questions in both Estonian and Russian under the heading "Ask a Lawyer". All previously submitted questions and the corresponding answers are also available on the website.
- NGO Estonian Chamber of People with Disabilities (<https://epikoda.ee/tegevusvaldkonnad/noustamine/oigusnoustamine/>) – free legal advice for people with special needs
- SA Legal Services Office – information days for legal aid for the elderly (<https://www.justdigi.ee/kohtud-ja-oigusteenuused/oigusabi/tasuta-oigusnou-eakatele>).

Additionally, the Ministry of Justice and Digital Affairs has developed a legal information chatbot that provides answers based on Estonian laws and national regulations. Its purpose is to make legal information more accessible and offer clear, initial guidance on legal questions. The chatbot is free for everyone and is available at www.juristaitab.ee.

Judicial aid is as one component of services to victims of THB provided by the Victim Support Act § 24 <https://www.riigiteataja.ee/en/eli/503042023004/consolide>:

(2) The human trafficking victims service includes the following:

- 1) readiness to provide 24-hour primary psychosocial support to the victim;
- 2) assessment of a victim's need for support in order to decide on the need and volume of the service;
- 3) implementation of case management where a victim needs long-term and comprehensive support in order to achieve independent coping;
- 4) counselling of a victim and ensuring psychosocial support;
- 5) 24-hour safe temporary accommodation;
- 6) catering and other necessary material assistance;
- 7) organisation of access to necessary health services;
- 8) psychological counselling or psychotherapy;
- 9) legal aid;
- 10) organisation of translation services for enabling the support specified in this subsection.

Legal aid as part of the victim services to THB victim is provided by SIB and its partners based on their eligibility for the service and need. It is important to add that the service will be provided accordingly until the need for assistance ceases Victim Support Act § 24 (3).

The Acts both include children as possible users of the Legal Aid.

2.2 Do all presumed victims of THB have access to legal assistance, irrespective of immigration status or type of exploitation?

Yes, they have.

According to Victim Support Act § 24 (4) Where the Social Insurance Board or the Labour Inspectorate has a suspicion that a person is a victim of human trafficking, the services specified in subsection 2 of this section may be provided to the person for up to 14 calendar days until the receipt of confirmation from the Police and Border Guard Board or the prosecutor's office.

Also is important to underline that Victim Support Act § 24 states importance of risk assessment and assessment of a victim's need for support in order to decide on the need and volume of the service.

2.3 What are the conditions for access to free legal aid for victims of THB, including children? For which types of proceedings is free legal aid available? Is free legal aid available to help victims claim compensation and execute compensation orders? Please provide the text of the relevant provisions.

Conditions of the State Legal Aid is regulated in the State Legal Aid Act, also described thoroughly for applicants here: [Õigusabi | Justiits- ja Digiministeerium](#). The links to the acts itself are provided in the earlier response, point 2.1.

Briefly, free legal aid for victims of trafficking in human beings, including children, is available in Estonia through several mechanisms.

First, legal assistance can be provided under the State Funded Legal Aid Act.

Secondly, legal aid is one of the services provided to victims of trafficking in human beings under § 24 of the Victim Support Act. According to this provision, the service for victims of trafficking includes, among other things, legal aid alongside other support measures such as psychosocial counselling, safe accommodation, access to healthcare services, and translation services.

Legal aid is available in various types of proceedings, including for the protection of victims' rights and for claiming compensation, also for execution of compensation orders.

In addition, the state funds first-hand legal assistance through contracts. The Ministry of Justice and Digital Affairs supports, for example, the "Jurist Aitab" portal, where lawyers answer legal questions in Estonian and Russian, and where all previously submitted questions and answers are also available. Furthermore, a legal information chatbot has been developed, which provides answers based on Estonian laws and national regulations. Its aim is to make legal information more accessible and to offer clear initial guidance on legal matters.

2.4 Are there lawyers specialised to provide legal aid and represent victims of THB in court? What regulations, if any, are applicable to the provision of such legal aid/representation?

In Estonia, victims of THB may receive legal aid and representation through the state legal aid system. State legal aid is regulated by the State Legal Aid Act. There are no lawyers exclusively designated for THB victims; however, victims may be represented by attorneys who are members of the Estonian Bar Association and who participate in the state legal aid scheme.

State legal aid is granted by the court, prosecutor, or investigative authority depending on the state of the proceedings. Once legal aid is granted, a lawyer is appointed by the Estonian Bar Association through an electronic allocation system among advocates who participate in the state legal aid scheme. The system distributes cases among attorneys who have agreed to provide state legal aid services. Only sworn advocates and assistant advocates who are members of the Bar Association may provide such representation. The appointed lawyer provides legal advice and representation in criminal proceedings, including before the courts.

2.5 How is the provision of legal assistance and free legal aid for victims of THB funded? Do victims have to pay a fee to obtain legal assistance or start a procedure, or are there other financial barriers in

place? If yes, please specify the amount(s).

The legal assistance for victims of THB is primarily provided through the state legal aid system regulated by the State Legal Aid Act. The system is funded by the state budget.

Victims of THB who are granted state legal aid do not have to pay a fee for legal assistance or representation, the same applies for the legal services offered as part of the victim support services described earlier.

3. Compensation from the perpetrators (Article 15)

3.1 What measures are in place to enable courts to award compensation to victims of THB, including children, from the perpetrators as part of criminal proceedings? What is the role of prosecutors in this respect?

Victims of human trafficking can file during the criminal proceeding a civil lawsuit for compensation of damages caused to them, and the prosecutor's office always supports the awarding of the amounts claimed from the traffickers. If the traffickers have assets from which is possible to satisfy the claims for damages, the prosecutor's office always requests the seizure of the assets to preserve these assets.

3.2 How is the amount of compensation calculated and are there specific criteria or models for calculating it? What types of injury/damage and costs are covered? Are there any circumstances/conditions that would lead to a reduction of the amount of compensation?

In the criminal proceedings victims can claim compensation from the traffickers for both material and non-material (moral) harm, which may also be related to health damage caused by the crime. There is no specific formula or model for calculating the exact amount of compensation; as a rule, the same principles apply as for severe crimes against the person.

3.3 How are compensation orders/verdicts enforced? What measures are in place to guarantee and ensure effective payment of compensation?

The system can be complicated for the victims to enforce verdicts of compensation. If the court awards compensation, the convicted person must pay it after the judgment enters into force. If he does not do this, the victim should contact the bailiff to claim for the convicted person to pay the compensation decided by the court. In the cases of compensation order to enforce practice shows that the victim usually does not undertake this process themselves, because it is complicated and as a rule, the victim might not have the money for this proceeding as well. In some of the ongoing proceedings Social Insurance Board and Prosecutors Office are supporting victims to go further with their compensation claims against traffickers on the side of the criminal proceeding and as well after they are finished.

In the State Legal Aid Act it is also stated that § 17 (3) in the case of continuity of state-funded legal aid a person who has been granted State-funded legal aid in judicial proceedings as a party to proceedings has a right to receive such aid also in proceedings regarding an appeal against an order or judgment in the same case or in compulsory enforcement proceedings.

Should the perpetrator fail to pay the compensation awarded by the court, it is possible to initiate enforcement proceedings. There are no specific rules governing the enforcement of such cases; however, there are a few exceptions to the general rules. For example, an advance payment towards enforcement costs is not required from a natural person who files for enforcement of a judgment rendered in criminal proceedings that grants compensation for harm caused by a criminal offence. Enforcement officers may also apply stricter measures when seizing the debtor's assets.

3.4 When foreign victims of THB are removed from or choose to leave the country where the exploitation took place, what measures are in place to enable them to obtain compensation and other

remedies?

Employment Contracts Act (ECA) § 22 (2) point 2 provides that an employer is obliged to pay wages for work under the conditions and at the time agreed on. According to ECA § 33(4) an employer shall transfer an employee's wages and other remuneration to the bank account indicated by the employee, unless agreed otherwise. Thus, the employer is obliged to transfer the wages to the indicated bank account of the employer regardless of where the bank account is open (e.g. in the country of residence or nationality of the employee). In addition, Aliens Act § 286¹ (1) obliges an employer to pay expenses which are related to the sending of the remuneration to a foreigner who has worked illegally and has returned or been removed.

If the compensation is awarded by a court and is not paid voluntarily, the victim may initiate enforcement proceedings in Estonia. There is no obligation to participate in the enforcement proceedings in person, so the case will continue even if the victim is outside the country.

One case example: The victim left the Republic of Estonia before the criminal case reached the court. He had not been appointed a representative, but in joint cooperation with the SIB team, the prosecutor's office and the police, the victim's lawsuit was filed. The lawsuit and the accusation reached the court in general proceedings. This means that the lawsuit would have been defended in court by the prosecutor and if the lawsuit was satisfied, everything would have happened similarly to point 3.3 - either voluntary compliance with the judgment or initiation of enforcement proceedings. Before the preliminary hearing, the defence attorney began to want an agreement. The condition became that the damage must be compensated. The amount claimed in the lawsuit was paid to the prosecutor's office's deposit account. After the judgment entered into force, the prosecutor's office transferred the amount to the bank account given to the victim, which was located in a foreign country. In other words, if the victim has left the country, this is not an obstacle to receiving compensation. It is important that the court makes a ruling and the perpetrator is ready to compensate it. You can then choose between two options: the money will go through the prosecutor's office or directly to the victim or a third party. But this will only work if the perpetrator complies with the judgment. If they do not, it depends on the circumstances whether or not to start enforcement proceedings. In this example case, for example, enforcement proceedings would have been pointless, since the perpetrator himself was also a foreign citizen, and in that case, it is rather unlikely that 1,000 euros will be recovered through enforcement proceedings.

3.5 What procedures are in place to ensure effective access to compensation for victims of THB for the purpose of labour exploitation? Can such victims bring civil claims for compensation and/or recovery of unpaid wages and social contributions on the basis of tort, labour, employment or other laws? Please specify the relevant measures. Can victims of THB working in irregular employment or without a contract claim unpaid wages and other compensation and if yes, how is the amount of unpaid wages and other compensation established?

The employee can file a claim for unpaid wages or other monetary claims arising from the employment relationship (annual leave pay and compensation for unused leave, claim for damages, various benefits related to the termination of the employment relationship, bonuses, etc.) by turning to court or to the Labour Dispute Committee (extrajudicial authority within the Labour Inspectorate). The claims are presented in gross amount, which includes taxes and payments that the employer is required to pay and withhold. If parties have not concluded a written employment contract, then the employee must request the establishment of an employment relationship together with other claims. Working without a written agreement or in an irregular employment does not impede the employee from claiming unpaid wages and/or other monetary claims. Moreover, the law foresees a legal presumption of an employment relationship, stating that a person that does work for another person which, under the circumstances, can be expected to be done only for remuneration, it is presumed to be an employment contract. Recourse to the Labour Dispute Committee is possible in case of an employment relationship, however, in the case where the person obligated to perform the work is to a significant extent independent in choosing the manner, time and place of performance of the work, i.e. in case of a civil contract (a contractual relationship other than an employment contract), the person performing the work can solely turn to court

for the resolution of a dispute.

Recourse to the Labour Dispute Committee is exempt from state fees and the petition is generally reviewed within 45 calendar days. A Labour Dispute Committee resolves labour disputes through ordinary proceedings, written proceedings, or conciliation proceedings. Written proceedings can only be used for settling monetary claims (up to 6400 euros). The chairman of the Labour Dispute Committee decides if a matter should be resolved through written proceedings. A labour dispute is heard in the presence of the parties or their representatives. When resolving a case, the parties to the dispute may authorise someone to represent them (who doesn't have to be a lawyer). The parties can participate in the Labour Dispute Committee sessions through virtual channels by submitting a request to the Labour Dispute Committee prior to the session. This means that a party to a labour dispute does not have to appear in person at the session but can participate remotely. The party needs a laptop or a desktop computer, camera, microphone, and a stable internet connection to participate in the session virtually.

