



ESTONIAN NATIONAL REFERRAL MECHANISM FOR ASSISTING VICTIMS OF HUMAN TRAFFICKING

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INTRODUCTION

Definition and objectives of the National Referral Mechanism

The National Referral Mechanism¹ (NRM) is a **framework for cooperation** through which the state fulfils its obligation to protect and promote the human rights of victims of human trafficking.² Essentially, it functions as a **cooperation network in which each party has a clear understanding of its role and responsibilities, as well as the set of rules governing inter-agency cooperation in the process of identifying and assisting victims of human trafficking.**

The primary objective **of the NRM** is to safeguard the human rights of victims of human trafficking and to provide them with effective support by referring them to the necessary services.

In addition, the NRM can help improve national policy and better coordinate procedures relating to victims (e.g. criminal proceedings, residence permit procedures, removal procedures, victim support, payment of compensation, etc.). Within the framework of the NRM, national action plans can be drawn up, targets set, and assessments made as to whether the objectives have been met.

The structure of the NRM varies from country to country. The NRM is most effective when a formal cooperation agreement has been concluded between the participants, setting out the specific tasks and responsibilities of each participant. The NRM usually comprises a **national coordinator**, who is often a high-ranking government official, and a **roundtable** consisting of representatives from government agencies. In addition, the NRM structure includes other agencies and representatives of civil society who develop recommendations on national policy. The NRM often also involves **ad hoc working groups** that address specific issues relating to victims.

Although numerous recommendations have been issued worldwide regarding the establishment of a national NRM, the NRM is not structured according to a single model, but **is based on country-specific needs and conditions.**³

The structure of the Estonian NRM

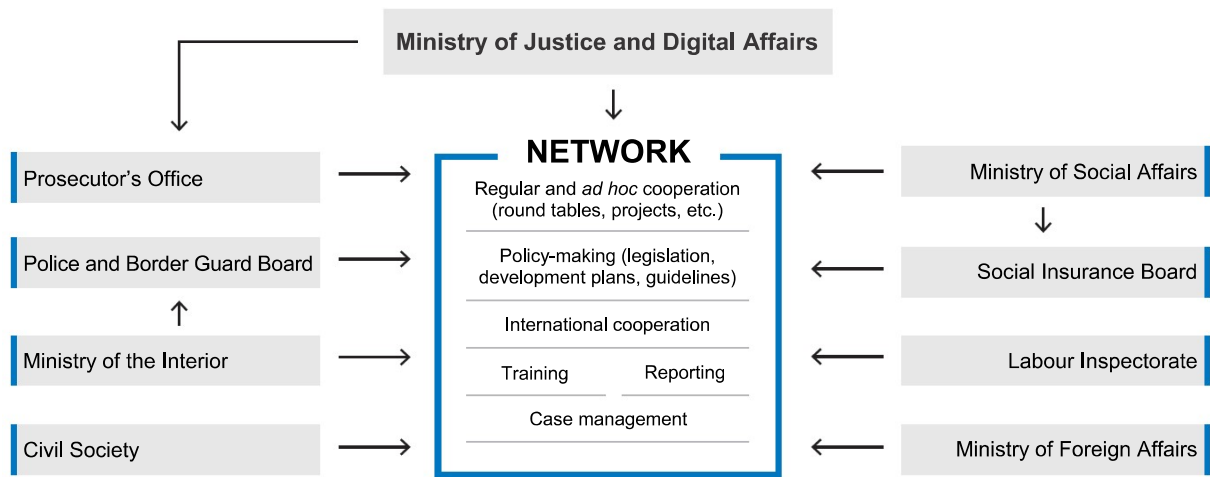
In Estonia, the network for combating human trafficking is led by **the Ministry of Justice and Digital Affairs**, which also acts as **the national coordinator** within the European Network against Trafficking in Human Beings. The domestic network, i.e. the national roundtable on human trafficking, primarily comprises representatives from the Ministry of the Interior, the Ministry of Social Affairs and the Ministry of Foreign Affairs, relevant agencies within their respective areas of responsibility, and civil society organisations.

These ministries are primarily involved in policy-making (including the drafting of legislation, the creation and implementation of development plans, strategies and activity plans, international cooperation, the initiation and management of projects, etc.). The Social Insurance Board, the Police and Border Guard Board (PBGB), the Public Prosecutor's Office, local authorities, consular officials and civil society organisations work directly with victims.

However, regular cooperation on these issues takes place at all levels and across all areas of networking. Draft legislation is discussed in smaller working groups, and services are also developed jointly.

NRM members fulfil their roles within the mechanism in accordance with their organisation's statutes (e.g. the Labour Inspectorate's statutes) or legislation (e.g. in the case of the police, the Police and Border Guard Act; in the case of victim support officials, the Victim Support Act) and other relevant sectoral legislation.

In establishing the Estonian NRM, materials describing the NRMs of Sweden, Hungary, the Netherlands, and Belgium, as well as guidelines from the International Organisation for Migration (IOM) and the UN on establishing an NRM, have been used as models.



1 In English: *National Referral Mechanism*. The Institute of the Estonian Language was consulted regarding the choice of the Estonian term.
2 OSCE (2004). *National Referral Mechanisms. Joining Efforts to Protect the Rights of Trafficked Persons. A Practical Handbook*. OSCE/ODIHR: Warsaw.
3 *Ibid.*

IDENTIFICATION OF VICTIMS AND INITIAL SUPPORT

Initial identification

Identifying a potential victim can be difficult, as a single interaction with a person may not be sufficient to establish a case of human trafficking. However, a lower threshold applies when forming an initial suspicion. As a criminal offence, human trafficking is characterised by three aspects: **the act, the means, and the purpose**. Where all three are present, it may be concluded that human trafficking is taking place.

For example, if there are indications that force or coercion was used during recruitment with the aim of exploiting a person for forced labour, this may reasonably be considered a case of human trafficking as a criminal offence. The table below helps in identifying situations indicative of human trafficking.

WHAT?	HOW?	FOR WHAT PURPOSE?
recruitment ☐	deprivation of liberty ☐	forced marriage ☐
transport or transfer ☐	committing acts of violence ☐	forcing to work under unusual conditions ☐
deportation ☐	use of deception ☐	forcing into prostitution ☐
reception ☐	threatening to cause harm ☐	forcing someone to beg ☐
exploitation ☐	taking advantage of another person's dependence ☐	coercing someone into committing a crime ☐
providing accommodation ☐	taking advantage of a vulnerable situation ☐	forcing someone to perform other unwanted duties ☐
otherwise aiding and abetting a person's forced actions ☐	taking advantage of a vulnerable situation ☐	keeping a person in a coercive situation ☐



In the case of a **minor victim**, violence, deception, coercion, etc., are not essential conditions for defining the incident as human trafficking. In the case of children, the questions 'What?' and 'Why?' must be considered. For example, if a child was recruited for the purpose of being exploited in prostitution, this constitutes human trafficking.

FIGURE 1: Reporting suspected human trafficking to the police

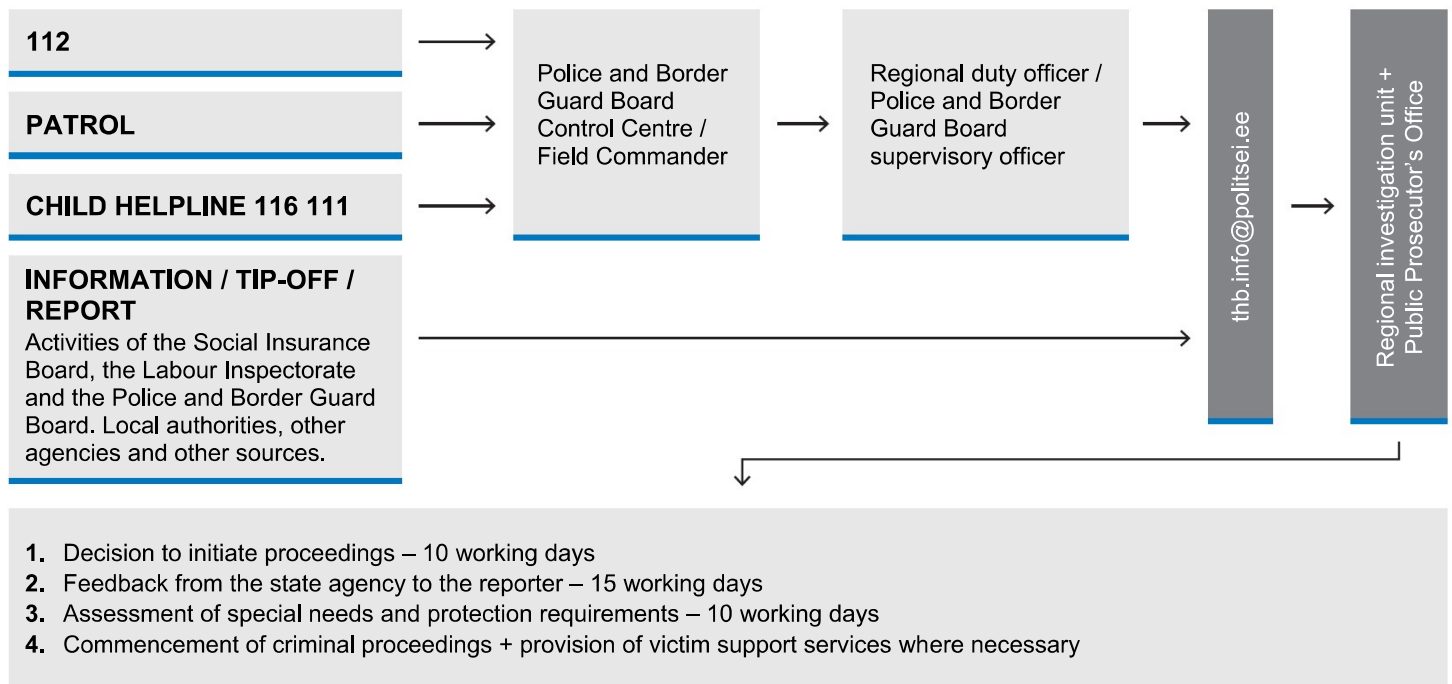


FIGURE 2: Initial identification of a victim of human trafficking at the Social Insurance Board

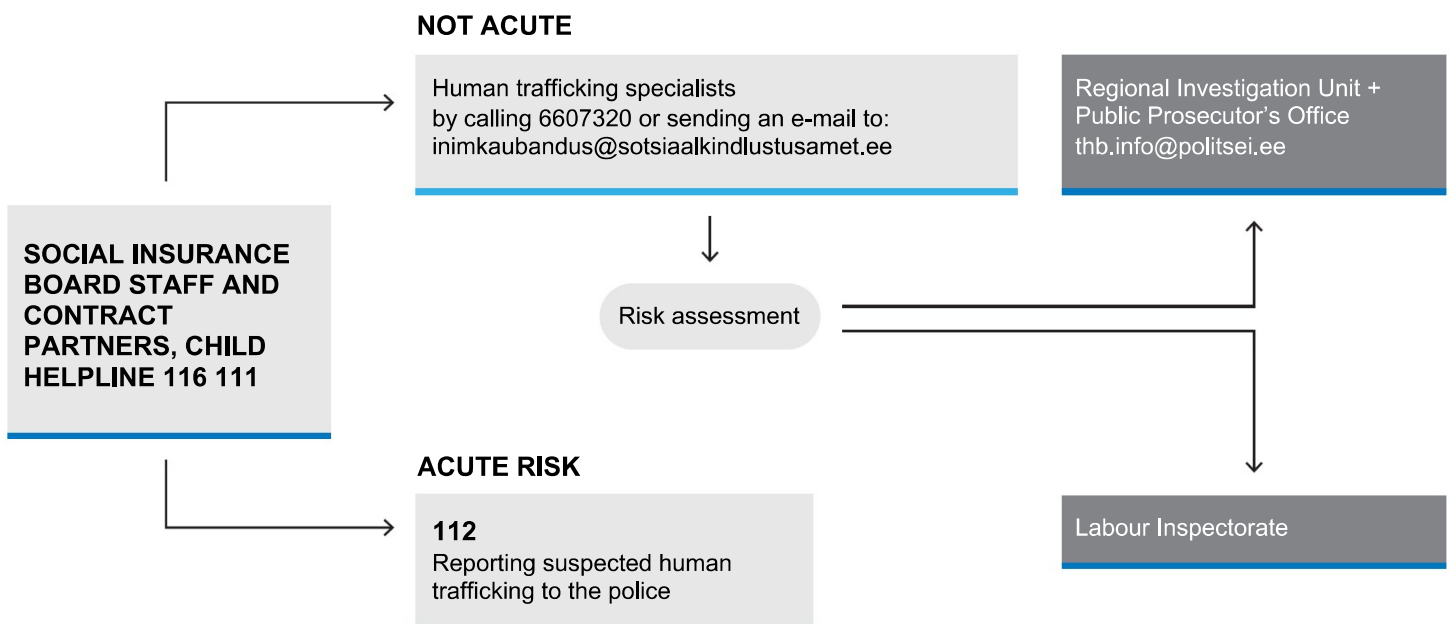


FIGURE 3: Initial identification of a victim of human trafficking by the Labour Inspectorate

