

## Responses to Recommendations

### ESTONIA

Review in the Working Group: 2 February 2011  
 Adoption in the Plenary: 9 June 2011

#### Estonia's responses to recommendations (as of 22.11.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
88 recs. accepted (among which 8 are considered as implemented and 1 in the process of implementation); 20 rejected; 16 pending	Out of the 16 recs. pending, 3 were accepted (n°79.1, 79.10 and 79.12), 5 "tentatively accepted" (n°79.2, part of n°79.3, n°79.4, part of n°79.5 and n°79.11 -> accepted), 2 which cannot be "fully endorsed" or "fully accepted" (n°79.14 and 79.15 -> no clear position), 1 rejected and 7 which cannot receive "a definite answer" (parts of n°79.3, part of n°79.5, n°79.6, 79.7, 79.8, 79.9 and 79.13 -> pending) <sup>1</sup>	The delegation stated having accepted 6 recs out of the 16 pending from the working group stage (79.14 was finally accepted. The delegation counted the two recs. on CED as one and the three recs. on CEDAW as one).	Accepted: 97 Rejected: 21 No clear position: 1 Pending: 7

#### List of recommendations contained in Section II of the Report of the Working Group A/HRC/17/17:

- A - 77.1. Speed up efforts to ratify CRPD and its Optional Protocol (OP-CRPD) (Slovenia);
- A - 77.2. Ratify and implement CRPD (United Kingdom of Great Britain and Northern Ireland);
- A - 77.3. Ensure speedy ratification of CRPD, and take steps to ensure full conformity with the principles of the Convention without delay (Canada);
- A - 77.4. Ratify CRPD as soon as possible (France);
- A - 77.5. Ratify CRPD, in accordance with the commitment formulated in paragraph 128 of its national report (Chile);
- A - 77.6. Complete the ratification of CRPD and OP-CRC-AC (Ecuador);

<sup>1</sup> The total number of recommendations is now 126 as two were split.

- A - 77.7. Consider ratifying CRPD (Algeria);
- A - 77.8. Consider ratifying OP-CRC-AC and CRPD (Brazil);
- A - 77.9. Conclude as soon as possible the ratification of CRPD as well as OPCRC-AC (Spain);
- A - 77.10. Ratify CED, OP-CRC-AC and CRPD (Argentina);
- A - 77.11. Sign and ratify CED (Ecuador);
- A - 77.12. Amend the Penal Code to ensure full compliance with international norms on prohibition of torture (Islamic Republic of Iran);
- A - 77.13. Review and revise the Code of Civil Procedure, as necessary, to ensure that persons with disabilities are not deprived of their right to vote on the basis of disability (Canada);
- A - 77.14. Amend the Criminal Code, as announced in the national report, and introduce a separate provision on trafficking of human beings (Germany);
- A - 77.15. Establish a national human rights institution in accordance with the Paris Principles (Thailand);
- A - 77.16. Consider establishing a national human rights institution in accordance with the Paris Principles (Ghana);
- A - 77.17. Set up a national human rights institution in accordance with the Paris Principles (Ecuador);
- A - 77.18. Set up an independent national human rights institution that operates in accordance with the Paris Principles (United Kingdom of Great Britain and Northern Ireland);
- A - 77.19. Consider options for developing the human rights institutions according to the Paris Principles, as emphasized by the Committee on the Elimination of Racial Discrimination (Bosnia and Herzegovina);
- A - 77.20. Take the necessary steps to establish a national human rights institution in accordance with the Paris Principles on the status of national institutions for the promotion and protection of human rights (Czech Republic);
- A - 77.21. Accelerate the development of activities of one of the existing institutions responsible for the promotion and protection of human rights in order to better adapt it and convert it into an institution which is in conformity with the Paris Principles (Morocco);
- A - 77.22. Explore the possibility of seeking accreditation from the International Coordinating Committee for the relevant institutions, including the Office of the Chancellor of Justice (Malaysia);
- A - 77.23. Start consultations with its national human rights institutions to request accreditation from the International Coordinating Committee (Spain);
- A - 77.24. Create the institution of ombudsman for children (Finland);
- A - 77.25. Intensify efforts to guarantee the good functioning of the Commissioner on Gender Equality by providing sufficient resources (Spain);
- A - 77.26. Take effective measures towards ensuring equal and full enjoyment of human rights by all, in accordance with its international obligations (Sweden);
- A - 77.27. Continue efforts to protect and promote the rights of the child (Lithuania);

