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UN Human Rights Council Working Group on the Universal Periodic Review

Review of Estonia

Statement by Mrs. Marina Kaljurand,

Minister of Foreign Affairs,

Geneva, January 19, 2016

Mr. President,

Distinguished representatives of Member States,

Ladies and Gentlemen

Let me first thank you for the opportunity to report at the second Universal Periodic Review on the actions of the Government of Estonia in promoting human rights.

The expansion of the space that values the principles of human rights, democracy, rule of law, and advancement of international law is one of Estonia’s five priorities in foreign policy. Estonia is a party to the primary human rights conventions of the UN and most other major international and regional human rights agreements, and regularly submits reports on the implementation of these conventions. Estonia is dedicated to defending and developing human rights and universal freedoms both in Estonia as well as through membership in international organizations and via bilateral relations.

We are open for dialogue with all member states and wish to continue constructive transregional cooperation within the Human Rights Council. Estonia has presented a standing invitation to the UN Special Rapporteurs to visit Estonia. As a country ruled by law, Estonia will continue paying attention to the inclusion of the civil society and the possibilities of participating in the work of the Human Rights Council. That is why Estonia considers it important to use and protect human rights language in resolutions and decisions and to participate in initiatives related to human rights in countries where there have been major violations.

Between the last and today’s review Estonia has had the opportunity of being a member of the Human Rights Council for the first time in 2013-2015. Our running for membership as well as membership in the Council has helped us to emphasize the importance of the human rights in the whole society and has mobilized us to become a better state and society. During our membership we focused on the rights of women and children, consideration of the gender perspective in conflict situations (UN Security Council Resolution 1325), the fight against impunity, protection of the rights of indigenous peoples, freedom of expression and internet freedom and non-discrimination of the LGBTI. During the membership period Estonia participated actively in the work of the Council taking floor at regular and special sessions more than 120 times and at UPR’s process more than 90 times. We also led or participated several times in troika proceedings.

Mr. President

Estonia considers the Universal Periodic Review (UPR) an effective tool to promote human rights and to exchange best practices. I would like to thank all delegations that have submitted questions in advance – Belgium, the Czech Republic, Germany, Mexico, the Netherlands, Norway, Spain, Sweden and the United Kingdom. I also thank the Office of the United Nations High Commissioner for Human Rights for the compilation prepared and all of the stakeholders for their submissions to the review.

The human rights situation in Estonia was for the first time examined in the framework of the UPR in 2011. Since then Estonia has undertaken a coordinated effort to implement the recommendations and voluntary commitments. During the first review cycle, Estonia received 124 recommendations from 37 countries, of which we accepted 88 and took 16 recommendations with us to Tallinn for further consideration. I am satisfied to report that an overwhelming majority of these recommendations has been implemented, a few are still in the process of implementation. In addition to the report presented today Estonia submitted its mid-term report on the implementation of the UPR recommendations in March 2014. During the period between two review cycles Estonia continued a fruitful cooperation with the UN human rights bodies on the basis of our standing invitation with regard to all special procedures and has hosted several visits by special rapporteurs.

Estonia has also continued its active participation in the Treaty Body System by cooperation with different Committees. Since the last UPR review in 2011 Estonia has submitted reports on implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (CERD), Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), Convention on the Rights of the Child (CRC) and its first report on implementation of the Convention on the Rights of Persons with Disabilities (CRPD), the latter which Estonia ratified in 2012 together with the Optional Protocol (OP-CRPD. Estonia has also submitted its updated common core document in 2015.

Our dialogue with representatives of the civil society has also continued and the latest round of consultations with the NGOs took place on 14 January this year, to give the final overview of the situation and to exchange last comments before the UPR review.

Mr President

I take this opportunity now to address more specifically some of the human rights topics, including responding the Advance Questions posed to us prior to the UPR. I will start with a focus on issues of integration of national minorities, the situation of refugees and asylum seekers, and the promotion of gender equality.

**Protection of the rights of persons belonging to national minorities** is part of the international protection of human rights, and as such, a priority of the Republic of Estonia. Protection of the rights of minorities is a continuous process. Estonia is the country of residence for representatives of over 190 nationalities and minorities consitute approximately 31% of the entire population according to the census of 2011. The purpose of integration is to foster a situation where all nationalities living in Estonia are ensured a cohesive and tolerant society where everyone can feel comfortable and safe – to work, study, develop their culture, be a full member of the society.

In Estonia, the Ministry of Culture is responsible for the realization of the national integration policy. Integration is a broad-based societal process involving many different areas of life. Besides the Ministry of Culture, other ministries also actively contribute to the pursuit of a more cohesive society, mainly the Ministry of Education and Science, the Ministry of Economic Affairs and Communications, the Ministry of the Justice, the Ministry of the Interior and the Ministry of Social Affairs. Representatives of these ministries are also with us today. The Integration and Migration Foundation Our People (MISA), the Foundation Innove, local municipalities and civil society organizations play a central role in the integration activities.

