



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Estonia*

A. Purpose and general obligations (arts. 1–4)

1. Please update the Committee about progress made towards:
 - (a) Developing a national strategy for the implementation of the rights of persons with disabilities in line with the Convention;
 - (b) The adoption of the plan for the protection of the rights of persons with disabilities, as a part of the development plan for the period 2016 to 2023 regarding social protection, inclusion and equal opportunities, providing details about its compliance with the Convention;
 - (c) The adoption of the work ability reform and about its expected outcomes, and please provide details about its compliance with the Convention;
 - (d) Ensuring the effective and wide involvement of organizations of persons with disabilities, including persons with intellectual disabilities, in the development of new legislation and policies;
 - (e) Promoting the training of policymakers and professionals, both at the national and municipal levels, including judges, prosecutors, medical and health professionals, teachers and social workers working with persons with disabilities, on the rights recognized in the Convention.
2. Please inform the Committee about measures taken to:
 - (a) Eliminate derogatory terminology, such as “abnormality”, “mental disorder” and concepts of “incapacity to work”, from all legislation and policies and replace such terms with language based on the human rights model of disability;
 - (b) Align the criteria for the assessment of disability and the disability assessment mechanism with the purpose of the Convention;
 - (c) Adopt legislative measures for the promotion and implementation of universal design in compliance with the Convention.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

3. Please provide the Committee with:

* Adopted by the pre-sessional working group at its eleventh session (8–11 April 2019).



(a) Information on the Gender Equality Act, the Equal Treatment Act and all other existing anti-discrimination legislation, and whether they include an explicit prohibition of discrimination on the basis of disability, including multiple and intersectional discrimination, across all sectors and areas of life;

(b) Information on measures adopted to prevent, investigate and sanction all forms of discrimination on the grounds of disability;

(c) Information on the scope and level of implementation of the concept of reasonable accommodation currently in use in national policies and legislation;

(d) Information on whether the denial of reasonable accommodation is explicitly recognized as a prohibited form of discrimination in all areas of law, including in non-discrimination legislation;

(e) Statistics on the number and percentage of claims of discrimination on the basis of disability, disaggregated by sex, age, barriers identified and the sector in which discrimination occurred, and information on the number and percentage of cases that resulted in sanctions.

Women with disabilities (art. 6)

4. Please provide information on policies and measures adopted to:

(a) Protect the rights of women and girls with disabilities, including by addressing factors leading to their marginalization and intersecting forms of discrimination against them;

(b) Ensure the full development, advancement and empowerment of women and girls with disabilities, including information about affirmative action programmes;

(c) Increase the number of women with disabilities in decision-making bodies, including information about affirmative action programmes.

Children with disabilities (art. 7)

5. Please provide the Committee with:

(a) Disaggregated data on children with disabilities still in institutions, as well as information on the measures to fully deinstitutionalize children with disabilities by providing them with safe alternative care in family settings and inclusive services within the community;

(b) Information about measures taken to ensure community-based support and access to inclusive early intervention services for children with disabilities and their families.

Awareness-raising (art. 8)

6. Please update the Committee about:

(a) Measures, including public awareness campaigns and strategies, adopted to raise awareness about the rights and dignity of persons with disabilities, their capabilities and their contributions to society;

(b) Measures taken to ensure that awareness-raising initiatives are implemented in accessible modes, means and formats of communication, such as Braille, sign language, and Easy Read;

(c) The extent to which persons with disabilities and their representative organizations are involved in the design, implementation and monitoring of awareness-raising campaigns and strategies.

Accessibility (art. 9)

7. Please inform the Committee about:

(a) Progress in, outcomes of and follow-up to the National Transportation Development Plan 2014–2020 and other accessibility policies and provisions implemented by the State party;

(b) The extent to which the Public Information Act promotes and implements the principles of universal design set out in the Convention in the transportation system, buildings, services and communications systems;

(c) Measures, planned or already implemented, to align its anti-discrimination legislation with European Union Directive of the European Parliament and Council No. 2016/2102 of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies, and the measures to effectively consult organizations of persons with disabilities throughout this process.

