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Universal periodic review

Report of the Working Group on the Universal Periodic Review*

Estonia

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

* The present document is being issued without formal editing.



The Estonian Government welcomes the recommendations made during the third universal periodic review of Estonia on 4 May 2021, and is pleased to provide its responses. Estonia received 274 recommendations. The Government accepts 192 and notes 82 of them. The report of the Working Group containing the recommendations was forwarded for comments to all ministries and to the representatives of the civil society who had participated in the UPR process.

137.1 Accepted

The Government is consistently reviewing its international obligations and considering ratification of human rights treaties to which it is not yet a party.

137.2–137.12 Noted

See 137.13-137.20, 137.24-137.33, 137.35-137.42.

Currently there are no plans to accede to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families or to the Domestic Workers Convention (No. 189).

137.13–137.20 Accepted

National proceedings of accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women will start in 2023.

137.21 Noted

See 137.13-137.20, 137.24-137.33.

137.22–137.23 Accepted

See 137.13-137.20.

137.24–137.33 Noted

See 137.2-137.12, 137.13-137.20, 137.35-137.42, 137.48, 137.59.

Possible accession to the Protocol to the International Covenant on Economic, Social and Cultural Rights needs further analyses.

Concerning possible accession to the Optional Protocol to the Convention on the Rights of the Child we have the mechanisms of communications procedure in place and covered by different EU regulations. Increasing awareness of human rights among children, including about the individual complaint mechanisms, is an important task for the authorities.

137.34 Accepted

Compliance with international human rights instruments, including CRC, forms an important part in designing and implementing national policies and programmes.

137.35–137.42 Noted

Possible accession to the Convention for the Protection of All Persons from Enforced Disappearance is under consideration. Convention addresses a very important set of issues, which are already regulated at national level.

137.43–137.44 Noted

The Government maintains its position not to accede to the UN Conventions of 1954 and 1961. Estonian citizenship policy is fully in accord with international law, including the UN 1954 and 1961 Conventions and accession will not provide additional benefits to persons with undetermined citizenship compared to their present status. The provisions of these Conventions are less comprehensive than the rights currently enjoyed by residents of Estonia with undetermined citizenship.

137.45–137.46. Accepted

The Government continues efforts to ratify the UNESCO Convention against Discrimination in Education of 1960.

137.47 Accepted

The Government has issued a standing invitation to the Special Procedures of the Human Rights Council.

137.48 Noted

The Government has always supported progress in the area of strengthening international law and mine action. While fully supporting the humanitarian goals of the Convention on Cluster Munitions, Estonia is not yet in position to sign and ratify the instrument.

137.49–137.57 Accepted

The Chancellor of Justice fulfils the functions of the national human rights institute in accordance with Paris Principles and in 2020 received the “A” status accreditation.

137.58 Noted

There is national procedure for submitting human rights reports and their follow up. No need for a separate mechanism.

137.59 Accepted

Awareness raising on human rights is constant and ongoing process. The Government highly values the important role of the civil society, the media and the Chancellor of Justice in this regard.

137.60 Accepted

See 137.110.

Protection and promotion of human rights and fundamental freedoms, including economic, social and cultural rights, is under constant attention of the Government.

137.61 Noted

There is a merit-based process in place for selecting national candidates to UN treaty bodies, additional efforts are made to increase its transparency.

137.62 Noted

The Chaplaincy of Estonian Defence Forces does conduct remembrance services to the victims of World War II with prayers for the victims of all sides to remember and honour of all those who gave their lives in World War II.

137.63 Accepted

See 137.62.

137.64 Noted

See 137.62.

Incitement of hatred is criminalised according to the Penal Code.

137.65 Accepted

See 137.134-137.136, 137.197-137.206.

137.66–137.84 Noted

The legal regulation of hate speech and hate crime is currently under review. In February 2021, the Ministry of Justice initiated a review of offences against equality in the Penal Code. A broad range of legal experts, civil society and other stakeholders will be included in the review process.

137.85 Noted

See 137.88-137.100, 137.66-137.84.

137.86 Accepted

137.87 Noted

See 137.66-137.84.

137.88–137.100 Accepted

We agree that it is necessary to amend the Equal Treatment Act (ETA). The amendments to the ETA are in the Government's Action Programme for 2021-2023. The planned amendments will widen the scope of application of the Act concerning discrimination of persons on grounds of religion and other beliefs, age, disability and sexual orientation. The aim is to widen the scope outside the field of employment to also cover access to the services of social welfare, social security and healthcare, including social benefits, the area of education and access to and supply of goods and services, which are available to the public, including housing.

137.101–137.109 Accepted

The Government intends to further the protection of persons living in different forms of cohabitation, and will seek broad consensus in parliament to this end.

137.110 Accepted

Estonia designs its model of a multicultural society through integration programmes and implementation projects and activities. Currently the fourth consecutive development plan Cohesive Estonia 2030 is prepared. Equal opportunities are created for self-sufficient coping and well-being for all people living in Estonia. Integration plans improve cohesion in society, promote cooperation, tolerance and mutual understanding and advance intercultural dialogue.