The democratic management and supporting of cultural diversity takes place through the implementation of the national integration programme in Estonia. Estonia has been setting up national integration programmes since 2000. At the moment, the third programme (2014-2020) is being carried out. The Strategy takes into account changes in the society, evaluated and studied with the help of monitoring and surveys and the opinions of the representatives of the national minorities, the experts and researchers. The strategy supports three wider courses of action: 1) increasing the openness of the society and shaping pro-integration attitudes; 2) continued support to long-term residents of foreign origin who have made little progress in integrating; 3) contributing to new immigrants’ ability to adapt and integrate.

The last Integration Monitoring survey that was carried out in 2014-15, showed positive results of our integration efforts. According to the survey the Estonian language skills and its symbolic meaning are increasing among other nationalities, the trust of young people of other nationalities towards government institutions is similar to that of young Estonians.

One of the recent activities of the Estonian Government was to launch a new Russian language Public Broadcasting TV channel ETV+. The new TV channel is directed mainly to the Russian speaking audience. The aim of the TV channel is to provide a balanced high quality programme reflecting everyday life and culture in Estonia for all society groups, thus helping to further integrate the Russian speaking population and ensure an adequate picture of the Estonian society. ETV+ will also be broadcast in free-to-air which means that the channel would be available to everyone.

To promote state language skills more than 2500 people will have the chance to study Estonian in 2016. Free courses are planned to be carried out through to year 2020 during the implementation period of the current Integration Strategy.

One of Estonia’s priorities is to promote the acquisition of Estonian citizenship and lower the number of persons with undetermined citizenship. Accordingly, the Estonian Government has facilitated the naturalization process for all legal residents who wish to acquire Estonian citizenship and also implemented various measures to increase the interest of persons of undetermined citizenship in applying for Estonian citizenship.

In 2015 and 2016 amendments of the Citizenship Act came into force in Estonia, which aimed to simplify naturalization requirements. The main target groups of the amendments were children with undetermined citizenship, beneficiaries of international protection and elderly people. The Estonian language requirements were simplified for elderly applicants in 2015.

From the 1st of January 2016 all children born in Estonia whose parents are with undetermined citizenship, acquires automatically Estonian citizenship. And also, all children with undetermined citizenship who were under 15 years of age as of 01.01.2016 were naturalized automatically from the 01.01.2016.

As a result of the constant Government policy, the number of persons with undetermined citizenship has decreased from 32% in 1992 to 6,1% at the beginning of this year. The persons with undetermined citizenship have travel documents, resident permits, the right to equal treatment and access to social services, labour market and education, as well as the right to vote at local elections, which can be used by all long-term legal residents of Estonia.

Mr. President,

Estonia complies with the European Union legislation on the standards for the qualification and status for refugees and on the content of the protection granted. Amendments to the Act on Granting International Protection to Aliens and other related legal acts have been prepared to further transpose the EU legislation, regulating granting and withdrawal of international protection and to the standards of reception. These amendments are expected to come into force in the first half of this year and aim to specify different procedural and reception-related guarantees of asylum seekers. The amendments specify the asylum seekers´ legal status during the different stages of the application process. During the application process, the applicants are also guaranteed access to the basic, secondary and vocational level education under the same conditions as Estonian citizens. The new legislation also establishes the regulation for a better consideration of the applicants’ possible special needs.

Estonia has taken steps to improve the living conditions of asylum seekers. Since 2014 the Accommodation Center for Asylum Seekers is situated in the new location where the access to public services, including education, labour market and health care are better than in the previous center.

Estonia is also making a great effort to ensure that the children of newly arrived immigrants, refugees or asylum seekers receive the best education possible. Every child has the right to go to a school or kindergarten closest to their place of residence. Estonian language immersion programme has proved effective: the children of refugees who started in Estonian schools in autumn 2015 are able to express themselves in simple Estonian language by now. The Language Immersion Centre organizes supportive supervision in every study facility that receives a child with migration background for the first time. The Centre, Ministry of Education and Research and Innove Foundation systematically provide free trainings and study material.

Estonia has taken steps to promote tolerance and cultural diversity. Incitement to hatred, violence or discrimination on the basis of nationality, race, colour, sex, language, origin, religion, sexual orientation, political opinion, financial or social status has been criminalized. Further amendments to the Penal Code are planned, which criminalize the inciting of hatred or violence more comprehensively. Estonia is constantly and systematically tackling these issues through education, impacting the future generations. Much focus is put on supporting value based school culture and safe (bullying free) school environment. In accordance with the Paris Declaration, the General Education Programme 2016-2019 includes specific activities on human rights, value competence, critical thinking and media literacy. Estonia has also joined the Council of Europe “No Hate Speech” Movement. We will continue our efforts to achieve a more comprehensive attitude towards tolerance and acceptance among the population. Discussions and inclusion are the important tools on this path.

