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## My e-Justice space

Estonia

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Estonia is a small country with all digital public services kept at the national (not regional) level. The main Estonian public electronic services and portals are the following:

- Estonian e-State Portal (an online environment providing up-to-date information for all state related activities of people in their various fields of life, such as education, family events, health care, social security and so on. The portal also provides practical guidance and advice on how to use and find public services). Accessible at: <https://www.eesti.ee/et>.
- Population Register (an electronic self-service portal for population register services). Accessible at: <https://www.rahvastikuregister.ee>.
- E-business Register (issues legal and statistical data on Estonian companies, non-profit associations, foundations, state and local government agencies and self-employed persons, can also be used to establish a company via the e-business register Company Registration service or submit certain company documents). Accessible at: <https://ariregister.rik.ee/est>.
- E-land Register (contains legal data on all Estonian immovable properties). Accessible at: <https://kinnistusraamat.rik.ee/Login.aspx?lang=Eng>.
- Immovables Portal (used for submitting property registration applications). Accessible at: <https://kinnistuportaal.rik.ee/login.aspx?ReturnUrl=%2fKAEP%2flogin.aspx>.
- Criminal Records Database (holds data on punished persons and their punishments). Accessible at: <https://www.rik.ee/en/criminal-records-database>.
- E-File (used for electronic participation in civil, administrative and misdemeanour proceedings). Accessible at: <http://www.e-toimik.ee>.
- (Electronic) State Gazette (used as an online publication of all Estonian legislation). Accessible at: <http://www.riigiteataja.ee>.
- Official Announcements (publishes all notices, invitations and announcements that need to be published officially under Estonian legislation). Accessible at: <https://www.ametlikudteadaanded.ee>.
- Central Procurements portal (for acquiring equipment for ministries and other authorities). Accessible at: <https://kesksedhanked.rik.ee>.
- Marital Property Register (contains data on the matrimonial regimes chosen by the spouses and marital property agreements). Accessible at: <https://abieluvararegister.rik.ee>.
- Ship Register (contains data on the Estonian marine and inland vessels). Accessible at: <https://laevakinnistusraamat.rik.ee>.
- E-Notary (an environment that helps notaries in their everyday work and allows electronic communication between notaries and the State). The service is not available to the general public, but only for notaries and notary office employees.
- E-arrest (facilitates information between the state, credit and payment institutions). In order to use the service, a digitally signed application must be submitted to the Centre of Registers and Information Systems (RIK). The service is not available to the general public.

Most of these services are supported by the Centre of Registers and Information Systems (*Riigi Infosüsteemide Keskus*), but each service falls under the jurisdiction of a different public authority (various ministries, courts).

Most of the services are accessible by using Estonian mobile access services SmartID or Mobiil ID or national ID-card and a card reader. State Portal is also accessible by using EU eID.

## Possibility to lodge an application for legal aid

Purpose and scope: Estonian State funds 2 types of legal aid for the Estonian nationals and people living in Estonia:

- Preliminary legal advice provided by legal persons funded by the State.
- State legal aid, a legal service to a person at the expense of the State.

Competent authority:

- Preliminary legal advice is provided by the following legal persons funded by the State and chosen by the Ministry of Justice on a temporary basis:
  - OÜ Hugo <https://hugo.legal> (general preliminary legal advice for all residents of Estonia whose monthly salary is less than 1200 EUR).
  - MTÜ Eesti Puuetega Inimeste Koda (general preliminary legal advice for people with disabilities) <https://epikoda.ee/mida-me-teeme/noustamine/oigusnoustamine>.
  - Estonian Association of Pensioner's Societies (general preliminary legal advice for pensioners) <http://www.eakad.ee/tasuta-oigusabi/>.
- State legal aid – the application is generally submitted to Estonian courts. State legal aid is offered by Estonian advocates and is coordinated by the Estonian Bar Association.

Conditions of access:

- In most cases an application is submitted to courts in order to receive state legal aid. An application for state legal aid shall be submitted to an investigative body or a Prosecutor's Office, if the person is a suspect in a criminal matter where the participation of a counsel is not mandatory.
- The form of an application is accessible at the web page of the [Ministry of Justice](#) as well as in each court and advocate's law office. In criminal proceedings, an application for the appointment of a criminal defence counsel submitted by a suspect who is a natural person is simplified; in such case it is necessary to set out only the information on the applicant, the language in which the applicant is able to communicate with the provider of state legal aid, and a reference to the criminal matter in which participation of the criminal defence counsel is requested.
- An application for state legal aid is submitted in Estonian. An application may also be submitted in English if legal aid is applied for by a natural person who has residence in another Member State of the European Union, is a citizen of another Member State of the European Union or is a legal person whose seat is in another Member State of the European Union.
- An applicant who is a natural person shall append a notice concerning his or her financial situation, which is signed by the applicant and, if possible, other evidence pertaining to his or her financial situation to an application for state legal aid. A suspect in criminal proceeding who applies for the appointment of a criminal defence counsel need not append a notice concerning his or her financial situation. If a person's residence is not in Estonia, he or she shall append a notice concerning the income of the person and members of his or her family during the last three years from the competent authorities of the person's state of residence to an application. If the notice cannot be submitted for reasons independent of the applicant, the grant of state legal aid may be decided without the notice.
- The standard form of the notice concerning the financial situation is accessible at the [web page of the Ministry of Justice](#) as well as in each court and advocate's law office.