137.111 Noted

See 137.66-137.84.

137.112–137.115 Accepted

See 137.88-137.100, 137.110, 137.146.

Special policy documents and projects are developed and implemented to increase the share of women in the ICT sector in education, research and work.

Promoting diversity has been one of the priorities in the field of equal treatment; the Ministry of Social Affairs supports financially relevant projects and NGOs. There are several nation-wide initiatives supported by the Ministry of Education and Research that cover topics like intolerance, anti-bullying, social-emotional competences, value education etc.

137.116 Noted

It is essential that all offences against a person's sexual self-determination are criminalized. There are currently no specific plans to amend the system of offences as defined and prohibited in the Criminal Code.

137.117–137.120 Accepted

See 137.88-137.100, 137.110, 137.207-137.209.

Efforts towards the prevention of violence are developed and undertaken through cooperation between the state and civil society.

137.121 Noted

See 137.88-137.100, 137.110.

137.122–137.129 Accepted

See 137.88-137.100, 137.110, 137.112-137.115, 137.146.

Over the years, Estonia has launched public debates promoting tolerance towards different cultures and sexual orientations. For promoting tolerance towards different religions, Estonia has ongoing dialogue with all religious communities and has organized events that promote tolerance and freedom of religion or belief.

A follow-up strategy for the Governmental “Welfare Development Plan for 2016-2023” for the period of 2023-2030 will include a long-term strategic view of governmental policies for promoting gender equality.

137.130 Noted

Currently there is no increase foreseen in government funding for the gender equality and equal treatment programmes.

137.131 Noted

See 137.101-137.109.

There are no plans to amend the definition of marriage set out in the Family Law Act.

137.132 Noted

See 137.66-137.84.

137.133 Accepted

We agree that it is necessary to amend the gender recognition regulation. Relevant amendments to the law are currently drafted.

137.134–137.136 Accepted

See 137.88-137.100, 137.122-137.129.

Different policy documents in the field of education and labour have been adopted and are in the process of implementation.

137.137–137.138 Noted

See 137.66-137.84.

137.139–140 Accepted**137.141 Accepted**

Estonia is committed to meet the goals set in the Paris Agreement and our climate policy is fully aligned with that of the EU. The Government has set the strategic goal to achieve climate neutrality in Estonia by 2050 and is working on an action plan for this purpose.

137.142 Noted

Estonia has steadfastly increased development assistance and continues to make efforts to attain a level of 0.33% of GNP by 2030.

137.143 Accepted

In addition to national Action Plan for Adaptation to Climate Change 2030, many local governments have their climate and energy action plans. The public and relevant stakeholders, including Youth Environment Council, are involved in drawing up and implementing different strategies and projects on climate change. Development cooperation projects of environmental protection, including climate change, are carried out.

137.144 Accepted

We agree that it is necessary to take measures for effectively tackling poverty. Several measures are in place to support the livelihoods of persons at risk of poverty, including unemployed persons, families with many children, women and persons with disabilities. These include different types of social transfers as well as labour market measures.

137.145 Accepted

See 137.88-137.100, 137.110.

137.146 Accepted

We agree that, while a constant progress can be seen in the decrease of the gender pay gap, further efforts are needed for this decrease to continue. The Minister of Social Protection is tasked to present to the Government by February 2022 amendments to the Gender Equality Act aimed at reducing the gender pay gap. In addition, activities have been and are being planned to support and promote pay transparency through non-legislative measures. Measures are taken to tackle other causes of our wide gender pay gap, including those to decrease gender segregation in education and the labour market and measures to address unequal sharing of care burden among women and men.

137.147 Accepted

See 137.144.

137.148 Accepted

137.149–137.154 Accepted

The Police and Border Guard Board ensures prompt and competent impartial proceedings in the presence of information on torture or ill-treatment, including in all detention facilities. Victim support (rehabilitation, psychological counselling, etc.) is easily accessible and fully guaranteed by the state. The State provides monetary compensation to victims who have suffered from ill-treatment or torture caused by the State.

137.155 Accepted

Numerous forms of violence are covered by the Penal Code. Schools ensure the mental and physical security and the protection of the health of students during their stay at school.

137.156–137.157 Noted

The Ministry of Justice is currently analysing whether the prohibition to vote of convicted persons serving their sentence in prison needs to be amended.

137.158 Accepted

Estonia intends to continuously develop the juvenile justice system in accordance with recommendations of international instruments.

137.159 Accepted**137.160 Noted**

The Local Government Council Election Act determines the procedures of election of the members of the local government councils.

137.161 Accepted

See 137.146.

Measures to increase the gender balance in decision-making are expected to be planned in the framework of the “Welfare Development Plan 2023-2030”.

