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Summary record of the 33rd meeting

Held at the Palais Wilson, Geneva, on Tuesday, 15 November 2011, at 3 p.m.

Chairperson: Mr. Pillay

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The meeting was called to order at 3.05 p.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Second periodic report of Estonia (continued) (E/C.12/EST/2;
HRI/CORE/1/Add.50/Rev.1; E/C.12/1/Add.85; E/C.12/EST/Q/2 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Estonia took places at the Committee table.*

Articles 10 to 12 of the Covenant (continued)

2. **Mr. Riedel** asked the delegation of Estonia to submit in writing to the Committee recent data on the right to health, as the data contained in the report dated back to 2007. He said that he would like to know whether older women had access to health care in rural areas, if widows were covered by medical insurance, and if the State party had taken steps to remedy the shortage of nursing staff in the countryside, including by granting budget allocations to local communities for that purpose. It would be interesting to know what type of support was provided for people suffering from multidrug-resistant tuberculosis, which primarily affected HIV/AIDS patients, and whether Estonia had collaborated with other European countries, or even with the World Health Organization, to provide such support.
3. Noting the compelling results of the anti-smoking campaigns conducted in schools, he wished to know if the State party had organized similar campaigns to prevent alcoholism, and how sex education was addressed in schools, given that it was also linked to reproductive health. With regard to mental health, it would be interesting to know the results of the projects carried out by the Estonian-Swedish Mental Health and Suicidology Institute, and to know whether detainees had access to psychiatric care.
4. Referring to paragraphs 825 and 826 of the State party's report, he asked what policy the State party had put in place to reduce the particularly high percentage (currently between 6 and 7 per cent) of workers 15 to 74 years of age who were on leave of absence because of an illness, disability or accident.
5. **Ms. Barahona Riera** (Country Rapporteur) asked who had access to methadone substitution therapy, whether walk-in drug addicts who visited the appropriate facilities could obtain methadone or whether they needed to be registered with them, and whether the social security system covered the costs associated with that type of treatment.
6. She would like the delegation to indicate whether the social security system was completely public, whether the Government planned to privatize certain health sectors, whether coverage was universal or extended only to workers who made contributions, and what rights to social security were enjoyed by people working in the informal economy, the elderly, and young persons who had not yet entered the job market. She wondered why the abortion rate was so high despite the sexual and reproductive health programmes implemented in schools, and whether the competent health services carried out the necessary prevention work to ensure that abortion was not considered a method of contraception.
7. **Mr. Tirado Mejia** said he found it disturbing that in 2007 as many as 30 per cent of young persons 15 to 16 years of age had reported that they had already used drugs — compared to only 8 per cent in 1995 — and he was surprised to learn that 2.3 million syringes had been distributed in 2009 to help prevent HIV/AIDS, when the State party's entire population was only 1.34 million. That raised the question of what the State party

was doing to combat drug trafficking. Indeed, drug addiction was not only a health problem; it required the implementation of a punitive system based on penal provisions. Additional information on that subject would be welcome.

8. **The Chairperson**, speaking in his capacity as a member of the Committee, said he wished to know how the State party was addressing the serious housing shortage, which affected not just Tallinn but also 85 per cent of cities and half of rural municipalities, and he requested updated data on the subject. He also asked whether, in the light of the acute housing shortage, the State party was always able to fulfil its obligation to relocate debtors who had been evicted as a result of a judicial opinion, and he wished to know more about the housing situation for poor, vulnerable and marginalized persons. Lastly, he asked if Estonian law provided that tenants could in some cases be evicted in the absence of a judicial opinion, and if so, on what grounds.

9. **Mr. Seilenthal** (Estonia) said that his country devoted 0.10 per cent of its gross national income to official development assistance. The high number of persons with undetermined citizenship in Estonia stemmed from the fact that the Government did not wish to compel anyone to acquire Estonian citizenship and therefore offered those concerned the option to postpone their decision on whether or not to acquire Estonian nationality. The problem had begun in 1991, when the country had gained independence after a half century of USSR occupation.

10. Given the country's small size, the staff of the various institutions knew one another, and it went without saying that the Chancellor of Justice and the Gender Equality Department of the Ministry of Social Affairs cooperated with each other. The actions taken by the Security Police Board, responsible for combating both right-wing and left-wing terrorism and extremism, were particularly effective.