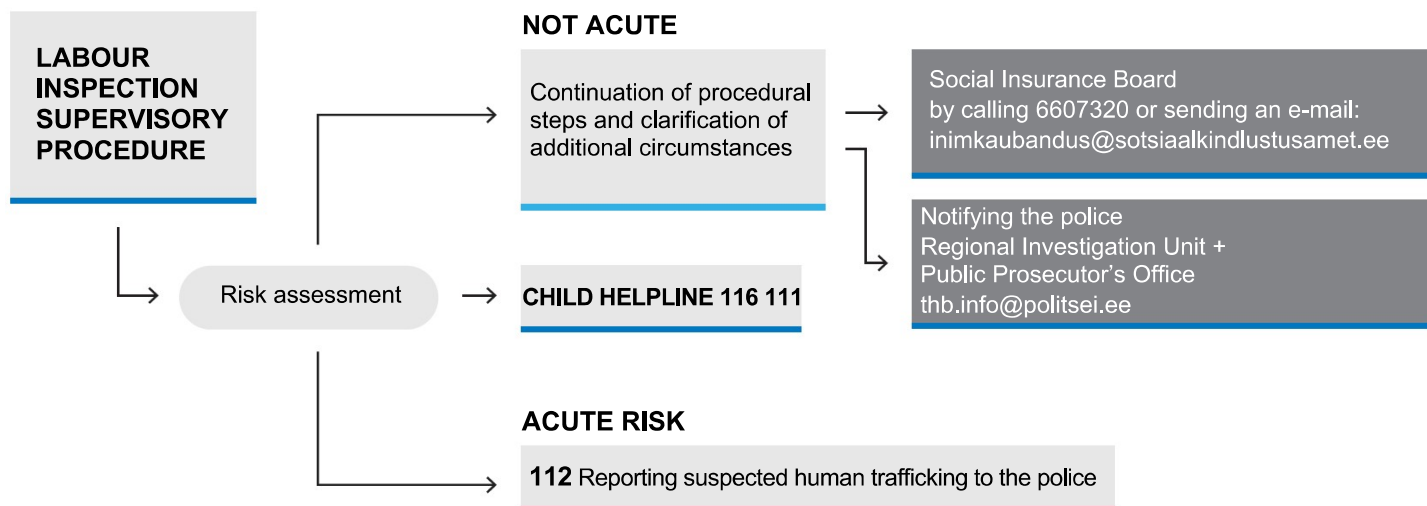
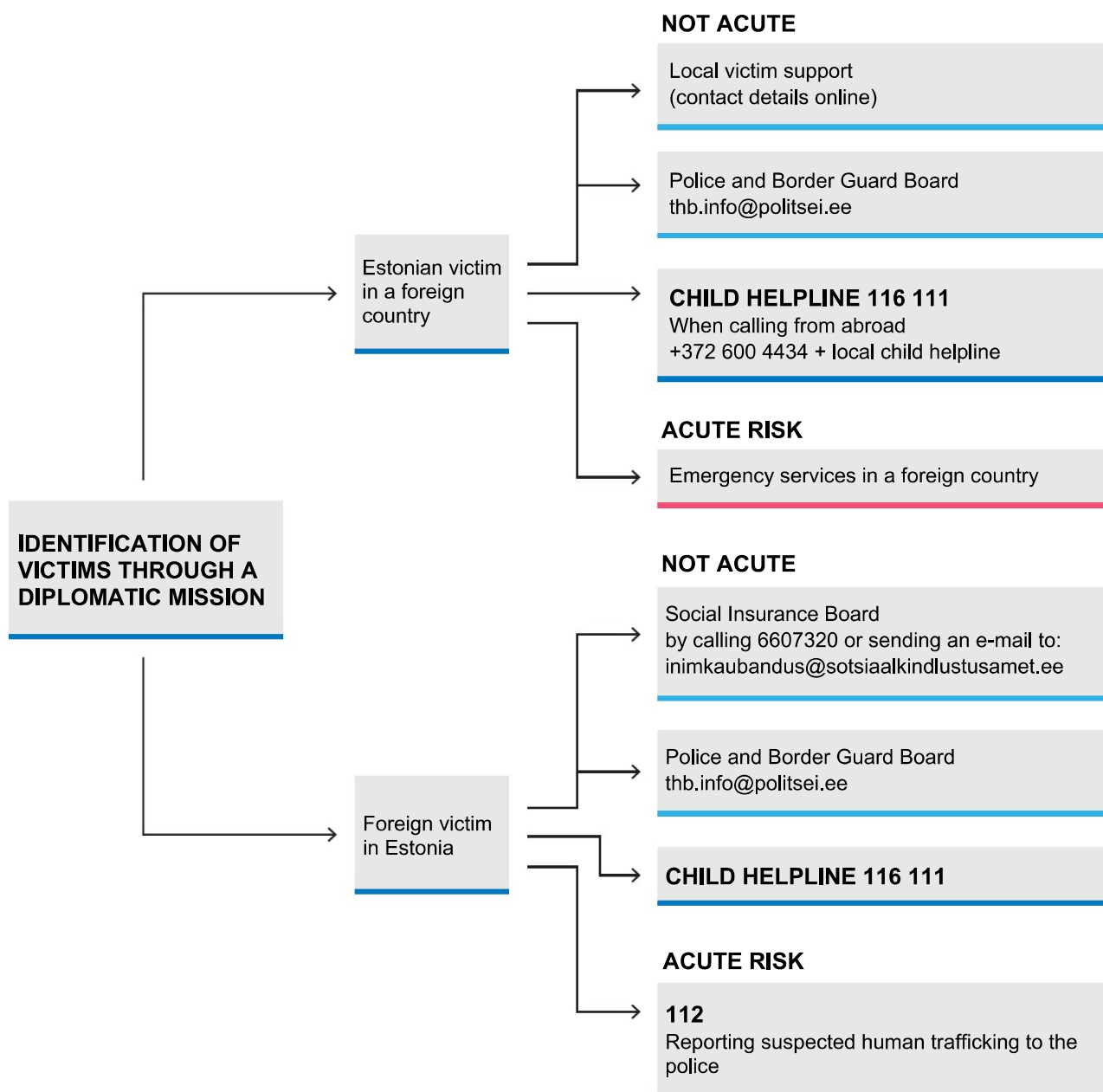


FIGURE 4: Identifying a victim via a diplomatic mission



Police and Border Guard Board

- If information regarding a suspected case of human trafficking is received via the emergency number 112, or if a patrol identifies a possible case of human trafficking, they will forward the information to the PBGB Control Centre. The Control Centre will notify the regional duty investigator of the incident. The duty investigator decides whether an immediate response is required, or forwards the information to the human trafficking investigators at thb.info@politsei.ee. If an e-mail regarding a suspected case of human trafficking has been sent to thb.info@politsei.ee, the mailbox administrator forwards the e-mail to the regional unit responsible for the specific case.
 - If a member of the public has sent an e-mail regarding a suspected case of human trafficking to thb.info@politsei.ee, the mailbox administrator will forward the e-mail to the regional investigative unit responsible for the specific case. The unit resolving the case is responsible for providing feedback on the resolution of the case (including regarding statutory deadlines).
 - If the Social Insurance Board or the Labour Inspectorate report a suspected human trafficking offence, the PBGB will commence an investigation into the circumstances and, based on the information received, will decide within 15 working days whether or not to initiate proceedings, and will notify the Social Insurance Board or the Labour Inspectorate. The agreement on the exchange of information between these cooperation partners is set out in a separate memorandum (see Annex 5)
 - If another authority or organisation reports a suspected human trafficking offence, the PBGB will commence an investigation into the circumstances and, based on the information received, will decide within 15 (fifteen) working days whether or not to initiate proceedings, and will also inform the party providing the information.
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Court

- A judge may be the first to notice a potential human trafficking case, particularly in connection with another case that has reached the court. For example, a victim may be charged with a criminal offence and characteristics typical of human trafficking may emerge during the hearing of the case. The judge shall forward their suspicion to the PBGB, to the e-mail address of the human trafficking investigators at thb.info@politsei.ee or to the Public Prosecutor's Office at info@prokuratuur.ee.
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Prosecutor's Office

- If the Public Prosecutor's Office receives information (a citizen's statement, a notification from the Social Insurance Board or the Labour Inspectorate, etc.) regarding a suspected human trafficking offence, the prosecutor (usually in cooperation with the PBGB's human trafficking investigators when verifying the facts) decides within 15 (fifteen) working days, at the latest, whether or not to initiate criminal proceedings and, if necessary, also informs the Social Insurance Board of this via e-mail at inimkaubandus@sotsiaalkindlustusamet.ee. Upon the initiation of criminal proceedings, the prosecutor sends the materials to the PBGB's human trafficking investigators with the aim of organising pre-trial proceedings.
 - If the Public Prosecutor's Office receives information regarding a suspected case of human trafficking that does not constitute a criminal complaint, the prosecutor shall forward the information to the PBGB's human trafficking investigators for verification of the facts and, where necessary, for entry into the database.
-

Social Insurance Board

- If an employee or contractual partner of the Social Insurance Board (e.g. a victim support official, a service provider at a women's support centre, a provider of crisis support for sexual violence, a counsellor for perpetrators of violence, or a provider of mental health support services for trauma recovery) has grounds to suspect a case of human trafficking based on client information, they must notify emergency services at 112 in cases requiring an immediate response, and the Social Insurance Board's human trafficking victim counsellors via e-mail at inimkaubandus@sotsiaalkindlustusamet.ee or by telephone at 6607 320.
 - If there is a suspicion of human trafficking outside working hours and the situation is not urgent, the victim support crisis helpline 116 006 should be contacted.
 - The Social Insurance Board's senior human trafficking specialists will then deal with the potential victim: they will assess their need for assistance and the risks involved, offer them needs-based services and, where necessary, involve specialists and officials in the case.
 - If labour law violations are suspected, the Social Insurance Board's human trafficking victim counsellors will send a report to the Labour Inspectorate for investigation.
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Labour Inspectorate

- If a labour inspector or any other official of the Labour Inspectorate comes into contact with a person who may be a victim of human trafficking, they shall forward the relevant information to the PBGB via e-mail to thb.info@politsei.ee and, in accordance with subsection 7 (3) of the Victim Support Act, offer to forward the person's contact details and a description of the case to the Social Insurance Board via e-mail to inimkaubandus@sotsiaalkindlustusamet.ee so that a victim support official can contact the person and inform them of the victim support options available.
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- If a consular officer at an embassy suspects that a person may be a victim of human trafficking, they will direct the person in distress to directly contact a victim support counsellor at the Social Insurance Board, either by calling the human trafficking prevention and victim's assistance counselling line at 6607 320 (Monday–Friday, from 8.30–17.00) or by e-mailing inimkaubandus@sotsiaalkindlustusamet.ee. Estonian Victim Support is available 24 hours a day at 116 006, or from abroad at +372 614 7393. Contact details for helplines assisting victims of human trafficking in European Union countries can be found [here](#). You should also immediately report the incident to the PBGB's human trafficking investigators by e-mailing thb.info@politsei.ee.
- If necessary, the consul will issue a return certificate or a return permit (TPT/TPL) to an Estonian citizen or an alien in distress abroad who holds a valid Estonian residence permit or right of residence in Estonia and has been issued an Estonian alien's passport, a return certificate or return permit (TPT/TPL) so that the person can return to Estonia. An exception applies to minors, who may only return accompanied by an escort (in accordance with the Act, this may also be a social worker or an authorised relative).
- If a family member reports that a relative has fallen victim to human trafficking and does not know the person's whereabouts, they should be directed to the PBGB. To do this, the family member must send an e-mail to thb.info@politsei.ee or visit the nearest police station in person. If there is no heightened risk, the PBGB's case managers will forward the information to the regional investigation unit for resolution. In the event of a heightened risk (a threat to a person's life or health), you must immediately call emergency services at 112.



In the case of **aliens**: The PBGB is obliged to carry out a vulnerability assessment of third-country nationals who have entered Estonia illegally or have applied for international protection here (Regulation 2024/1356 Article 12; subsection 15 (1) of the Act on Granting International Protection to Aliens). If, during this assessment, it is found that the person may be a victim of human trafficking, criminal proceedings must be initiated, the alien must be given a cooling-off period, and the victim must be referred to victim support services, notifying the Social Insurance Board either via the 24-hour victim support crisis helpline 116 006, by calling the Human Trafficking Victim Support Team directly Monday–Friday, from 8.30–17.00, or by e-mailing inimkaubandus@sotsiaalkindlustusamet.ee.

Basic needs and information

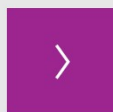
The following describes the most typical needs that professionals encountering a suspected victim for the first time should take into account and address.⁴

A. Safety

The first priority is to ensure the victim's safety. The victim must be assured that no one is threatening them **physically** (a safe environment where strangers cannot enter) or **psychologically** (perpetrators cannot threaten or intimidate them, etc.). When ensuring safety, one must also take into account risks that may arise from the victim themselves. The victim may, in a state of confusion or whilst reassessing the situation, leave their accommodation without warning and disappear from the sight of those assisting them. In the case of a suicidal victim, they must not be left alone.

Specialists from the agency that first comes into contact with the victim must assess the various risks in order to decide how to proceed with the person to ensure their safety.

- ▶ If, following the victim's initial contact with a social or healthcare agency, the threat posed by the perpetrators appears, based on the initial risk assessment, to be immediate to the victim, the PBGB must be contacted immediately (by calling the emergency number 112) or the local police in a foreign country.
- ▶ If there is a risk that a potential victim of human trafficking, who is in a critical mental state, may harm themselves or others, they must be taken to an emergency department (or, if possible, a psychiatric hospital). You must also immediately report the incident to the PBGB's human trafficking investigators by e-mailing thb.info@politsei.ee.



Minor victim. Where the victim is a minor, they are automatically treated as a victim requiring special treatment and protection. In addition to notifying the Social Insurance Board⁵, the investigating authority, the public prosecutor's office or the court is also obliged⁶ to notify the local government of a child in need of assistance. The local government in whose territory the child was found must be notified. Reports can be made 24 hours a day via the child helpline at 116 111.

4 Clawson, H. J., Dutch, N. (2008). Addressing the Needs of Victims of Human Trafficking: Challenges, Barriers and Promising Practices. U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, <https://aspe.hhs.gov/sites/default/files/private/pdf/75471/ib.pdf>.

5 The obligation arises from § 7 of the Victim Support Act.

6 This obligation arises from § 27 of the Child Protection Act.

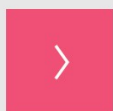
B. Emergency assistance

A victim of human trafficking may be in a very poor condition when meeting an official: thirsty, hungry, wearing thin clothing or no clothing at all, without identity documents, physically or mentally ill, without necessary medication (e.g. for chronic illnesses), and without a place to stay. They may not have basic hygiene items (e.g. a toothbrush and toothpaste, sanitary towels, etc.).

Providing the essentials for daily life helps to create a basic sense of security in the victim and build their trust in those assisting them. It is therefore sensible to address the person's basic needs immediately. **At the same time, the incident must be reported to the Police and Border Guard Board** (depending on the situation, call the emergency number 112 or e-mail the human trafficking investigators at thb.info@politsei.ee).

Providing emergency assistance

Local government	- Local government where a person resides offers its residents - To a resident of another local government or an alien temporarily staying in Estonia who is located within its territory⁷
SOCIAL INSURANCE BOARD	- Conducts a needs assessment and risk assessment - Provides services, in cooperation with the local government where necessary - Provides transport and accommodation, in cooperation with the PBGB where necessary
PBGB	- Ensuring security - Gathering and storing evidence - Providing emergency assistance in cooperation with the SOCIAL INSURANCE BOARD
Diplomatic mission	- Provides information on victim support services in the country of residence or home country⁸ - Notifies the local police if necessary



The police must always be notified of an incident!

Depending on the situation, either 112 or thb.info@politsei.ee

C. Health-related issues

Victims of human trafficking often have multiple health problems, and some of these may require urgent intervention. Emergency care is guaranteed to all persons present on Estonian territory. In situations not requiring such an urgent response, it is the responsibility of the Social Insurance Board to arrange the necessary healthcare services for the victim, regardless of whether they have health insurance (§ 24 of the Health Insurance Act).