If a petitioner fails to appear at the Labour Dispute Committee session without a good reason, the chairman of the Labour Dispute Committee will terminate the labour dispute proceedings. Once the proceedings are terminated, a petitioner can no longer file the same claim against the same party before a Labour Dispute Committee, unless a petitioner files a reasoned request for the reopening of the labour dispute proceedings within 14 calendar days after the circumstance preventing the attendance in a session ceases to exist, the chairman of the Labour Dispute Committee will issue a ruling reopening the proceedings in the labour dispute. An exception is provided for instances when a party to the proceedings is a foreign national who has worked in Estonia illegally and has been expelled or is going to be expelled from Estonia by the time the labour dispute is heard. If an individual fails to appear at a Labour Dispute Committee session under these circumstances, the labour dispute is heard in their absence even if the foreign national is the petitioner.

A decision of the Labour Dispute Committee which has entered into force is binding on the parties. A decision of the Labour Dispute Committee can be enforced after the entry into force thereof, unless the decision is subject to immediate enforcement. At the request of a party, the Labour Dispute Committee may declare a decision ordering payment of wages to be subject to immediate enforcement to the extent essential for the employee but not exceeding the extent of two months' wages. At the request of a party or an administrative authority concerned, the chairman or secretary of the Labour Dispute Committee shall add to the decision a notation on entry into force and if the employer does not comply with the decision, the employee may turn to an Enforcement Agent for initiating an enforcement procedure.

3.6 What training is provided to build the capacity of relevant professionals, such as lawyers, law enforcement officers, prosecutors and judges, to enable victims of THB to obtain compensation and other remedies? There is at least one two-day training that is conducted annually and all relevant professionals can participate. Usually around 100-120 persons attend each year. Since 2022 two EU ISF co-funded projects have made it possible to involve a much larger share of specialists and leaders both from public and private sector into THB trainings on different levels and topics (from introductory to higher level co-operation trainings, going more into depth in different specialised topics related to THB).

In 2022-2025 40 training events were organised with a total of 1,338 unique participants ().

- 20 half-day introductory trainings on human trafficking held across Estonia
- 7 regional cooperation trainings for specialists working with human trafficking cases
- A national cooperation seminar on sexual exploitation
- 7 trainings for trainers from Estonian agencies dealing with human trafficking cases
- 4 training events on human trafficking for education sector staff
- 2 human-trafficking-themed trainings for representatives of hotel and restaurant businesses

In frame of the ISF project training materials on human trafficking were developed for various target groups.

- Mondo's Migration School [course on human trafficking](#) for school students, along with lesson plans on the topic (in Estonian).
- An [online course on abuse and human trafficking](#) for hotel and restaurant staff, in Estonian, English and Russian (the RUS version is not accessible at the moment due to technical problems).
- An introductory e-course for specialists in the Digital State Academy titled "[What Is Human Trafficking?](#)" (in Estonian)
- Updated materials for specialists working with human trafficking cases, including refreshed language editing and design (in Estonian).

4. State compensation (Article 15)

4.1 Do the eligibility criteria for State compensation schemes for victims of crimes exclude some victims of THB (e.g. due to irregular residence status, nationality, nature of the offence)? Does access to State compensation depend on the outcome of the criminal case and on failure to obtain compensation from the offenders?

State pay compensation for crime victims, incl THB victims by the Victims Support Act from state budget when:

- 1) The crime took place on the territory of the Republic of Estonia, and victim is Estonian citizen. If victim is foreigner, then must be a legal basis for staying in Estonia.
- 2) Victim reported the crime within 15 days of the crime, and criminal proceedings have been initiated in the case.
- 3) Victim is willing to fully cooperate with the relevant law enforcement agency to find out the circumstances related to the crime and the criminal.
- 4) The victim is eligible for State compensation if victim has suffered serious physical injuries because of a violent crime, (for the purposes of the Victim Support Act § 35 (1), a violent crime is a criminal offence committed directly against a person's life or health, resulting in the victim's death or serious health damage. Under Estonian Penal law § 118, serious health damage means damage to health that has caused a life-threatening condition, a serious physical illness, a serious mental disorder, a miscarriage, a permanently disfiguring injury to the face, or the loss of or cessation of the function of an organ, and the event affects victim's mental health, and as a result, victim has also suffered material damage. The connection between severe health damage and violent crime is evaluated by an expert physician of the Social Insurance Board.

Crime victim compensation can help to cover: the victim's treatment costs (appointment fees, rehabilitation, medicines, travel costs to and from the treatment facility, and other costs related to the restoration of physical and mental health); the victim's glasses, aids, and other personal items that were destroyed or damaged during the crime; loss of income for the victim and the victim's caregiver, who nurses the victim based on a certificate for care leave.

5) Under § 36 (2)(4) of the Victim Support Act (Ohvriabi seadus § 36 lg 2 p 4), a foreign national is entitled to compensation under the conditions set out in subsection 1 if he or she is a victim of trafficking in human beings or a sexually abused child, irrespective of whether he or she has a legal basis for staying in Estonia. Accordingly, victims of trafficking in human beings are guaranteed access to State compensation and are not excluded on the ground of irregular residence status.

6) Access to State compensation does not depend on the outcome of the criminal case. The existence of an offender and the circumstances related to compensation by the offender may affect the duration of the proceedings, since under § 48 (1) of the Victim Support Act, the Social Insurance Board may postpone deciding on the granting of compensation until the county court has made its decision if the applicant's right to obtain compensation from the person who caused the damage through the violent offence is unclear, or if it is evident that the person who caused the damage through the violent offence will compensate that damage. Under § 53 of the Victim Support Act, after compensation has been paid, the

recipient's claim for damages against the person who caused the damage through the violent offence is transferred to the State to the extent of the compensation paid.

Double compensation is excluded under Estonian law. Pursuant to § 44 (3) of the Victim Support Act, the amount paid by the offender to the entitled person before the granting of State compensation, as well as compensation paid due to temporary incapacity for work or compensation received from another source, is deducted from the State compensation.

4.2 How is the amount of State compensation calculated so as to address the gravity of the harm endured by the victim?

State compensation covers the victim's treatment costs, including appointment fees, rehabilitation, medicines, travel costs to and from the treatment facility, and other costs related to the restoration of physical and mental health; it also covers the victim's glasses, aids, and other personal items that were destroyed or damaged during the crime, as well as loss of income for the victim and the victim's caregiver who nurses the victim on the basis of a certificate for care leave. These costs are compensated on the basis of proven and documented expenses.

4.3 Is it possible for foreign victims of trafficking to submit claims for State compensation in your country after being returned or repatriated to their countries of origin? Please provide examples of any such cases and indicate the measures stipulating such a possibility.

If a foreign national is a victim of trafficking in human beings and the violent offence was committed in the territory of Estonia, victim is entitled to apply for State compensation irrespective of whether he or she has a legal basis for staying in Estonia. The application may be submitted online or by post to the Social Insurance Board, without the victim being physically present in Estonia, and must be filed within three years from the date of the violent offence.

4.4 Are victims seeking State compensation liable for lawyers' costs and fees? Are State compensation awards subject to taxation? Does the receipt of compensation have consequences for access to social security or other benefits?

Legal aid costs are not compensated under the crime victim compensation scheme; however, in Estonia it is possible to apply for State-funded legal aid under the conditions laid down in the State Legal Aid Act. State compensation awards are not subject to income tax (§ 19(3)(8) of the Income Tax Act; (Tulumaksuseadus § 19 lg 3 p 8). The receipt of State compensation does not in itself preclude access to social security or other benefits. The legal consequences, if any, depend on the rules governing the specific benefit scheme. Under Estonian law, one-off payments made from the State or local government budget are not taken into account as income for the purposes of subsistence benefit.

5. Sanctions and measures (Article 23)

5.1 Please describe the legislative and other measures adopted by your country which allow to: i) confiscate or otherwise deprive perpetrators of the proceeds of criminal offences, or property of an equivalent value to those proceeds; and ii) identify, trace, freeze or seize rapidly property which is liable to confiscation, in order to facilitate the enforcement of a later confiscation. Do these measures allow the identification, tracing and seizure of property into which the proceeds of illicit activities have been converted?

The Penal Code allows for the confiscation of proceeds obtained through criminal offences and property of equivalent value. Confiscation may cover assets obtained directly through the offence as well as the property acquired using such proceeds. Where confiscation is not possible, the court may order substitute

confiscation by requiring the convicted person to pay a sum of money corresponding to the value of the property subject to confiscation. Substitute confiscation is applied for example when the proceeds of crime have been destroyed, consumed, concealed, transformed, or transferred to a third party and their actual confiscation is therefore not possible.

In addition, extended confiscation may be applied, including in cases of THB, where the lawful origin of the property cannot be established. This allows for the confiscation of assets that are not directly linked to a specific criminal offence but whose origin is clearly disproportionate to the person's lawful income.

The Code of Criminal Procedure allows for property to be seized already at the pre-trial stage in order to ensure all types of confiscation or civil claims. Seizure may cover movable and immovable property, financial assets, as well as property into which criminal proceeds have been converted or which has been transferred to third parties. Where necessary, investigative measures and cooperation with financial institutions are used, including within the framework of anti-money laundering and counter-terrorist financing mechanisms.

5.2 In what way do victims of THB benefit from seized and confiscated assets of perpetrators of THB? Do the confiscated assets go directly to victims, to a compensation fund or scheme for victims of trafficking or to other programmes for the assistance or support of victims of THB? Please provide information on seizures and confiscations of assets in THB cases and how they were used.

Victims (including those of THB) have the right to submit a civil claim within criminal proceedings for compensation for both patrimonial and non-patrimonial damage.

The seizure and confiscation of assets directly support the enforcement of compensation awarded by the court. As a general rule, confiscated assets are transferred to state revenues. However, in the case of confiscation, the rights of third persons remain in force. This means that state shall pay compensation to third persons from the confiscated assets.

One case law was given in earlier point 3.4, but in the last five years there haven't been any claims of the victims to the harm done by traffickers.

5.3 Is it possible to use plea bargaining or some other form of settlement in cases of THB? If yes, please provide the relevant provisions. What protections are in place for victims of THB to ensure that their right of access to justice and effective remedies is not compromised by the plea bargaining or settlement in the legal process?

In criminal cases of THB it is possible to apply plea agreement procedure according to the law, but only with the consent of the victims. The person makes the decision after receiving appropriate counselling, during which the procedures and consequences are explained to them. Section 239(2) of the Code of Criminal Procedure states that the plea agreement procedure is not used if the victim does not consent to the use of this procedure. Section 38 (1) (9) of the same Code states that the victim has a right to consent to the use of the plea agreement procedure or refuse such consent, state their opinion concerning the charges and the sentence, as well as the quantum of harm mentioned in the charges and the civil court claim.

Consequently, the rights and interests of victims are fully secured - the plea agreement can take place only with victim's consent and only in case if the damages are fully compensated, provided that the traffickers agree with the victim's claim for damages and the court awards this damage in favour of the victim.

5.4 What is the average duration of court proceedings in THB cases? In which circumstances are such cases given priority? Do you have a system to fast-track human trafficking-related prosecutions in order to improve the trial process and reduce the burden on victims and witnesses, including children? What safeguards are in place to ensure that judges deal with cases of THB without undue delay?

The average duration of first instance court proceedings in THB cases in 2021-2025 is 125 days (7 cases

total).

There are no specific deadlines in Code of Criminal Procedure for THB proceedings, but we can say that the judicial hearing of such criminal cases is carried out quickly enough. Namely, according to § 268 (2) of the Criminal Code, based on the schedule of trials, the court must find an opportunity to concurrently try a criminal case sent to court under regular rules of procedure in the case, committal in custody has been imposed in respect of the accused as a compliance enforcement measure and the court deems it necessary to maintain the measure. As a rule, the traffickers in THB cases are taken into custody, so it is automatically a guarantee of speedy proceeding.

In addition, it is also appropriate to note that according to § 274¹ (1), where judicial proceedings have been conducted in a criminal case for at least nine months and the court does not, without a valid reason, perform a procedural operation that is required, and – among other things – does not, at the proper time, schedule the trial in order to ensure that judicial proceedings can be completed within a reasonable time – or if it is clear that the time allocated for trial is not such as to permit the case to be tried without interruptions – a party, usually public prosecutor, to judicial proceedings may make a motion to the court to take measures appropriate to speeding up the completion of judicial proceedings.

There are special rules for interviewing or examining an underage witness - the proceedings authority may require a child protection official, social worker, teacher or psychologist to be present when it is interviewing or examining an underage witness.