11. **Ms. Jõgi** (Estonia) said that Estonia had implemented a master plan to combat human trafficking and one to combat all forms of violence, both of which provided for training courses to be offered to prosecutors, judges and other officials. Given that those phenomena transcended national borders, the police forces from the countries of the region cooperated with each other, and Estonia had participated in two workshops held by the Council of the Baltic Sea States, one on human trafficking and another on children at particular risk of human trafficking. A special hotline operated by members of several NGOs had been established in 2004 to protect trafficking victims. Those who had been returned to Estonia from abroad were assisted by NGOs, and it was not necessary for them to file a complaint in order to be recognized as victims. Because Estonia had been criticized for its lack of specific criminal provisions on human trafficking, the Government was planning to adopt such legislation by the end of 2011.

12. **Ms. Sinisaar** (Estonia) said that, owing to the global economic and financial crisis, the unemployment rate had increased among all population groups, including both women and men. In 2010, the male unemployment rate had been particularly high during the first two quarters before it had begun to decline. The general situation had improved in 2011, including for foreigners and older persons. The employment situation varied from one region to another, and the north-east of the country had been particularly hard hit.

13. The minimum wage had risen significantly over the years and, in combination with benefit entitlements, should be adequate to prevent the risk of poverty. In that regard, welfare benefits had been maintained at almost the same level throughout the crisis, and only start-of-school-year allowances and a few other benefits had suffered from budget cuts. Retirement pensions, on the other hand, had risen 5 per cent during the crisis.

14. **Ms. Lannes** (Estonia) said that, according to prison legislation, prisoners under 63 years of age were required to work in prison, except for those who were in poor health or raising a child under 3 years of age. Prisoners enjoyed the same social guarantees as other

employees and contributed to a pension fund. Their monthly wage, which was 95 euros, or 20 per cent of the minimum wage established by the Labour Contract Act, was paid into their personal bank account but could only be spent within the prison compound. After their release, in some situations prisoners were entitled to unemployment and other benefits such as housing assistance.

15. Under the Labour Contract Act, children 13 to 16 years of age had the right to work, provided that they continued their studies and that the job they performed did not require excessive physical or mental effort. Children 7 to 12 years of age could perform minor tasks in the fields of culture, arts, sports and advertising if authorized by the Labour Inspectorate. If the Inspectorate was uncertain about whether or not it should authorize an employment contract for a child under 12 years of age, it could request the assistance of a social worker specializing in child protection. Children were not allowed to work before school or at night.

16. There was no age-based discrimination in the labour market. The Equal Treatment Act provided that a person who had reached retirement age could remain in the labour market and that an employer could not terminate an employment contract on the basis of the employee's age. Retired persons could work and continue to collect their pensions in addition to their salary. A decision by the Supreme Court confirmed that age was not a valid ground for the termination of a contract. There was a set retirement age within the public sector, however, which was enforced for both men and women without discrimination. The Labour Contract Act specified those cases in which a loss of confidence could result in the termination of the contract. If the employment contract was terminated for such reasons, the employee could not receive unemployment insurance benefits but was still eligible for other benefits.

17. The Labour Inspectorate employed 63 inspectors spread out over four centres, with one centre in each region. A study had concluded that the number of inspectors was sufficient. They were responsible for verifying the quality of health services and safety in the workplace and in schools.

18. **Ms. Sander** (Estonia) said that the Gender Equality and Equal Treatment Commissioner and the Minister of Justice worked in collaboration with each other. The Minister of Justice was responsible for determining whether or not there was a conflict between the laws and the Constitution. He ensured the proper functioning of conciliation and mediation procedures and promoted gender equality and equal treatment. The Commissioner, however, was an independent and impartial expert. He was appointed by the Minister of Social Affairs for a five-year term and monitored the implementation of the provisions on gender equality and equal treatment. He intervened in response to complaints, or on his own initiative to denounce cases of discrimination. He analysed the impact of laws on gender equality and equal treatment, made proposals to the Government and local authorities on changes that should be made to laws in that domain, and informed them of issues raised by the implementation of those laws. He prepared reports on gender equality and equal treatment and worked to promote and raise awareness of those issues, in collaboration with his partners.

19. Police statistics indicated that there had been 4,456 cases of domestic violence in 2010 (compared to 3,053 in 2008 and 2,423 in 2009), most of them spousal abuse cases. Under the Estonian Criminal Code, the fact that the victim was in a dependent relationship with the perpetrator of the violence constituted an aggravating circumstance. Perpetrators of domestic violence were involved in the preventive actions carried out.

20. Several articles of the Gender Equality Act were devoted to sexual harassment. A distinction was made between sexual harassment and harassment based on a person's sex. Employers were held liable if they harassed or failed to protect an employee. The Gender

Equality Act protected the right not to be harassed. A study was being conducted on sexual harassment in the workplace in order to assist victims and provide statistics on the issue.

