**UN Human Rights Council Working Group on the Universal Periodic Review**

**Review of Estonia**

**Opening Statement by H.E. Eva-Maria Liimets**

**Minister of Foreign Affairs,**

**Tallinn-Geneva, 4 May, 2021**

Madam President,

Distinguished representatives of Member States,

Ladies and Gentlemen,

It is an honour and privilege for me to address the UN Human Rights Council Working Group on the Universal Periodic Review and present the national report of Estonia submitted to the third Universal Periodic Review.

The UPR provides an important and valuable tool for reviewing our national human rights legislation, policies and practices. It helps to make plans for the future as well as to discuss how to further international cooperation in protection and promotion of human rights and fundamental freedoms. We are glad to carry on the UPR dialogue with all UN Member States during this third reporting cycle, which began in 2011 when the first national report was submitted.

As solemnly declared in the Universal Declaration of Human Rights: “Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms”. Estonia is determined to work hard at national as well as international level in cooperation with other States to implement this pledge. Our commitment to principles of rules-based international order, respect and promotion of international law as well as on democracy, rule of law and fight against impunity have been part of our foreign policy for many years.

Most recently, these principles have been enshrined in the Estonian Foreign Policy Strategy 2030 and in our Human Rights Diplomacy Action Plan.

Estonia was a member of the Human Rights Council for the first time from 2013 to 2015 and we have submitted our candidature again for 2026 to 2028.

We are glad that the UPR is continuing efficiently also at the time of the pandemic. In this context, we would like to remind that Estonia suggested some years ago, when we discussed the enhancement of the work of the treaty bodies, to introduce online consideration of reports via videoconferences. At that time, this idea did not gain much support. Of course, back then we could not imagine that in 2021, it would become a new normality. But we are happy to see that the digital means have been put into use in order to continue with the reviews.

Estonia is a party to the primary human rights conventions of the UN and most other major international and regional human rights agreements, and we regularly submit reports on the implementation of these conventions. We have continued our active participation in the Treaty Body System by having constructive dialogue with different Committees. Our aim is to submit all the reports to the treaty bodies on time.

Since the last UPR review in 2016, Estonia has submitted reports on implementation of the International Covenant on Economic, Social and Cultural Rights, and of the International Covenant on Civil and Political Rights, together with follow-up information under both Covenants as requested by Committees in their concluding observations.

We have also submitted report on implementation of Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Online consideration of the first national report on implementation of the Convention on the Rights of Persons with Disabilities was carried out in March and the Committee on the Rights of Persons with Disabilities adopted the Concluding Observations on 29 March 2021. Consideration of the report on implementation of the International Convention on the Elimination of All Forms of Racial Discrimination has not yet taken place.

Regretfully, our report under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment has not been submitted in time. I would like to assure you that additional efforts will be made to liquidate this backlog by the end of the year.

Since 2016, Estonia has also had two individual communications under human rights treaties. One submitted under the International Covenant on Civil and Political Rights is currently pending before the Human Rights Committee. The other submitted under Convention on the Elimination of All Forms of Racial Discrimination, was declared inadmissible by the Committee in 2020. In 2021, Estonia has received one communication from UN Special Procedures, to which we have replied. Estonia has issued a standing invitation to all mandate holders of the Special Procedures of the Human Rights Council, and to reply to Spain, currently no visits have been scheduled.

Madam President, Delegates, let me assure you that Estonia is dedicated to protection and promotion of international law through its membership in international organizations in broader context and not limited to UN human rights bodies, including in the Security Council. Estonia, an elected member of the Security Council for the first time in 2020-2021, has put the notion of rules based international order, compliance with international law, including international humanitarian law and international human rights law at the centre of its work in the Security Council.

We consider conflict prevention an essential part of Security Council`s activities and human rights violations as an early warning of potential conflict. We also support a better information exchange between the Security Council on the one hand and Human Rights Council, Special Procedures and the Office of the High Commissioner for Human Rights on the other. It is crucial that the Security Council takes into account and considers the valuable work of the High Commissioner and the Human Rights Council in its deliberations.

Furthermore, our priority as the member of the Security Council is advancing the full, equal and meaningful participation of women in all stages of conflict resolution and ending the impunity concerning sexual violence in conflicts.