Seeking treatment at an emergency department is justified **in the event of an acute illness or injury** where a delay in treatment may endanger the patient's life or cause permanent damage to their health. The PBGB must also be notified of the incident (depending on the situation, by calling the emergency number 112 or by e-mailing the human trafficking investigators at thb.info@politsei.ee).

Medical conditions requiring **immediate assistance**:

- severe, crushing chest pain
- cardiac arrhythmia
- severe shortness of breath
- fainting spells
- bleeding
- paralysis of the limbs
- speech difficulties

- a high temperature (over 38.5 °C) lasting more than three (3) days
- severe abdominal pain
- injuries such as fractures, wounds, burns, and other dangerous conditions

You can take a victim with health insurance to a **family physician** if

- the pain has persisted for some time or is of moderate intensity (headache, joint pain, earache, abdominal pain, lower back pain, etc.)
- the injury is minor (the affected body part is not swollen, its shape has not changed and there is no restriction of movement)
- there is blood in the stool or phlegm, or the person has a nosebleed
- they have more severe forms of minor illnesses (colds, stomach bugs, eye infections, high blood pressure, etc.)
- they are experiencing mood disorders (anxiety and sleep disorders, depression, behavioural and addiction problems).⁹

A victim of human trafficking who has experienced **sexual violence** can be referred to a **sexual violence crisis centre**. This is one of the victim support services offered by the Social Insurance Board. Comprehensive support for victims of sexual violence prevents short- and long-term health damage and encourages victims who have experienced sexual violence to contact the police. Contact details for sexual violence crisis centres can be found at <https://www.palunabi.ee/et/seksuaalvagivalla-kriisiabikeskused>.

⁷ These obligations arise from Section 5 of the Social Welfare Act.

⁸ National helplines as of 12 February 2026: https://home-affairs.ec.europa.eu/policies/internal-security/organised-crime/together-against-trafficking-human-beings/national-hotlines_en.

⁹ Health Board information sheet. Family physician or A&E? <https://www.terviseamet.ee/tervishoiukorraldus>.



In addition to crisis centres located in hospitals, the [Social Insurance Board's Children's Houses](https://www.sotsiaalkindlustusamet.ee) offer child-friendly services to **minors** who are victims of sexual exploitation.¹⁰ The Children's Houses are located in Tallinn, Tartu, Jõhvi, and Pärnu, but the service is available to all children in need of help in Estonia.

D. Initial information to share

Regardless of the type of crime, it is **important for the victim to understand what will happen to them next**. Simply providing information about accommodation options or going to the emergency department is not sufficient for every victim. **Sometimes it may be necessary to take the person to the right place and remain by their side**. One must take into account the victim's condition, their ability to understand the information, and so on.

Information regarding the safe accommodation, essential social support, and healthcare listed above must be provided to the person immediately to ensure they feel safe and understand that help is available. You can get in touch by e-mailing inimkaubandus@sotsiaalkindlustusamet.ee or by calling the Social Insurance Board's human trafficking prevention and victims assistance counselling line at 660 7320, Monday–Friday, from 8.30–to 17.00. The lead specialist from the Social Insurance Board's human trafficking victim support team will always provide the victim with an information pack containing clear and understandable details of key information and available services, including guidance on how to proceed.



In the case of **an alien**: if the person has not been identified by the Police and Border Guard Board (PBGB), they must be reported to the emergency services at 112, who will dispatch a response unit (police or ambulance, or both). Should it be necessary to determine whether the person is in the country legally, the response unit will notify a PBGB migration surveillance officer of the incident. The officer will check the grounds for the person's stay in the country and decide how to proceed. If necessary, they will advise the alien on their rights regarding their stay in the country and on how to regularise their status.

- ▶ The Social Insurance Board has information materials in Estonian, Russian, English, Portuguese, Spanish, and Ukrainian, and these are updated regularly. The materials are distributed during face-to-face meetings, and the options available to the person for receiving assistance are explained point by point.

Arranging interpretation

Interpretation may be required during counselling and when communicating with state and local government agencies, as well as when providing healthcare services.

The Police and Border Guard Board (PBGB) may, in proceedings that have been initiated, contact a translation centre, request a necessary interpreter from another country via the PBGB's interpreter register, or use an on-call interpreter in accordance with the translation service procedure.

The Social Insurance Board does not have a contracted partner for arranging translation services, so a creative approach is required. The client has the right to decide whether they wish a third party to be involved in the conversation at all. In practice, the initial conversation can often be conducted using Google Translate. The most accurate translation is obtained by reading the text aloud in English. If the client agrees to the use of an interpreter, cooperation is established with embassies,

Tallinn University and the International Organisation for Migration (IOM). In the case of a potential returnee, IOM is contacted, and counselling services are provided in collaboration with them. IOM has the necessary interpreters available. Communication with interpreters takes place by telephone or, with the client's consent, online.

The Labour Inspectorate is obliged to use interpreters in misdemeanour proceedings. In other respects, the Labour Inspectorate, as an administrative body, follows § 20 of the Administrative Procedure Act, according to which the language of administrative proceedings is Estonian. A foreign language is used in cases provided for by law and where the official and the party to the proceedings agree on the use of a foreign language. When accepting documents in a foreign language, § 12 of the Language Act applies; that is, an Estonian translation is required where necessary.

¹⁰ For contact details of Social Insurance Board children's homes, see <https://www.sotsiaalkindlustusamet.ee/abivajav-laps-ja-taiskasvanu/laste-ja-perede-abistamine/lastemaja>.

SUPPORT AND PROTECTION

Forwarding of victim's details to the Social Insurance Board for victim support

The forwarding of victim data to the Social Insurance Board is regulated by § 7 of the Victim Support Act. The Act distinguishes between three groups of victims, for whom specific approaches are prescribed.

1) Victims requiring special treatment and protection

Section 37² stipulates that the proceedings authority is obliged 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. **As a result of this assessment, protective measures are applied to the person where necessary, including the provision of victim support.**

If a need for special treatment and protection has been established for a victim in criminal proceedings, the investigating authority, the Public Prosecutor's Office or the court¹¹ must forward the victim's details to the Social Insurance Board **at the earliest opportunity** (it is better to forward the information several times than not to forward it at all). It should be noted that **the victim's wishes do not need to be taken into account when forwarding the data, as people in the most vulnerable situations often do not realise they need help or even deny it.**

In the case of a victim of human trafficking, their contact details must be forwarded to the Social Insurance Board's Human Trafficking Victim Support Team (tel: 660 7320, e-mail: inimkaubandus@sotsiaalkindlustusamet.ee).

2) Other victims who come into contact with the police or the Public Prosecutor's Office

If a person who does not require special treatment or protection needs victim support, the police or the Public Prosecutor's Office will only forward the victim's details to the Social Insurance Board at the victim's request. This means that the victim makes a request for assistance (service) to the investigating authority, which in turn forwards their details to the Social Insurance Board's Human Trafficking Victim Support Team at the earliest opportunity (tel: 660 7320, e-mail: inimkaubandus@sotsiaalkindlustusamet.ee). Even if the police determine at the scene that there are no grounds for initiating proceedings, they must still **inform the victim of the options for receiving victim support**¹² and the possibility of forwarding their details to the Social Insurance Board so that victim support can contact them directly.

The details to be provided for these two groups of victims are as follows:

- 1) the victim's first name and surname;
- 2) the victim's date of birth or personal identification number;
- 3) the victim's contact details; in the case of a person with limited legal capacity, also the contact details of their legal representative;
- 4) in the case of a criminal offence, the type of offence allegedly committed against the victim;
- 5) the type of incident;
- 6) the time the incident occurred;
- 7) the victim's relationship with the perpetrator;
- 8) a note regarding the involvement of a minor child in the incident.

The victim's language of communication must also be noted so that support workers know which language to use when addressing the victim. **The type of crime** is reported once criminal proceedings have been initiated (human trafficking, causing grievous bodily harm, physical abuse, hostage-taking, etc.). It is also noted whether the need for special treatment and protection of the victim has been assessed (the fact, not the specific content of the assessment). **The type of incident** is also specified, indicating the nature of the crime – e.g. murder or threats of violence, isolation, etc. In addition, a note is required **regarding the involvement of a minor in the incident** – whether any child under the age of 18 was present at the scene and/or witnessed the incident.

3) Victims who have approached another agency

If the victim has sought help from a state or local government agency, a health or social care institution, or a relevant specialist, including a mental health specialist, the relevant agency, service provider, or specialist shall forward their first name and surname, contact details, the type of incident and the request for victim support to the Social Insurance Board. **The type of incident** may include, for example, domestic violence, sexual violence, an attack on the street, a past or recent incident, etc. This information may be provided **by e-mail or telephone** (tel: 660 7320, e-mail: inimkaubandus@sotsiaalkindlustusamet.ee).

Data processing at the Social Insurance Board

If a victim whose details have been forwarded to the Social Insurance Board does not wish their data to be processed for the purpose of providing victim support, the Social Insurance Board will cease further processing of the data immediately upon receiving a relevant notification from the individual. **This means that regardless of whether the data was forwarded in the case of a victim requiring special treatment and protection,**

either independently of the victim's wishes or at their request, the Social Insurance Board will cease processing the person's data. The person does not need to submit a written statement; a verbal statement that they do not wish to receive the services is sufficient. The collected data will not be deleted; it will remain in the Social Insurance Board's information system.

¹¹ Section 16(1) of the Code of Criminal Procedure stipulates that the proceedings are conducted by the court, the public prosecutor's office and the investigating authority.

¹² Pursuant to Section 8(7) of the Code of Criminal Procedure.

Consent to receive assistance

In accordance with the Anti-Trafficking Directive, assistance and support measures must be offered to the victim **on an informed and consensual basis**. Victims must therefore be informed of the key aspects of the measures, and the measures must not be imposed on them. If a victim refuses assistance or support, this does not entail an obligation on the part of the Member State's authorities to offer the victim alternative measures.¹³

Consent to receive assistance means that the person gives their clear and informed approval to receive assistance – expresses a wish to receive assistance. This may include victim support, medical assistance, social assistance, or other forms of support. The person's wish means that they are aware of the conditions attached to the assistance and have voluntarily decided to accept it. It is important that consent is given without coercion and on the basis of sufficient information to make an informed decision.

Taking the victim's wishes into account is particularly important because the perpetrators have likely already made decisions on their behalf, and in order to regain their autonomy, they must be able to make decisions about matters concerning themselves as much as possible. If the victim does not wish to go to a shelter, receive psychological or legal counselling, or even listen to what the social worker has to say, they have the right not to. It depends on the specialist's communication skills whether the services can

be presented to the victim in such a way that they feel inclined to accept help. If the information is not provided in a sufficiently understandable form, or if it is not explained at all what a particular service entails or what will happen next, refusal can easily occur.

The victim may experience, and is likely to experience, complex trauma, which manifests itself in survival strategies.

The victim experiences:

- emotional manifestations: low self-esteem, depression, outbursts of anger, etc.
- relationship patterns: trust issues, wearing 'masks', a strong need for closeness coupled with a fear of it, etc.
- an identity crisis: an uncertain sense of self, self-worth dependent on external factors, etc.
- behavioural traits: excessive need for control, impulsiveness, starting things but struggling to finish them, etc.
- prevailing fears: fear of abandonment, failure, conflict, being a burden, and change.

Consequently, the victim may lack the ability to decide on the need for the services offered, even if a specialist has introduced them and explained their necessity.

Victim support services

Services for victims of human trafficking are organised by the Social Insurance Board. The specific procedures for providing assistance are described in the Social Insurance Board's internal guidelines.

In accordance with § 24 of the Victim Support Act, victims of human trafficking are entitled to the following services:

- 1) 24-hour initial psychosocial support;
- 2) victim counselling and long-term psychosocial support;
- 3) safe temporary accommodation 24 hours a day;
- 4) meals and other necessary material assistance;
- 5) healthcare services;
- 6) psychological counselling or psychotherapy;
- 7) legal assistance.

To organise the necessary assistance:

- 1) the victim's need for assistance is assessed to determine the necessity and scope of services;
- 2) case management methods are used if the victim requires long-term and comprehensive support to achieve independence;
- 3) interpreting services are arranged, if necessary, to provide victim support.

In the case of a victim of human trafficking who has **been sexually exploited**, the Social Insurance Board can provide crisis support for sexual violence, which is available at major hospitals in four regions of Estonia: Lääne-Tallinn Central Hospital, Ida-Viru Central Hospital, Pärnu Hospital, Kuressaare Hospital, and Tartu University Hospital. The centres operate 24 hours a day.¹⁴

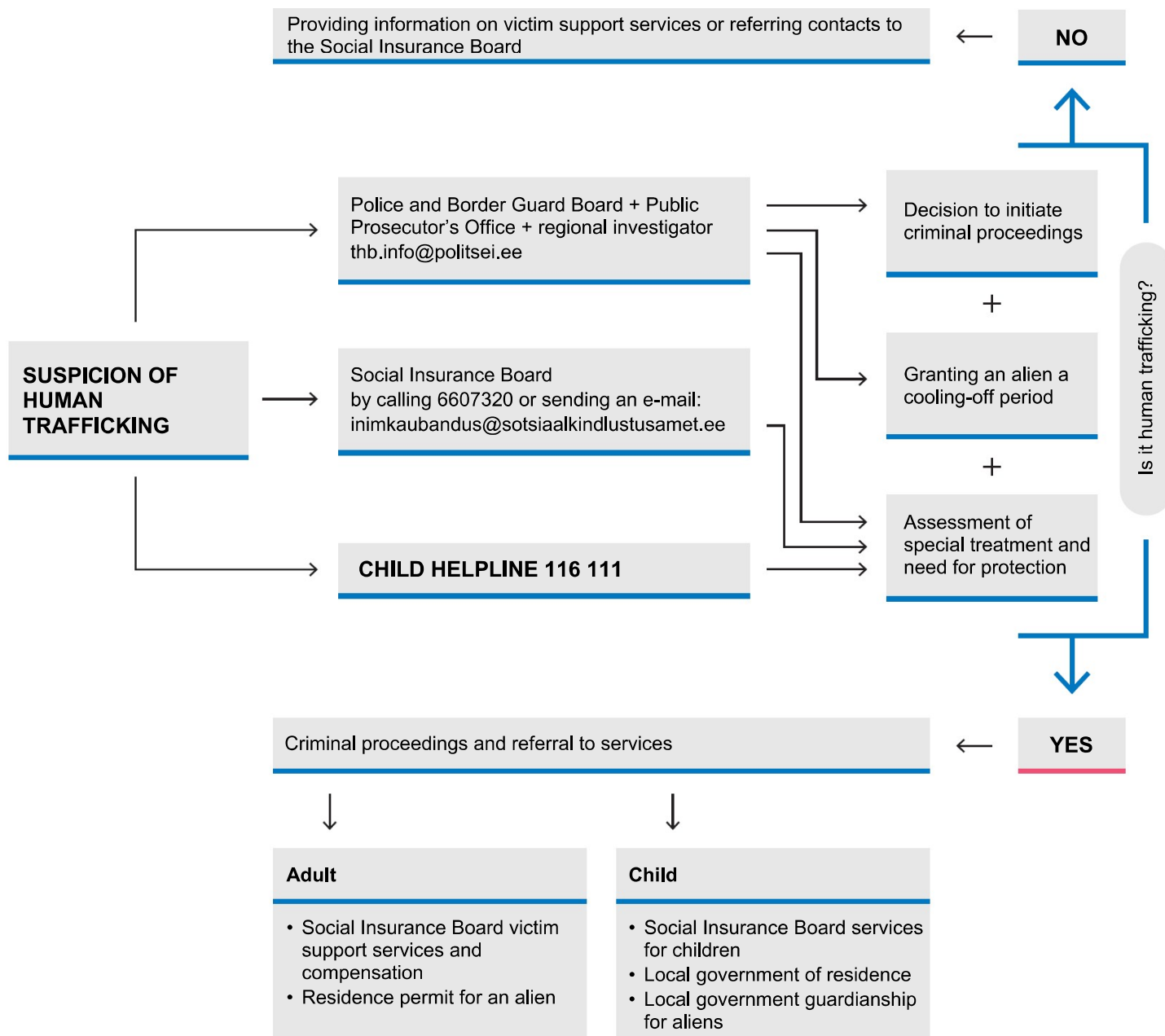
In accordance with § 22 of the Victim Support Act, victims of sexual violence are entitled to the following support:

- 1) initial psychosocial support;
- 2) provision of healthcare services required as a result of sexual violence, including the collection of forensic evidence;
- 3) medicines and aids required as a result of sexual violence;
- 4) psychological and other counselling for the victim.