Situations of risk and humanitarian emergencies (art. 11)

8. Please provide information on measures taken to make disaster risk management fully accessible and disability inclusive, in line with the Sendai Framework for Disaster Risk Reduction 2015–2030.

Equal recognition before the law (art. 12)

9. Please provide information on:

(a) Measures taken to study the withdrawal of the State party’s interpretative declaration on article 12 of the Convention and on the intention of the State party in this regard;

(b) The revision of legislation to restore full legal capacity for all persons with disabilities and to replace the substitute decision-making regime in place with supported decision-making mechanisms;

(c) The number of persons under full or partial guardianship and the number of persons with disabilities who have regained legal capacity since the ratification of the Convention.

Access to justice (art. 13)

10. Please provide additional information on the obligations under the Code of Criminal Procedure, in particular to ensure the availability of procedural and age-appropriate accommodations and the effective participation of all persons with disabilities in the justice system, whatever the role they are called upon to fulfil.

Liberty and security of the person (art. 14)

11. Please inform the Committee about:

(a) Concrete measures taken to eradicate all legal provisions and practices that allow for the deprivation of liberty and non-consensual treatment of persons with disabilities on the basis of intellectual or psychosocial disability;

(b) Measures taken to ensure accessibility and individualized accommodations for persons with disabilities in places of deprivation of liberty;

(c) Steps taken to oppose the adoption of the draft additional protocol to the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine, entitled “The protection of human rights and dignity of persons with mental disorder with regard to involuntary placement and involuntary treatment”, given that the additional protocol infringes on several provisions of the Convention on the Rights of Persons with Disabilities.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

12. Please inform the Committee about:

(a) Measures taken to ensure, in practice, that no persons with disabilities are subjected to torture or cruel, inhuman or degrading treatment or punishment, forced sterilization, forced abortion or any other non-consensual medical treatment, particularly in residential institutions;

(b) Steps taken to strengthen the role of the office of the Chancellor of Justice in monitoring all settings in which persons with disabilities may be deprived of their liberty, in particular residential institutions and mental health-care facilities;

(c) Measures adopted to regularly and effectively train personnel working for and with persons with disabilities, including personnel in mental health services and facilities, on the rights of persons with disabilities, including their right to physical and personal integrity.

Freedom from exploitation, violence and abuse (art. 16)

13. Please provide detailed information about:

(a) Measures adopted to protect persons with disabilities from all forms of exploitation, violence and abuse, including violence against women and children with disabilities, and to respond to cases, taking into account age, sex and disability;

(b) The extent to which disability is mainstreamed in all existing laws, policies and strategies for the prevention of exploitation, violence and abuse and the extent to which gender- and disability-based violence is addressed;

(c) Measures adopted for the early identification of instances of exploitation, violence and abuse against persons with disabilities and for the effective investigation and prosecution of perpetrators, through appropriately resourced and accessible complaint mechanisms.

Living independently and being included in the community (art. 19)

14. Please provide the Committee with:

(a) Information about the steps taken to ensure the deinstitutionalization of all children and adults with disabilities, and measures adopted to ensure that persons with disabilities have access to a range of in-home and community support services, including personal assistance, to exercise their right to living independently and being included in the community;

(b) Disaggregated data on the number of persons with disabilities still living in institutions and group homes, their location and their level of access to mainstream services in the community;

(c) Information about the use by the State party of the European Structural and Investment Funds designated for the deinstitutionalization of persons with disabilities.

Personal mobility (art. 20)

15. Please provide information on measures adopted to ensure that persons with disabilities have access to the necessary personal mobility aids, devices and other assistive technologies at an affordable price, and to ensure that those technologies are of an acceptable quality. Please also provide detailed data on the percentage of the public budget allocated to supporting the purchase of mobility aids, devices and other assistive technologies for persons with disabilities.