It is mandatory to do so:

- if the witness is younger than 10 years of age and interviews or examination may have a harmful effect on the minor's mental well-being;
- the witness is younger than 14 years of age and the interview or examination relates to domestic violence or to sexual abuse;
- the witness has a speech or sensory impairment or an intellectual disability or suffers from mental disorders.

Where this is needed, the interview of the minor is video recorded. In cases listed above, the interview with the minor is video recorded if – because the minor's first-hand examination in court is not possible due to the minor's age or the minor's mental state – the intention is to use that interview as evidence in judicial proceedings.

This way the underage victims or ones with some kind of disability are protected from the stress of court proceedings.

5.5 How do you ensure that sanctions for THB offences are effective, proportionate and dissuasive?

6. Ex parte and ex officio applications (Article 27)

6.1 What is the procedural position of a victim of THB in criminal proceedings? What steps are taken to assist victims of THB, including children, to enable their rights, interests and views to be presented and considered during the criminal proceedings against offenders? Who is entitled to assist victims of THB in court? Can victims of THB be represented by NGOs in criminal proceedings?

All victims of THB have the status of a victim in criminal proceedings and have all the rights of a victim stipulated in the Code of Criminal Procedure.

Under the provisions of the Code of Criminal Procedure, victims have a right to have one person chosen by themselves accompany them at any procedural operation, unless the proceedings authority has refused

this, stating its reasons.

According to § 37² of the same Code the proceeding authority is obligated to assess whether any circumstances are present that amount to a reasonable cause to believe that the individual victim requires special treatment and protection – including victim support services – in the proceedings. The assessment takes into consideration the victim's personality, the gravity and nature of the criminal offence, who the suspect is, the circumstances in which the criminal offence was committed and the harm caused to the victim. Any minor victims are presumed to require special treatment and protection in criminal proceedings. As a result of the assessment, a decision is made concerning which of the means provided for by this Code for ensuring the safety of the victim it is possible to employ, as well as whether the interview with the victim should be conducted in premises adapted for their special needs or by, or with the participation of, a specialist trained to interview victims with special protection needs or, if possible, by the same person throughout the proceedings or whether a victim who has special needs may require victim support services.

According to the § 7 (1) of the Victim Support Act, where in criminal proceedings, it is established that a victim has a need for special treatment and protection, the body conducting proceedings transmits the data relating to them to the Social Insurance Board for victim support as soon as possible.

The Code of Criminal Procedure provides a right of a victim to have a representative. If the court finds it likely that, without the assistance of an attorney, a victim's, material interests would remain unprotected, the court may, of its own motion, decide to grant State-funded legal aid to the person concerned on the grounds and following the rules prescribed in the State-Funded Legal Aid Act. As a rule, victims are represented in court by lawyers appointed under the state legal aid procedure. The representative of the Victim Support can also be present during the court hearings, but they are not entitled to officially assist victims during cross-examination.

6.2 If the authorities fail to discharge their obligation to effectively investigate and prosecute suspected cases of trafficking, what possibilities for redress exist for victims of THB and their families? To what extent have victims of trafficking, including children, access to complaint mechanisms, such as Ombudsman institutions and other national human rights institutions?

Victims have the right turn to Chancellor of Justice: <https://www.oiguskantsler.ee/en/contacts/application-chancellor-justice> and to human rights institutions: [Keskus - Eesti Inimõiguste Keskus](#).

If the victim find that legislation is not in conformity with the Constitution or other laws, he/she has the right of recourse to the Chancellor of Justice to review the conformity of an Act or other legislation of general application with the Constitution or the law.

As mentioned before, THB victims are guaranteed a wide range of rights, one of them is right of appeal - both in case of failure to initiate criminal proceedings as well as in case of termination of criminal proceedings. Victims are also guaranteed a right of appeal and a right of cassation in court proceedings.

In Estonia, everybody has a right to contact the Chancellor of Justice, who is also Ombudsman for Children. The institution of the Chancellor of Justice has high credibility in Estonian society.

6.3 What reporting and complaint mechanisms are in place for victims of trafficking who are in an irregular migration situation and/or in detention?

EU Regulation 2024/1356 (Screening Regulation) which enters into force on 12 June 2026 establishes a pre-entry screening process for third country nationals who are apprehended in connection with an unauthorised crossing of the external border or who stay illegally within the territory of the Member States and who have not been subjected to the screening at the external border. Screening Regulation provides for a specific preliminary vulnerability check to identify inter alia possible victims of trafficking. All activities undertaken by Estonia in implementing the Screening Regulation will be monitored by the Chancellor of Justice.

The Chancellor of Justice regularly inspects the detention centre for illegally staying foreigners. In addition, all international and non-governmental organisations and bodies have the possibility to visit the detention

centre or contact the detainees.

6.4 Can victims of THB bring claims against the State or its officials for: i) direct involvement in THB; ii) failure to prevent THB or protect them from THB? Have there been cases where State agents or persons acting on behalf, or at the direction, of the State were found responsible for engagement in THB and/or failure to prevent it or protect victims from THB by third parties? Please provide information on any prosecutions against diplomatic and consular staff for alleged involvement in THB.

No cases, but the right to bring claim exists.

i) Under Estonian law, THB is criminalised under Sections 133 and 133¹ of the Penal Code and taking advantage of an official position constitutes an aggravating circumstance in both offences. Estonian law does not provide any exemption from criminal liability for public officials, i.e. where an official has engaged in conduct amounting to THB or support to THB, that person may be prosecuted under the Penal Code on the same basis as any other perpetrator.

ii) As regards failure to prevent THB or to protect victims from THB, the State Liability Act provides the bases of and procedure for the protection and restoration of rights violated upon the exercise of powers of public authority and performance of other public duties and compensation for damage caused. Under this act, a person may request that the state, a local government, another legal person in public law or another person performing public duties on a public law basis outside of relationships of subordination (a public authority):

- 1) repeal an administrative act;
- 2) terminate a continuing measure;
- 3) refrain from issuing an administrative act or taking a measure;
- 4) issue an administrative act or take a measure;
- 5) compensate for damage caused;
- 6) return a thing or money received without legal basis in a public law relationship.

A person whose rights are violated by the unlawful activities of a public authority in a public law relationship may claim compensation for damage caused to the person if damage could not be prevented and cannot be eliminated by the protection or restoration of rights in the manner provided for in §§ 3, 4 and 6 of the State Liability Act (by repealing of administrative act, termination of measure, or by issuing of administrative act or taking of measure). Compensation for damage caused by an omission may be claimed only if an administrative act is not issued in due time or a measure is not taken in due time and the rights of a person are violated thereby. More precise information can be found here: <https://www.riigiteataja.ee/en/eli/ee/516052025004/consolide/current>

Additionally, pursuant to the Code of Criminal Procedure, the victim may file an appeal with the Prosecutor's Office against a decision refusing to commence criminal proceedings, made on the grounds provided by subsections 1 or 2 of § 199 (Circumstances precluding criminal proceedings named specifically in those subsections) of the Code of Criminal Procedure. The victim may also file an appeal with the Office of the Prosecutor General against termination of criminal proceedings or denial, by the Prosecutor's Office, of an appeal against a decision refusing to commence criminal proceedings. Both appeals may be filed within ten days. The Prosecutor's Office resolves the appeal against a decision refusing to commence criminal proceedings within fifteen days following its receipt. The Office of the Prosecutor General resolves the appeal against termination of criminal proceedings or denial, by the Prosecutor's Office, of an appeal against a decision refusing to commence criminal proceedings within one month following its receipt. The Prosecutor's Office or the Office of the Prosecutor General issues a substantiated order concerning denial of the appeal and sends a copy of the order to the appellant. Where an appeal is denied by an order of the Office of the Prosecutor General, the person who filed the appeal may, acting through an attorney,

contest the order before the circuit court of appeal within one month following receipt of a copy of that order. More precise information can be found here: <https://www.riiqiteataja.ee/en/eli/ee/529122025005/consolide/current>

There have been no cases where State agents or persons acting on behalf, or at the direction, of the State were found responsible for engagement in THB and/or failure to prevent it or protect victims from THB by third parties. As for information on any prosecutions against diplomatic and consular staff for alleged involvement in THB, no such cases have been identified in Estonia.

6.5 What steps have been taken to strengthen and maintain the capacity of prosecutors to effectively prosecute trafficking cases? The Prosecutors Office provides THB prosecutors with regular different kinds of domestic and foreign training to ensure that the prosecution service is highly qualified and can stand for justice and rights of victims. The THB prosecutors have been actively involved in the annual THB trainings for specialists that focuses on different timely topics each year. In addition to that since 2022 at least 15 persons from the Prosecutors' Office have been participating in the different THB specialised trainings organised in frame of the EU co-funded ISF projects. Most of them have participated several times during the year and also in different roles – as participants, as trainers or presenters and also course developers.

7. Non-punishment provision (Article 26)

7.1 Please indicate what measures are taken to ensure that victims of THB, including children, are not punished for their involvement in unlawful activities (criminal, civil, administrative offences), to the extent they were compelled to do so, providing any concrete examples of their implementation.

There is no specific provision in Criminal Code or no specific examples of this in Estonian specifically about trafficking crimes in case law, but it is possible to use Section 29 of the Penal Code as a circumstance that excludes unlawfulness (aforementioned reason explains why there is no such case law in Estonia as the question of the guilt of victims of THB has usually never been brought to the court table). Namely, an act is not unlawful if a person commits it by eliminating an immediate or imminent threat and the instrument chosen by the person is necessary for eliminating the threat and the protected interest is probably more important than the interest to be damaged.

Such a risk could probably occur in the case of victims of human trafficking, that the victim behaves in a state of distress if, for example, he or she is forced to steal under the threat of murder or any other severe harm. However, this should be assessed on a case-by-case basis, considering all the circumstances.

Furthermore, Section 80 of the Penal Code provides that if an offender is seriously injured as a result of committing a criminal offence punishable by imprisonment for a term of up to five years, the court may release the person from the punishment. According to Section 61 of the Penal Code, the court also has the opportunity to apply the punishment below the minimum rate provided by law, considering exceptional circumstances (and being a victim of THB certainly qualifies as such).

It is also possible to terminate proceedings on the basis of Section 205 of the Code of Criminal Procedure if the person subject to proceedings has made a significant contribution to ascertaining the circumstances of another criminal offence important from the point of view of public interest in proceedings and if without it the discovery of this criminal offence and the taking of evidence would have been precluded or significantly complicated. This basis for the proceedings is suitable for terminating proceedings against the victim of human trafficking if the victim contributes significantly with his or her testimony to the handling of a criminal offence concerning trafficking in human beings.

7.2 Can persons who have breached national laws in the course, or as a consequence, of being trafficked have access to remedies for victims of trafficking, including State compensation?

Under Estonian law, access to State compensation is excluded if the victim has been convicted of intentionally committing a violent offence or of intentionally participating in activities related to a criminal organisation under §§ 255(1) or 256(1) of the Penal Code. Accordingly, exclusion is linked to intentional

offending and not to conduct committed under coercion.

8. Protection of victims and witnesses (Articles 28 and 30)

8.1 How are victims of THB protected in practice against potential retaliation or intimidation before, during and after legal proceedings? How is the assessment of the needs for protection performed and who recommends the application of the protection measures? Who is responsible of the implementation of the protection measures?

Assessment of the needs are done by the specialists of state institutions (like police, prosecutors office, social insurance board, labour inspectorate, etc.) who get into contact with possible THB victims. If the possible victims are sent to the service provider, Social Insurance Board, then they use a victim identification protocol and other formal written procedures to guide proactive victim identification and assessment of the needs. As stated earlier, then Victim Support Act § 24 specifically lists the components of these services. In addition, if needed, THB victims can benefit from general victim support services. Services are provided according to the victim's needs, vulnerability, and risks - it is important to evaluate them and involve the victim in all stages of assistance. SIB as well asks victims for feedback on services, but a unified feedback system is still in the development phase at the victim's assistance department. The biggest challenge in helping victims is the cooperation between specialists and their understanding of each other's roles. This means that no specialist work with a case is a separate activity, but rather these activities are intertwined, and the victim must be informed and treated in a trauma-aware manner in this process. Victim Identification protocol is part of the guidelines of referral and assistance to victims (Inimkaubanduse juhised 2019 downloadable here: https://www.justdigi.ee/sites/default/files/documents/2021-08/inimkaubanduse_juhised_2019.pdf) and it is based on the ILO indicators. Newer guidance is described in the NREM The National Referral Mechanism: https://www.justdigi.ee/sites/default/files/documents/2026-04/RSM_EST_0.pdf (NRM) is a comprehensive framework for cooperation through which the state protects the rights of victims of human trafficking. As a result of the NRM, each party (police, labour inspectorate, prosecutor's office, social insurance board, etc.) knows exactly its role and responsibility. It also thoroughly regulates the rules for cooperation between agencies in the process of identifying and assisting victims of human trafficking. The main goal of the NRM is also to refer victims to the necessary services and coordinate cooperation procedures in this. For supporting the implementation of NREM regional cooperation trainings were done with simulation cases and one simulation training carried out for the main contact persons.