¹³ An alternative measure would be, for example, a service that is not offered by the state or for which the state does not pay. A victim may express a wish to participate in certain training sessions but not wish to receive social or psychological counselling. Although physical activity has a significant positive impact on recovery, the state is under no obligation to pay for training sessions. If, for example, a client refuses psychological counselling, the state is under no obligation to pay for participation in training sessions instead.

¹⁴ For victims of sexual violence | Social Insurance Board, <https://sotsiaalkindlustusamet.ee/seksuaalvagivalla-ohvrite-kriisiabi>

FIGURE 5: Identifying human trafficking offences and assisting victims



Police and Border Guard Board

- The investigating officer is obliged to assess whether there are circumstances giving reason to believe that the victim, as a natural person, requires special treatment and protection in criminal proceedings, including victim support services. Explains to the victim their right to receive victim support services where necessary and the state compensation provided for victims of violent crimes (subsection 8 (1) of the Code of Criminal Procedure).
- In the case of a victim requiring special treatment and protection, or who needs victim support services, the PBGB shall, in accordance with subsection 7 (1) of the Victim Support Act, notify the Social Insurance Board at the e-mail address inimkaubandus@sotsiaalkindlustusamet.ee, regardless of the victim's wishes, so that a victim support official can contact the person and inform them of the options for victim support.
- If the person does not require special treatment or protection, or if criminal proceedings are not initiated, or if contact is limited to a conversation at the scene of the incident, the person will be asked whether they wish their details to be passed on to victim support in order to receive general victim support services. Contact details for regional victim support managers can be found at www.palunabi.ee.
- If a **victim who is a third-country national** or a witness, for the reasons specified in subsection 203 (3) of the Aliens Act, has been granted a cooling-off period or a temporary residence permit and requires victim support services, the Police and Border Guard Board will notify the Social Insurance Board so that victim support services can be provided to the person (by calling 660 7320 Monday–Friday, from 8.30–17.00, by e-mailing inimkaubandus@sotsiaalkindlustusamet.ee, or by contacting the victim support crisis helpline 116 006 24 hours a day).
- In the case of a minor victim: as § 37² of the Code of Criminal Procedure stipulates that a minor is always presumed to require special treatment and protection in criminal proceedings, the necessary special treatment and victim support services are guaranteed from the first point of contact with the minor. In accordance with § 27 of the Child Protection Act, the Police and Border Guard Board notifies the local government of a child in need of assistance, and in accordance with § 7 of the Social Welfare Act, the Police and Border Guard Board notifies the Social Insurance Board of a child in need of assistance.

Social Insurance Board

- When an anti-trafficking adviser at the Social Insurance Board receives information about a victim of human trafficking, they contact the victim and, at the earliest opportunity, carry out a risk assessment and an assessment of the need for assistance to ensure the victim's safety and access to the necessary services in accordance with the Social Insurance Board's operational procedures.
- If any other Social Insurance Board employee or contractual partner (sexual violence crisis centre, women's support centre, mental health service provider supporting recovery from trauma) comes into contact with a person who expresses concern about an experience of exploitation or about having fallen victim to human trafficking, they shall forward the person's contact details to the Social Insurance Board's human trafficking prevention and victims assistance counselling line at 6607 320 or send an e-mail to inimkaubandus@sotsiaalkindlustusamet.ee. In addition, the specialist will notify the PBGB by calling the emergency number 112, depending on the situation, or by e-mailing the PBGB's human trafficking investigators at thb.info@politsei.ee.
- Pursuant to subsection 226 (1) of the Aliens Act, the Social Insurance Board shall, with the alien's consent, place **them** in a location designated by the Social Insurance Board for a cooling-off period, for the duration of the examination of an application for a temporary residence permit for the purpose of participating in criminal proceedings, and for the duration of the validity of said residence permit following its grant.
- Pursuant to § 125 of the Social Welfare Act, the Social Insurance Board shall, where necessary, arrange for the provision of substitute home services **to a minor victim**. In the case of **an unaccompanied minor alien** who lacks a legal basis for staying in Estonia or who has applied for international protection, they must also be referred to receive substitute home services (see subsection 12 (9) of the Obligation to Leave and Prohibition on Entry Act and subsection 17 (12) of the Act on Granting International Protection to Aliens).
- For a minor victim of human trafficking who has been sexually abused, the Social Insurance Board provides services in conjunction with the measures set out in § 291 of the Child Protection Act. This means, where necessary, the use of so-called children's home services.
- The Social Insurance Board liaises with the PBGB, the Public Prosecutor's Office and, where necessary, other agencies to ensure the victim's safety and to resolve other issues relating to victim support.

Labour Inspectorate

- If a labour inspector or any other official of the Labour Inspectorate comes into contact with a person who may be a victim of human trafficking, they shall forward the relevant information to the PBGB at the e-mail address thb.info@politsei.ee and, in accordance with subsection 7(3) of the Victim Support Act, offer to forward the person's contact details and a description of the case to the Social Insurance Board at the e-mail address inimkaubandus@sotsiaalkindlustusamet.ee so that a victim support official can contact the person and inform them of the victim support options available.

Local government

- If a social worker, child protection worker or any other local government employee comes into contact with a person who may be a victim of human trafficking, they should forward the relevant information to the PBGB at thb.info@politsei.ee and, in accordance with subsection 7 (3) of the Victim Support Act, forward the person's contact details and a description of the case to the Social Insurance Board at inimkaubandus@sotsiaalkindlustusamet.ee so that a victim support official can contact the person and inform them of the victim support options available.

Healthcare institution

- If a healthcare professional, including a mental health professional, comes into contact with a person who may be a victim of human trafficking, they should forward the relevant information to the PBGB at thb.info@politsei.ee and, in accordance with subsection 7 (3) of the Victim Support Act, forward the person's contact details and a description of the case to the Social Insurance Board at inimkaubandus@sotsiaalkindlustusamet.ee so that a victim support official can contact the person and inform them of the victim support options available.

Ministry of Foreign Affairs

- If a consular officer encounters an Estonian national abroad who may be a victim of human trafficking, they shall offer the option of forwarding information on the matter to the PBGB via e-mail at thb.info@politsei.ee and, in accordance with subsection 7 (3) of the Victim Support Act, forward the person's contact details and a description of the case to the Social Insurance Board via e-mail at inimkaubandus@sotsiaalkindlustusamet.ee so that a victim support official can contact the person and inform them of the available victim support options. If the person does not wish to receive assistance from Estonia or return to Estonia, the consular officer shall provide them with the number of the local police and the number of a local organisation assisting victims of human trafficking or a helpline, or, at the person's request, shall contact the local support organisation and the police themselves.

Court

- The court asks the victim whether they have been informed of the options for receiving victim support, and, at the victim's request, forwards the person's contact details and a description of the case to the Social Insurance Board via e-mail at inimkaubandus@sotsiaalkindlustusamet.ee in accordance with subsection 7 (3) of the Victim Support Act, so that a victim support official can contact the person and inform them of the options for victim support.



In accordance with § 226 of the Aliens Act, **an alien** shall, with their consent, be placed in a location designated by the Social Insurance Board for the provided cooling-off period, for the duration of the review of the application for a temporary residence permit for participation in criminal proceedings, and, upon the issue of the specified residence permit, for the period of its validity. Services are provided to the alien in accordance with the provisions of the Victim Support Act.



In addition to crisis centres located in hospitals, [the Social Insurance Board's Children's Houses](#) offer child-friendly services **to minors who are victims of sexual exploitation**.¹⁵ The Children's Houses are located in Tallinn, Tartu, Jõhvi, and Pärnu, but the service is available to all children in need of assistance in Estonia.

Healthcare

The provision of healthcare services to victims of human trafficking is the responsibility of the Social Insurance Board under § 24 of the Victim Support Act and forms part of the package of services that can be offered to victims. **Emergency care is available to all persons in Estonia at hospital emergency departments.** In such cases, the first priority is to stabilise the person's health and prevent it from deteriorating.

Even persons without health insurance are guaranteed access to emergency care whilst staying within the territory of the Republic of Estonia. Emergency care, within the meaning of § 5 of the Health Services Organisation Act, means services which are provided by health care professionals in situations where postponement of care or failure to provide care may cause the death or permanent damage to the health of the person requiring care. The need for emergency care is determined by a

healthcare professional. It is therefore entirely appropriate to take the victim to the emergency department if their condition appears serious (see the circumstances in which one should go to the emergency department).

Emergency care provided to a person not covered by health insurance is paid for from the state budget using funds earmarked for this purpose, in accordance with the Health Insurance Act, under an agreement concluded between the Ministry of Social Affairs and the Health Insurance Fund. **Healthcare services not covered by emergency care (including medicines and medical aids) for persons without health insurance are funded by the service provider from the Social Insurance Board budget.**

15 For contact details of Social Insurance Board children's homes, see <https://www.sotsiaalkindlustusamet.ee/abivajav-laps-ja-taiskasvanu/laste-ja-perede-abistamine/lastemaja>.

Police and Border Guard Board

- Transports a person in need of emergency medical care to the emergency department.
- If a victim of human trafficking does not require immediate medical assistance (they are guaranteed healthcare services in accordance with § 24 of the Victim Support Act regardless of whether they have health insurance), the PBGB officer informs the victim (as defined by the Victim Support Act) of this and advises them to contact the Social Insurance Board's human trafficking victim support team to arrange further healthcare services, by sending an e-mail to inimkaubandus@sotsiaalkindlustusamet.ee or by calling 660 7320 Monday–Friday, from 8.30–17.00, or the victim support crisis helpline 116 006 24 hours a day.
- Informs victims suspected of sexual abuse, rape or other sexual violence about the sexual violence crisis support centre, which is available 24 hours a day (contact details on the website <https://www.palunabi.ee/et/seksuaalvagivalla-kriisiabikeskused>). A medical assessment may be important in proving sexual abuse, and forensic evidence is collected, among other things, during the sexual violence crisis support centre service.
- If necessary, arranges transport for the victim to the sexual violence crisis support centre service provider (24 hours a day).
- If the victim does not wish to go to a sexual violence crisis support centre immediately, they are given victim support contact details (the 24-hour victim support crisis helpline 116 006) and it is explained to them that they can contact victim support at a later date. If the victim wishes for victim support to contact them directly and explain the options available, the PBGB will forward the victim's contact details to the Human Trafficking Victim Support Team at inimkaubandus@sotsiaalkindlustusamet.ee.

Social Insurance Board

- Provides healthcare services to the victim. Victim support measures for victims of human trafficking are specifically set out under the Victim Support Act.
- It is the organiser of crisis support for sexual violence in Estonia in accordance with § 22 of the Victim Support Act.

Contractual partner of the Social Insurance Board / provider of sexual violence crisis support services

- Sexual violence crisis support centres provide the service in accordance with the agreement with the Social Insurance Board.
- If a sexual violence crisis support centre service provider suspects human trafficking in relation to a victim of sexual violence, they shall, with the victim's consent, contact the Social Insurance Board's support service for victims of human trafficking via e-mail at inimkaubandus@sotsiaalkindlustusamet.ee or by telephone on 660 7320, or contact the regional victim support official.
- If there is an immediate threat to a person's life or health, the contractual partner/service provider shall notify the police via the emergency number 112.

Legal aid

Legal aid for victims of human trafficking is part of the victim support service, but the state also offers other options for obtaining legal aid to people who are unable to pay for it themselves.

Legal aid as part of victim support services

In accordance with clause 24 (2) 9) of the Victim Support Act, legal assistance is also provided as part of the human trafficking service. Legal advice includes explaining the victim's rights and obligations, planning solutions to legal problems, and guiding the victim; assisting the victim in making statements and applications; and providing the victim with other necessary initial legal aid. Legal advice must, among other things, ensure that the victim's actions are lawful and compliant with requirements, and that their rights and interests are protected in the best possible way.

Free legal aid

Estonian citizens who are underprivileged or in a vulnerable situation may apply for state-funded legal aid, provided by attorneys, to represent them in court or other proceedings, to draft legal documents, or for other legal advice or representation. The service is provided by contractual partners of the Ministry of Justice and the Ministry of Digital Affairs.¹⁶

- Further information on the conditions for and application for state-funded legal aid, answers to frequently asked questions, and sample forms in Estonian and Russian for the state-funded legal aid application and the accompanying statement of financial circumstances can be found on the Estonian Bar Association's [state-funded legal aid website](#).

¹⁶ See further information: <https://www.just.ee/kohtud-ja-oigusteenused/oigusabi/riigi-toetatud-oigusabi>.

Assistance with financial claims

A victim of labour exploitation and the related crime of human trafficking may also have outstanding financial claims against their former employer. In such a situation, the victim may turn to a labour dispute body, i.e. a court or the labour dispute committee operating under the Labour Inspectorate. The labour dispute committee procedure is significantly faster, simpler and cheaper than court proceedings, as the labour dispute committee generally reviews applications within 45 calendar days of accepting the application for processing.