Fight against impunity and the pursuit of justice are essential components of sustainable peace, security and reconciliation. At the international level, Estonia has been actively promoting these principles. No perpetrator of atrocity crimes should escape justice. In case the State is unwilling or unable to respond to atrocity crimes and ensure justice for the victims, the international community in general, and Security Council in particular needs to fulfil its mandate to stop atrocities and restore justice. This can be done, if appropriate, also through referrals to the International Criminal Court.

Estonia has actively supported the role and mandate of the ICC and the Court’s independence and impartiality when fulfilling its mandate. Estonia has just concluded the three-year term as a member of the Bureau of the Assembly of States Parties. Looking ahead, we are putting forward our candidature to the Bureau for 2024-2026.

Estonia has been a long-term supporter of the work of the ICC Trust Fund for Victims in offering reparations for victims, their families and communities. On 8 April 2021, the Assembly of States Parties of the ICC elected Mr Andres Parmas, Prosecutor General of Estonia to the Board of Directors of the Trust Fund. Reparations and assistance to victims must go alongside the prosecution of those responsible for the commission of atrocity crimes – as only this gives true meaning to international criminal law.

Madame President,

Estonia considers the Universal Periodic Review an effective tool to promote human rights and to exchange best practices. We would like to thank all delegations that have submitted questions in advance – Slovenia, United Kingdom, Sweden, Belgium, Haiti, Panama, Uruguay, Portugal, Canada, Germany and Spain. We also thank the Office of the High Commissioner for Human Rights for the compilations prepared on the UN information and for the summary of stakeholders’ information.

We warmly welcome the active role of the civil society in the UPR process at national as well as international level. We were pleased to participate in a dialogue with representatives of the civil society at the UPR pre-session on 25 March. NGOs giving their overview on the situation in Estonia is a valuable contribution to the UPR process. We are particularly glad that representatives of children and youth have been interested in the UPR and have participated in preparation of the joint comments and in the aforementioned pre-session. In the next round of UPR cycle, efforts will be made to make the report more easily readable, as was one of the concerns expressed.

To reply questions from Portugal and others we would like to explain that we do not have a special national mechanism on implementation and follow-up. In the second cycle of the UPR for Estonia in 2016, 181 recommendations were made, of which 142 were accepted. Estonia has undertaken a coordinated effort of different ministries and agencies in consultation with stakeholders, to implement the recommendations and voluntary commitments. I am satisfied to report that an overwhelming majority of these recommendations have been implemented or are 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 2018. During the period between two review cycles, Estonia continued a fruitful cooperation with the UN human rights bodies, that involves relevant ministries and agencies.

Looking at progress at the international and regional level, let me point out some encouraging developments. We welcome the entering into force in December 2020, of the Council of Europe Convention on Access to Official Documents. The Convention lays down a right of access to official documents, being the first binding international legal instrument to recognise a general right of access to official documents held by public authorities. Transparency of public authorities is a key feature of good governance. Entering into force of the Convention assists people in exercising their human rights. People in Estonia are well aware of the right to access official documents and this right is widely used. Estonia will also submit our candidate to a Group of Specialists on Access to Official Documents who will monitor the implementation of the Convention by the Parties.

Another positive development at the regional level will be the entering into force on 1 August of this year of the Protocol No. 15 amending the Convention for the Protection of Human Rights and Fundamental Freedoms. The aim is to maintain the effectiveness of the European Court of Human Rights and inclusion, inter alia, of the principle of subsidiarity and the doctrine of the margin of appreciation to the Convention and shortening the time limit within which an application must be made to the Court.

Madam President, I take this opportunity now to address a number of human rights topics more specifically, including responding to some of the Advance Questions. The other questions will be commented by colleagues from other ministries when they present their field of governance.

I will start with the developments in the institutional framework in the protection of human rights. Estonia has fully implemented numerous recommendations made for example by Algeria, Iraq, Namibia, Burundi, Australia, Portugal, Libya, Costa Rica as well as some others during the second UPR cycle concerning establishment of a national institution for the promotion and protection of human rights in accordance with Paris Principles.