Legal effects of electronic document: NA.

Possibility to complete the procedure fully online: Yes, application can be submitted to the courts electronically.

Cost:

- Preliminary legal advice by HUGO Legal is provided for a fee of 5 EUR for all Estonian residents with a gross income of up to 1200 euros per month. Legal advice is provided in meetings with the person in need or, with the latter's consent, by video or telephone. To get the service, the person in need must pay a €5 co-payment. This is for two hours of legal advice, either in person or, with the person's agreement, by video or telephone. A further three hours of legal advice can be obtained at a reduced price of €45 per hour.
- State legal aid is provided by the state and is generally free. However, it is possible that state legal aid is provided with the obligation to compensate for it later.

Link:

More information how to get state legal aid in Estonia is available at the web page of the [Estonian Bar Association](#).

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## Compensation

Purpose and scope:

There are no national (electronic or non-electronic) compensation schemes available in Estonia. A person can file a civil action for damages against the accused as part of criminal proceedings or claim damages as a part of special civil proceedings.

Competent authority: Courts.

Conditions of access:

Compensation in Estonia is available as a part of standard civil process or as an action for damages as a part of criminal proceedings.

Legal effects of electronic document: N/A

Possibility to complete the procedure fully online: N/A

Cost: NA

Link: More information on how to obtain compensation as a part of criminal proceedings can be found [here](#).

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## Initiation of a civil case online

Purpose and scope: Civil cases can be initiated electronically in Estonia by using the e-File (*e-Toimik*) portal.

Competent authority: e-File portal is operated by the [Centre of Registers and Information Systems \(RIK\)](#).

Conditions of access:

- Portal e-File can be accessed online at: <https://etoimik.rik.ee> by signing in with Estonian mobile e-service Mobiil-ID or with a national ID-card by using the e-card reader and the persons ID-code.
- The e-File system may be used by parties in civil and administrative law proceedings as well as in criminal and misconduct proceedings. With regard to civil and administrative court proceedings, it is possible to initiate proceedings and file documents and appeals. In criminal and misconduct proceedings, it is possible to submit a limited number of documents concerning existing court proceedings. Payment orders for fast-tracking debt or maintenance claims may only be submitted via the internet.

Legal effects of electronic document: Same as paper documents.

Possibility to complete the procedure fully online: Yes.

Cost: Using e-File is for free, but ordinary state fees apply when submitting applications and appeals to the courts. The state fees may be paid via a bank link in the e-File system, as well as outside the system through internet banking or at a bank branch.

Link:

More information on the e-File can be found at: <https://www.rik.ee/en/e-file>.

More information on online processing of cases and e-communication with courts can be found [here](#).

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## Electronic service of judicial documents

Purpose and scope: Besides ordinary service of documents, Estonian courts serve documents electronically through the public e-File information system (*e-Toimik*), where a participant in a proceeding has access to all the judicial documents of his or her case. The documents can also be served by e-mail on the participants of Estonian court proceedings.

Competent authority: Courts.

Conditions of access:

- The documents can be served electronically by any participant in Estonian civil proceedings who has given the court his or her e-mail address for service.
- The documents can also be served electronically via e-File, but the person has to open the document in the e-File for it to be considered as served. E-File can be accessed by Estonian mobile id service Mobiil-ID or by logging in with a national id card by using the id card reader.

Legal effects of electronic document: Equal to non-electronic documents.

Possibility to complete the procedure fully online: Yes, the documents are served either via e-mail (digitally signed documents) or via e-File portal (*e-Toimik*). The document is served in the e-File portal when the receiver opens the document. The receiver can download the document in the e-File portal.

Cost: Free of charge.

Link:

More information on the electronic service of judicial documents in Estonia can be found [here](#).

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## Participation in judicial auctions

Purpose and scope: Online judicial auctions are organized by Estonian bailiffs.