If the victim has already returned to their home country or country of origin, they may submit an application to the labour dispute committee (or to the court) by post or e-mail (avaldused.tvk@ti.ee; further information is available on the Labour Inspectorate's website in English and Russian). It is also possible to participate in the hearing online, but this means that the applicant must have an interpreter present, as the hearings are conducted in Estonian

(the hearing may be held in another language only with the consent of all parties). It is also possible to participate in a labour dispute committee hearing through a representative (requires a power of attorney), and the representative does not need to have a legal education. However, the representative should be proficient in Estonian or bring an interpreter.

- ▶ Before contacting the labour dispute committee, victims can seek free advice from the Labour Inspectorate's legal advisers. The advisory service is available Monday–Friday, from 9.00–15.00 by telephone (640 6000) or e-mail (jurist@ti.ee).
- ▶ The most important information regarding employment can be found in 10 languages here: <https://ti.ee/valismaine-tootaja/valismaalt-estisse-toole>.

CRIMINAL PROCEEDINGS

Foreign nationals: cooling-off period

The granting of a cooling-off period is provided for by Directive 2004/81/EC¹⁷, which lays down the conditions **for granting temporary residence permits to third-country nationals who cooperate with the competent authorities of the host country (police, public prosecutor's office, court) in the fight against human trafficking.**

If the Police and Border Guard Board has identified a third-country national as a victim of a human trafficking offence, they must be informed of the possibility of obtaining a temporary residence permit, including applying for international protection, and of the services offered during the cooling-off period (§ 204 of the Aliens Act). The Public Prosecutor's Office grants a victim of human trafficking a cooling-off period to enable them to decide whether they

wish to cooperate with the investigating authority or the Public Prosecutor's Office. The Public Prosecutor's Office may also grant a cooling-off period to a witness to a human trafficking offence (subsection 203 (3) of the Aliens Act).

During the cooling-off period and the processing of the residence permit application, the third-country national's obligation to leave the country is suspended and they are referred to victim support services (subsections 226 (1) and (2) of the Aliens Act). If, after the cooling-off period has expired, the alien is not found to meet the conditions for obtaining a residence permit in the Member State, or if they have left the territory of that Member State, the Member State concerned is not obliged to continue providing assistance and support to that person.

Police and Border Guard Board

- Shall contact the prosecutor in charge of the proceedings to inform the prosecutor of the need to grant a cooling-off period to a victim of human trafficking.
- In the case of a witness to a human trafficking offence, the investigator shall contact the prosecutor in charge of the proceedings to determine whether the witness's participation in the criminal proceedings is necessary and whether a cooling-off period should therefore be granted to them.
- Upon the instruction of the Public Prosecutor's Office, informs an alien who is a victim or witness of a human trafficking offence of the granting of a cooling-off period and the victim support services available during that time, as well as the possibility of obtaining a temporary residence permit for the purpose of participating in criminal proceedings, as well as the right to apply for international protection.
- Forward the victim's or witness's details to the Social Insurance Board's e-mail address inimkaubandus@sotsiaalkindlustusamet.ee to enable the provision of victim support services.
- If necessary, informs the Social Insurance Board by e-mail at inimkaubandus@sotsiaalkindlustusamet.ee of the revocation of the cooling-off period so that the Social Insurance Board can cease providing services.

Prosecutor's Office

- Grants a third-country national who is a witness or victim of a human trafficking offence a 30–60-day cooling-off period by its decision.
- If the Public Prosecutor's Office becomes aware that a victim or witness of a human trafficking offence has voluntarily and of their own initiative re-established contact with a suspect or accused person, or poses a threat to public order or national security, it shall issue a decision to terminate the cooling-off period.
- It shall notify the Social Insurance Board by e-mail at inimkaubandus@sotsiaalkindlustusamet.ee of the revocation of the cooling-off period so that the Social Insurance Board may cease the provision of services.

¹⁷ Council Directive 2004/81/EC of 29 April 2004 on the residence permit issued to third-country nationals who cooperate with the competent authorities and who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, <https://eur-lex.europa.eu/legal-content/ET/ALL/?uri=CELEX:32004L0081>.

Social Insurance Board

- If the Social Insurance Board receives information from the Police and Border Guard Board or the Public Prosecutor's Office regarding an alien who has been granted a cooling-off period, it shall contact them and inform them of the options for receiving assistance.
- Arranges services for the alien, including accommodation.
- Places a minor who is a victim of or witness to human trafficking in substitute home.
- It notifies the case investigator at the PBGB by e-mail if the victim or witness has voluntarily and on their own initiative re-established contact with the suspect or accused.
- The provision of services to an alien does not constitute a legal basis for their stay in Estonia nor does it postpone the fulfilment of their obligation to leave Estonia. Therefore, if the PBGB has notified the Social Insurance Board of the revocation of a residence permit, the Social Insurance Board will cease providing services to the person.

Foreign nationals: temporary residence permit for participation in criminal proceedings

A temporary residence permit for participation in criminal proceedings is granted if the conditions for granting a temporary residence permit are met in the case of the alien and the alien does not pose a threat to public order or national security (§ 207 of the Aliens Act). A third-country national may be granted a residence permit valid for 6–12 months (subsection 208 (1) of the Aliens Act).

The purpose of applying for a temporary residence permit is to enable the person to participate in criminal proceedings in order to assist in the resolution of the criminal offence. **The victim or witness must themselves be willing to cooperate with the law enforcement authorities.** Therefore, the Public Prosecutor's Office or the investigating authority must **explain to the alien the conditions under which the PBGB may grant them a residence permit to participate in criminal proceedings, their rights and obligations**, including their right to apply for international protection and the grounds for obtaining protection, etc., as well as the consequences of staying in the country illegally. A victim who does not wish to obtain a temporary residence permit for the purpose of participating in criminal proceedings is entitled to receive victim support services during the cooling-off period and for as long as they have another legal basis for staying in Estonia.

At the request of the Public Prosecutor's Office, the PBGB case officer responsible for residence permits shall extend a residence

permit for the purpose of participating in criminal proceedings, provided that the conditions for granting the residence permit remain in force. A residence permit may be revoked if the criminal proceedings have been concluded, the victim or witness of a human trafficking offence is no longer contributing to the resolution of the criminal offence, or has voluntarily resumed relations with the suspect or accused, or poses a threat to public order or national security.

If a residence permit is revoked, the alien has no other legal basis for remaining in the country, and if the alien receiving the service is given a deadline to leave Estonia in the order, the PBGB shall notify the Social Insurance Board thereof if the Social Insurance Board has no means of finding this out for itself) (subsection 24 (5) of the Victim Support Act). The Social Insurance Board will cease providing services to the alien if they have left Estonia prematurely or upon the expiry of the deadline set in the order.

If the alien proves that they are entitled to claim unpaid remuneration from their employer in Estonia for work performed, the PBGB may extend the temporary residence permit for the purpose of participating in criminal proceedings until the remuneration is paid, provided that the alien's presence in Estonia contributes to the fulfilment of the obligation to pay the remuneration (subsection 298 (3) of the Aliens Act).

Police and Border Guard Board

- The human trafficking investigator forwards to the prosecutor the information required to apply for a residence permit and the alien's written consent.
- As the alien is entitled to victim support services during the validity of the temporary residence permit issued for participation in criminal proceedings, the Social Insurance Board must be notified via the e-mail address inimkaubandus@sotsiaalkindlustusamet.ee of the alien requiring such services. Following an assessment of the need for assistance, the Social Insurance Board decides what specific assistance the person requires.
- If there are grounds to declare the alien's residence permit invalid for the purposes of participation in criminal proceedings, the police shall also notify the Social Insurance Board of this via the e-mail address inimkaubandus@sotsiaalkindlustusamet.ee in order to terminate the provision of victim support services.

Prosecutor's Office

- Where the conditions set out in the Aliens Act are met, the prosecutor shall apply to the Migration Procedures Department of the Border Guard Bureau of the PBGB for a temporary residence permit for a victim of or witness to a human trafficking offence to participate in criminal proceedings, provided that the victim or witness wishes to cooperate in the criminal proceedings and has not re-established contact with the suspect or accused during the cooling-off period.

Prosecutor's Office

- If an alien is granted a temporary residence permit to participate in criminal proceedings, the PBGB and/or the Public Prosecutor's Office shall notify the Social Insurance Board of the validity period of the residence permit via the e-mail address inimkaubandus@sotsiaalkindlustusamet.ee. The Social Insurance Board shall then decide, following an assessment of the need for assistance, what specific assistance the person requires. In the event of an extension of the residence permit, the PBGB and/or the Public Prosecutor's Office shall notify the Social Insurance Board of the period during which the residence permit is valid.
- Applies to the Migration Procedures Department of the Border Guard Bureau of the PBGB for the extension (§ 209 of the Aliens Act) or revocation (§ 210 of the Aliens Act) of a residence permit issued to a victim or witness of human trafficking for the purpose of participating in criminal proceedings. To this end, the Public Prosecutor's Office submits a written application to the PBGB at the e-mail address PBGB@politsei.ee regarding the extension or revocation of the residence permit.

Social Insurance Board

- Upon receiving information from the PBGB or the Public Prosecutor's Office regarding a victim of or witness to a human trafficking offence, the Social Insurance Board contacts them and informs them of the options for receiving assistance.
- If necessary, the Social Insurance Board will arrange services for the alien.
- The provision of services to an alien does not constitute a legal basis for their stay in Estonia nor does it postpone the fulfilment of their obligation to leave Estonia. Therefore, if the PBGB has notified the Social Insurance Board of the revocation of a residence permit, the Social Insurance Board will cease providing services to the person.

Assessment of the victim's individual protection needs

Pursuant to subsection 37² (1), the investigator is obliged to assess whether there are circumstances providing grounds to believe that a natural person who is a victim requires special treatment and protection in criminal proceedings, including victim support services.

The assessment shall take into account the victim's personal characteristics, the gravity and nature of the offence, the suspect, the circumstances of the commission of the offence and the harm caused to the victim.

The assessment will determine: which of the measures set out in the Code of Criminal Procedure to ensure the victim's safety can be utilised; whether the interview must be conducted in a room adapted to the victim's special needs; whether the interview is to be conducted by a specialist trained to interview victims with

special protection needs (or it is done in their presence) or, where possible, by the same person throughout the proceedings; whether the victim with special protection needs requires victim support services.

If the Police and Border Guard Board (PBGB), the Public Prosecutor's Office or the court has determined, as a result of the assessment provided for in section 37² (1) of the Code of Criminal Procedure, that the victim may require victim support services, the victim's details are forwarded to the Social Insurance Board in accordance with the procedure laid down in the Victim Support Act, which may use more comprehensive methods of assessing the need for assistance to select victim support services and carry out a risk assessment.



Minor victim. Pursuant to section 37² of the Code of Criminal Procedure, it is presumed that a minor always requires special treatment and protection in criminal proceedings. The investigating authority must, in accordance with § 27 of the Child Protection Act, notify the local government of a child in need of assistance and, in accordance with § 7 of the Social Welfare Act, also notify the Social Insurance Board victim support service. This ensures a rapid response and a more thorough assessment of the need for assistance and the organisation of services for the minor.

Support before, during, and after the trial

Supporting victims of human trafficking during proceedings and the trial is essential to safeguard their rights and safety and to help them navigate the complex and often traumatic legal process. **Victims of human trafficking are entitled to victim support services both before, during, and after the trial for as long as necessary.**

The need for victim support services is assessed by the service provider, i.e. the Social Insurance Board. In accordance with the Victims' Directive, the anti-trafficking team's counsellors provide comprehensive support to the victim and offer emotional support to help them cope with the trauma, anxiety and stress that may result from the process.

Compensation for victims of crime

Victims of violent crimes committed on the territory of the Republic of Estonia, **the victim's caregiver** and, in the event of the victim's death, their **dependant**, are entitled to compensation **if they have suffered serious injury¹⁸ or the victim has died**. Compensation is paid for costs related to recovery or funeral expenses, as well as for material damage resulting from the crime.

Compensation for victims of crime is paid by the Social Insurance Board, and the rules governing its payment are set out in Chapter 4 of the Victim Support Act.¹⁹ Section 36 of the Victim Support Act lists the persons entitled to receive compensation. A significant exception has been made for victims of human trafficking. **Whilst one of the conditions for receiving compensation for victims of other crimes is that the person has a legal basis for staying in Estonia, victims of human trafficking are entitled to compensation regardless of whether they have a legal basis for staying in Estonia.**

The victim must report the crime to the police within 15 (fifteen) days, and criminal proceedings must have been initiated. An application for compensation must be submitted to the Social Insurance Board, and at that point no more than three (3) years must have elapsed since the crime was committed. Compensation is also paid to the victim, the victim's caregiver, and a dependant living in another European Union country or in a country that has acceded to the European Convention on the Compensation of Victims of Violent Crimes. In this case, the victim must submit an application to the Social Insurance Board or the competent authority in their country of residence, but the crime must have taken place on the territory of the Republic of Estonia. **The decision on the payment of compensation to a victim of a violent crime committed in another Member State and to a person entitled to compensation whose permanent residence is in Estonia is made by the competent authority of the other Member State in accordance with its own legislation.**

The maximum amount of compensation is up to EUR 9,590 and is paid either as a lump sum or periodically, i.e. monthly.

Types of damage eligible for compensation:

- **costs related to the victim's recovery**, such as medical expenses (consultation fees, rehabilitation, medication, travel costs to the medical facility, and costs related to the restoration of physical and mental health). The victim is also entitled to mental health support to aid recovery from the trauma;
- **compensation for damage caused to aids supporting bodily functions** (glasses, dentures, contact lenses, etc.) **and personal belongings** is paid on the basis of information provided in a certificate from the investigating authority submitted to the Social Insurance Board, at the minimum rate of compensation (the minimum rate of compensation is the minimum monthly wage set by the government (EUR 946 in 2026));
- **the victim's funeral expenses** shall be compensated to the person who incurred them up to the amount of one (1) minimum monthly wage;
- **loss resulting from a reduction in the victim's and the victim's caregiver's income** is compensated based on the average taxable income subject to social tax over the last six (6) months;
- in the case of **loss resulting from the death of a breadwinner**, the same logic applies as for loss of income, but 75% of this is compensated for one (1) dependant, 85% for two (2), and 100% for three (3).

Police and Border Guard Board

- Section 8 of the Code of Criminal Procedure obliges the investigating authority, in order to safeguard the rights of a party to the proceedings, to explain to a natural person who is a victim their right to contact a victim support official and, where necessary, to receive victim support services and the state compensation provided for victims of violent crimes.
- As the right to compensation in the event of the victim's death lies with the victim's dependant, the investigating authority shall inform the dependant, including the victim's pregnant partner, of the right to compensation.
- Regulation No. 1-1/8 of the Minister of the Interior of 29 March 2023 establishes the form of the certificate from the investigating authority required to apply for compensation for victims of crime, which the investigating authority submits to the Social Insurance Board at the latter's request.