Mr. President,

Estonia is committed to promoting **gender equality** on a national as well as on a global level. The empowerment of women and their equal rights is also one of our development cooperation priorities with the emphasis on access to quality education. Estonia has taken upon itself to spread the knowledge and possibilities that ICT brings to education and empowerment of women.

Estonia has adopted the second action plan for the implementation of the UN Security Council resolution 1325 on “Women, Peace and Security” for 2015–2019 in December 2015. Its objective is to improve the situation of women in conflict areas and raise awareness about women, peace and security agenda at the national level and globally.

Estonia is preparing its first action plan for equality policies, including gender equality for years 2016-2023. The aim is to promote equal economic independence, balanced participation at all levels of decision-making and management, and to tackle the negative impact of gender stereotypes. The aim is also to create institutional capacity to promote gender equality, including rights protection and gender mainstreaming.

One of the challenges Estonia faces today is a wide gender pay gap. The Government is working with reducing the gap through a wide set of activities, foreseen in the 2012 action plan. The gender pay gap is a complex issue and there is a need to implement simultaneous measures in all relevant fields.

Furthermore, in the view of the Government, gender stereotypes are among the fundamental reasons for gender inequality. The key measure to empower women and reduce inequality is to raise awareness in the society at large as well as target specific groups and people like teachers, employers, employees and policy-makers. The aim is to create a common understanding of the causes and consequences of gender inequality, including gender pay gap, and provide know-how for tackling these problems. In 2013 an awareness raising campaign was carried out to tackle the stereotypes and demonstrate their negative impact on work and career choices of people. It is also important to keep in mind that our children learn from us and the society around them and follow our behaviour.

According to the Gender Equality Act, educational and research institutions and other organizations, offering training shall ensure equal treatment of men and women in vocational guidance, education, professional and vocational development and re-training. The curricula, study materials used and research conducted shall facilitate the abolishment of unequal treatment of women and men and promote equality. In this way Estonia aims to decrease negative gender stereotypes for future generations. The same applies in higher education: the necessity to monitor the ensuring of equal opportunities, including gender balance when filling positions, allocating grants and forming decision-making bodies in higher education is explicitly mentioned in the Estonian Research and Development and Innovation Strategy 2014-2020 “Knowledge-based Estonia”.

Combating domestic violence and violence against women, including trafficking, is a Government priority. In 2014, Estonia signed the Council of Europe Convention on preventing and combating violence against women and domestic violence. The government continues with the implementing of the special development plan, awareness-raising campaigns and training seminars for police, prosecutors and judges.

One important milestone in our society has been the adoption of the **Registered Partnership Act** by our Parliament in 2014 that entered into force on 1 January this year. The act legalises same-sex partnership. First partnerships between same-sex partners have already been registered in accordance with the new Act, notwithstanding the still ongoing adoption procedure of the relevant implementation acts. The second reading of the implementation acts in Parliament is expected to take place in January 2016.

Ladies and gentlemen,

In addition to the abovementioned developments, let me highlight some more achievements gained since the last UPR. In March 2011 the institution of the Ombudsman for Children was established; its duties are fulfilled by the Chancellor of Justice. Estonia has become a party to the Convention on the Rights of Persons with Disabilities and is setting up an independent monitoring mechanism of the implementation of the Convention. Also, decisive steps have been taken to reform the social welfare framework for the disabled and other challenged groups. Estonia has substantially reformed the provisions of its Penal code, concerning human rights.

Establishing the national institution for the protection of human rights (NHRI) is continuously under consideration by the Estonian authorities. In view of the existing competences of the institutions and considering, among other things, the size of the national administration Estonia has so far not made the decision to establish any **new** institutions to deal with the issues of human rights. The Chancellor of Justice, an independent institution, uniting the function of the general body of petition and the guardian of constitutionality, observes and ensures the application of international human rights norms in Estonia in the best possible manner. It covers most of the functions of the NHRI in compliance with the Paris Principles.

Estonia will continue its efforts to become party to the Convention on Enforced Disappearances (CED), we will also take steps to ratify the Council of Europe Convention on Preventing and Combating Violence against Women, and Domestic Violence, and will continue with steps to accede to the UNESCO Convention against Discrimination in Education.

The Estonian delegation is looking forward to the constructive exchange of views with other Member States. We regard today’s discussion as a valuable contribution to our domestic debate and your comments and recommendations will be taken into account in drafting new action plans and legislation.

Thank you.