A - 77.28. Strengthen its efforts to raise awareness among its citizens on the provisions contained in the Equal Treatment Act, and to ensure its full implementation as well as that of the Gender Equality Act (Thailand);

A - 77.29. Intensify the measures for gender equality and equal treatment, particularly regarding the rights of women and the integration of national minorities, in accordance with the commitment formulated in paragraph 160 of its national report and the recommendations of the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women (Chile);

A - 77.30. Develop policies to increase gender equality to address the inequalities that persist despite legal guarantees (Australia);

A - 77.31. Develop policies and programmes to provide women with equal opportunities in the labour market, education and political and public representation, and take all necessary measures to guarantee the effective implementation of gender equality legislation, including by providing the Commissioner for Gender Equality and Equal Treatment with adequate resources (Netherlands);

A - 77.32. Continue its close cooperation and support for the activities of United Nations Office for the Coordination of Humanitarian Affairs (OCHA), United Nations Disaster Assessment and Coordination (UNDAC) team, and the International Committee of the Red Cross (ICRC), among others (Malaysia);

A - 77.33. Reinforce the measures to fight against the sexist stereotypes affecting women in particular, and stress the promotion of equal opportunity, namely through the full implementation of the laws on gender equality and equal treatment (Morocco);

A - 77.34. Continue efforts to advance gender equality in all spheres, by both implementing existing legislation and developing new legal norms (Lithuania);

A - 77.35. Take further measures to reduce the problem of gender inequality and strengthen the position of women within society (Bosnia and Herzegovina);

A - 77.36. Take all necessary measures to eliminate, combat and punish all forms of discrimination and violence against women (Ecuador);

A - 77.37. Fully implement the laws on gender equality and equal treatment, in accordance with the commitment formulated in paragraph 153 of its national report (Chile);

A - 77.38. Promote equal employment opportunities for women and all of its national minorities (Thailand);

A - 77.39. Continue its efforts to combat violations of women's rights, including through raising public awareness (Azerbaijan);

A - 77.40. Reinforce the fight against all forms of racism and discrimination (Algeria);

A - 77.41. Continue its efforts to establish programmes and promulgate domestic laws aimed at combating all contemporary forms of racism, racial discrimination, xenophobia, linguistic discrimination and related forms of intolerance (Argentina);

A - 77.42. Consider taking necessary measures to prevent and combat discrimination towards minorities, and positively consider the recommendation of the Committee on the Elimination of Racial Discrimination on the prevention of segregation of Roma children in the field of education (Brazil);

A - 77.43. Take specific measures to eliminate discrimination based on ethnicity in the labour market and education sector (Russian Federation);

A - 77.44. Introduce a prohibition in legislation on the functioning of racist organisations, bring the Criminal Code in line with article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), so as to criminalize incitement to hatred on racial grounds (Russian Federation);

- A - 77.45. Take all necessary measures to combat discrimination against homosexuals (Belgium);
- A - 77.46. Develop public awareness and education programs that advance tolerance on the grounds of sexual orientation and gender identity (Netherlands);
- A - 77.47. Conduct awareness-raising programmes on gender identity and sexual orientation for civil servants, including the security forces and bodies (Spain);
- A - 77.48. Review all necessary measures to reduce discrimination and particularly, stress the design of appropriate policies to prevent discrimination against children (Ecuador);
- A - 77.49. Bring an end to segregation of Roma children in the field of education (Denmark);
- A - 77.50. Consider amending the Penal Code in order to formulate a definition of torture in conformity with article 1 of the Convention against Torture (CAT) (Czech Republic);
- A - 77.51. Adopt the definition of torture used in article 1 of CAT (Hungary);
- A - 77.52. Take effective measures to safeguard the rights of prisoners and improve the living conditions for detainees (Sweden);
- A - 77.53. Improve conditions in prisons and detention centres (United States of America);
- A - 77.54. Improve overall conditions of detention and ensure that all detainees are afforded, in practice, access to a lawyer and an independent medical examination, and are informed about their rights at the moment they are deprived of their liberty (Czech Republic);
- A - 77.55. Improve prisoners' access to essential services, including health care and rehabilitation (Australia);
- A - 77.56. Ensure that prisoners with disabilities have access to health care and rehabilitation on the basis of informed consent (Slovenia);
- A - 77.57. Strengthen measures to contain the spread of infectious diseases in prisons and consider re-establishing substitution programs for intravenous drug users, as recommended by the Council of Europe Commissioner for Human Rights (Austria);
- A - 77.58. Adopt the necessary legislation, and prohibit any kind of violence against children, including corporal punishment (Finland);
- A - 77.59. Intensify its efforts in terms of prevention, sanction and eradication of all forms of violence against women (Argentina);
- A - 77.60. Adopt specific legislation to combat domestic violence, provide protection for its victims, and swiftly prosecute perpetrators of such violence (Islamic Republic of Iran);
- A - 77.61. Consider elaborating a comprehensive national plan to prevent and combat violence against women, and consider the necessary legislative updates (Brazil);
- A - 77.62. Accelerate efforts aimed at fully implementing the Development Plan for the Reduction of Violence 2010-2014, with a view to, among others, addressing violence against women (Malaysia);
- A - 77.63. Build on current efforts to address domestic and sexual violence by promoting training and public-awareness programmes, supporting the establishment of shelters for victims, and ensuring full implementation of judicial mechanisms that allow adequate investigations and punishment of perpetrators (Canada);
- A - 77.64. Take additional measures to prevent, combat and appropriately sanction trafficking in human beings (Republic of Moldova);
- A - 77.65. Reinforce protection against trafficking in persons by adopting specific legislative measures to prevent, combat and punish human trafficking (Canada);