Victims of THB are to a certain extent even better protected than victims of ordinary crime (they are guaranteed Victim Assistance support, various services under the Victim Assistance Act, and they also have the possibility of a representative under the state legal aid procedure).

The Penal Code provides for criminal liability for threatening and influencing the victim. Cross-examination is possible in court with various protective measures - behind a screen, via video, etc. There is also an institute for witness protection, but so far there has been no need to use it in THB proceedings.

Protection in practice relies on a combined approach:

- Immediate safety-focused response (incl. duty/on-call readiness and rapid action with Police Border Guard Police and other authorities),
- Structured risk and needs assessment by the THB head specialist,
- Access to protective support services, notably safe temporary accommodation (24/7) and psychosocial support,
- Network-based case handling (National Referral Mechanism / RSM) ensuring coordinated actions and clarity of roles,
- Confidentiality/anonymity and secure service delivery arrangements to reduce exposure and

intimidation risks,

- Ongoing case management, including during cooperation with law enforcement and proceedings.

Protection-relevant measures and practices:

- Before proceedings / at first contact (presumed victims)

Immediate counselling ("client must be counselled immediately") with attention to whether the conversation can be held safely (notably for phone/remote counselling where the victim's environment cannot be seen; the specialist must assess whether it is safe to proceed).

Initial security risk assessment and action plan: the head specialist "assesses initial security risks, prepares an action plan to mitigate risks and informs the victim of rights and further support options."

Confidentiality and possibility of anonymity: callers (victims, professionals) may remain anonymous; counselling is confidential.

Protective service provision before formal confirmation: under OAS §24(4), if SiB (or Labour Inspectorate) suspects THB, SiB may provide the THB service package (incl. protective support) for up to 14 calendar days pending confirmation from Police Border Guard Board /prosecutor.

- During proceedings (when cooperating with police/prosecution and other authorities)

Cooperation with Police and Border Guard Board and prosecutors is integrated: the head specialist is on duty roster and must be ready to respond to PPA calls regarding presumed victims and support through processes .

Police assessment of risks as part of referral content and emphasises that the police may identify risks such as violence, surveillance, isolation, threats, forced criminality, etc., which directly informs protective measures.

The service provides safe temporary accommodation (24/7), material support, translation, health and psychological services, and legal aid (OAS §24(2)), which in practice reduces dependency on exploiters and the victim's exposure.

- After proceedings / longer-term (re-victimisation prevention and stabilisation)

The service's general aim is to ensure victims' physical and psychosocial recovery and prevent re-victimisation.

Support continues until the need ends (OAS §24(3)).

Case management is applied where the victim needs longer-term, multi-dimensional assistance to achieve independent coping.

SiB THB head specialist recommends and decides on service-based protective measures (e.g., safe accommodation, psychosocial support, translation, case management) based on risk/needs assessment and the victim's situation.

Police and Border Guard Board/prosecutor recommend/require measures within their competence (e.g., procedural safeguards; risk assessment elements).

Labour Inspectorate provides legal and procedural guidance and practical help, in particular in labour exploitation contexts (and, as relevant, other THB forms) in cooperation with SiB THB specialists in providing guidance and assistance with:

- Labour Dispute Committee (LDC) applications (template referenced);
- collecting and preparing evidence (e.g., chats, payslips/bank statements, working hours records; translations of evidence into Estonian when needed);
- information on statutory time limits for claims (e.g., unpaid wages up to 3 years; certain allowances within shorter limits);

if needed, further steps:

- Court complaint following LDC decision; application to a bailiff to enforce a decision (including guidance on cost recovery from the opposing party).

Labour Inspectorate also acts on reporting THB and involvement in criminal proceedings when there is sufficient basis to suspect THB, the service may prepare and transmit a THB notice to Police and Border Guard Board (thb.info@politsei.ee) and the state prosecutor contact. This is part of the national referral

mechanism cooperation and supports initiation/coordination of criminal proceedings where applicable.

Implementing of protection measures is shared according to role and competence, and is enabled by the network cooperation framework (RSM).

8.2 How do you ensure that victims are provided with realistic and practical information about the progress of the case and whether the perpetrator has been detained or released?

Estonian authorities provide THB victims with general information about criminal procedure and with personal counselling. There is always constant communication with Victim Support as well as with the investigator and even with the prosecutor, if necessary.

According to the Section 38 (5) Code of Criminal Procedure a victim has a right to receive information concerning the committal in custody of a person suspected of the criminal offence, to apply to be notified of the release of the person committed in custody, in the event this poses a threat – except if communication of such information would cause harm to the suspect. A victim has also a right to apply to be notified of any premature release of the convicted offender or of their escape from the custodial institution, if the information may prevent a threat to the victim.

Assistance within the RSM cooperation network is framed to have for each actor a defined role and responsibility. In practice, SiB THB head specialists do not replace the investigative authorities in providing formal procedural information, but SiB within its mandate:

- explain to the victim what information can and cannot be shared by different authorities,
- facilitate contact and information flow through the competent case handlers (PBB/prosecutor), and
- translate procedural developments into practical safety planning for the victim.

This helps ensure information remains accurate (not speculative) and realistic (not promising outcomes or timelines that SiB cannot control).

RSM contains structured cooperation and communication routes with law enforcement and prosecution, including:

- agreed email channel for THB-related matters (thb.info@politsei.ee) and prosecutor involvement (copying the designated prosecutor address in formal communications);
- named contact persons in police (organised crime/THB investigators and migration supervision) and the prosecution service.

Through these established contact points, SiB can:

- clarify whether there are new risk factors (e.g., suspect release) that require changing the victim's safety plan,
- request/receive case-handling feedback within the cooperation framework

Practical communication with the victim in a language they understand. Counselling is provided in Estonian, Russian and English, and the service includes arranging interpretation/translation where needed (OAS §24 service content). RSM emphasises trauma-informed practice and explicitly notes that victims may have low trust and may refuse help; information must therefore be delivered clearly, respectfully, without overwhelming the victim, and in a way that supports autonomy.

This supports "realistic" case updates: victims are informed in understandable terms, with a focus on what is known, what is not known, and what the victim can do now.

8.3 How do you ensure respect for the victims' right to safety, privacy and confidentiality during court proceedings?

In Estonian court proceedings, the safety, privacy, and confidentiality of victims are ensured through several measures. The court may declare a hearing closed if a public hearing could endanger the victim's private life or safety. The victim's personal data are protected, and anonymisation is used where necessary. It is also possible to question the victim under special conditions, such as via video link or without direct contact with the accused. In cases involving minors and victims of sexual offences, additional protective measures are applied, including the involvement of specialists.

8.4 In how many cases were witness protection measures used for the protection of victims and witnesses of THB, including children? If witness protection measures/programmes are not applied to victims of trafficking, what are the reasons?

In Estonian proceedings, the safety of victims are ensured through several measures as described in the previous points. The solutions used in the proceedings are chosen by the needs of the victims and risk assessment done by the specialists. Witness protection measures by the Witness Protection Act: <https://www.riiqiteataja.ee/en/eli/530122013001/consolide>, haven't been used in practice for THB victims there has not been the need for them.

8.5 When victim protection is provided by NGOs, how are NGOs resourced and supported to perform this function and how do the police and the prosecution co-operate with NGOs?

Victim support services to THB victims are offered since May 2021 entirely by Social Insurance Board (SiB). Public procurement procedures ended with no suitable offer by NGOs who earlier offered services and then it was decided to organize all the services by the Board themselves. So, NGOs are no longer actively assisting THB victims.

In Estonia, the Social Insurance Board (SiB) is the state institution responsible for organising victim support services, including services for victims of trafficking in human beings (THB). Under the Victim Support Act (OAS), SiB may provide services itself or ensure service provision through non-state actors (including NGOs and private providers), while maintaining responsibility for organisation, accessibility and continuity of assistance. As described in the SiB THB Victim Support Service, all services for THB victims are coordinated, centrally organised and financed by SiB. This ensures predictable funding, uniform service standards and nationwide availability, regardless of the specific provider (state or non-state).

Since 2021, SiB provides a substantial part of THB victim support in-house (through SiB THB head specialists: identification support, counselling, case management, coordination), while purchasing specialised protection-related services from external partners via framework agreements and procurement (typically organised on a cyclical basis, e.g. every two years, to ensure competition and service quality).

This mixed model is explicitly designed to:

- ensure wider coverage and specialised competence,
- avoid reliance on a single provider/organisation,
- strengthen the THB support network and ensure broad institutional awareness across sectors.

8.6 How do you ensure that child victims of THB are treated in a child-sensitive way and are provided with protection before, during and after judicial proceedings in accordance with the Council of Europe Guidelines on Child Friendly Justice? Are interviews with children conducted in specially designated and adapted spaces by professionals trained to interview children? What measures are taken in order to ensure a limited number of interviews?

Code of Criminal Procedure [Code of Criminal Procedure–Riigi Teataja](#) set special rules for working with

child victims (§ 70, § 290, § 290-1). There is special site for children, their parents and specialist to get answers to the questions related to criminal proceedings: <https://lapsesobralikmenetlus.just.ee/et/spetsialistile-lapse-oigused-menetluses/lapse-oigused>.

For children there are special facilities for interviewing them in police and courts and specially designated trained people to work with them in criminal proceedings.

The Police and Border Guard Board (PBGB) has established a Guide to the Treatment of Children as an internal act. The aim of the Guide is to harmonise practice in police work with children, ensuring the best protection of children's legal interests in administrative and criminal proceedings. The Guide provides, among other things:

- The pre-trial procedure is fast and saves minors from stigmatisation. Contacts with the procedural authorities are minimum, repeated interrogations are avoided where possible.
- Interrogations and other procedures shall be carried out in an age- and development-appropriate manner, giving the minor the opportunity to be heard and informed. The child has the right to be accompanied by his/her legal representative during the interrogation. If necessary, specialists shall be involved in the procedural procedures.
- The interrogation of a minor shall be carried out by an investigator who has received special training for this purpose or in the presence of a specialist. Special knowledge is necessary to establish developmentally appropriate contact with the minor, to provide treatment that meets his/her special needs, to assess risks and needs, to increase the effectiveness of the interrogation and to ensure child-friendly treatment.

PBGB, together with prosecutors regularly organises training courses on fair interrogation for investigators.

Barnahus (a public service of Social Insurance Board) in Estonia addresses cases of child sexual abuse, including online exploitation, as well as cases involving harmful sexual behaviour. It also provides support to children suspected of being victims of trafficking, as trafficking offences against minors frequently involve child sexual abuse and appropriate assistance and support.

Barnahus service is regulated by the rule of the Minister of Social Affairs: <https://www.riigiteataja.ee/akt/128062022029> and one principle of the work of it is to ensure that limited number of interviews is done with vulnerable children.

In Estonia we have had only a few cases in which trafficking of children was suspected but not confirmed. Currently, one trafficking related case from 2025, is under investigation. The children involved have been offered the necessary support and/or therapy through Barnahus and/or local government child protection services. As Barnahus services are delivered in accordance with the Barnahus model and quality standards, all decisions are made jointly by a multidisciplinary team. This team includes child protection specialists, police investigators, prosecutors, forensic doctors, psychologists, and other professionals relevant to the specific case. For example, if a child victim of abuse or trafficking needs to be removed from their home or from an exploitative situation, the decision is made jointly by the police and the child protection specialist at the local government. There are no trafficking-specific shelters for children in Estonia; instead, local governments arrange safe accommodation for child victims on a case-by-case basis through existing child protection and victim support services. Various training sessions on human trafficking, as well as on the vulnerabilities of child trauma survivors, have been provided to the Barnahus team and to our cooperation partners.

