



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

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Item 6 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined twelfth and thirteenth reports of Estonia

Note by the Country Rapporteur*

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session¹ that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)

2. Measures to allocate the Chancellor of Justice and the Gender Equality and Equal Treatment Commissioner adequate human and financial resources to carry out fully their respective mandates. Information on activities carried out by these two bodies on the prohibition of racial discrimination and the promotion of the principles of the Convention among the population, including on the Equal Treatment Act, and the local remedies available.²

3. Examples of cases in which the provisions of the Convention have been evoked before or applied by domestic courts; detailed information on measures taken to raise public awareness of the Convention, including among lawyers, magistrates, police, border control guards and the population, in particular minority groups, including on available remedies.

4. Update on efforts to ensure full compliance of the State party's Penal Code with provisions of article 4 (b) of the Convention. Examples of dissolution by the courts of racist organizations that promote and incite racial discrimination.³

* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.

¹ [A/65/18](#), para. 85.

² [CERD/C/EST/12-13](#), paras. 15–17; and [CERD/C/EST/CO/10-11](#), para. 6.

³ [CERD/C/EST/12-13](#), paras. 105–107; and [CERD/C/EST/CO/10-11](#), para. 7.



5. Update on efforts to amend the Criminal law and ensure that racist motive or hatred motive is an aggravating circumstance.⁴ Information on the issuance of methodological bases prepared by the Ministry of Justice for identifying hate motives of offences.⁵
6. Update on measures to prevent and counter instances of hate crimes and racist hate speech, including on the Internet.⁶
7. Measures taken to ensure that victims of racial discrimination can lodge complaints without fear of reprisals, and to increase victims' confidence in police and judicial authorities.⁷
8. Update on cases on racial discrimination, including racist hate speech and hate crimes, submitted to the police or brought to domestic courts or the Gender and Equal Treatment Commissioner and the Chancellor of Justice, including under articles 151–153 of the Penal Code. Update on investigations, prosecutions relating to hate crimes and racist hate speech, if any, and their outcomes, including sanctions imposed and reparation provided to victims.⁸
9. Impact of awareness-raising activities undertaken to minimize negative attitudes, increase tolerance and improve the knowledge of rights among the population about differences and different situations.⁹
10. Information on whether legal aid is available to immigrants, irrespective of their country of origin.¹⁰
11. Promotion of the culture and languages of minority groups other than Russian, including in the media.¹¹

Situation of ethnic minorities (arts. 2 and 5)

12. Measures to improve the representation of minorities in public and political life, at the local and national levels and at all administrative levels. Measures to strengthen the cooperation of Estonian authorities with the Council of Ethnic Minorities.¹²
13. Update on the rate of employment of minority groups. Results of initiatives taken to improve access to the labour market for minority groups,¹³ and measures to eliminate discrepancies in conditions of employment and remuneration between Estonians and non-Estonians due to insufficient knowledge of the Estonian language.¹⁴
14. Update on access to education by Roma children, including in upper secondary school. Update on the results of initiatives aimed at integrating Roma, in particular with regard to access to employment, education, housing and health care. Details on the Advisory Committee for Roma Integration, its mandate, composition, and activities for Roma integration.¹⁵

Situation of non-citizens, migrants, asylum seekers, refugees and stateless persons (art. 5)

15. Measures taken to include citizenship, race and ethnic origin as grounds of discrimination under the Equal Treatment Act.¹⁶
16. Update on the acquisition of Estonian citizenship, including by persons with undetermined citizenship. Measures taken at the local and national levels to identify stateless

⁴ CERD/C/EST/12-13, paras. 109–112; and CERD/C/EST/CO/10-11, para. 8.

⁵ CERD/C/EST/12-13, para. 105–111.

⁶ Ibid., paras. 104–105.

⁷ CERD/C/EST/CO/10-11, para. 15.

⁸ CERD/C/EST/12-13, paras. 20–27 and 89–99; and CERD/C/EST/CO/10-11, paras. 15–16.

⁹ CERD/C/EST/12-13, paras. 209–210.

¹⁰ Ibid., para. 211.

¹¹ Ibid., paras. 232–253.

¹² CERD/C/EST/CO/10-11, para. 14.

¹³ CERD/C/EST/12-13, paras. 141–145.

¹⁴ Ibid., paras. 146–155; and CERD/C/EST/CO/10-11, para. 10.

¹⁵ CERD/C/EST/12-13, paras. 71–80.

¹⁶ Ibid., para. 208.

persons, to prevent statelessness and to facilitate the acquisition of citizenship by stateless persons. Impact of awareness-raising meetings and round tables organized to encourage eligible members of the population to apply for citizenship.¹⁷

17. Update on the number of non-Estonians in the prison population, in particular those with undetermined citizenship. Measures to prevent racial discrimination against non-citizens in the criminal justice system.¹⁸

18. Measures to ensure fully the principle of non-refoulement of asylum seekers arriving at border-crossing points in the State party and who could, in practice, lodge asylum applications. Measures to provide free legal aid to asylum applicants. Measures to ensure that individuals applying for asylum are released from any criminal liability for illegal entry to the territory. Measures to establish an independent asylum monitoring system at border-crossing points. Measures to improve the living conditions of asylum seekers and refugees in reception centres.

19. Update on the adoption of a comprehensive national refugee integration strategy and its implementation.

20. Update on economic indicators on the integration of migrants, including asylum seekers, refugees and stateless persons, with regard to education, health care, employment and housing.

21. Information on the impact of the coronavirus disease (COVID-19) pandemic on persons most vulnerable to discrimination and the different groups protected by the Convention, including ethnic minority groups, indigenous peoples and non-citizens. Include measures taken to protect them against the effects of the COVID-19 pandemic; to protect them against discriminatory acts, and to counter hate speech and stigmatization in connection with the pandemic; and to mitigate the socioeconomic impact of the pandemic on such persons and groups.

¹⁷ Ibid., paras. 119–130.

¹⁸ Ibid., para. 219–227; and [CERD/C/EST/CO/10-11](#), para. 12.