Prosecutor's Office

- Section 8 of the Code of Criminal Procedure obliges the Public Prosecutor's Office, in order to safeguard the rights of a party to the proceedings, to inform a natural person who is a victim of their right to contact a victim support official and, where necessary, to receive victim support services and the state compensation provided for victims of violent crimes.
- As, in the event of the victim's death, the right to compensation lies with the victim's dependant and caregiver, the Public Prosecutor's Office informs the dependant, including the victim's pregnant partner or caregiver, of their right to compensation.
- The Public Prosecutor's Office does not assume that the investigating authority has already informed the victim of the possibility of receiving compensation, and will in any case inform the victim to ensure their rights are safeguarded.
- As compensation is intended for a victim against whose life or health a criminally punishable act has been committed, resulting in the victim's death or serious injury, the initiation of criminal proceedings and, in certain cases, a certificate from the investigating authority regarding the occurrence of the damage are required to receive compensation.

¹⁸ Subsection 118 (1) of the Penal Code provides that the causing of serious bodily harm is when the following is caused: 1) a threat to life; 2) a health impairment lasting at least four (4) months or resulting in partial or total incapacity to work; 3) a serious mental disorder; 4) miscarriage; 5) an incurable injury partially disfiguring the face; 6) the loss of an organ or the cessation of its function; or 7) death.

¹⁹ Victim Support Act, RT I, 06.01.2023, 1, <https://www.riigiteataja.ee/akt/106012023001>.

Court

- Section 8 of the Code of Criminal Procedure requires the court, in order to safeguard the rights of parties to proceedings, to explain to an individual victim their right to contact a victim support official and, where this is needed, to receive victim support services as well as the national compensation that victims of violent crimes are entitled to.
 - As, in the event of the victim's death, the right to compensation lies with the victim's dependant and caregiver, the court shall inform the dependant, including the victim's pregnant partner or caregiver, of their right to compensation.
 - The court does not assume that the investigating authority or the public prosecutor's office has already informed the victim of the possibility of receiving compensation, and will, in any event, inform the victim in order to safeguard their rights.
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Social Insurance Board

- If a victim support official suspects that their client has suffered serious harm to their health, and may therefore be entitled to compensation, they will advise the victim to contact the police to initiate proceedings (provided that no more than 15 (fifteen) days have passed since the incident). In cases of suspected human trafficking, contact the unit specialising in human trafficking cases by e-mailing thb.info@politsei.ee. In other cases, it is sufficient to refer the client to the nearest [police station](#) or help them file a crime report [online](#). A report can be filed online if the client has an Estonian ID card.
 - Once proceedings have commenced, the victim support official will advise the client to apply for compensation and, if necessary, assist in preparing the application. [The list of information and necessary documents for applying for compensation](#) is set out in Regulation No. 18 of the Minister of Social Affairs of 27 March 2023. The application form for compensation can be found [here](#).
 - If a victim support official learns that the victim has died as a result of the crime and is already in contact with the victim's relatives, they will suggest that they apply for compensation and, if necessary, assist in completing the application.
 - If the Social Insurance Board has received information from the investigating authority, the public prosecutor's office, or the court regarding a victim who has suffered serious injury, the Social Insurance Board will contact the victim, suggest that they apply for compensation, and assist them in preparing the application.
 - When deciding on the award of compensation, the Social Insurance Board is guided by [Chapter 4 of the Victim Support Act](#) and the internal procedure for processing compensation for victims of crime.
-
- The compensation application form and information on how to apply can be found [on the Social Insurance Board's website](#).²⁰ If necessary, a [victim support official](#) will assist with applying for compensation and completing the application. The Social Insurance Board requires a [certificate from the investigating authority](#) to decide on the payment of compensation.

²⁰ <https://www.sotsiaalkindlustusamet.ee/abivajav-laps-ja-taiskasvanu/abi-vagivalla-ohvrile/kuriteoohvri-huvitis>.

LONG-TERM SUPPORT AND SOCIAL INCLUSION

Social rehabilitation

To help people in difficult situations cope better in society, it is important to provide them with the necessary support and to include them in social life. However, it may be the case that **the health of some victims of human trafficking is so poor that they are unable to cope independently in daily life once victim support services have ended, i.e. after initial stabilisation.** It is possible that the person was already in need of assistance, had a disability, or was long-term unemployed before, and had not previously come to the attention of social services, or that the disability arose as a result of abuse and trafficking.

In such situations, the state offers **social rehabilitation** to those in need of assistance.²¹ It is important to note that rehabilitation is not offered to aliens temporarily residing in the country.

Social rehabilitation is intended for all people with disabilities and those with partial work ability (who are not working, studying, or registered as unemployed) or those with no work ability who need assistance in adapting to the difficulties of daily life arising from their special needs. The aim of rehabilitation is to teach and develop everyday living skills, increase opportunities to participate in social life, support learning, and develop the prerequisites for acquiring or restoring a certain level of work ability. **Social rehabilitation is a complex service, meaning that a person has multiple problems which cannot be resolved through individual services (e.g. a psychologist, support worker, or rehabilitation therapy) alone, but requires the intervention of specialists from several fields (a rehabilitation team).** Social rehabilitation services are organised by the Social Insurance Board.

Social Insurance Board

- The service must be applied for and can be used by a person with a disability and/or limited work ability. No application needs to be submitted for a child under the age of 18 in need of assistance, where the local government has identified the need for assistance under the Child Protection Act and assessed the need to refer the child to social rehabilitation services.
 - The need for the service is assessed by a service consultant at the Social Insurance Board.
 - Upon receiving the referral decision, the client has 60 (sixty) days to select a suitable service provider from the list provided and register to receive the service. To do this, the person must contact the chosen service provider by telephone, e-mail or post, or visit them in person to agree on a start date for the service.
 - When registering, the client must provide the referral decision number, which is in the format K000... – the service provider can use this number to view the decision details in the information system. When attending the service, the client must bring the referral decision with them or send it by e-mail.
 - The referral decision is valid for up to two (2) years; the start and end dates of validity are indicated in the decision. There is no need to extend or renew the decision during its period of validity.
 - The decision includes an annex which specifies, for each service, the maximum amount for which the services can be used in a calendar year.
 - If, however, a need for rehabilitation services is not identified, the service consultant will, where necessary, help to find other necessary services (e.g. by consulting with a family physician, a local government social worker, etc.). This means that even if the service consultant has made a negative decision regarding social rehabilitation, they will still provide recommendations on what to do next, and the person can receive the necessary assistance by following these recommendations.
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► Information on social rehabilitation services and how to apply for them can be found [on the Social Insurance Board's website](#).²²

²¹ For more details, see: <https://sotsiaalkindlustusamet.ee/puue-ja-hoolekanne/sotsiaalne-rehabilitatsioon>.

²² <https://sotsiaalkindlustusamet.ee/puue-ja-hoolekanne/sotsiaalne-rehabilitatsioon#taotlemine>

Vocational rehabilitation

To help people in difficult situations cope better in society, it is important to provide them with the necessary support and involve them in community life. However, it may be the case that **some victims of human trafficking are in such poor health that they are unable to cope independently in working life once victim support services have ended, i.e. after initial stabilisation.** It is possible that the person was already in need of assistance, had a disability or was long-term unemployed before, and had not previously come to the attention of social services, or that the disability or loss of working capacity arose as a result of abuse and trafficking.

In such situations, the state offers **vocational rehabilitation** to those in need of assistance.²³ It is important to note that vocational rehabilitation is not offered to aliens temporarily residing in the country.

Vocational rehabilitation is intended for people who face significant obstacles due to a disability or illness, and who therefore require the assistance of specialists from various fields (a rehabilitation team) to take up or continue employment. Vocational rehabilitation is provided by the Estonian Unemployment Insurance Fund.

Vocational rehabilitation may, for example, be needed to help find work suitable for one's health condition or to learn to cope better with work tasks. In addition, vocational rehabilitation can help improve mobility or speech, teach participants how to use assistive devices, and address psychological issues. Counselling may also be needed to find motivation and boost self-confidence, or to teach participants how to cope with a disability or illness on a daily basis. Vocational rehabilitation may include the following activities: physiotherapy, occupational therapy and counselling, creative therapy, speech therapy, special educational support, peer counselling, psychological counselling, nursing advice, social counselling, and medical (including psychiatric) counselling.

Estonian Unemployment Insurance Fund

- The rehabilitation team assists both unemployed and employed individuals. As part of the service, factors that hinder a person's ability to study or work are identified and their impact minimised, with the individual receiving support in maintaining or improving their work ability, recommendations are made regarding suitable work duties, conditions, and environment, and skills are developed to improve the individual's employment prospects or help them keep their job.
- First, you must visit your family physician before submitting an application for assessment of work ability. Once the necessary doctor's visits have taken place, the next step is to submit an application for assessment of work ability to the Unemployment Insurance Fund.
- The assessment of work ability then takes place. The assessment takes into account the person's state of health and the resulting limitations on their ability to function and participate. To this end, physical and mental capacity in various areas is assessed. The application can also be submitted via the e-Unemployment Insurance Fund, <https://www.tootukassa.ee/etootukassa/logi-sisse>.
- If you wish, you can also apply for a determination of the degree of severity of disability at the same time as the assessment of your work ability. In this case, you may submit a joint application to the Estonian Unemployment Insurance Fund or the Social Insurance Board.
- A medical expert (who is not an employee of the Unemployment Insurance Fund, but whose expert opinion is commissioned by the Fund from healthcare providers) assesses your work ability.
- The Estonian Unemployment Insurance Fund makes a decision on the extent of work ability within 30 (thirty) working days based on the expert opinion. The extent of work ability can be 'ability to work', 'partial work ability', or 'no work ability'.
- If a person's work ability is assessed as partial or no work ability, the Estonian Unemployment Insurance Fund issues them a plastic card certifying this. The card is required to prove reduced work ability and is valid in conjunction with an identity document.

If the applicant for the assessment of work ability is under guardianship or has been assigned a legal representative, proof of guardianship or representation must be provided when submitting the application. As an exception, someone else may submit the application on behalf of the applicant if the applicant is permanently unable to submit or sign the application in person due to their state of health.

- ▶ To receive vocational rehabilitation, you must contact [an Unemployment Insurance Fund office](#). Further information on vocational rehabilitation can be found [on the Unemployment Insurance Fund's website](#).

23 For more details, see: <https://sotsiaalkindlustusamet.ee/puue-ja-hoolekanne/sotsiaalne-rehabilitatsioon>

Continuing education

Continuing one's education is very important for a victim's recovery from human trafficking. For children, attending school helps them put their experiences behind them more quickly and build new, positive relationships. For young people and adults whose education has been interrupted or who have not yet started, studying ensures better future prospects, including helping to prevent them from becoming victims again.

In Estonia, victims of human trafficking can access both general education and vocational and higher education. Under certain conditions, both Estonian citizens and students residing in Estonia as long-term residents on the basis of a temporary residence permit or permanent or temporary right of residence are eligible for student loans and study grants to pursue vocational and higher education.²⁴

- ▶ Further information on educational opportunities for children and young people whose native language is not Estonian can be found [on the website of the Ministry of Education and Research](#).
- ▶ You can read about the funding of vocational education and study grants [here](#). The Ministry of Education and Research provides information on vocational education institutions by telephone at 735 0575 or by e-mail at noustamine@hm.ee.
- ▶ You can read about funding for university studies and study grants [here](#).



Important for minors! Children are required to attend school until they reach the age of 18 or until they have completed vocational or upper secondary education. Children of compulsory school age who are aliens are also required to attend school in Estonia.

²⁴ <https://hm.ee/kutse-ja-taiskasvanuharidus/kutseharidus/oppija-toetamine>.

FOREIGN NATIONALS: SAFE RETURN

Preparing for return

The return of aliens staying in Estonia unlawfully to their home country or country of origin is governed by the Obligation to Leave and Prohibition on Entry Act.²⁵ An alien staying in Estonia without a valid basis for staying is generally issued with an order to leave Estonia. The order to leave establishes that the alien is staying in Estonia unlawfully, imposes an obligation on them to leave Estonia, sets a **deadline for compliance with the obligation to leave**, issues a warning regarding the enforcement of the obligation to leave, and, where necessary, imposes an entry ban on the alien. Generally, the alien is allowed to comply with the obligation to leave voluntarily within seven (7) to 30 (thirty) days. **If necessary, the obligation to leave may be enforced in accordance with the procedure laid down in the Obligation to Leave and Prohibition on Entry Act.**

A **counselling service** has been established in Estonia for persons subject to voluntary and enforced return. The aim of this service is to provide the alien, throughout the entire obligation to leave procedure, with reliable and impartial information about their rights and obligations in a language they understand, free of charge. This service is provided by the PBGB. The main task of

the return counsellor is to advise persons subject to return from Estonia in the event of voluntary departure or deportation, to provide those subject to removal with material and/or travel assistance and, where necessary, reintegration services, so that the returnee can successfully reintegrate into the society of their home country.

A third-country national who is required to leave Estonia may be referred to the International Organisation for Migration (IOM) **Voluntary Return and Reintegration Programme (VARRE)**.²⁶ Support can be applied for through VARRE if the person is not a national of a European Economic Area (EEA) country (European Union countries, Norway, Switzerland, and Iceland). Under this programme, third-country nationals may, on the basis of need, be provided with certain pre-departure support, such as the organisation of their return (including flight tickets and documents), as well as support in their country of origin to help them rebuild their lives there. If a returnee's travel document has expired or is missing, an IOM staff member may assist in applying for a new document and cover the associated costs.

Police and Border Guard Board

- A migration supervision officer from the Police and Border Guard Board issues a departure order to persons who lack a legal basis for staying in Estonia, and decides on the application of an entry ban and the deadline for compliance with the departure order (voluntary vs. compulsory).
- Offers a return counselling service, during which the return procedure and options for returning are explained to the person.
- Explains to those subject to return the requirements for return and for receiving reintegration support.
- Involves the IOM, where necessary, to provide information on voluntary return options and to organise the return.
- Notifies the authority responsible for monitoring the person's removal (Estonian Red Cross).

Social Insurance Board

- Refers a person who has been issued a departure order and is therefore no longer entitled to victim support services to the PBGB return counsellor and, where necessary, explains to the person the options for receiving assistance in their home country.

International Organisation for Migration (IOM)

- Explains the content and conditions of the VARRE programme to the person. Arranges the necessary documents for the alien's return (tickets, bookings, etc.) where necessary and pays for them.
- Contacts the relevant authority in the country of origin to ensure support once the person returns to their home country.