9. Specialised authorities and co-ordinating bodies (Article 29)

9.1 What budget, staff and resources, including technical means, are put at the disposal of law enforcement bodies specialised in combating and investigating THB?

There are designated criminal investigators in all four regional police districts who also deal with THB cases. The first meeting of the police internal network is made 9. April 2026. In the Prosecutor's Office, there is a similar scheme: in each regional office, there is one prosecutor who also specializes in THB matters, and one prosecutor who coordinates the work of the designated prosecutors. This network mechanism (trained professionals, designated officials) is intended to increase the capacity of law enforcement to investigate THB crimes related to different forms of exploitation (labour, sexual, social fraud, forced criminality, forced begging, etc.). The budget for personnel and other resources comes from the state budget.

9.2 If your country has specialised units for financial investigations, financial intelligence units and asset and recovery units, please describe whether and how are they used in investigating and prosecuting THB cases. Which special investigation techniques do these units use? Which public and/or private bodies do these specialised financial investigation units co-operate with in relation to THB cases?

Estonian Police and Border Guard Board conducts investigations into criminal proceeds in all human trafficking cases. In recent years, there has been international police cooperation to obtain additional information about Revolut bank customers.

10. International co-operation (Article 32)

10.1 How does your country co-operate with other countries to enable victims of THB to realise their right to redress and compensation, including recovery and transfer of unpaid wages after they leave the country in which the exploitation occurred?

Case law in point 3.4 describes the possibility to get the claims after leaving the country. Every case is special and cooperation mechanism and techniques are question of discussion between parties of the proceeding, cooperation mechanisms and networks established for this are used (like Eurojust, network of Labour Directorates, etc.).

Payment of compensation to victims of a crime can be included in a court verdict, and in this case it does not matter in which country the victim is located.

In cross-border situations, SiB support typically includes:

- clear explanation the realistic timeline and procedural stages before the victim departs (e.g., labour dispute proceedings, court enforcement), so that the victim can make an informed decision about returning home.
- planning for how monetary redress will be received if a positive decision is obtained after departure (e.g., unpaid wages, compensation).
- Assistance to ensure the victim has practical means to receive payments, namely: the victim has an active bank account to which funds can be transferred; or the victim has an organisation/support entity in the home country that can assist with practical administration (e.g., support in opening an account and receiving transfers).

This approach is particularly relevant in cases of labour exploitation where the victim wishes to leave Estonia before a decision (e.g., Labour Dispute Committee / TVK decision) has become final or enforceable.

For unpaid wages and employment-related claims, SiB practice is to support victims in using the available

administrative and judicial channels, including:

- submitting claims to the Labour Dispute Committee (TVK),
- supporting evidence collection and documentation,
- and where necessary, proceeding to court and/or using a bailiff for enforcement.

If the victim leaves Estonia while proceedings are pending, the service ensures the victim understands:

- that the process may be lengthy,
- what outcomes are possible,
- and what the victim needs in place to receive funds once a decision is obtained (banking arrangements or support in the home country).

SiB THB Victim Support Service cooperates with:

- foreign embassies and consular services (incl. Estonia's Ministry of Foreign Affairs consular department and diplomatic missions),
- foreign NGOs and partner organisations when a victim is abroad or returning home (contacting NGOs/authorities abroad to enable assistance and return planning),

When a victim intends to return home before completion of wage/compensation processes, Estonia (through SiB case-management) does not encourage unrealistic expectations. Instead, the victim is provided with:

- realistic information about duration and constraints,
- options for continuing the process,
- and concrete arrangements for receiving any recovered amounts after departure.

The Labour Inspectorate cooperates closely with other Member States, especially neighbouring and nearby countries. Cooperation agreements have been concluded with the Baltic States, Norway, Finland and Poland. Within the framework of cooperation information is exchanged and, where necessary, joint actions are planned when cross-border labour violations (including labour exploitation) are identified. When it comes to unpaid wages then this is not within the supervisory competency of the Labour Inspectorate, i.e. to claim unpaid wages, the victim must still follow the procedure of turning to the Labour Dispute Committee or court (as explained in more detail under the question 3.5). When potential cases of cross-border labour exploitation arise and they concern unpaid wages, the Labour Inspectorate provides free legal consultation, i.e. clarifications on the Regulation (EU) No. 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels I), more specifically on the article 21, which regulates territorial jurisdiction in the case of employment contracts. Additionally, clarification is given on the preconditions that must be met in order to initiate a labour dispute in Estonia, how to turn to a Labour Dispute Committee, what are possible claims that can be filed, the time-limit for filing a specific claim etc. Such clarifications are, generally, given directly to employees that turn to the Labour Inspectorate for free consultation, as well as to other Member State's labour inspectorates. For example, such an exchange of information took place between the Labour Inspectorate of Estonia and another Member State's labour inspectorate in December 2025.

10.2 Has your country co-operated with other countries in the investigation and prosecution of THB cases through financial investigations and/or Joint Investigation Teams? Please provide statistics on such cases and examples from practice.

In recent years, there has been one Joint Investigation Team (JIT) with Romania, which resulted in a successful investigation and concluded with a court judgment in a human trafficking (THB) case.

There is also strong and ongoing cooperation with Eurojust, Frontex, Interpol, and Europol (on regular basis). This collaboration functions effectively even outside formal JIT structures, and information exchange takes place on a daily basis, including through bilateral exchanges.

10.3 How many mutual legal assistance requests and/or European Investigation Order have you made in THB cases and what was their outcome?

In 2025, the Prosecutor's Office issued three European Investigation Orders (EIOs) in human trafficking

(THB) cases, involving Germany, Lithuania, and Romania. These were related to ongoing criminal investigations. In addition, a Joint Investigation Team (JIT) with Romania was active during the same period. One suspect, a Romanian national, was extradited. No deportations have taken place.

10.4 What forms of international co-operation have proven to be particularly helpful in upholding the rights of victims of trafficking, including children, and prosecuting alleged traffickers?

In recent years, several cooperation projects have helped establish and strengthen contacts and have also been useful in investigations. For example, within the ELECT project, a dedicated roundtable with Finnish counterparts on cooperation in criminal matters took place in 2023. The project significantly improved cooperation with neighbouring countries, including Moldova, Ukraine, and Romania. It also enhanced information exchange at different levels and enabled regular discussions on emerging crime trends, which supported both preventive and reactive operational planning.

The ISF project *"Strengthening cooperation with third countries to enhance capacities for investigating human trafficking-related crimes"* has further supported operational cooperation.

Key activities under this project include:

- A study visit to Romania (7-9 April 2025), where Estonian police officials visited Romanian law enforcement agencies (police and prosecution) working on anti-human trafficking.
- An OSINT train-the-trainer course in Chişinău, Moldova (10-14 March 2025), where Estonian experts trained a total of 20 police and border guard officers from Ukraine and Moldova working in the field of combating human trafficking.
- OSINT advanced trainer training for law enforcement officers from Ukraine, Moldova, and Estonia (23–26 March 2026).
- Participation in Operation *Global Chain 2025*, an international anti-human trafficking week coordinated by Europol and Frontex, with involvement of third countries.

In addition, swift and effective investigation and prosecution of cross-border human trafficking cases is ensured through the use of European Investigation Orders (EIOs) and, where necessary, the formation of Joint Investigation Teams (JITs). These mechanisms enable fast and efficient exchange of information and evidence, making cooperation less burdensome and significantly improving the ability to collect relevant evidence and ensure that traffickers are brought to justice.

10.5 What international co-operation measures are in place to ensure protection and assistance to victims on return from your country to their countries of origin following their participation in criminal proceedings?

Estonian law enforcement authorities cooperate with third countries where possible, although police cooperation with some of them is more difficult or impossible (e.g. Russia). In some cases, we have facilitated the exchange of contacts with local cooperation partners.

If victims cannot return to their home country on their own due to lack of funds, then the return of victims to their home countries is usually supported by IOM.

10.6 What international co-operation measures are in place to protect and assist victims of THB for the purpose of sexual exploitation through online streaming where the perpetrator is a national or habitual resident of your country and elements of the crime have occurred in your country's jurisdiction?

Estonia actively exchanges information with Europol and took part in Global Chain operation 2025: <https://www.tooelu.ee/et/uudised/1504/eesti-politseiosales-ulatuslikus-inimkaubandusevastases-operatsioonis> and also plans to participate in the same operation in June 2026.

Law enforcement authorities are responsible for both investigating crimes and protecting and supporting

victims. In cooperation with other relevant institutions and organisations, we have increased public awareness, including awareness of the risks of human trafficking (THB), through training activities and improved access to information, both in Estonia and abroad. The PBGB have also explained the functioning of the Estonian legal environment through foreign media, including publishing targeted media articles in various languages aimed at higher-risk countries. Under the Digital Services Act (DSA), cooperation with major online platforms is carried out to remove illegal online content. At the same time, access to communications data has become more difficult for law enforcement authorities in recent years, which significantly complicates police work.

11. Cross-cutting questions

11.1 What steps are taken to ensure that victims of THB have equal access to justice and effective remedies, irrespective of their immigration status and the form of exploitation?

The focus in the last years has been set to trainings, both in electronic and physical settings, also cooperational in the regions and united to the stakeholders mainly working with THB issues. This has provided solid common understanding for the investigations and cooperation between several stakeholders. Attention has been put to united supervision visits to businesses by migration and criminal police, labour inspectorate, tax and customs board. The police also focuses more to the forced criminality and its possible relations to THB.

In the police some years ago (from 2022), the e-mail list for THB crime hints was established, and this has started to work well. One of the challenges we have been working from 2023, is establishing national referral mechanism. Preparation for the national referral mechanism (NREM) was done in 2023-2024 and the first introduction and discussion with the heads of the main state agencies (PBGB, labor inspectorate, social insurance board and prosecutors' office) was held in November 2024 and several discussions with specialist from different authorities were held in 2025. The finalization of the latest text was done in fall 2025 and visuals will be ready early 2026. In the spring 2026 simulation trainings are planned to implement the NREM and in fall of 2026 the discussion of implementation starts with the authority's headquarters who are relevant in identifying and assisting victims. In this process also memorandum of understanding between main contact persons from PBGB, labour inspectorate, social insurance board, prosecutors' office were made about communication and information sharing about the possible cases of THB. If the information about the doubt is sent to police from labour inspectorate or social insurance board, then prosecutor who is the head of the investigation is informed at the same time. This is done to fasten cooperation and communication between main contact persons.

In terms on resolving labour disputes by the Labour Dispute Committee, the Labour Dispute Resolution Act (which entered into force on January 1st, 2018) stipulates that if an alien worked in Estonia without having a legal basis and the alien has been expelled from Estonia by the time a labour dispute is heard or is expelled from Estonia during the hearing of a labour dispute, the labour dispute matter shall be heard in their absence. The Individual Labor Dispute Resolution Act, (which was in force until December 31st, 2017) foresaw a similar principle as of July 20th, 2011. This is relevant because in regular cases, if a petitioner fails to appear at the Labour Dispute Committee session without a good reason, the chairman of the Labour Dispute Committee will terminate the labour dispute proceedings. Once the proceedings are terminated, a petitioner can no longer file the same claim against the same party before a Labour Dispute Committee, unless a petitioner files a reasoned request for the reopening of the labour dispute proceedings within 14 calendar days after the circumstance preventing the attendance in a session ceases to exist. The exception, that involves a foreign national, guarantees that even in the case where they have been expelled from Estonia and do not attend the session their dispute moves forward and their claims can be satisfied (for example, the employer can still be ordered to pay the unpaid salary) even in the foreign national's absence.

Another amendment to the Labour Dispute Resolution Act which ensures that foreign nationals can attend the labour dispute sessions (for example, when they have been expelled from Estonia or have decided to leave Estonia), is that as of December 4th, 2020, a provision entered into force, which foresees that a

Labour Dispute Committee may hold a session in full or in part as a procedural conference (virtually) by allowing a party to proceedings or their representative or a witness to be elsewhere during the session and perform procedural acts in real time.

The Labour Dispute Resolution Act can be found on the following webpage: <https://www.riigiteataja.ee/en/eli/ee/502122020006/consolide/current>.

11.2 What steps are taken to ensure that criminal, civil, labour and administrative proceedings concerning victims of THB are gender-sensitive?

Gender-sensitivity is also one of the general rule in the investigations of any kind and no difference is made because of gender.