- A - 77.66. Adopt effective legal measures to combat human trafficking, and swiftly prosecute perpetrators of such crimes (Islamic Republic of Iran);
- A - 77.67. Enact specific legislation regarding trafficking in persons (United States of America);
- A - 77.68. Criminalize human trafficking (Hungary);
- A - 77.69. Adopt effective measures to prevent, combat and punish human trafficking (Hungary);
- A - 77.70. Reinforce legislation and adopt effective measures to prevent, combat and punish human trafficking (Poland);
- A - 77.71. Cooperate further with the task force against trafficking in human beings of the Council of the Baltic Sea States (Norway);
- A - 77.72. Further increase its efforts to combat human trafficking (Azerbaijan);
- A - 77.73. Ensure that persons with intellectual and psycho-social disabilities are informed about criminal proceedings and charges against them, and enjoy the right to a fair hearing, and to adequate and effective legal assistance (Slovenia);
- A - 77.74. Investigate promptly, thoroughly and impartially all acts of brutality and excessive use of force by law enforcement personnel (Czech Republic);
- A - 77.75. Conduct appropriate and impartial investigations of excessive use of force by security forces, prosecute and punish officers responsible, and provide proper compensation to victims and their families (Ecuador);
- A - 77.76. Investigate acts of brutality by law enforcement personnel (Islamic Republic of Iran);
- A - 77.77. Ensure that the right of conscientious objection to military service is upheld, and clarify the grounds for acceptance or rejection of such claims (Slovakia);
- A - 77.78. Take additional measures to more actively promote the full and equal participation of women in bodies where members are elected or nominated (Republic of Moldova);
- A - 77.79. Continue to adopt measures to effectively reduce the drop-out rate of students so as to ensure comprehensive realization of the right to education (China);
- A - 77.80. Take new measures to continue to reinforce human rights education and training (Republic of Moldova);
- A - 77.81. Continue the implementation of bilingual education with adequate resources (Latvia);
- A - 77.82. Take all necessary measures to continue the effective implementation of the Integration Strategy and increase involvement of representatives of minority groups and civil society throughout this process (Netherlands);
- A - 77.83. Continue Estonia's successful integration policy by, inter alia, implementing the State Integration Programme for 2008-2013 and continue efforts to improve the knowledge of the State language among the non-Estonian population (Latvia);
- A - 77.84. Continue to implement appropriate, efficient policies to facilitate the integration of all its ethnic communities (Slovakia);
- A - 77.85. Resolve the problem of persons without citizenship, and prevent such cases from arising in the future (Ecuador);
- A - 77.86. Take effective steps to ensure greater participation of minorities in public life, and review available remedies for victims of racial discrimination and incitement to hatred, in particular against Roma communities (Austria);

A - 77.87. Pay special attention to the rights of Roma children to education, and implement the relevant policy instruments to ensure their enjoyment of the rights as enshrined in the Estonian Constitution (Finland);

A - 77.88. Continue its efforts to improve the reception conditions of asylumseekers, including the provision of free legal aid, in particular to those who apply for asylum at the border, and those in detention (Slovakia);

**78. Estonia considers that the recommendations in paragraphs 77.13, 77.43, 77.54, 77.57, 77.60, 77.74, 77.75 and 77.88 above have already been implemented, and the recommendation in paragraph 77. 24 is in the process of implementation.**