21. With regard to the concept of equal remuneration for work of equal value, the Gender Equality Act stipulated that employers' actions were discriminatory if they provided less favourable conditions of remuneration or benefits for an employee who performed work that was of equal value to that performed by other employees who received better remuneration or benefits. The Labour Inspectorate did not verify pay equity between men and women, but cases of non-compliance with that principle could be brought before a committee responsible for settling disputes in the workplace. Conciliation procedures were also in place. In addition, the victim could take legal action.

22. **Ms. Soll** (Estonia) said that her country had adopted a strategy focused on safety in schools as a means of combating school violence. The strategy was based on research that had brought to light significant differences in the ways students of different ages perceived violence. Thanks to the new strategy and the programmes set up as part of that strategy, children's behaviour within society was expected to improve over the next five years. Children also frequently reported verbal and psychological abuse by teachers. Once again the social model was to blame for that situation, as violent behaviour was usually witnessed among boys and tended to be aggravated by peer acceptance. Programmes had been launched to help parents who did not know how to protect their children against violence portrayed via new information technology. A cyberpolice unit had also been set up.

23. **Ms. Didrichson** (Estonia) said that the legal minimum age for marriage was 15. Minors 15 to 17 years of age who wished to marry required their parents' consent, but a judge could authorize the marriage if one of the parents opposed it, on the ground that it was in the child's best interests.

24. The reason Estonia had not ratified the European Convention on Nationality was because the Citizenship Act provided that an Estonian citizen could not obtain dual or multiple citizenship. The Convention limited the possibility of renouncing one's nationality, while Estonia offered that possibility in many circumstances. Only persons who had acquired citizenship by naturalization and not by birth could lose their Estonian nationality. Most members of the Russian-speaking community held Estonian citizenship. Only 7 per cent of the population had undetermined citizenship and 8.5 per cent did not have Estonian citizenship. One of the Government's priorities was to reduce the number of persons with undetermined citizenship.

25. **Mr. Abashidze** asked whether persons with undetermined citizenship were non-citizens, and what percentage of them were Russian-speaking.

26. **Ms. Barahona Riera** (Country Rapporteur) asked what percentage of the workforce was currently unemployed, and what the exact amount of the minimum retirement pension was. With regard to child labour, she pointed out that the minimum age for entry into the workforce should be 15 years of age. She asked the delegation to clarify which forms of child labour were governed by the Labour Contract Act. The system seemed complex and risky, given that children 7 to 12 years of age could work in sport, culture and advertising, and the work they performed was not clearly specified.

27. **Mr. Seilenthal** (Estonia) explained that the concept of a citizen with undetermined citizenship was different from that of a stateless person; it applied to persons who had arrived in Estonia during the Soviet occupation and in 1991 had been given the choice to become Estonian citizens, keep their nationality of origin or remain in their current situation. Those persons were issued travel documents by the Estonian authorities and did not need a visa to travel within the European Union or to the Russian Federation. In that regard, they were in a better situation than Estonian citizens. Most of them were Russian-speaking, and the majority held Russian citizenship.

28. **Ms. Sinisaar** (Estonia) said that the unemployment rate had fallen since 2010, standing at 10.9 per cent during the previous quarter. The same was true of long-term unemployment. The minimum retirement pension was a little more than 2,000 kroon, or 130 euros. The average pension was 4,200 kroon, or 270 euros.

29. **Mr. Bambus** (Estonia) said that when considering the amount of retirement pensions in Estonia, which one Committee member had deemed to be low, one should take into account the difference in the cost of living in Estonia compared with the rest of the European Union. However, the Government did plan to increase the amount of retirement pensions.

30. **Ms. Lannes** (Estonia) said that it was the responsibility of the Labour Inspectorate to decide whether or not a child was authorized to perform a given job and to ensure that the employer respected employment and safety standards. If it was suspected that the child was being coerced, the Labour Inspectorate must ask the child protection services to intervene.

31. **Ms. Soll** (Estonia) said that health education was included in the general education curriculum. The subject encompassed sex education, which was addressed not from a demographic perspective but rather with a view to making students aware of the associated risks and health problems. The Government also paid close attention to problems related to tobacco and alcohol consumption, and it was committed to preventing abuse of those substances. Many youth organizations and NGOs also played an important role as partners in health education.

32. **Mr. Bambus** (Estonia) said that the Government authorities organized activities to raise young people's awareness of problems related to human trafficking and drug trafficking, focusing on the risks they could face when travelling abroad.