Freedom of expression and opinion, and access to information (art. 21)

16. Please inform the Committee about legislative and other measures adopted to:

(a) Ensure that persons with disabilities have access to sign language interpretation, captioning, Easy Read and other augmentative and alternative means of communication in all areas of life;

(b) Ensure that private entities providing services to the general public and mass media providing information, including through the Internet, do so in forms and formats that are accessible for all persons with disabilities;

(c) Ensure the implementation of the Web Content Accessibility Guidelines 2.0 for all public websites;

(d) Implement the European Union Directive of the European Parliament and Council No. 2016/2102 of 26 October 2016.

Respect for home and the family (art. 23)

17. Please inform the Committee about measures adopted to:

(a) Support children with disabilities and their families, in particular with information and quality in-home and community-based support services, in order to prevent the concealment, abandonment, neglect or segregation of children with disabilities;

(b) Ensure that parents with disabilities are provided with adequate support in their child-rearing responsibilities, including accessible and inclusive community support.

Education (art. 24)

18. Taking into account the Committee's general comment No. 4 (2016) on the right to inclusive education, please provide:

(a) Information on measures to ensure the right to inclusive education for persons with disabilities, including strategies or action plans to transform special and segregated school settings into inclusive education environments with individualized support, and to render the mainstream education system inclusive;

(b) Data, disaggregated by type of impairment, sex and age, about students with disabilities in special education schools and about those receiving education at home;

(c) Data, disaggregated by type of impairment, sex and age, about students with disabilities enrolled in the mainstream education system at all levels, including vocational and higher education.

Health (art. 25)

19. Please provide information on:

(a) Policies and measures adopted to ensure that all persons with disabilities have access on an equal basis with others to the national health-care system;

(b) Measures adopted to ensure that all persons with disabilities, particularly women and girls with disabilities, have access to the comprehensive health and rehabilitation services in their own communities, including in small municipalities;

(c) Legislative and other measures adopted to ensure that all health services and treatments, particularly sexual and reproductive health services, are provided to persons with disabilities on the basis of their free and informed consent.

Work and employment (art. 27)

20. Please provide updated information on:

(a) The impact of measures, including affirmative action measures, for the promotion of the employment of persons with disabilities in the open labour market in the private sector. Please also provide data, disaggregated by type of impairment and sex, on persons with disabilities employed in the open labour market and in sheltered employment;

(b) The available provisions and incentives to guarantee reasonable accommodation for persons with disabilities in order to enable their employment in the open labour market.

Adequate standard of living and social protection (art. 28)

21. Please provide updated information on:

(a) The poverty rates among persons with disabilities compared to others, as well as on measures taken to ensure that disability is mainstreamed in poverty reduction strategies, including specific measures for persons with disabilities, particularly women, children and older persons with disabilities;

(b) Measures in place to ensure access by persons with disabilities to public housing and transportation programmes, particularly in rural areas, including through procurement that meets accessibility standards and fits with the principles of universal design.

Participation in political and public life (art. 29)

22. Please provide the Committee with information on the steps taken to:

(a) Ensure the right to vote for all persons with disabilities, in particular persons with psychosocial or intellectual disabilities;

(b) Ensure the full accessibility of the voting environment, and voting procedures, facilities and materials;

(c) Adopt measures for persons with disabilities, particularly women with disabilities, to stand for election, be elected and effectively hold office and perform public functions at all levels of government.

C. Specific obligations (arts. 31–33)

Statistics and data collection (art. 31)

23. Please update the Committee on steps taken to develop data-collection tools in accordance with the human rights model of disability, focusing on barriers that hinder the full and effective participation of persons with disabilities in society on an equal basis with others.

National implementation and monitoring (art. 33)

24. Please provide updated information on:

(a) The mandate and capacity of the Ministry of Social Affairs, as a designated focal point for coordinating the implementation of the Convention, to mainstream provisions of the Convention across all sectors and areas of life;

(b) The capacity of the Chancellor for Justice to act as an independent and effective monitoring mechanism for the implementation of the Convention, and on the budget allocated for this purpose;

(c) Mechanisms in place and measures adopted, including specific budget allocation, to fully involve civil society, in particular persons with disabilities and their representative organizations, in the monitoring process of the implementation of the Convention.