11.3 What steps are taken to ensure that procedures for obtaining access to justice and remedies are child-sensitive, readily accessible to children and their representatives, and give weight to the child's views?

General rule of working with children is that the work done for and with them must be child-sensitive and correspond to children's rights. In accordance with the UN Convention on the Rights of the Child and the Estonian Child Protection Act, the best interests of the child must be given priority in all matters concerning children. According to the [Law Enforcement Act](#), the rights and obligations of any child involved in a procedural action must be explained to them in a way they can understand, as must the purpose of the action. The explanation must take into account the child's age, language, level of development, knowledge, and their role in the proceedings. The child also has the right to receive information in plain language, free from legal jargon, and to be informed in a language they understand, or to have the necessary interpretation services provided. If the investigator lacks the appropriate training, a specialist who is trained to work with children must be present when a minor witness or victim is questioned. This specialist could be a local child protection worker, a victim support worker, or a psychologist. According to the [Code of Criminal Procedure](#) § 37² The proceedings authority is obligated to assess whether any circumstances are present that amount to a reasonable cause to believe that the individual victim requires special treatment and protection – including victim support services – in the proceedings. Any minor victims are presumed to require special treatment and protection in criminal proceedings. In accordance with the [State Legal Aid Act](#), a victim may be provided with state legal aid in criminal proceedings if necessary. If the court finds that the victim's vital interests would be left unprotected without legal representation, it may grant legal aid to the victim of its own accord. Under the state legal aid procedure, a representative shall be appointed for a victim with limited legal capacity (such as a minor) if: based on the circumstances, it can be presumed that the interests of the victim's legal representative (such as a parent) conflict with the victim's interests; the victim is a minor who has been separated from their family; the victim is an unaccompanied minor, as defined in the Act on Granting International Protection to Aliens.

All communications related to children, topics concerning children, or when it is necessary to report a child in need of help are welcome in [Child Helpline](#). A child in need of assistance is a child whose well-being is threatened or for whom suspicion has arisen regarding their abuse, neglect, or other situation that violates the rights of the child and a child whose behavior threatens their own or another person's well-being. According to Child Protection Act § 27 subsections 1 and 2 of the Child Protection Act, all persons who have knowledge of a child in need of assistance are required to notify of the child in need of assistance. A child in need of assistance must be immediately notified to the local government or to the child helpline service 116 111.

A seminar was held in 2025 by the Ministry of Justice and Digital Affairs. The event was aimed at young people and the topics being discussed included human trafficking and sexual abuse, as well as ways to prevent these issues. The principles of child-friendly justice are set out on a [separate website](#). A [video lecture](#) on child-friendly legal proceedings has been produced (2020) in collaboration with the Ministry of Justice, the Office of the Chancellor of Justice and the Children's House. The Office of the Chancellor of Justice, in cooperation with the Estonian Union of Child Welfare, has prepared a [document on the principles](#)

[of children's participation](#) (2025).

11.4 What steps are taken to ensure that private entities take steps to prevent and eradicate trafficking from their business or supply chains and to support the rehabilitation and recovery of victims? What options exist for victims of trafficking to access effective remedies from businesses implicated in human trafficking?

We had over the years, and this continues – cooperation with Estonian Union of Restaurants and Hotels. We worked out online training together: <https://ehrl.ee/en/human-trafficking/>. In 2026 one seminar is planned to reinforce the use of the e-learning training among the personnel of the restaurants and hotels on the union. Private sector was one of the target groups for the trafficking ABC training over the 2 years (2023-2025) and several contacts and discussions were elaborated with banking, trade and health care sector representatives. These are the initiatives to prevent trafficking in the business sector.

The Ministry of Justice and Digital Affairs conducted an awareness campaign aimed at raising the awareness of foreign workers, this activity was co-funded by the ISF and Estonian national budget. The first wave of the campaign "You have rights!" took place from June to November 2025, it covered both street and digital media and communication activities in the media in Estonian, Russian and English. Recording of the webinar "Know your rights when working in Estonia" can be accessed from the ministry's [YouTube channel](#). The second wave of street and digital media and communication has started on April 1st 2026 and will run through the most active months of foreign workers engagement in seasonal jobs. The campaign will be present at the annual Opinion Festival 2026 taking place in Paide (7.-8.08.2026) – we are pulling together a public discussion on foreign workers rights and employer responsibility. More information and materials can be found on the campaign homepage [YOU HAVE RIGHTS! | rights.ee](#).

Victims of trafficking can get their remedies from businesses they worked either through civil court or through the labour committee. In labour exploitation situations there is a common practice also to send application to labour dispute committee, which also decides on the salaries, vacation fees, etc, which are related to labour rights and conditions. More about labour dispute committees: <https://www.ti.ee/en/extrajudicial-proceeding-labor-disputes/how-submit-application/recourse-labour-dispute-committee>.

The lawsuit for moral or financial damage can be started on the side of the criminal investigation of the THB.

The Public Procurement Act stipulates that the contracting authority or entity does not award a public contract to a tenderer or a candidate and excludes from the procurement procedure a tenderer or a candidate, among other grounds:

- who or a member of whose administrative, management or supervisory board, or whose registered legal representative or any other person who is authorised to represent the economic operator in question, to make decisions on behalf of the operator or to exercise control over the operator, has been convicted of enabling an alien who is unlawfully staying in Estonia to work here or of enabling a breach of the conditions for an alien's employment in Estonia, including of payment of a salary below the statutory rate
- who or a member of whose administrative, management or supervisory board, or whose registered legal representative or any other person who is authorised to represent the economic operator in question, to make decisions on behalf of the operator or to exercise control over the operator, has been convicted of illegal use of child labour or of an act related to the trafficking of human beings

The Public Procurement Act also foresees that the contracting authority or entity may exclude from the procurement procedure a tenderer or candidate:

- who has breached environmental, social or labour law duties arising from law or from a collective agreement.

The Public Procurement Act can be found here:

<https://www.riiqiteataja.ee/en/eli/ee/503102025001/consolide/current>

Additionally, the law contains liability provisions that require a person who has commissioned subcontracting from the employer of the employee to exercise due diligence in their relationship with the employer of the employee, i.e. to do a background check and verify the reliability of the contractual partner:

The Employment Contracts Act stipulates a liability of a person who has commissioned subcontracting from the employer of the employee. The rule applies specifically to construction work related to the construction, repair, upkeep, alteration or demolition of buildings and the employer does not pay the employee wages. The person who has commissioned subcontracting from the employer of the employee becomes liable only if the wages cannot be recovered from the employer within four months after enforcement proceedings have begun. The liability is limited to the statutory minimum monthly wage per calendar month. The person who has commissioned subcontracting from the employer of the employee is released from liability if they can show that they exercised due diligence in its dealings with the employer, in particular, if they have done a background check on their transaction partner and have had reason to consider the partner reliable, which is expressed, above all, in no payment defaults and in payment of employees' social tax.

The Employment Contracts Act can be found on the following webpage:

<https://www.riiqiteataja.ee/en/eli/ee/511022026002/consolide/current>

A similar principle is set out in the Working Conditions of Employees Posted to Estonia Act, which foresees liability of a person who has commissioned subcontracting from the employer of a posted employee.

The Working Conditions of Employees Posted to Estonia Act can be found here:

<https://www.riiqiteataja.ee/en/eli/ee/522122025003/consolide/current>

As for options for victims of trafficking to access effective remedies from businesses implicated in human trafficking, the employee can file a claim for unpaid wages or other monetary claims arising from the employment relationship (annual leave pay and compensation for unused leave, claim for damages, various benefits related to the termination of the employment relationship, bonuses, etc.) by turning to court or to the Labour Dispute Committee (extrajudicial authority within the Labour Inspectorate). Recourse to the Labour Dispute Committee is possible in case of an employment relationship, however, in the case where the person obligated to perform the work is to a significant extent independent in choosing the manner, time and place of performance of the work, i.e. in case of a civil contract (a contractual relationship other than an employment contract), the person performing the work can solely turn to court for the resolution of a dispute.

A decision of the Labour Dispute Committee which has entered into force is binding on the parties. A decision of the Labour Dispute Committee can be enforced after the entry into force thereof, unless the decision is subject to immediate enforcement. At the request of a party, the Labour Dispute Committee may declare a decision ordering payment of wages to be subject to immediate enforcement to the extent essential for the employee but not exceeding the extent of two months' wages. At the request of a party or an administrative authority concerned, the chairman or secretary of the Labour Dispute Committee shall add to the decision a notation on entry into force and if the employer does not comply with the decision, the employee may turn to an Enforcement Agent for initiating an enforcement procedure.

11.5 What legal, policy and practical measures are taken in your country to prevent and detect situations where corruption facilitates human trafficking and infringes the right of victims of THB of access to justice and effective remedies? Please provide information on any known or proven cases of corruption or related misconduct of public officials in THB cases and any sanctions issued.

Estonia addresses the risk that corruption may facilitate trafficking in human beings (THB) through general anti-corruption, criminal law and victim-protection frameworks. Corruption offences (e.g. bribery, abuse of office) are criminalised under the Penal Code, and preventive measures are set out in the Anti-Corruption Act, including rules on conflicts of interest and recusal. These apply across all relevant sectors, including law enforcement, migration and labour supervision. The principle of legality requires authorities

to investigate any suspected crime, including on the basis of anonymous reports.
There are no such cases.

Part II – Country-specific follow-up questions

12. Please provide information on new developments in your country since GRETA's second evaluation report concerning:

- emerging trends of trafficking in human beings (new forms of exploitation, new recruitment methods, vulnerable groups, gender-specific aspects of trafficking, child trafficking);

We see that the flow of third country nationals is on our labour market, and there is also active involvement in prostitution of third country nationals arriving in Estonia. There are over the last years pimping cases related to third country and other EU country nationals in Estonia (mainly persons from Brazil, Venezuela, Colombia), but also Ukraine and Romania. We see the tendency of where workforce is used or where employers don't respect the work time or salary regulations and agreements. For example, in 2025 557 out of 2465 (22,6%) and in 2024, 621 out of 2,411 labour dispute applications (around 25%) involved foreign workers. Most cases concerned wage claims, and the total value of claims amounted to approximately EUR 3.35 million, in the year 2024 5.5 million. The proportion of Ukrainian citizens involved in labour disputes remains high, in 2025, out of all the applications that were marked as concerning foreign labour, 42% concerned Ukrainian nationals and in 2024 41% involved Ukrainian nationals. The most problematic sector continues to be construction, accounting for 25.5% of labour disputes related to foreign labour in 2025. In terms of supervision, of the total 1,170 tips received by the Labour Inspectorate in 2025, nearly 9% concerned foreign labour. In 2025, labour inspectors conducted a total of 2,311 supervisory proceedings, and in 189 cases the inspector considered it necessary to add the note "foreign labour". Number of inspections that was flagged in the Labour Inspectorate as "labour exploitation" was 6 in 2024 and 5 in 2025. During inspections related to foreign labour, a total of 1,068 breaches of employment relations or occupational health requirements were identified. Compared with 2024, both the number of inspections related to foreign labour and the number of deficiencies detected increased significantly. In 2025, the sectors in which deficiencies were most notable were construction, manufacturing, administrative and support service activities, and accommodation and food service sectors.

The most frequently contacted helpline for the prevention and assistance of human trafficking (2025: 727; 2024: 864; 2023: 431) is for foreigners from third countries (90%) in connection with employment fraud and exploitation, the biggest number are people from Ukraine. The number of officials seeking advice from hotline in 2025 has increased as well (37%). This might be due to high number of trainings, where the hotline number was introduced as possibility to assist specialist as well if they suspect trafficking to take place.

We see from the data of the authorities (Labour Inspectorate, Social Insurance Board, Police and Border Guard Board), that labour exploitation has become one of the relevant forms of exploitation in the registered crimes of trafficking. In 2024 all the registered crimes of THB were crimes of labour trafficking, but in 2025 there are also registered crimes of sexual exploitation and forced criminality, as well single cases of forced begging. In 2025 number of THB crimes is increased comparing to 2024 but still staying to the general level of around 10 crimes a year. The focus of the prosecution and investigative authorities in recent years has been on identifying cases of labour exploitation, first such cases reach to court or final sanctioning in 2026. Sanctioned traffickers so far are mainly Estonian nationals, males.

