

Recommendations:

- Amend the Equal Treatment Act in a way that makes protection against discrimination equal for all minority groups.
- Adopt the law amending the Penal Code, Code of Criminal Procedure, and Code of Misdemeanour Procedure (incitement to hatred and hate-motivated crimes) currently in the proceedings and then focus on its actual implementation.
- Exercise extreme caution in prohibiting public gatherings. Any ban must be justified and proportional.
- Amend the Electronic Communications Act, which still obliges telecommunications companies to indiscriminately retain communications data of all Estonian residents, and align it with the case law of the European Court of Justice and the Estonian Supreme Court.
- Amend the legal regulation of sexual violence by creating an adequate consent law that supports victims and redistributes the burden of proof.
- Improve the quality of the international protection procedure and develop an effective and adequate vulnerability assessment framework that ensures the protection of the rights of vulnerable applicants throughout the entire procedure.
- Amend relevant laws so that the ban on voting applies only to those prisoners for whom it is imposed as an additional punishment.
- Pay increased attention to the protection of the rights of detainees with mental disorders.
- Adopt the act on the protection of whistleblowers reporting workplace violations.
- Slow down the legislative process as the current pace does not allow citizens and interest groups to have their say.

- Pay more attention to gender equality in the labour market through pay transparency and employer engagement.
- Ensure equal and appropriate social protection for people with disabilities, based on a unified methodology for assessing their support needs.
- Increase the availability and quality of mental health services for children and young people.

Worthy of highlighting:

- The establishment of marriage equality and the adoption of implementing acts for the Registered Partnership Act represent a long-awaited and significant advancement towards ensuring the rights of LGBT+ individuals and protecting families.
- The selection process for the Gender Equality and Equal Treatment Commissioner has been made more inclusive and transparent.
- Despite the large number of Ukrainian refugees, Estonia's integration infrastructure has held up quite successfully. The ability of Estonian schools to accommodate students from Ukraine has been promising and commendable.
- According to the new cooperation agreement, it is now possible to conduct border monitoring, allowing a third party to oversee the activities of the Police and Border Guard Board at border points concerning individuals in need of asylum.

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HUMAN RIGHTS IN ESTONIA

Developments in the years 2022–2023

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Foreword

In 2022, it seemed that the longstanding stagnation in the development of human rights would continue. Legal clarity was established more through the judicial system rather than through the will of the government and decisions of the parliament. However, after the 2023 elections, national human rights protection gained momentum.

Implementation acts for the Registered Partnership Act, missing for 10 years, were adopted, and marriage equality was established. In addition, there are other promising initiatives: a law addressing hate speech and hate crimes passed the first reading in the parliament, the government plans to harmonise the protection of all discrimination-related characteristics, and has decided to end the distribution of “roof money”.

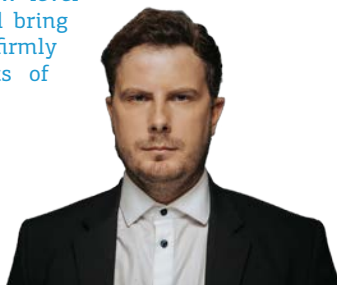
However, the processing speed of many legislative drafts during the first year of the new coalition was not in line with good practice, limiting the opportunities for citizens and interest groups to have their say. Such violations should not become commonplace, as they may have repercussions in the future.

During this reporting period, Russia launched a full-scale military attack on Ukraine. Thanks to successful cooperation between the state and NGOs, both the integration and asylum system continued to function successfully in Estonia. Although the quality of asylum proceedings decreased during the peak migration pressure, 2023 also marked significant progress: the Police and Border Guard Board granted permission to conduct border monitoring. This development, which ensures better access to asylum proceedings for those in need, has been awaited for over a decade.

There is still a lack of political will to discuss bringing the voting rights of prisoners and retention of communications data into compliance with EU law and case law of the Supreme Court of Estonia.

Completing initiated actions, making long-delayed decisions, and avoiding legally questionable decisions for political gain will allow us to elevate human rights protection in Estonia to a new level in the coming years. This will bring us closer to an Estonia that firmly stands for the human rights of every person.

Egert Rünne
Executive Director of the Estonian
Human Rights Centre



Pause for thought:

- Considerations to restrict the participation of third-country nationals in local elections have sparked a debate over whether such a restriction would be in line with the Constitution and whether it would lead to the exclusion or discrimination of Estonia's Russian-speaking population.
- The police have prohibited public gatherings during Russian military-related holidays and initiated misdemeanour proceedings against participants of a demonstration in support of Palestine due to the use of a controversial slogan.
- More than half of people with disabilities live in relative poverty.
- Increasing inequality between urban centres and rural areas remains an ongoing problem.
- Repeated amendments to the Family Benefits Act have sparked a heated debate. The government's steps have generated controversy and questions regarding the different valuation of families and children.
- Restricting the accessibility of Russian media in Estonia provides an opportunity to integrate the Russian-speaking population into a unified information space.
- State legal aid provision and compensation system still requires updates to ensure the right to a fair trial and the right to defence.
- Detention and social welfare institutions struggle with a shortage of professional workforce. This has a negative impact on the quality of services provided by these institutions.