33. **Ms. Augasmägi** (Estonia) said that providing safe drinking water for the population was a priority for the Ministry of Social Affairs and that considerable progress had been made recently in that area. In 1998 the Government had launched a national anti-tuberculosis programme, under which surveillance and prevention networks had been set up. All regions of the country were covered by a network of general practitioners funded by the national health programme, and all Estonian citizens had access to health services.

34. **Ms. Lannes** (Estonia) said that the right to housing was guaranteed under the Constitution and that a decree on social protection stipulated that it was the responsibility of local communities to ensure that all citizens had housing. The law provided that local communities could assign social housing, help persons in need to conclude an ordinary lease and, in some cases, pay all or part of a person's rent and fees under an assistance programme. There were waiting lists for social housing, but the authorities were working on the problem. A new law on household debt that had entered into force in April 2011 offered families and single individuals in financial difficulties the option of restructuring their debts and financial obligations, including by extending their deadlines for repaying financial institutions.

35. **Mr. Bambus** (Estonia) said statistics indicated that the number of young people who had used drugs had increased sharply in Estonia between the early 1990s and 2011. He believed that part of the reason why the problem, which existed in many countries, had worsened in Estonia was because more Estonians were travelling abroad. The police and many Government departments were working to educate young people about the risks associated with drug use.

36. **Mr. Tirado Mejia** said he considered it unlikely that the fact that Estonian young people were travelling abroad was at the root of increased drug use, and asked what measures the State had taken to combat the problems associated with that phenomenon.

37. **Ms. Barahona Riera** (Country Rapporteur) asked whether the public health services provided free methadone for drug addicts as part of a treatment and prevention strategy. She said she wished to know what sexual and reproductive health services were provided and what options were available regarding free access to abortions. She also asked if Estonia planned to reform the health-care system, including through privatization of certain health sectors.

38. **Mr. Sadi**, noting that the minimum age for marriage in Estonia was 15, pointed out that, according to the Convention on the Rights of the Child, a person 15 years of age was still a child. He asked how the State party justified authorizing marriage at that age. He also wished to know if the high rates of domestic violence were connected with high alcohol consumption or whether there were other causes. With regard to the high rate of violence in schools, he asked if that was due to the high divorce rate in the country, or if other reasons had been cited. Noting that, according to paragraph 135 of the State party's report, since 2006 it had been an offence to use a person under 14 years of age as a model or actor in the production of a pornographic or erotic picture, film or other work, whereas previously the age limit had been set at 18 years, he asked if Estonia allowed children to engage in that type of activity. Since in Estonia naturalized persons were treated differently than Estonian-born citizens, he asked what those differences were and whether they might not constitute a form of discrimination.

39. **Ms. Shin** said that alcohol consumption was considered a trigger of domestic violence but was never the root cause.

40. **Mr. Bambus** (Estonia) explained that he was not trying to justify the drug-related problems in Estonia by placing the blame on other countries or on the global situation. The Estonian authorities took the problem very seriously, and police operations were very effective in arresting drug traffickers and dealers.

41. **Mr. Seilenthal** (Estonia) said that the difference between the treatment of naturalized citizens compared with Estonian-born citizens pertained to applications to obtain another nationality. Given that Estonia did not allow dual nationality, all persons who had acquired two nationalities at birth were required to choose one or the other between the ages of 18 and 21. The difference in treatment therefore applied to binational persons.

42. **Ms. Jõgi** (Estonia) said that the wording of the law on the participation of models or actors in the production of pornographic or erotic pictures, films or other works had been amended in February 2011, but the principle whereby the minimum age was set at 18 years for pornographic films or works and 14 years for erotic films or works had not changed. In addition, the Criminal Code had been amended to comply with the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

43. **Mr. Bambus** (Estonia) said he agreed that alcohol was not the cause of domestic violence, but a trigger. Statistics showed that alcohol consumption had declined in Estonia following a very effective prevention campaign. Alcohol abuse, particularly among young people, could cause accidents and motivate suicide, which partly explained the high suicide rate in Estonia. The authorities carried out prevention activities in cooperation with Finland and Sweden, where the suicide rates were also high. The prevention programmes included training, psychological support services and a hotline for the vulnerable. The recent increase in the tax on alcoholic beverages should reduce alcohol consumption and might help to minimize the associated problems.

Articles 13 to 15 of the Covenant

44. **Mr. Kerdoun** asked whether the delegation had any disaggregated statistics on persons who attended higher education institutions and those who followed the vocational

education track. He also requested recent statistics on adults with access to on-the-job training.