Assigning the Chancellor of Justice the functions of the national human rights institute from 2019 is an important step not only at the national level, but it also helps to enhance international cooperation among such national institutions. In December 2020, the Estonian human rights institution received the “A” status accreditation from the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions. Chancellor of Justice has also made valuable contribution to the current UPR process and submitted their report to supplement the information in the national report. As we already have relevant mechanisms in place - the Chancellor of Justice and the Gender Equality and Equal Treatment Commissioner - who promote equality and ensure and exercise supervision over compliance with current legislation, we do not see a need for additional institution specialized to protection the rights of persons belonging to minorities or immigrants, as inquired by Germany.

I would like to also point out as recent positive steps the creation of a position of a special human rights and migration representative in the Ministry of Foreign Affairs as well as positions of special representatives on cyber security and on climate and energy policy. This demonstrates our commitment to these issues in our foreign policy.

Let me now share with you some of the most recent updates:

On 12 April of this year, Estonian Government approved our first-ever action plan on human rights diplomacy. International cooperation in the field of human rights is our common task in implementing the international human rights instruments. In our new action plan, it is stated that Estonia’s human rights diplomacy has been consistent and stayed on a similar course for decades, focusing on protecting the rights of women, children, and indigenous peoples;freedom of speech and expression, including online; and upholding the principles of civil society, rule of law, and democracy, as well as on fighting impunity.

The consistency of our actions has enabled us to focus our attention on established priorities. However, the area of human rights is also constantly developing, to which we would like to contribute. Therefore, the action plan also includes new focus areas, especially those concerning technological solutions and human rights.

One area which is prominent in our new action plan is media freedom, it is also an overall priority for Estonia this year. Yesterday, the World Press Freedom Day was observed and Estonia is already making preparations to host the third annual conference of the Media Freedom Coalition in December 2021. Addressing also one of the advance questions by the UK concerning our international activities in the field of media freedom, Estonia would like to highlight the important role of the Media Freedom Coalition, co-chaired by the UK and Canada in this field. In the Conference we are hosting this year we would like to concentrate on the fight against disinformation, protection of journalists, and freedom of expression online and offline. Our aim is also to enhance cooperation between the Media Freedom Coalition and the Freedom Online Coalition, as freedom of the media and of the Internet are increasingly interconnected.

As also stated in our human rights action plan, we pay particular attention to the protection and promotion of the rights of women and children in our activities in international organizations. In this regard, Estonia has adopted and implemented consecutive national action plans for the implementation of the UN Security Council resolution 1325 on “Women, Peace and Security” already since 2010. The latest national action plan for the period 2020-2025 is due for approval by the Government of Estonia in May 2021. Different ministries, civil society organisations and representatives of academia contributed to the preparation of the document. Like previous action plans its main objective is to improve the situation of women in conflict areas, raise awareness about women, peace and security agenda at the national, as well as global level, fight impunity and improve training of military forces.

Concerning the full enjoyment of all human rights by women and girls, Estonia is a longstanding supporter of UN Women and of the Special Representative of Secretary General on Sexual Violence in Conflict among others. Another important field for us, including as a member of the Security Council, is protection of children in armed conflict and ending all violations against children.

In this regard, we would like to make reference to an upcoming Security Council Arria-formula meeting on 7 May on “Impact of the COVID-19 pandemic on violations against children in situations of armed conflict”. The objective of the meeting is to assess, one year into the COVID-19 pandemic, its impact on grave violations against children affected by armed conflict: both the trends in violations that can be attributed to the pandemic, as well as on the engagement with parties to conflict to end and prevent grave violations against children. Estonia will also organize the annual open debate on children and armed conflict during our Presidency of the Security Council in June.

Ladies and Gentlemen, as you know, Estonia is very keen to harness the potential and benefits of new technologies, to be forward-thinking and a centre of excellence and innovation. To comment on issues raised by Germany in the field of digitalization, we would like to stress, that international law, including humanitarian and human rights law also apply in cyber space. We are actively participating in discussions at various international for a – in the UN, Council of Europe, OSCE, UNESCO concerning promotion and protection of digital society and cybersecurity. Concurrently, cyber diplomacy forms part of our everyday work including in our bilateral relations. Special attention in our development cooperation projects is devoted to assisting States to enhance their cyber security and good governance.

Estonia is a firm believer in the advantages that a digital society and e-Government can bring, including greater protection of human rights, such as access to justice, and greater transparency of decision-making processes, for a healthier democracy and greater protection of the rule of law.