- the legislation and regulations relevant to action against THB (e.g. criminalisation of THB, identification and assistance of victims of THB, recovery and reflection period, residence permit, supply chains, public procurement);

No major changes to legislation done yet, preparation has been done to enforce Migration Pact and EU THB Directive. Both changes need to be entering in force summer 2026.

Please see the answer to the question 11.4 on the relevant legislation regarding subcontracting and public

procurement. Additionally, on March, 26th 2025 the Parliament adopted the Act on Amendments to the Aliens Act and Related Amendments to Other Acts (Enhancing the Efficiency of Migration Procedures), according to which in the case of temporary agency work, the requirement to provide a one-month wage deposit was replaced by a requirement of prior actual economic activity for six consecutive months, with the goal to increase employers' responsibility and reduce the risk of misusing the system.

Amendments to the Aliens Act:

Section 106

Temporary agency work may be registered as short-term employment in Estonia in case:

- 1) the employer is entered in the Estonian commercial register or is a company registered in another Member State of the European Economic Area;
- 2) the employer is engaged in the mediation of agency work;
- 3) the employer has had actual economic activity in Estonia or another Member State of the European Economic Area **for at least six consecutive months immediately prior to submitting the application** for the registration of short-term employment in Estonia.

Section 176.1

A temporary residence permit for employment as a temporary agency worker may be issued in case:

- 1) the employer is entered in the Estonian commercial register or is a company registered in another Member State of the European Economic Area;
- 2) the employer is engaged in the mediation of temporary agency work;
- 3) the employer has had actual economic activity in Estonia or another Member State of the European Economic Area **for at least six consecutive months immediately prior to submitting the application** for a temporary residence permit.

The amendments entered into force on January 1st, 2026. The Aliens Act can be found on the following website: <https://www.riigiteataja.ee/en/eli/ee/506012026003/consolide/current>

On 26 March 2025, the Estonian Parliament adopted legislation facilitating inter-institutional data exchange, supporting more effective detection and prevention of labour exploitation. Building on this legal framework, Estonia introduced a "common window" system enabling systematic data exchange between the Police and Border Guard Board and the Labour Inspectorate. The system provides the Labour Inspectorate with a comprehensive overview of posted third-country nationals, addressing a previous information gap that hindered targeted inspections. As a result, the Labour Inspectorate can carry out more strategic and risk-based inspections, strengthening the detection and prevention of labour exploitation, including potential cases of trafficking in human beings.

- the institutional and policy framework for action against THB (bodies responsible for co-ordinating national action against THB, entities specialised in the fight against THB, national rapporteur or equivalent mechanism, involvement of civil society, public-private partnerships);

Establishing a National Referral Mechanism (NRM) represents one of the most significant milestones in strengthening victim protection and coordination across sectors. The process of reaching consensus and building this mechanism as a collaborative effort among numerous institutions is not merely a technical exercise—it is a strategic investment in systemic resilience and accountability. An NRM provides a unified framework for identifying, referring, and supporting victims of crime and exploitation, ensuring that no individual falls through the cracks due to fragmented responsibilities or unclear procedures. Another key achievement is the change of the Statute of the Criminal Policy Department at the Ministry of Justice and Digital Affairs, including the National Anti-trafficking coordination as one of its tasks. National coordination is regulated by the minister of justice and digital affairs statute of Statute of the Criminal Policy Department [Kriminaalpoliitika osakonna põhimäärus.pdf](#)) as follows:

2.2.4. coordinates crime prevention in the country, including cross-sectoral prevention, **violence prevention and work against human trafficking**, and national anti-corruption activities, including organizing the work of the Prevention Council, based on the fundamentals of criminal policy approved by

the Riigikogu.

No national rapporteur in place. In 2025 the analysis of transposition of EU trafficking directive 2024/1712 was made and part of the analysis also focused the question of the need of national rapporteur in Estonia. The analysis (<https://www.justdigi.ee/sites/default/files/documents/2026-01/Inimkaubanduse%20direktiivi%20uusversiooni%20anal%C3%BC%C3%BCs.pdf>) concluded that given the small number of human trafficking cases in Estonia, the authors of the analysis do not currently believe it is appropriate to create a separate independent rapporteur institution and Estonia could continue with the existing system, where the Ministry of Justice and Digital Affairs performs the tasks of Article 19 of Directive 2024/1712. The practice is in line with the directive.

Following the example of Finland, a legal provision could be established in Estonia that ensures sufficient resources for the human trafficking coordinator, i.e. both financial resources and human resources and the necessary tools for work. Following the example of Lithuania, it could be defined at the legislative level which institutions must provide the coordinator with information on human trafficking and participate in cooperation. This would increase legal clarity and improve the organisation of cooperation.

One of the challenges we have been working from 2023, is establishing national referral mechanism. Preparation for the national referral mechanism (NREM) was done in 2023-2024 and the first introduction and discussion with the heads of the main state agencies (police, labor inspectorate, social insurance board and prosecutors' office) was held in November 2024 and several discussions with specialist from different authorities were held in 2025. The finalization of the latest text was done in fall 2025 and visuals will be ready early 2026. In the spring 2026 simulation trainings are planned to implement the NREM and in fall of 2026 the discussion of implementation starts with the authority's headquarters who are relevant in identifying and assisting victims. The implementation of NREM is also one of the priorities agreed between ministers of Justice and Digital Affairs and Internal Affairs: <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.justdigi.ee%2Fsites%2Fdefault%2Ffiles%2Fdocuments%2F2026-02%2FSIM-JDM%2520koost%25C3%25B6%25C3%25B6kava%2520040226.docx&wdOrigin=BROWSELINK>.

NREM is also planned to be regulated by the Government Rule related to the changes to EU Directive of THB 2024/1712.

- the current national strategy and/or action plan for combating trafficking in human beings (objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results);

National strategy is here: <https://www.justdigi.ee/en/crime-and-prevention-crime/violence-prevention-agreement>. No changes to strategy, but in 2025 there were 2 bigger seminars to evaluate the work done through the period of national developmental plan Violence Prevention Agreement 2021-2025 and then also several online seminars held to discuss future challenges. The analysis of the strategy and policy recommendations for the 2026+ strategy was made in 2025: https://www.justdigi.ee/sites/default/files/documents/2026-01/VEKO%20aruanne_Civitta_2801_UUS.pdf and the process of discussing on and creating a new strategy starts at 2026. The question whether to go further as it has been done so far, meaning that anti-trafficking priorities and activities are part of the common anti-violence plan, will be decided in the process.

- recent case law concerning THB for different forms of exploitation.

Nothing is changed in Penal Code about THB crimes in recent years.

In 2024 and 2025 active work has been done in coordination of the EU new version of the anti-trafficking directive: <https://eur-lex.europa.eu/legalcontent/en/TXT/?uri=CELEX%3A32024L1712> and its analysis of transposition: <https://www.justdigi.ee/sites/default/files/documents/2026-01/Inimkaubanduse%20direktiivi%20uusversiooni%20anal%C3%BC%C3%BCs.pdf>. Directive needs to

be transposed by the 15th of July 2026. Changes of legislative acts are in Parliament [Eelnõu - Riigikogu](#).

Overall the last years a lot of attention is given to the victim's journey to be more clearly and better mapped, described and completed. Working our RSM allowed to describe clear instructions on who to contact, what to do and how to contact. Professionalism among THB specialist is grown, now we have designated prosecutor in each region, in addition a police procedural group in each region and network of investigators of the country, and this change has brought us into the situation for the end of 2025, that THB proceedings have been more and more initiated in different regions, not just Tallinn and northern part of Estonia. The number of trainings and trained personnel have never been in these limits as now.

13. Please provide information on measures taken in your country in respect to the following recommendations made in GRETA's second evaluation report:

- intensify efforts to combat trafficking for the purpose of labour exploitation, including by strengthening the capacity and mandate of labour inspectors to detect possible victims of human trafficking and improving the proactive identification of victims of THB for labour exploitation, especially among foreign nationals;

The mandate of labour inspectors is to exercise supervision over compliance in the working environment with the requirements of legislation regulating occupational health, occupational safety and employment relations, as well as to exercise supervision over compliance by undertakings providing employment mediation services and temporary agency work services with the applicable requirements and restrictions governing their economic activities.

During supervision carried out within the competence of the Labour Inspectorate, the labour inspectors identify indicators of labour exploitation and in accordance with the National Referral Mechanism when a labour inspector or another official of the Labour Inspectorate comes into contact with a person who may be a victim of trafficking in human beings, they forward the relevant information to the Police and Border Guard Board and offer to forward the person's contact details and a description of the case to the Victim Support Unit of the Social Insurance Board, so that a victim support worker can contact the person and inform them about the available victim support services.

The main activities have been directed towards strengthening the capacity of labour inspectors' ability to detect possible victims of human trafficking. This is mainly achieved through systematic national and international THB trainings provided to the labour inspectors and other officials of the Labour Inspectorate, as well as cross-border inspections directed towards combating labour exploitation and THB, which allow for our inspectors to learn about cases and practices present in other countries.

For example,

- in May 2024, the Labour Inspectorate participated in the EMPACT (the European Multidisciplinary Platform Against Criminal Threats) analytical meeting on labour exploitation in Stockholm, the aim of which was to discuss how law enforcement organisations and labour inspectorates could be more efficient and effective in combating labour exploitation and to share experiences and good practices in order to facilitate cross-border cooperation between the competent authorities of the Member States. The meeting focused on the hotel, restaurant and catering (HORECA) sector, which has a higher proportion of workers from third countries compared to other sectors.
- In November 2024, the Labour Inspectorate participated in a joint training course on human trafficking - labour exploitation by The European Union Agency for Law Enforcement Training (CEPOL) and European Labour Authority (ELA). The general objective of the training was inter-agency and intra-agency cooperation in prevention, detection and prosecution towards eliminating labour exploitation.
- Additionally, several joint trainings with other competent authorities (police, prosecutors, victim assistance, etc) took place in 2024. For example in May 2024, there was a special training day for the labour inspectors and other officials from Labour Inspectorate in different levels (counselling

lawyers, heads of Labour Dispute Committee, labour inspectors etc) for 50 people in total to discuss over the case law of the current cases with PBGB and to gain recent information of the THB trends, data in Estonia, also information on the victim support and cooperation with other state agencies in detecting possible THB cases. At training, among other things, the possibilities of enhancing cooperation between relevant institutions (the Social Insurance Board's victim assistance and the PBGB and Labour Inspectorate) were discussed.

In 2025, the Labour Inspectorate actively took part in the following international trainings and meetings:

- on 16–17 June 2025, the Labour Inspectorate participated in the planning meeting of the EMPACT (European Multidisciplinary Platform Against Criminal Threats) operational action week on labour exploitation in Spain. The meeting was operational in nature and focused on planning the EMPACT Joint Action Days 2025. In addition, representatives of participating countries shared their experiences in investigating labour exploitation cases. Discussions covered the organisation of investigative processes, the competent authorities, and obstacles that hinder the detection of cases and the effectiveness of investigations. The event was organised with financial support of the Prevention of and Fight against Crime Programme European Commission.
- On 3–4 November 2025, the Labour Inspectorate took part in a training course on labour exploitation and labour law violations jointly organised by the European Labour Authority (ELA) and the European Union Agency for Law Enforcement Training (CEPOL). The training, among other things:
 - provided an overview of the legal and conceptual framework and the role of labour inspectors in identifying and addressing labour exploitation and related phenomena;
 - outlined concrete steps for identifying and detecting labour exploitation cases, collecting evidence for further action, and, within the limits of competences, referring cases to the relevant authorities (e.g. law enforcement agencies and judicial authorities) for further measures.
- On 3–4 December 2025, the Labour Inspectorate participated in the European Anti-Trafficking Forum organised by the Council of the Baltic Sea States and the European Union Agency for Law Enforcement Cooperation. The forum focused on strengthening Europe-wide efforts to combat trafficking in human beings and provided a platform for sharing national experiences and practical lessons learned. In addition, thematic seminars addressed the links between trafficking in human beings and benefit fraud, digital platforms and the Russia–Ukraine war, forced criminality, as well as cooperation with the European Union Agency for Law Enforcement Cooperation (EUROPOL).