Competent authority:

- Estonian bailiffs organize judicial auctions. The list of Estonian bailiffs can be found at the web-page of the professional association for the bailiffs, the Estonian Chamber of Bailiffs and Trustees in Bankruptcy (*Kohtutäiturite ja Pankrotihaldurite Koda*): <https://kpkoda.ee/kohtutaiturid/kohtutaiturid-kontakt/>.
- The portal for online auctions is operated by the Estonian Chamber of Bailiffs and Trustees in Bankruptcy and is available [here](#).

Conditions of access:

- A person who wishes to participate in a particular auction has to register for the auction in accordance with the rules and by the due date specified in the auction announcement, and pay the deposit if this is a condition of participating in the auction and if the person is not exempt by law from paying the deposit. Bids can be made by participants registered for the auction who have the necessary legal capacity and whose right to participate in the auction is not legally or otherwise restricted.
- An application to participate in a public auction has to be signed either digitally or by hand. The application to participate can be submitted by emailing it to the bailiff at the address specified in the auction announcement or by uploading it in the auction environment. The application to participate need not be encrypted, but the specific procedure for registration is determined by the bailiff. In the case of an oral auction, the envelope must be sealed.
- To make a bid in the online auction environment, a participant has to log in using an ID card, mobile ID, or a username and password.

Legal effects of electronic document: NA

Possibility to complete the procedure fully online: Yes.

Cost:

- The required payments (deposit, costs, purchase price, etc.) can be made electronically via internet banking, to the bank account specified by the bailiff, or in the auction environment via a payment service provider. The exact sum depends on the auction in question.

Link:

More information on the public judicial auctions in Estonia is available [here](#).

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## Access to mediation services

Purpose and scope: Rules on conciliation are provided in the Conciliation Act (*Lepitusseadus*). The conciliation process provided for in the Conciliation Act (*Lepitusseadus*) is used to resolve civil disputes involving conciliatory content. There is no online conciliation service currently available in Estonia. Under the specific Act the role of conciliator may also be assigned to a state or local government body.

Competent authority:

- Under the Conciliation Act (*Lepitusseadus*) a conciliator may be any natural person whom the parties have asked to act as conciliator. Attorneys-at-law and notaries may also act as a conciliators.
- In family law disputes conciliators have formed a professional organization [Estonian Association of Mediators](#) (*Eesti Lepitajate Ühing*) which also offers cross-border family mediation.
- The Chancellor of Justice resolves disputes concerning discrimination where an individual files a declaration that they have been discriminated against on grounds of sex, race, nationality (ethnic origin), colour, language, origin, religion, political or other beliefs, financial or social status, age, disability, sexual orientation or other characteristics laid down by law.
- The Public Conciliator acts as conciliator in collective labour disputes.

Conditions of access:

- Any person can turn to conciliation or mediation in Estonia.

Legal effects of electronic document: N/A.

Possibility to complete the procedure fully online: Not possible.

Cost: The expenses of conciliation are borne by the parties and depend on the agreement that they have with the conciliator.

Link:

More information on the mediation services in Estonia can be found [here](#).

The Estonian Conciliation Act (*Lepitusseadus*) is available [here](#) (in English).

More information on the Estonian Association of Mediators can be accessed [here](#).

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## Company formation and access to information on companies

Purpose and scope:

- Both, company formation and access to information on companies is available electronically in Estonia. For that purpose, a central, publicly accessible portal has been set up, called the e-Business Register: <https://ariregister.rik.ee/eng>, which also offers additional services besides the general search function and company formation. E-Business Register includes the data of all legal entities registered in Estonia. In addition, information on foreign companies operating in Estonia is also available via the register.
- The e-Business Register is also the portal for registering a new company, a self employed person, non-profit association or a state agency or local government authority in the register. There is a

special section ('Establishment') for it on the e-Business Register web page.

Competent authority:

- The web-page of the e-Business Register is supported and set up by the Centre of Registers and Information Systems (*Registrite ja Infosüsteemide Keskus*), which is an agency within the jurisdiction of the Estonian Ministry of Justice. However, the contents of the register are administered by the registration department of the Tartu County Court (*Tartu Maakohtu registriosakond*), which is the competent authority to change the details in the registry.
- Anybody who has problems using the web-page of the e-Business Register can use the contact form or contact details available on the e-Business Register web-page. The contact details of the registration department of the Tartu County Court are available at the [court's web page](#).

Conditions of access:

- E-Business Register can be accessed by using the Estonian national ID-card (and a card reader) or national mobile ID services Mobiil-ID or Smart-ID.
- Residents of Belgium, Finland, Latvia and Portugal can access the e-Business Register with their national ID-card (and a card reader). The portal can also be accessed by Lithuanian Mobile-ID, and Lithuanian and Latvian Smart-ID services.
- Registered users (of paid services) can access the portal by username and password.

Legal effects of electronic document:N/A.