At the same time, we are also well aware of the potential risks posed by new technologies, particularly artificial intelligence, to human rights, to democratic processes and ultimately to the rule of law, and of the need to address these risks sooner rather than later. This is why we need to find ways to effectively manage possible risks.

There are still some who are concerned that regulating new technologies will thwart innovation, but increasingly it is understood that new technologies have to be safe and trustworthy if they are to be accepted and if they are to benefit society in the long run. If we take proportionate and effective measures to ensure the safety and trustworthiness of new technologies, this will ultimately promote and support innovation.

We are committed to helping find an optimal way to address the challenges posed by new technologies, including artificial intelligence. It will be important to ensure synergy and coherence between the various related initiatives in the UN and UNESCO, at the Council of Europe, at the European Union and with other organisations.

Madame President,

In Estonia, we have a long experience with horizontal integration policies. This is mainly due to a fact that one-third of our population of 1,3 million has a migrant background. Estonia is the country of residence for representatives of over 190 nationalities and minorities who constitute approximately 31% of the entire population according to the census of 2011. The issues related to social cohesion and integration are under continuous attention by the Government. Estonia has consistently taken legal and policy measures to promote the acquisition of Estonian citizenship and lower the number of persons with undetermined citizenship.

The basis for the cohesion of Estonian society is a common Estonian identity, which is based on sharing our constitutional values, a sense of togetherness, and a shared cultural space. The purpose of integration is to ensure a cohesive and tolerant society to everyone living in Estonia where everyone can feel comfortable and safe – to work, study, develop their culture, be a full member of the society. It is important to ensure that each member of society feels supported and valued.

Three integration development plans have been adopted and implemented since 2000. Implementation of integration plans is under constant monitoring. Newly completed VIII integration monitoring report showed positive results of our integration efforts. According to the survey, the Estonian language skills of persons of different ethnic groups have considerably increased in past 12 years, although young people have better command of the language, also older people have shown good progress.

All residents, irrespective of their national background support learning Estonian from an early stage. The survey indicates that most of the new immigrants have well integrated in the society. The Ministry of Culture has the main responsible for the realization of the national integration policy but also other ministries, local municipalities and civil society organizations play a central role in the integration activities. Currently already fourth consecutive Cohesive Estonia Development Plan for 2021–2030 is prepared. The plan sets goals in the areas of adaptation and integration, civil society and Estonians living abroad. The general objective of the plan is to support the cohesive policymaking and inclusive society in Estonia.

Moreover, we have given a special attention to expand the possibilities to study Estonian language and modernized the didactic methods. In 2019, with the financial support of the Ministry of Culture Estonian language houses both in Tallinn and Narva were opened. In these houses, people of various ethnic backgrounds and different native languages can study and practice Estonian as well as receive practical advice about living, learning and working in Estonia. However, due to the pandemic Estonian language courses as well as the national adaptation program were transferred to **e-learning channels**. Our aim is to offer flexible e-services and ensure the access to basic public services to all Estonian residents.

Madam President, let me also point out that combating domestic violence and violence against women, including trafficking, is our Government’s priority. In 2017, the Council of Europe Convention on preventing and combating violence against women and domestic violence entered into force in respect of Estonia, thus having implemented the recommendations made in the previous UPR cycle. The Government continues its efforts to eliminate violence against women and domestic violence. Currently the first implementation report is compiled by the Ministry of Justice in cooperation with other ministries and stakeholders.

With reference to prior questions from Belgium, Canada and Spain concerning LGBTI and implementation of the Registered Partnership Act, we would like to recall the important milestone in our society of the adoption of the Registered Partnership Act in 2014. It entered into force on 1 January 2016 legalizing the same-sex partnership. The partnerships between same-sex partners have been registered in accordance with the Act and the Supreme Court has recognized them as legal in its case-law despite the lack of relevant implementation acts. We however agree that there is a need to adopt the implementation acts for the Registered Partnership Act, which guarantee implementation of the Act to the full extent.

Concerning becoming a party to the Optional Protocol to Convention on the Elimination of All Forms of Discrimination against Women, on complaint and inquiry mechanisms, also raised by Belgium, we need further efforts to carry through national proceedings to that end.

In closing, let me assure you once again that 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 all your comments and recommendations will be very carefully analysed and reviewed.

Thank you!