45. Referring to paragraph 968 of the State party's report, he asked the delegation to provide recent statistics on the distribution of students by the type of studies they pursued. He also wished to know if the Government thought it would be able to reduce the school dropout rate, and if the international aid provided by the European Union through the Phare and EQUAL programmes and by the Nordic Council for the purpose of teaching the Estonian language enabled students to continue their studies, especially in higher education. Referring to paragraph 971 of the report, he asked if any census had been held since 2000 and, if so, whether illiteracy had increased or gradually decreased.

46. **Mr. Marchán Romero** said he regretted that neither the report nor the written replies to the list of issues — which were of a very high quality — addressed article 15, paragraph 1 (b), of the Covenant, and asked the State party to indicate in its next report the measures taken to implement the right enshrined in that article. With reference to the findings of a study on access to culture conducted by a private company at the Government's request, he would like further information on access to cultural assets for persons living in rural areas or persons with a low level of education or low income. Referring to the Committee's concluding observations on the initial report of Estonia, he would be interested to learn if the National Minorities Cultural Autonomy Act had been revised or whether its enforcement had been brought into line with the national integration strategy. He also wished to know whether minorities were formally recognized as such.

47. **Mr. Tirado Mejia** asked what measures had been taken to provide Internet access for the whole population, as Estonia could serve as a model for other countries in that regard.

48. **Mr. Abashidze**, stressing the importance of using the correct terminology, especially when discussing the ethnic diversity of Estonian society, asked whether there were any clear mechanisms for identifying minority groups and, if so, whether those were Government mechanisms. He wondered what was preventing Estonia from ratifying the European Charter for Regional or Minority Languages and wished to have a more precise definition of the cultural values of Estonian society, and to know whether they included the cultural values of ethnic minorities and whether all such values received equal protection.

49. **Mr. Bambus** (Estonia) said that his delegation would provide the Committee with updated statistics.

50. **Ms. Soll** (Estonia) said that about 70,000 students attended higher education in the country and that 28,000 students had enrolled in a vocational school for the 2010/11 academic year. Half of the students in vocational schools enrolled once they completed high school, and the other half once they completed elementary school.

51. The school dropout rate, which affected boys more than girls, had stood at 0.3 per cent for basic education and 1 per cent for secondary education during the 2009/10 academic year. Students' main reasons for dropping out were that they voluntarily left school, married, or failed their final exams. Currently, 10.9 per cent of adults were enrolled in training, and the target was 13 per cent by 2013. Lastly, a new census would be conducted in 2012 and would provide updated information on illiteracy. Additional data would also be available once the results of the Programme for the International Assessment of Adult Competencies, conducted by the Organization for Economic Cooperation and Development (OECD) in 2011, were made public.

52. **Mr. Bambus** (Estonia) said that Estonian, an official European Union language, was promoted in Estonian educational institutions and abroad.

53. **Ms. Reimaa** (Estonia) said that her country had established programmes to support the heritage and culture of ethnic groups, and that the Ministry of Culture worked in close collaboration with local municipalities and NGOs. Many programmes had been set up within entertainment circles, for example, especially to help defray the costs of performers' travel to different regions and the hire of performance halls. Ticket prices were low, and half-price tickets were available for certain groups, including school and university students and pensioners. Entry to museums was free on certain days of the year, and libraries enabled individuals to borrow books and access the Internet free of charge. Online services, such as borrowing books remotely, were available through several web portals. Programmes had also been set up to help municipalities acquire the projection equipment needed to screen films.

54. Over the previous six years, specific programmes had been developed to support the various cultures comprising Estonian culture, such as programmes relating to the cultural heritage of the Russian Old Believers or the Estonian Swedes. Other programmes designed to assist the various nationalities and the approximately 300 NGOs working in the fields of culture and minority education received basic public funding. In addition, the Minister of Education and Science assisted Sunday schools so that minority groups could recruit educators to teach their mother tongue.

55. The Ministry of Culture was responsible for conserving the country's heritage and monuments. The Heritage Council subsidized the renovation of places of worship of all faiths. The various stakeholders met regularly in round tables, which served as real forums for dialogue. For example, the round table organized at the Ministry of Culture brought together 30 umbrella organizations and minority groups, enabling them to meet with policymakers and make recommendations on how to improve practices and policies. Other round tables were held at the regional level, for example in the north-east of the country.

56. Emphasis was also placed on broadcasts on the different nationalities and cultures. Many newspapers, magazines and books were published in Estonian, Russian and other languages, and there were programmes for translating Estonian literature. There were plans to establish a common information centre on cultural life in Estonia. Lastly, the national radio and television corporation broadcast programmes in the Russian language and on cultural minorities.

The meeting rose at 6 p.m.