At the national level, in 2025 officials of the Labour Inspectorate (labour inspectors, labour inspector-lawyers, legal advisers, chief lawyers, counselling lawyers, chief specialist for foreign cooperation, project manager of the European Social Fund, etc.) took part in several trainings dedicated to trafficking in human beings, including those aimed at the detection and identification of victims who are third-country nationals. A representative of the Labour Inspectorate also delivered training sessions in cooperation with other experts in the field.

- On 5-6 February, a regional cooperation seminar on trafficking in human beings took place for specialists dealing with THB cases.
- On 19-20 February, 7-8 May, 16-17 June and 16-17 September 2025, two-day trainings entitled "Training of trainers dealing with cases concerning trafficking in human beings" were held. The training covered the nature of trafficking in human beings, including indicators pointing to trafficking, an overview of trafficking trends and developments in Estonia, raising awareness of how to identify victims of trafficking and to which institutions and persons victims should be referred. In addition, the national referral mechanism, the handling of trafficking cases and

practical case studies were discussed.

- On 12-13 March and 14-15 May, cooperation trainings on trafficking in human beings took place. The aim of the training was to establish and develop cooperation relationships between key partners in the regions dealing with trafficking situations. The training focused on participants getting to know one another, strengthening the regional cooperation network, and raising awareness and acknowledgement of each participant's institutional role and responsibility in cooperation.
- On 20 May, the training "ABC of Trafficking in Human Beings" took place. The purpose of the training was to provide the necessary information and practical skills to help participants understand trafficking in human beings, recognise its signs and refer possible victims in a timely manner to appropriate support and assistance services.
- On 6-7 November 2025, a two-day joint training on the prevention of trafficking in human beings took place. The training provided an overview of the results of trafficking-related development projects, legislative amendments concerning the liability of legal persons, the transposition of the Trafficking Directive, and Estonia's national referral mechanism for assisting victims of trafficking in human beings.

Inspections:

- In early June 2025, the international anti-trafficking operation "Global Chain" was carried out, involving numerous countries from Europe, as well as Asia, Africa and Latin America. From Estonia, the operation involved the Police and Border Guard Board, the Labour Inspectorate, the Tax and Customs Board, and victim support specialists from the Social Insurance Board. In total, approximately 50 persons contributed to the operation in Estonia.

The operation was a large-scale and thoroughly prepared joint action, aimed at identifying sectors and cases at risk of trafficking in human beings. In Estonia, 355 individuals and 50 companies were inspected. While no cases of trafficking in human beings were identified during the operation week, two criminal proceedings were initiated on suspicion of pimping. In addition, several other violations were detected, primarily related to occupational safety and the formalisation of employment relationships.

A significant part of the operation focused on preparatory work. During an inter-agency meeting held in mid-May, risk companies and individuals potentially linked to labour exploitation were identified. Particular attention was paid to sectors employing foreign workers, such as construction, industry and agriculture, where inspections focused on working and living conditions and on identifying potential cases of forced work to work under unusual or exploitative conditions.

- In September 2025, with the support of the European Labour Authority (ELA), the Labour Inspectorate participated in an Estonian–Latvian–Lithuanian joint inspection conducted in Latvia. The inspection took place within the framework of an operational action week organised under the European Multidisciplinary Platform Against Criminal Threats (EMPACT) and was aimed at detecting labour exploitation. The joint inspection focused on the hospitality sector (HoReCa). A total of 32 countries participated in the action week, which led to the identification of 404 potential victims and 93 offenders.

Other activities:

- Additionally, in 2025, the Nordic-Baltic HUB analysts' working group became operational, bringing together labour inspectorates from Nordic and Baltic countries, including the Labour Inspectorate of Estonia. The cooperation focused on combating work-related crime through enhanced cross-border information exchange and common analytical parameters. The group developed a risk-based assessment system and produced a joint analytical report on indicators of work-related crime among companies posting workers in the construction sector across the HUB region, enabling the identification of cross-border vulnerabilities and supporting more targeted future inspections. The

analysts' working group serves as a practice-based learning platform, enabling to share experiences and to learn from each other.

- The Labour Inspectorate informs employees, employers and the wider public through the WorkLife website (<https://www.tooelu.ee/en>) and Labour Inspectorate's homepage (<https://ti.ee/en>) on all labour matters. However, there are sections dedicated specifically to potential victims and victims of labour exploitation and human trafficking. For example:
 - "Labour exploitation" - <https://www.tooelu.ee/en/292/labour-exploitation>
 - "Malicious employers exploit people: human trafficking in Estonia" - <https://www.tooelu.ee/et/uudised/1213/pahatahtlikud-tooandjad-kasutavad-inimesi-ara-inimkaubandus-eestis>
 - "Labour exploitation" - <https://ti.ee/en/foreign-worker/labour-exploitation>
- On the homepage of the Labour Inspectorate, there is a dedicated section on how to turn to the Labour Dispute Committee, including clarification on the procedure, sample forms, instructional video, separate explanations on every section of the petition, translation service, etc.
<https://ti.ee/en/extrajudicial-proceeding-labor-disputes/how-submit-application/recourse-labour-dispute-committee>
- In July 2024, pursuant to the Labour Inspectorate's communication plan, the entire month of July was dedicated to foreign employees, within the framework of which relevant material was published in various information channels.
- In the fall of 2024, in cooperation with European Labour Authority (ELA), new information material was created for foreigners: "Coming from abroad to work in Estonia". The information sheet contains important information that a foreigner should know before starting work (including content of the employment contract, amount of salary, working hours, termination of the employment contract) as well as the contact information of relevant public authorities. This information is available in the following languages: Estonian, Azerbaijani, English, Moldovan, Romanian, Russian, Turkish, Tajik, Ukrainian, Uzbek and is available at <https://www.tooelu.ee/en/42/coming-third-country-work-estonia> and in paper form at main offices of the Labour Inspectorate. The English version can be found here: <https://s3-web-1a.tehik.ee/tooelu-live-web-prd/s3fs-public/2024-09/Infoleht%20t%C3%B6%C3%B6tajatele%20v%C3%A4ljaspoolt%20Eestit%20ENG.pdf>
- In March 2025, the Labour Inspectorate of Estonia dedicated a full thematic month to raising awareness and preventing labour exploitation. Targeted communication activities were carried out to support early detection of victims of labour exploitation, inform workers of their rights, and increase public awareness of labour exploitation risks. The information activities included social media outreach, real-life victim experience stories, cooperation with an NGO - the Ukrainian Centre to provide information on labour rights in Ukrainian language to Ukrainians, and participation in a national radio programme addressing workplace discrimination and trafficking in human beings. The thematic month represents a coordinated and targeted prevention approach, contributing to improved awareness and early identification of labour exploitation. The activities were publicly accessible, free of charge, and targeted at vulnerable groups, as well as the general public. Examples of awareness-raising activities carried out during the thematic month:
 - Social media post "Red flags in the workplace – avoid being exploited!": <https://www.instagram.com/tooinspeksioon/p/DGxaxicox2Y/>
 - Awareness-raising post featuring the experience of a third-country national victim of labour exploitation, combined with a call to report trafficking in human beings:

<https://www.facebook.com/Tooinspektsioon/posts/pfbid0zuUTQof1vLX7HSMK55S6FF7d9NYJXhvfyuBViwhbBAfTxY4Mr1sPFEDuERcLACuHI?rddid=3A44K3TXULqPnUNF#>

- Participation in a Radio KUKU programme addressing workplace discrimination and trafficking in human beings: <https://www.facebook.com/ametiyingud/photos/ilusat-teisip%C3%A4eva-et-saada-m%C3%B5tlemisainet-t%C3%A4nasesse-soovitame-kuulata-t%C3%B6%C3%B6saadet%EF%B8%8Fs/1222630296535919/?rdr>
<https://www.tooelu.ee/et/uudised/1392/toosaade-kuku-raadios-diskrimineerimine-jainimkaubandus>.
- ensure that the formal identification of a person as a victim of THB does not depend on the opening of a criminal investigation into human trafficking or a related offence and that all victims of trafficking are identified as such and can benefit from the assistance and protection measures provided for in the Convention;

Access to THB victim support is possible without a criminal investigation being opened. Under the Victim Support Act, SiB is responsible for organising THB victim support and may provide the service itself or through contracted partners. Support can start on the basis of a substantiated suspicion/indicators of THB, not only after a criminal case is initiated; and where SiB or the Labour Inspectorate suspects THB, SiB can provide the THB victim support service for up to 14 calendar days while requesting confirmation/assessment from the Police and Border Guard Board (PPA) or the Prosecutor's Office. This "early access" mechanism ensures that assistance and protection are not conditional on procedural steps in criminal justice and that presumed victims are not left without help while formal determinations are pending. A person can be treated as a THB victim for assistance purposes based on credible indicators of exploitation, coercion/control and vulnerability—even if the offence is not yet formally investigated or is investigated under another offence initially.

- improve the identification of, and assistance to, child victims of trafficking;

Barnahus (a public service of Social Insurance Board) in Estonia addresses cases of child sexual abuse, including online exploitation, as well as cases involving harmful sexual behaviour. It also provides support to children suspected of being victims of trafficking, as trafficking offences against minors frequently involve child sexual abuse and necessitate appropriate assistance and support. We have had only a few cases in which trafficking was suspected on children, but not confirmed. Currently, one trafficking related case is under investigation. The children involved have been offered the necessary support and/or therapy through Barnahus and/or local government child protection services.

- set up specialised accommodation facilities for victims of human trafficking;

Social Insurance Board have 4 contracts with the providers and in year 2025 this accommodation was needed by 3 persons (adult, men and women, foreigners, labour, sexual and forced begging). safe temporary accommodation is provided based on victim support act Subchapter 7 Human Trafficking Victims Service § 24. Purpose and content of human trafficking victims service: 5) 24-hour safe temporary accommodation; we are providing safe temporary accommodation.

- align the national definition of THB to that in the Convention by including the component of "action" in the definition of human trafficking under Article 133 of the Criminal Code, ensuring that all the "means" provided for in the Convention are adequately reflected, including forced labour or services, slavery or practices similar to slavery, servitude and the removal of organs among the forms of exploitation, and clearly stating the irrelevance of the consent of a victim of THB to establishing a trafficking offence where any of the means have been used.

Transposition of the EU new THB directive brought us the need to change the legislative acts of Penal Code and also Victim Support Act. In the process there are also changes offered to change Penal Code to be in line with the COE THB convention definition of THB. Changes are described in the legislative acts:

[Eelnõu - Riigikoogu.](#)

Part III - Statistics on THB

14. Please provide the following statistics, **per year starting with 2023**, where available disaggregated as indicated below:

- Number of presumed victims and identified victims of THB in the sense of having been recognised by a state institution or mandated NGO as bearers of rights to services provided for by the Convention (with breakdown by sex, age, nationality, form of exploitation, internal or transnational trafficking, and body which identified them).
- Number of victims of THB identified as part of the asylum procedure (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB who received assistance (disaggregated by sex, age, nationality, form of exploitation, internal or transnational trafficking).
- Number of child victims of THB who were appointed legal guardians.
- Number of victims of THB granted a recovery and reflection period (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB granted a residence permit, with an indication of the type of the permit and its duration (disaggregated by sex, age, nationality, form of exploitation).
- Number of persons given refugee status or subsidiary/complementary protection on the grounds of being victims of THB (disaggregated by sex, age, nationality, form of exploitation).
- Number of victims of THB who claimed compensation, who were granted compensation and who effectively received compensation (disaggregated by sex, age, nationality, form of exploitation, with an indication of whether the compensation was provided by the perpetrator or the State, and the amount awarded).
- Number of victims of THB who received another form of financial support from the State, with the indication of the amount received.
- Number of victims of THB who received free legal aid.
- Number of victims of THB who were returned or repatriated to/from your country (disaggregated by sex, age, country of destination, form of exploitation).
- Number of investigations into THB cases (disaggregated by type of exploitation, with an indication of the number of victims concerned).
- Number of prosecutions in THB cases (disaggregated by type of exploitation, with an indication of the number of victims and defendants concerned).
- Number of convicted perpetrators of THB (disaggregated by sex, age, nationality, form of exploitation).
- Number of convictions for THB, with an indication of the form of exploitation, whether the victim was adult or child, the type and duration of the penalties, and whether they were effectively

enforced or suspended.

- Number of judgments in THB cases resulting in the confiscation of assets.
- Number of convictions of legal entities for THB.

Statistical data sheet is provided separately in Annex 2.