²⁵ Act on the Obligation to Leave and the Prohibition on Entry, RT I, 06.07.2023, 125, <https://www.riigiteataja.ee/akt/1060720231257leiaKehtiv>.

²⁶ For more information, see <https://estonia.iom.int/et/vabatahtliku-tagasipoordumise-ja-reintegratsiooni-programmi-rakendamise-eesistis-varre>.

Support and protection after returning to the home country/country of origin

The Social Insurance Board team assisting victims of human trafficking explains to the person where to find help and support after returning to their home country. The team has contacts with support organisations in other countries. **Where possible, the team also provides direct support to the person**, for example, by helping them submit a claim to the Labour Dispute Committee, explaining how they can return to Estonia, and advising on where and how to find work, etc.

A victim of labour exploitation and the associated crime of human trafficking may have outstanding financial claims against their former employer. In such a situation, the victim may turn to a labour dispute body, i.e. a court or **the Labour Dispute Committee** operating under the Labour Inspectorate. The Labour Dispute Committee procedure is significantly faster, simpler and cheaper than court proceedings, as the Labour Dispute Committee generally reviews applications within 45 (forty-five) calendar days of accepting the application for processing.

If the victim has returned to their home country or country of origin, they may submit an application to the Labour Dispute Committee (or to the court) by post or e-mail (avaldused.tvk@ti.ee; further details are available on the Labour Inspectorate's website in English and Russian). It is also possible to participate in the hearing online, but this means that the applicant must have an interpreter present, as the hearings are conducted in Estonian (the hearing may be held in another language only with the consent of all parties). It is also possible to participate in the Labour Dispute Committee hearing through a representative (requires a power of attorney), and the representative does not need to have a legal education. However, the representative should be proficient in Estonian or bring an interpreter.

The Estonian state is under no obligation to continue providing victim support to people who have returned to their home country, but will remain open to new contacts where necessary and possible.

In certain cases, the IOM can offer **reintegration support**. Decisions on re-integration support are made on a case-by-case basis, taking into account the person's skills, needs and qualifications, as well as the situation in their home country. The IOM office in the country of origin is contacted to ensure the person is assisted upon their return home.

- Before contacting the Labour Dispute Committee, the victim may seek free advice on employment matters from the Labour Inspectorate's legal advisers. The Labour Inspectorate's legal advisers do not provide legal assessments of situations arising in employment relationships, nor do they give advice to the parties to an employment contract on how to act in those specific situations; rather, they provide legal explanations regarding the Employment Contracts Act and the legislation issued on the basis thereof. The advisory service is available Monday–Friday, from 9.00–15.00, by telephone (640 6000), or by e-mail (jurist@ti.ee).

ANNEXES TO THE NATIONAL REFERRAL MECHANISM

Appendix 1. Victim identification indicators

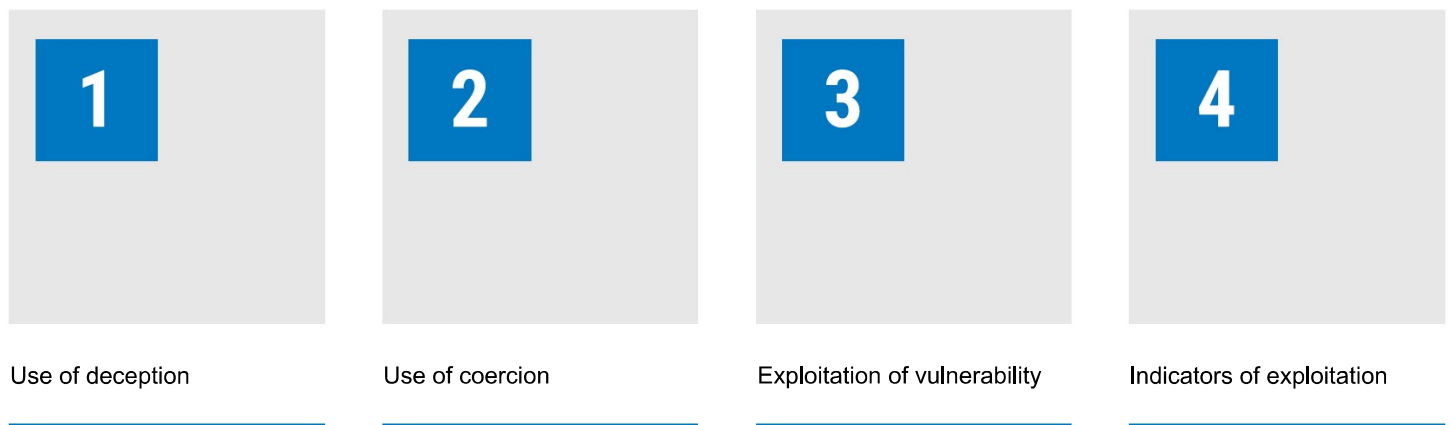
The identification checklist is based on the indicators of the International Labour Organisation (ILO), which Estonian experts have adapted to make them clearer and more user-friendly.

The indicators have been adapted to suit the Estonian legal framework: for example, in the case of minors, there is no need to consider the aspects of coercion or deception. Similarly, under the Penal Code, the use of coercion need not be identified both at the time of recruitment and at the destination – identification at one of these points is sufficient. Under the Penal Code, fraud and the exploitation of a vulnerable position are also classified as acts of coercion.

No distinction is made between indicators of sexual and labour exploitation, as the assessor may not yet know which form of exploitation has taken place; moreover, exploitation need not have occurred for human trafficking to be identified. The indicators have been grouped together to facilitate the work of those identifying victims. In the case of individual indicators, where the ILO has identified a difference between labour and sexual exploitation (e.g. some indicators are weak for labour exploitation, but average for sexual exploitation), this distinction has been included in the table.

Human trafficking as a crime is characterised by three elements: act, means, and purpose. If these three elements are present together, it can be assumed that human trafficking has taken place.

FOR EACH POTENTIAL VICTIM, FOUR ASPECTS ARE ASSESSED TO DETERMINE THE METHOD OF EXPLOITATION (I.E. HOW?)



In the case of **minors**, the presence of deception and coercion is not necessary to define the incident as human trafficking.

TABLE: Indicators for identifying victims

Activity	Strong indicator	Moderate indicator	Weak indicator
1 USE OF FRAUD	Misrepresentation regarding the nature of the work, the location, or the employer	Misrepresentation regarding the possibility of being with one's family	Misrepresentation regarding the opportunity to pursue education
	Misrepresentation regarding the conditions of prostitution		Misrepresentation regarding accommodation and living conditions
	Misrepresentation regarding the possibility of obtaining legal documents or legal status		
	Misrepresentation regarding recruitment conditions		
	Misrepresentation regarding travel conditions		
	Misrepresentation regarding the promise of marriage or adoption		
	Misrepresentation regarding pay		

Activity	Strong indicator	Moderate indicator	Weak indicator
2 USE OF FORCE	The victim is subjected to violence	Identity documents and other papers are taken away	Threatened with the informing of the family or the public (in cases of labour exploitation)
	Isolating or secretly monitoring the victim	Threatened with being reported to the authorities	Wages are not paid regularly
	Threats of violence	Forced to lie to the authorities and family	
	Abduction		
	Forced marriage or adoption		
	Sale of the victim		
	Forced to participate in illegal and/or criminal activities		
	Forced to take on tasks or clients		
	Forced to act against fellow victims		
	Induced into debt bondage		
	Violence against family members (threats or actual violence)		
	Threatened with even worse working conditions		
	Threatened with the informing of the family or the public (in cases of sexual exploitation)		

Action	Strong indicator	Moderate indicator	Weak indicator
3 EXPLOITATION OF VULNERABILITIES	Dependence on exploiters	Exploitation of difficult family circumstances	Exploitation of cultural/religious beliefs
	Exploitation of illegal status	Exploitation of lack of education or language skills	Difficulties in organising travel (in cases of labour exploitation)
	Mental disability	Exploitation of lack of information	
	Mental and behavioural disorders (diagnosed)	Economic reasons	
	Pregnancy	Family background	
	Vulnerable situation	Personal background (affiliation)	
	Existence of control by exploiters	Past difficulties	
	Psychological and emotional dependence	Difficulties in organising travel (in cases of sexual exploitation)	
	Misleading information is provided regarding the possibility of successful migration		
	Misleading information about the law and the attitude of the authorities		
	Threatened with the informing of the family or the public (in cases of sexual exploitation)		

Action	Strong indicator	Moderate indicator	Weak indicator
4 EXPLOITATION INDICATORS	Hazardous work	Excessive number of working days or hours	No access to education
	Poor living conditions	Labour laws not followed or no employment contract	
	Low or non-existent pay	Lack of social protection (contract, social security, etc.)	
		Manipulation of wage payments	

Appendix 2. Explanations of indicators

1 USE OF FRAUD

Strong indicator	Explanation
Misrepresentation regarding the nature of the work, the location, or the employer	E.g. legal work was promised, but in reality the work was illegal, or the person was forced to commit unlawful acts. This also includes being forced into prostitution, being forced to participate in pornography, etc. Similarly, if a person knew they were going to work in one country but were actually taken to another; or if a person was told they would be working for a legitimate company but actually ended up working, for example, for a family.
Misrepresentation regarding the conditions of prostitution	False promises regarding the conditions of prostitution (e.g. regarding the person's freedom of choice, place of work/environment, or remuneration).
Misrepresentation regarding the promise of legal documents or the opportunity to obtain legal status	For example, a person has paid for the documents required for migration, or has been promised that they will be granted the legal right to reside and/or work in the country.
Misrepresentation regarding recruitment conditions	E.g. recruitment costs are claimed back later, thereby creating a debt.
Misrepresentation regarding travel conditions	The person was deceived during recruitment regarding the cost, legality or conditions of travel. This also includes whether the person was independent during the journey or whether all aspects of the journey were controlled by third parties (e.g. travel documents, including tickets and identity documents, were in someone else's possession; decisions regarding transport and the route were made by someone else). Illegal border crossing.
Misrepresentation involving promises of marriage or adoption	A person was recruited with the promise of marriage or adoption, but was in fact forced to work or engage in prostitution.
Misrepresentation regarding wages	The person did not receive the agreed amount of wages, or someone else withheld the wages (e.g. with a promise to pay it all at once at the end of the employment period). This also includes deductions from wages for food or accommodation, and the deduction of various fines (penalties) from wages that are not permitted by law. In the case of an alien, the employer is obliged to pay: • a wage that is at least equal to the latest annual average wage in Estonia published by Statistics Estonia • for an EU Blue Card applicant, generally remuneration amounting to at least the product of the latest annual average wage in Estonia published by Statistics Estonia and a coefficient of 1.5 • for a top specialist, generally remuneration amounting to at least the product of the latest annual average wage in Estonia published by Statistics Estonia and a coefficient of 2 • for working in a sector with a labour shortage, as confirmed by a Government of the Republic order, with remuneration amounting to at least the average annual wage in Estonia as most recently published by Statistics Estonia
Moderate indicator	Explanation
Misrepresentation regarding the nature of the work, the location, or the employer	E.g. legal work was promised, but in reality the work was illegal, or the person was forced to commit unlawful acts. This also includes coercion into prostitution, coercion into participating in pornography, etc. Similarly, if a person knew they were going to work in one country but were actually taken to another; or if a person was told they would be working for a legitimate company but actually ended up working for a family, for example.

Weak indicator	Explanation
Misrepresentation regarding educational opportunities	A person is recruited by being promised educational opportunities, or a child's parent or guardian is promised that the child will be able to start or continue their education. This may be linked to an offer of earning opportunities (the recruiter promises that the person can attend school alongside work or acquire an education in some other way).
Misrepresentation regarding accommodation and living conditions	People were deceived, for example, about whether they can choose their own place of residence, what the living conditions are (e.g. whether there is privacy, or facilities for washing and cooking).

2 USE OF COERCION

Strong indicator	Explanation
Violence is used against the victim	Whether during recruitment, transport, concealment, exploitation or other processes. Sexual violence, physical violence, psychological violence, denial of food and water, denial of medical care, coercion to consume alcohol or drugs, coercion into prostitution-related activities by the recruiter or third parties (prostitution, pornography).
Isolation or covert surveillance	A person may be kept in complete isolation or have their freedom of movement restricted. A person may also be constantly monitored both at work and at home (e.g. via CCTV).
Threats of violence	Threats of sexual violence, physical violence or psychological violence; threats that the person will never see their family, parents or relatives again.
Abduction	The person was abducted during recruitment, handover, or transport.
Forced marriage or adoption	The person was forced into marriage or adopted against their will.
Sale of the victim	A person was sold to recruiters or exploiters.
Forced to participate in illegal and/or criminal activities	The person was forced to carry out illegal or criminal activities (e.g. begging, stealing, selling drugs, etc.).
Forced to take on tasks or clients	The person was made to do things to which they had not consented. For example, in addition to the agreed work duties, caring for children or the elderly, cleaning, etc. Or the employer imposes an obligation on the employee to earn a certain minimum wage on every working day. In the case of sexual exploitation, this includes being forced to perform all kinds of sexual acts with anyone, or to perform them in a place that was not agreed upon (e.g. on the street or in a van instead of indoors).
Being forced to act against fellow victims	For example, a person is forced to be violent towards others, to control others, to threaten others, or is forced to witness the punishment of others. This also includes situations where a person is forced to recruit new victims in the trafficking process, or as a 'bargaining chip' in exchange for their freedom.
Debt bondage is created	Debts are incurred both during recruitment or transport and during the exploitation phase. Debts may arise in both the country of origin and the destination country. A person may be told that they must repay debts incurred by relatives; debts may also have been incurred during a previous period of being a victim of human trafficking. Debts are also created or increased through manipulation, including high interest rates or illegal agreements, where prostitution is offered as the only means of reducing the debt.
Violence is perpetrated against family members (threats or actual violence)	Violence and/or threats include, for example, child abduction, physical violence, psychological violence or sexual violence against the family. This may involve threats or actual violence against the victims' family members.
Threats of even worse working conditions	Threats of even worse conditions during the exploitation phase, or threats to subject the victim to complete control. This may also involve intimidation through acts that are completely unacceptable to the individual, such as coercion into prostitution.