**79. The following recommendations will be examined by Estonia, which will provide responses in due course, but no later than the seventeenth session of the Human Rights Council in June 2011.**

P - 79.1. Sign and ratify CED as soon as possible, and fully recognize the competence of the Committee on Enforced Disappearances (France);

P - 79.2. Consider ratifying OP-CEDAW (Brazil);

79.3. Sign and ratify

P - the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR),

A - OP-CEDAW,

P - OP-CRPD,

A - and CED (Spain);

A - 79.4. Ratify OP-CEDAW (Argentina);

79.5. Sign and ratify

P - OP-ICESCR, and

A - OP-CEDAW (Ecuador);

P - 79.6. Recognize the competence of the Committee against Torture as provided for in articles 21 and 22 of CAT (France);

P - 79.7. Establish a human rights institution accredited by the International Coordinating Committee (Algeria);

P - 79.8. Establish a national human rights institution accredited by the International Coordinating Committee (Denmark);

P - 79.9. Make efforts to obtain accreditation for a national human rights institution that complies with the Paris Principles from the International Coordinating Committee (Poland);

A - 79.10. Expedite action to establish the Gender Equality Council (Ghana);

A - 79.11. Increase the resources allocated to the Commissioner for Gender Equality and Equal Treatment as a matter of priority (Norway);

A - 79.12. Speed up the process to adopt the Development Plan for Children and Families 2011-2020 (Azerbaijan);

P - 79.13. Develop comprehensive policy instruments based on the Yogyakarta Principles to combat discrimination against sexual minorities (Finland);

A - 79.14. Pay special attention to acts of violence against homosexuals (Belgium);

NC - 79.15. Adopt a National Plan of Action as well as a specific Law to combat the sale of children, child prostitution and child pornography (Islamic Republic of Iran);

R - 79.16. Amend legislation to change the minimum age for marriage from 15 to 18 years (Bosnia and Herzegovina);

**80. The recommendations below did not enjoy the support of Estonia.**

R - 80.1. Consider ratifying the ICRMW (Morocco) (Turkey);

R - 80.2. Consider acceding to ICRMW (Azerbaijan);

R - 80.3. Consider ratifying ICRMW in accordance with recommendation no. 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe, of which Estonia is a member (Algeria);

R - 80.4. Accede to the 1954 Convention relating to the Status of Stateless Persons and to the 1961 Convention on the Reduction of Statelessness (Bosnia and Herzegovina);

R - 80.5. Ratify ICRMW (Argentina);

R - 80.6. Sign and ratify ICRMW (Ecuador);

R - 80.7. Create an Ombudsman for the issues of national minorities (Russian Federation);

R - 80.8. Establish a separate and independent institution for safeguarding children rights (Norway);

R - 80.9. Set up an action plan to combat discrimination, in particular on the grounds of language (Sweden);

R - 80.10. Strengthen the Equal Treatment Act to address discrimination based on language and advocate for gender equality, particularly in the labour market (Australia);

R - 80.11. Accord the same rights and responsibilities to same-sex partners as those accorded to partners of the opposite sex (Netherlands);

R - 80.12. Engage actively in the fight against domestic violence, amend its legislation and adopt relevant measures to tackle the problem of domestic violence (Czech Republic);

R - 80.13. Consider the adoption of legislative measures to criminalize specifically gender violence (Spain);

R - 80.14. Establish a specific legal act for the crime of human trafficking (Norway);

R - 80.15. Give legal recognition to same-sex relationships (United Kingdom of Great Britain and Northern Ireland);

R - 80.16. Recognize same-sex marriages (Norway);

R - 80.17. Grant citizenship to all those who live on a permanent basis in the territory of Estonia and wish to become a citizen, grant, as a matter of urgency, the right to citizenship to all children born in Estonia of so-called non-citizens, without exception, lift the prohibition on access of membership in political parties to so-called non-citizens who have permanent residency in the country and are citizens of countries which are not members of the European Union, as well as provide non-citizens the passive right to vote in municipal elections (Russian Federation);

R - 80.18. Adopt a law on the rights and the status of national minorities, sign the European Charter for Regional or Minority Languages, as well as ratify Protocol no. 12 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (Russian Federation);

R - 80.19. Ensure the right of national minorities living in territories of compact residences to receive services from the State and municipality in their mother tongue, accede to the UNESCO Convention against Discrimination in Education, reconsider the decision on the closure of gymnasiums that have less than 120 pupils (Russian Federation);

R - 80.20. Ensure that adequate status is accorded to minority languages (Austria);

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