

ENGLISH VERSION – CHECK AGAINST DELIVERY



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Estonia**

Mr. President,

Brazil welcomes the delegation of Estonia to the second cycle of the Universal Periodic Review.

We commend Estonia for the important steps taken since its first review. Brazil acknowledges, in particular, the accession of Estonia to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Convention on the Rights of Persons with Disabilities. We also commend Estonia for the adoption in 2014 of a new law to recognize same-sex partnerships, providing important legal protections for same-sex couples living together.

Notwithstanding the latest achievements, additional measures could be envisioned to promote and protect human rights in the country. Brazil wishes to recommend that Estonia:

- 1) avoid detaining asylum seekers and ensure all asylum seekers the right to lodge asylum applications at border-crossing points and in transit zones; and

2) undertake a review of the communications surveillance laws, policies and practices with a view to upholding the right to privacy in line with international human rights law.

Brazil is concerned about reports on the access to the Estonian territory of persons in need of international protection, as well as on the occurrence of incidents in which the principle of “non refoulement” may have been disregarded.

With regard to the right to privacy, we are concerned that the electronic communications act, which sets the conditions under which service providers shall provide communication data to security, surveillance and other Estonian government agencies, does not require prior judicial authorization, except for criminal investigations. Similarly, the surveillance act, which regulates the activities of surveillance agencies, does not require a court order to authorize surveillance.

Finally, although we recognize that recent amendments to the Citizenship Law improve the protection of the rights of stateless persons, we are concerned that the amendments do not seem to cover the situation of children between 15 and 18 years of age. In this connection, we urge Estonia to ratify the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness.

Thank you.