Threats of informing the family or the public (in cases of sexual exploitation)	Blackmail. Threatening to publish humiliating information. For example, a person has been filmed or photographed in a compromising situation and the publication of this material may influence decision-making and force the person to comply with the perpetrators' wishes.
Average score	Explanation
Confiscation of identity documents and other documents	Confiscation of visas, travel tickets, passports, ID cards and other essential documents at any stage of human trafficking.
Threatened with being handed over to the authorities	In addition to threats of being handed over to the authorities, the person may also be intimidated with deportation.
Forced to lie to the authorities and family	Being forced to lie about the location of the work, its nature, the recruiters, the legality of the work, living conditions, etc. The employer may have forbidden the worker from communicating with officials, or may answer all questions on behalf of the workers themselves, or may ask the worker to refer all questions to the employer. The employer may monitor the conversation via cameras or by being present nearby. The aim of such coercion is to prevent escape and/or seeking help.
Weak indicator	Explanation
Threats to inform the family or the public (in cases of labour exploitation)	The person is threatened that if they do not comply with the wishes of recruiters or traffickers, their involvement in illegal work, etc., will be reported to their family, community, or the public.
Wages are not paid regularly	Partial or total withholding of wages. Without money, it is often difficult for a person to resist recruiters or exploiters.

3 EXPLOITATION OF VULNERABILITY

Strong indicator	Explanation
Dependence on exploiters	Situations where third parties control everything related to the process make the victim highly dependent. For example, the person has no identity or travel documents; they are forced to remain with the same exploiter; they must take on additional obligations in order to earn anything at all (e.g. through prostitution); they are forced to remain in a bad situation because family members are pressuring them; they are forced to remain in a bad situation because cultural and religious practices influence decision-making; or they are forced to submit to restrictions on their movement. Dependency is also caused by a lack of information; for example, the victim may not even realise that their situation is not normal, or they may have incorrect information about the authorities or the country's laws. Exploitation of dependency also involves taking or giving money or benefits for the purpose of exploitation, in order to obtain the consent of the person exercising control over another.
Exploitation of illegal status	When a person is in the country illegally, they are in a vulnerable position and are easier to manipulate. They may have forged documents or may have no documents at all. They may be involved in criminal activity or have been involved in criminal activity in their country of origin.
Mental disability	A mental disability is a lifelong condition that is either congenital or has arisen as a result of a serious illness or trauma, and cannot be cured. Abilities such as cognition, speech, motor skills and social skills are impaired.
Mental and behavioural disorders (diagnosed)	Diagnosed mental disorder (ICD-10, Chapter V: F00-F99). Organic – including symptomatic – mental disorders. Schizophrenia, schizotypal and delusional disorders. Mood disorders. Neurotic, stress-related and somatoform disorders. Behavioural syndromes associated with disturbances of physiological functions and physical or somatic factors. Mental retardation.
Pregnancy	Committing an offence against a pregnant person constitutes an aggravating circumstance under the Penal Code.

Helpless state	A situation in which a person is unable to resist or comprehend due to their physical condition. E.g. unconsciousness, immobility, or any other physical condition that renders a person incapable of expressing and exercising their will. This includes intoxication, where the victim has absolutely no ability to comprehend what is being done to them or to offer resistance.
The presence of control by the exploiters	Economic or social dependence on the recruiter, a previous relationship with the recruiter, living in a place from which one is forced to migrate anyway (e.g. in a country with an unstable political situation or in a war zone).
Psychological and emotional dependence	The recruiter/exploiter takes advantage of a person's emotional, psychological or mental dependence. For example, women are often recruited using the so-called 'lover-boy' method – a personal relationship is established first – or the recruiter befriends the prospective recruit before attempting to recruit them. A person may also be influenced by family dependence; family members or relatives may put pressure on them.
False information is provided about the possibility of successful migration	Lying both during recruitment and upon arrival in the destination country, e.g. claiming that the person has migrated legally, obtained a residence permit, etc. A person may also be forced to migrate or do so under conditions they would not have accepted had they been provided with adequate information.
Providing false information about the law and the attitude of the authorities	People are lied to about the laws in force in the country and the attitudes and behaviour of the authorities (e.g. lies are told about the penalties imposed for staying in the country illegally, or about the brutality of law enforcement agencies).
Threats to inform the family or the public (in cases of sexual exploitation)	Blackmail. Threatening to publish embarrassing information. For example, a person has been filmed or photographed in a compromising situation, and the publication of this material may influence decision-making and force the person to comply with the perpetrators' wishes.
Moderate indicator	Explanation
Exploitation of difficult family circumstances	The family is, or would be, completely dependent on the person's employment, and this makes them vulnerable.
Exploitation of a lack of education (language skills)	The person does not speak the local language, lacks education, and is unable to stand up for themselves or find better conditions.
Exploitation of a lack of information	The person has no information at all about their situation, or the information they have is false. Such vulnerability is very useful to exploiters, as they provide false information, particularly regarding living and working conditions in a foreign country, and the person is unable to make informed decisions.
Economic reasons	The person is poor and is recruited for that reason; they have no money to buy a return ticket. The person has debts, dependants to support, and no opportunities to find work in their home town (e.g. high unemployment in the region). They work in a job where the pay is lower than the national minimum wage. Relative poverty in Estonia: People living in relative poverty are defined as those whose household income is less than 60% of the median household income. In 2024, a person living in relative poverty was defined as someone whose monthly equivalent net income was less than EUR 857. Absolute poverty is based on comparing the level of households' net income with a standard set by experts. The threshold for absolute poverty in Estonia is the calculated minimum subsistence level – the minimum amount of resources necessary for a person to cover their basic daily needs. In 2024, a person in Estonia was considered to be living in absolute poverty if their monthly equivalent net income was below EUR 345.
Family background	A person is more susceptible to recruitment if they have lived in a family where they have been physically, emotionally or psychologically abused, or where family members are subjected to extortion or threats. In the case of minors, additional factors contributing to vulnerability include the death or illness of a family member(s), the absence of one or both parents, and being the child of migrant workers (e.g. parents have moved abroad or travelling abroad for weeks at a time to work, leaving the child in the care of neighbours or other relatives).
Personal circumstances (belonging to a minority group)	A person belongs to a group that is discriminated against or does not, in practice, have equal rights with others (e.g. an ethnic minority, a person with a disability, a homeless person, an orphan, a representative of a minority group).

Past difficulties	The person may already have been a victim of human trafficking; they may have been a victim of physical, sexual or psychological violence; they may live in a war zone or have previously attempted migration unsuccessfully.
Difficulties in organising travel (in cases of sexual exploitation)	Recruiters may exploit a person's inability to organise travel or the difficulties they face in doing so. For example, a person may have problems with documents, and a third party may assist with organising documents and travel. This is also relevant if a person is unable to obtain information, for example due to a lack of language skills, and therefore cannot manage the arrangements themselves.
Weak indicator	Explanation
Exploitation of cultural/religious beliefs	Recruiters may have exploited a person's cultural or religious beliefs – for example, regarding customs in another country, expectations regarding the behaviour of women and men, and so on. Belonging to a religious or cultural minority often makes people vulnerable.
Difficulties in organising travel (in cases of labour exploitation)	Recruiters may exploit a person's inability to organise a trip or the difficulties they face in doing so. For example, a person may have problems with documents, and a third party may offer to help with the paperwork and travel arrangements. This also applies where a person is unable to obtain information, for example due to a lack of language skills, and is therefore unable to organise the trip themselves.

4 INDICATORS OF EXPLOITATION

Strong indicator	Explanation
Hazardous work	When assessing working conditions, the Occupational Health and Safety Act must be taken as a basis. Work may be considered hazardous if it involves a direct risk to life and health, including working without personal protective equipment, extreme and/or physically demanding working conditions (very high or low working temperatures, lifting heavy loads, not being allowed rest breaks, etc.), in the case of a minor, performing work prohibited for them (see Government Regulation No. 94 of 11 June 2009 'List of workplace hazards and types of work for which the employment of minors is prohibited'). An employer is in breach of labour law, for example, in the following cases: • failing to agree on working conditions with the employee or failing to notify the employee of these in writing; • constantly requires overtime; • imposes excessively long working days/shifts (14–16 hours or even 24 hours); • uses so-called unpaid trial work or work experience, pays a significantly lower wage than usual, is in arrears with wages, or does not pay wages at all; • requires employees to work night shifts on a regular basis (on the grounds that supervision is mainly carried out during the day and on working days); • The employer has not provided the employee with the personal protective equipment or work clothing necessary for the job. Prostitution is dangerous in every respect, both in terms of human dignity and health. A ban on the use of condoms further increases the risk and harm to the victim.
Poor living conditions	The person was promised good living conditions, but in reality there is no privacy or access to washing facilities; the living and sleeping areas are overcrowded, conditions are unsanitary, and the rooms are very cold or hot (including a lack of ventilation). There are indications that people are accommodated at the workplace (e.g. a bed/mattress, suitcase and/or many personal belongings in a storeroom or similar room) or in the immediate vicinity (e.g. next to a farm), or that workers live with the employer and/or the worker can only reach work via the employer's transport. Deduction of accommodation, catering and other similar costs from the employee's wages in full. NB! If accommodation for a seasonal worker is arranged by or through the employer, the cost of accommodation must not be excessive or disproportionate in relation to the alien's monthly wages, and the cost of accommodation must not be deducted from the alien's wages (subsection 106 (12) of the Aliens Act).
Low or non-existent wages	The person is not paid a wage at all, or is paid, for example, in the form of food or goods. A low wage means a wage lower than the agreed wage, or lower than the minimum wage in that country. In the case of an alien, the employer is obliged to pay: • a wage that is at least equal to the latest annual average wage in Estonia published by Statistics Estonia • for an EU Blue Card applicant, generally remuneration amounting to at least the product of the latest annual average wage in Estonia published by Statistics Estonia and a coefficient of 1.5 • for a top specialist, generally remuneration amounting to at least the product of the latest annual average wage in Estonia published by Statistics Estonia and a coefficient of 2 • for work in a sector with a labour shortage confirmed by a Government of the Republic order, remuneration amounting to at least the average annual wage in Estonia as most recently published by Statistics Estonia.

Moderate indicator	Explanation
Too many working days or hours	The employer forces employees to work overtime or the work weeks or days are very long (i.e. work days longer than 13 hours or work weeks exceeding 72 hours). Not being allowed breaks or rest periods, doing work for colleagues, being on call 24 hours a day, seven days a week. Also, a very heavy workload or strict productivity requirements that are unachievable given the working hours.
Failure to comply with employment legislation or lack of an employment contract	The employee has not been provided with a written statement of their terms and conditions of employment, or the employer is not fulfilling the employment contract in accordance with the agreed upon terms and conditions, or is disregarding the legislation governing the employment relationship. Induction and training have not been provided in a language the employee understands. Also related to working conditions and the nature of the work; misrepresentation regarding the employer's identity, working hours, or workload; exploitative, hazardous, or illegal working conditions. Wages are paid at a rate lower than what has been agreed upon or below the national minimum wage; wages are paid at a lower rate than to other employees of the same employer; wages are paid only in cash, whilst other employees' wages are paid by bank transfer. Employment is not registered in the employment register. Additionally, in the case of an alien: short-term employment is not registered with the PBGB. There is no legal basis for staying in the country (in which case they are not permitted to work in Estonia). A temporary residence permit has been granted on the basis of legal income or in the case of an overriding public interest (in which case they are not permitted to work in Estonia). The employee has not received instruction in a language they understand regarding work-related safety and the use of necessary personal protective equipment.
Lack of social protection (contract, social insurance, etc.)	The person has no access to social protection, has not been provided with written information on working conditions, or the employer is not fulfilling the employment contract in accordance with the agreed terms; the person is not allowed to take sick leave or to take holidays and rest days. A woman is forced into prostitution even if she is pregnant or menstruating.
Manipulation of wage payments	Payment may be made via an intermediary or even to a family member; all employees have the same bank account number or there is no proof of payment; fines not permitted by law are imposed; or a large sum is deducted from wages to cover accommodation, food, or other expenses incurred by the employer. The person may have no control over the use or retention of their wages. Wages are promised to be paid in another country.
Weak indicator	Explanation
No access to education	The person should be attending school, but is not allowed to do so.

Appendix 3. Data to be collected

National overview

The annual overview of human trafficking offences in Estonia is included in the annual crime statistics yearbook, which is published on the website of the Ministry of Justice and Digital Affairs here:

<https://www.justdigi.ee/kuritegevuse-statistika>

The chapter on human trafficking in the annual report also contains an overview of data on victims, as well as data from the Labour Inspectorate on labour disputes involving aliens.

International data collections

A. From 2026, Estonia is obliged to submit data to Eurostat (i.e. the European Commission, in connection with the implementation of the directive) by 30 September of each year, for the previous year, broken down as follows:

- 1) the number of registered, identified and presumed victims of human trafficking offences, broken down by the registering organisation, gender, age group (child/adult), nationality, and form of exploitation in accordance with;
- 2) the number of persons suspected of human trafficking offences, broken down by gender, age group (child/adult), nationality, and form of exploitation;

- 3) the number of persons charged with a human trafficking offence, broken down by gender, age group (child/adult), nationality, form of exploitation and nature of the final indictment;
- 4) the number of charges brought (charges for human trafficking offences, charges for other offences, decisions not to bring charges, other);
- 5) the number of persons convicted of human trafficking offences, broken down by gender, age group (child/adult) and nationality;
- 6) the number of court rulings on human trafficking offences (acquittal, conviction, other);
- 7) The number of persons suspected of offences relating to the use of services provided by victims of human trafficking, the number of persons charged with such offences, and the number of persons convicted of such offences, broken down by gender and age group (child/adult).

B. We submit data to the UN statistics collection, i.e. the UNODC report, using a similar breakdown to that provided to the European Commission, with the exception of clause 7 from the previous list. This reporting must be carried out approximately every two (2) years.

C. Every year, Estonia compiles an overview of developments in the field of human trafficking for the US annual report on human trafficking (Trafficking in Persons Report).

Appendix 4. Key contacts

Assistance to victims

**24-hour Victim Support Crisis Helpline 116 006,
Child Helpline 116 111**

Human Trafficking Prevention and Victim Support Crisis Helpline

6607 320 on working days 8.30am–5.00pm,

e-mail: inimkaubandus@sotsiaalkindlustusamet.ee

Contact details for regional victim support officials:

<https://www.palunabi.ee/et/vota-uhendust>

Contact details for women's support centres:

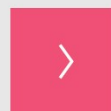
<https://www.palunabi.ee/et/naiste-tugikeskused>

Sexual violence crisis centres:

<https://www.palunabi.ee/et/seksuaalvagivalla-kriisiabikeskused>

Children's Houses for children who have been sexually abused or are suspected of having been sexually abused:

<https://sotsiaalkindlustusamet.ee/abivajav-laps-ja-taiskasvanu/laste-ja-perede-abistamine/lastemaja>



Important! If a person's life or health is in danger, you must contact emergency services at 112.

ESTONIAN NATIONAL REFERRAL MECHANISM FOR ASSISTING VICTIMS OF TRAFFICKING



**Co-funded by the
European Union**



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