137.162–137.185 Accepted

Estonia welcomes recommendations to adopt effective measures to prevent and investigate trafficking in human beings crimes while paying particular attention to victims and assures its continued commitment in combating THB at national and international level. Estonia engages actively in the networks of the European Commission, Council of Europe, Council of the Baltic Sea States (CBSS) as well as of the OSCE and UN. Victims of THB are provided support services, such as counselling, access to health services, material assistance, psychological assistance, monetary compensation to victims and safe accommodation. Currently new legislation is drafted addressing issues relating to trafficking victims. Estonia intends to have a special workplan for anti-trafficking activities relating to the national priorities of reducing and preventing trafficking.

137.186 Accepted**137.187 Accepted**

Successful implementation of the pension reform is important as it addresses the problems of pensions’ adequacy of low wage earners and the sustainability of the pension system.

137.188–137.190 Accepted

The Government approved the Green Paper on Mental Health Policy in 2021, which focuses on prevention, early detection of mental health problems, access and quality of services. The national action plan for suicide prevention will be established by 2022, with special focus on men, children and adolescents.

137.191 Accepted

See 137.218.

137.192 Accepted

See 137.188-137.190.

137.193 Accepted

During the COVID-19 pandemic all workers of health and social care institutions were ensured with access to supervision and mental health consultations.

137.194–137.195 Accepted

See 137.218.

For families with very high care burden we plan to develop a combined nursing and childcare service which could especially support long-term caregivers.

137.196 Noted

The Language Board is focusing on increasing the quality of learning Estonian and supporting and advising learners.

137.197–137.206 Accepted

Everyone living in Estonia has equal access to education and employment without any discrimination.

137.207–137.209 Accepted

Estonia welcomes the recommendations related to combating violence against women and domestic violence, and confirms that prevention of various forms of violence has been addressed in national strategies and action plans. The Government has given priority to combating domestic violence. Protection of children is under special attention.

137.210 Noted

See 137.207-137.209, 137.116.

137.211–137.216 Accepted

See 137.207-137.209.

137.217 Accepted

See 137.134-137.136, 137.197-137.206.

137.218. Accepted

Health insurance is based on the solidarity of and limited cost-sharing by insured persons, on the principle that services are provided according to the needs of insured persons, that treatment is equally available in all regions and that health insurance funds are used for their intended purpose.

137.219 Accepted

See 137.88-137.100, 137.129.

137.220 Noted

See 137.207-137.209, 137.116.

137.221–137.224 Accepted

See 137.207-137.209, 137.122-137.129, 137.161.

137.225 Noted

See 137.116.

137.226–137.239 Accepted

See 137.146, 137.122-137.129, 137.207-137.209.

137.240. Noted

See 137.207-137.209.

137.241–137.251 Accepted

See 137.207-137.209, 137.162-137.185, 137.188-137.190.

Creation of a mentally and physically safe and mobility-friendly learning environment and organization is enshrined in the education policy documents.

137.252–137.253 Accepted

Amendments to the Family Law Act to eliminate the exception that allows minors to marry have been drafted by the Government, and will be tabled before the parliament in due time. This exception has been applied very rarely, and is no longer deemed necessary.

137.254–137.258 Accepted

See 137.24-137.33, 137.155, 137.162-137.185, 137.241-137.251.

137.259 Noted**137.260–137.265 Accepted**

See 137.88-137.100, 137.110, 137.241-137.251.

137.266 Noted

See 137.272.

137.267 Noted

Estonia is committed to respect all the obligations stemming from international treaties including the UN 1951 Convention and its 1967 Protocol to protect applicants and beneficiaries of international protection. All applicants for international protection are guaranteed access to the procedure of international protection and provided with guarantees established in the European Union asylum acquis.

If a person crosses the Estonian border illegally, the competent authority is bound to initiate and conduct criminal proceedings if elements of an offence are evident. Application for the international protection is not automatically deemed as precluding criminal proceedings in cases of illegal border-crossing but should the circumstances specified in Article 31 of the Convention be evident in the course of conducting proceedings, no penalty is imposed and the criminal proceeding is terminated.

137.268 Accepted**137.269 Noted**

See 137.267.

137.270 Accepted

Living conditions in reception centres meet the Estonian standard of living. Asylum seekers are provided in reception centre with the possibility to learn Estonian, participate in various activities and have access to different services, including social and healthcare services as defined in national legislation.

137.271 Accepted

See 137.110.

137.272 Noted

All aliens are able to acquire Estonian citizenship through naturalisation on an equal basis as specified in the Citizenship Act. The Government has encouraged persons of undetermined citizenship to apply for Estonian citizenship. Several legislative and policy measures have been adopted to facilitate the naturalisation procedures, especially for children and elderly people.

Decreasing the number of persons with undetermined citizenship residing permanently in Estonia continues to be the main focus of Estonian naturalisation policy. Estonia is committed to motivating them to obtain citizenship as quickly as possible. Estonia acknowledges that further efforts must be made to reduce the numbers of persons with undetermined citizenship.

137.273 Noted

Estonian legislation does not provide definitions for the terms ‘stateless person’ and currently there are no plans to amend the law in his respect.

137.274 Noted

See 137.272, 137.43-137.44.