Possibility to complete the procedure fully online: Yes, a company can be established in Estonia via the e-Business Register.

Fees:

- General services of the e-Business Register (searching for companies and their official numbers and general information about them) is for free.
- In order to check special information on companies (for example, Annual Reports, Articles of Association) a fee of 2 EUR per document must be paid. Payment can be made via online banking.
- A state fee must be paid for setting up a company via the e-Business Register. The state fee depends on the type of the company and is provided by the State Fee Act (*Riigilõivuseadus*). For example, in order to establish the most typical company (*Osaühing*) a state fee of 145 EUR must be paid.
- The e-Business Register offers a subsidiary service, e-Financials, which is an accounting software for Estonian small enterprises. The service is free for use for the first year. The information on the service is available on the [e-Financials web page](#).

Link: The e-Business Register is available at: <https://ariregister.rik.ee/eng>.

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## Translation services (incl. machine translation and its legal impact)

Purpose and scope:

- There is no online public translation service in the field of justice in Estonia, except for some public documents listed in the Regulation (EU) 2016/1191.
- Certificates of birth, marriage and divorce can be requested (also electronically) from the Population Register (*Rahvastikuregister*) in English, German and French, if a person needs to use

these documents abroad.

- It is not necessary to submit documents issued by the Estonian authorities to other Estonian authorities, since all Estonian authorities have access to the Population Register (*Rahvastikuregister*) where the information on personal data/family events is kept.
- Procedure in Estonian courts and other administrative agencies is conducted in the official language (Estonian). If a person wants to submit an appeal, claim, petition etc. to Estonian authorities, he needs to do it in Estonian and is free to use whatever translation services are available to him. However, all official documents submitted to Estonian authorities, if not in Estonian and if not issued by the Estonian authorities, must be translated by sworn translators.

Competent authority:

- The public documents listed in the Regulation (EU) 2016/1191 are issued by the Population Register (*Rahvastikuregister*).
- In Estonia, all foreign official documents the translation of which must be official or certified must be translated by the holder of a liberal profession - a sworn translator. Only the person who has been granted the profession of a sworn translator may engage in the professional activities of a sworn translator. The procedure for becoming a sworn translator is provided in the *Sworn Translations Act* (2013). In order to act as a sworn translator a person must pass an exam organized by the Ministry of Justice after which a professional certificate is issued to him/her and his/her name is published on the web page of the [sworn translators administered by the Ministry of Justice](#).

Conditions of access:

- Anybody whose data is kept by the Estonian Population Register can request access for the data kept by him in the register by turning to local government agencies. [List of these agencies with relevant contact details](#) is available at the webpage of the Ministry of Interior.
- Anybody whose data is kept by the Estonian Population Register can also electronically log into the register by using the portal e-Population Register. In order to log in to the portal a person needs to use the Estonian mobile certification services SmartID, Mobiil ID or the national ID card and a corresponding card reader. The portal is viewable in Estonian, English and Russian. It is possible to use the portal to electronically request a certificate on certain public documents. The documents that are issued in certain foreign languages are the certificate of birth, marriage and divorce. The certificates of these documents can be requested in English, French and German. After submitting the request and paying the relevant state fee using online payment services, certificates are sent to the e-mail address indicated by the person requesting the certificates.
- Anybody can turn to Estonian sworn translators to request an official translation of a document by using the contact details of the sworn translators published on the Ministry of Justice webpage.

Legal effects of electronic document:

- The certificates that are issued by the Estonian Population Register electronically have the same effect as documents issued on paper.
- The documents translated by a Sworn Translators are accepted by Estonian authorities as officially translated.

Possibility to complete the procedure fully online: Yes, see above.

Cost:

- A person needs to pay a state fee for the certificates issued by the Population Register in foreign languages (English, French and German) or on CIEC or multilingual standard form. Certificate in foreign language costs 10 EUR (paper) or 5 EUR (digital) or 20 EUR (if a certificate is gotten from

Estonian embassy abroad). Certificates on CIEC form cost 10 EUR (paper) or 5 EUR (digital).  
Certificates on multilingual standard form cost 20 EUR (paper) or 10 EUR (digital).

- The fee of service of Estonian sworn translators is agreed upon with a particular sworn translator in question.

Link:

- More information on how to obtain certificates on birth, divorce, marriage in foreign language is available here: <http://www.rahvastikuregister.ee>.

The information on sworn translators is published on the [web page of the Ministry of Justice](#). The web page lists all sworn translators, their contact details (name, e-mail, phone, address) and information on their linguistic specialisation. The contact details of Estonian sworn translators can also be found on the web page of the professional organisation representing sworn translators [Chamber of Sworn Translators \(Vandetõlkide Koda\)](#).

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