



International Convention on the Elimination of All Forms of Racial Discrimination

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Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

List of themes to be taken up in connection with the consideration of the eight and ninth periodic reports of Estonia (CERD/C/EST/8-9)

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the eighth and ninth periodic reports of Estonia. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1.National legal framework, policies and programmes against racial discrimination (arts. 2, 4 and 6)

(a)Indicators and sources of verification with a view to monitoring and evaluating the progress of the Second Integration Strategy 2008-2013 (CERD/C/EST/8-9, para. 40);

(b)The percentage of proceedings conducted by the Chancellor of Justice relating to racial or ethnic discrimination;

(c)In relation to the reported lack of effectiveness of the Chancellor of Justice in dealing with cases of racist crimes and incitement to hatred, the measures taken or envisaged to strengthen his capacity, for instance by allocating more financial and human resources, allowing legal means of coercion to force compliance with his proposals or opening offices outside the capital (CERD/C/EST/8-9, paras. 286 and 295);

(d)The State party's views on the reported lack of effectiveness of article 151 of the Penal Code, in particular on the exclusion of hate speech from article 151, especially in the light of the Committee's general recommendation 15 (1993) on organized violence based on ethnic origin (CERD/C/EST/8-9, paras. 48-50; CERD/C/EST/CO/7, para. 12).

2.The situation of national minorities (arts. 1, 2 and 5)

(a)The Draft Act for the amendment of the National Minorities Cultural Autonomy Act (CERD/C/EST/8-9, paras.328-330; CERD/C/EST/CO/7, para. 9), especially in relation to the inclusion of non-citizens with long-term residence in Estonia in the definition of national minority as well as to the level of involvement of and consultation with representatives of minority groups in this process;

(b)Plan for the adoption of a law on the rights of national minorities, and the timeframe to this end, if under consideration;

(c)Detailed data or recent estimates on the representation of members of Russian-speaking minorities as well as of persons with "undetermined" citizenship in the population of convicted prisoners. Efforts made by the State party to fully examine and address the situation, in particular to ensure that prisoners are not discriminated against with regard to access to citizenship (CERD/C/EST/8-9, para.63; CERD/C/EST/CO/7, para. 13);

(d)In the light of the high rate of unemployment among members of the minority communities, especially in north-eastern Estonia (CERD/C/EST/8-9, para.176), the efforts made to fully implement relevant legislation and to regularly monitor the progress of projects in relation to reducing unemployment among minority groups;

(e)Awareness-raising measures taken for the public in general as well as for minority groups and public servants, including the Police Board's employees, on the legislation against racism, such as the Equal Treatment Act (CERD/C/EST/8-9, para.54);

(f)Measures to strengthen the consultation with representatives of the minority groups in designing and implementing various projects and programmes in prohibiting discriminatory attitudes towards minority communities.

3.Equality before the law in the enjoyment of rights and freedom of non-citizens (art. 5)

(a)Steps taken to address the high number of persons with "undetermined" citizenship (CERD/C/EST/8-9, para.100);

(b) Plans – if any for amending article 48 of the Constitution, which prohibits non-citizens from being members of political parties, given the considerable number of non-citizens residing in Estonia (CERD/C/EST/8-9, para.73; CERD/C/EST/CO/7, para. 14);

(c) Possibility of facilitating or waiving the language requirements for the acquisition of citizenship for those who were born or graduated from schools in the country as well as for vulnerable groups including the elderly. Possibility of providing free Estonian language courses for a larger number of non-Estonian speakers, including members of Russian-speaking minorities and stateless persons (CERD/C/EST/8-9, para.155);

(d) Information regarding resource allocation in order to ensure the choice of the language of instruction (CERD/C/EST/8-9, para.220). Efforts made to ensure the quality of education while strengthening Estonian language instruction to Russian-speaking children and respecting their identity;

(e) Implementation of various planned activities with a view to improving educational opportunities for Roma children (CERD/C/EST/8-9, para.249).