



Välisministeerium

Justiitsministeerium
Kultuuriministeerium
Siseministeerium
Sotsiaalministeerium
Õiguskantsler

SAABUNUD Siseministeeriumisse
19-07-2010
Nr. 3634-3
.....
.....

16.07.2010 nr 8.3-1/8521-2

Täiendavad küsimused ÜRO rassilise diskrimineerimise kõigi vormide kõrvaldamise konventsiooni täitmise aruande kohta

Käesoleva aasta 19. augustil kell 15.00 ning 20. augustil kell 10.00 toimub Genfis ÜRO rassilise diskrimineerimise kõrvaldamise komisjoni 77. kohtumise raames Eesti 2009. aastal esitatud kaheksanda ja üheksanda perioodilise aruande Rahvusvaheline konventsiooni rassilise diskrimineerimise kõigi vormide kõrvaldamise kohta läbivaatamine.

14. juulil edastas ÜRO rassilise diskrimineerimise kõigi vormide kõrvaldamise komitee küsimused komitee seisukohta ette valmistavalt raportöörilt. Palume Siseministeeriumilt vastuseid eelkõige järgmistele küsimustele:

2 (e) Ülevaade meetmetest, mida on võetud teavitamiseks avalikkust, vähemusrühmi ja riigiametnikke, sh politseinikke, rassismi ja võrdse kohtlemise alastest õigusaktidest.

3 (a) Ülevaade sellest, milliseid samme on astunud vähendamaks määratlemata kodakondsusega isikute suurt arvu.

3 (b) Anda arvamus põhiseaduse § 48 muutmise plaanide või võimalikkuse kohta.

3 (c) Anda hinnang võimalusele keelenõuete lihtsustamiseks või nendest vabastamiseks kodakondsuse taotlemisel isikute suhtes, kes on sündinud maapiirkonnas või lõpetanud sealse kooli, ning haavatavate gruppide suhtes, sh vanemad inimesed.

Kõik Eesti ÜROle esitatud aruanded on avaldatud Välisministeeriumi kodulehel internetiaadressil: http://www.vm.ee/est/kat_475/4501.html

Arvestades, et hiljutine kogemus kodaniku ja poliitiliste õiguste pakti täitmise aruande esitlemisel näitas, et komitee liikmed esitavad väga üksikasjalikke küsimusi mh politseinike koolitamise ja politsei tegevuse, sh politsei poolt toime pandud



õigusrikkumiste uurimise kohta, palume veel kord kaaluda võimalust nimetada Siseministeeriumi esindaja Eesti delegatsiooni.

Lugupidamisega

A handwritten signature in black ink, appearing to read 'M. Kokk'.

Marten Kokk
Kantsler

Lisa: Koopia rassilise diskrimineerimise kõrvaldamise komitee kirjast

Mirjam.Meisalu@mfa.ee
Mirjam Meisalu 6377 423

ADVANCE UNEDITED VERSIONDistr.: General
12 July 2010

Original: English

Committee on the Elimination of Racial Discrimination
Seventy-seventh session
2–27 August 2010**Implementation of the International Convention on the
Elimination of All Forms of Racial Discrimination****List of themes to be taken up in connection with the
consideration of the eighth and ninth periodic reports of
Estonia (CERD/C/EST/8-9)**

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the eighth and ninth periodic reports of Estonia. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

1. **National legal framework, policies and programme against racial discrimination (arts.2, 4 and 6)**
 - (a) Indicators and sources of verification with a view to monitoring and evaluating the progress of the Second Integration Strategy 2008-2013 (CERD/C/EST/8-9, para. 40);
 - (b) The percentage of proceedings conducted by the Chancellor of Justice relating to racial or ethnic discrimination;
 - (c) In relation to the reported lack of effectiveness of the Chancellor of Justice in dealing with cases of racist crimes and incitement to hatred, the measures taken or envisaged to strengthen his capacity, for instance by allocating more financial and human resources, allowing legal means of coercion to force compliance with his proposals or opening offices outside the capital (CERD/C/EST/8-9, paras.286, 295);
 - (d) State party's views on the reported lack of effectiveness of § 151 of the Penal Code in particular on the exclusion of hate speech from §151, especially in light of the Committee's General Recommendation 15 of 1993 (CERD/C/EST/8-9, paras. 48-50; CERD/C/EST/CO/7, para. 12).

2. The situation of national minorities (art.1, 2 and 5)

(a) The Draft Act for the amendment of the National Minorities Cultural Autonomy Act (CERD/C/EST/8-9, paras.328-330; CERD/C/EST/CO/7, para. 9), especially in relation to the inclusion of non-citizens with long-term residence in Estonia in the definition of national minority as well as to the level of involvement of and consultation with representatives of minority groups in this process;

(b) Plan for the adoption of a law on the rights of national minorities, and the timeframe to this end, if under consideration;

(c) Detailed data or recent estimates on the representation of members of Russian-speaking minorities as well as of persons with 'undetermined' citizenship in the population of convicted prisoners. Efforts made by the State party to fully examine and address the situation, in particular to ensure that prisoners are not discriminated against with regard to access to citizenship. (CERD/C/EST/8-9, para.63; CERD/C/EST/CO/7, para. 13);

(d) In light of the high rate of unemployment among members of the minority communities, especially in north-eastern Estonia (CERD/C/EST/8-9, para.176), the efforts made to fully implement relevant legislation and to regularly monitor the progress of projects in relation to reducing unemployment among minority groups;

(e) Awareness-raising measures taken for the public in general as well as for minority groups and public servants, including the Police Board's employees, on the legislation against racism such as the Equal Treatment Act (CERD/C/EST/8-9, para.54);

(f) Measures to strengthen the consultation with representatives of the minority groups in designing and implementing various projects and programmes in prohibiting discriminatory attitudes towards minority communities.

3. Equality before the law in the enjoyment of rights and freedom of non-citizens (art.5)

(a) Steps taken to address the high number of persons with 'undetermined' citizenship (CERD/C/EST/8-9, para.100);

(b) Plans – if any - for amending § 48 of the Constitution which prohibits non-citizens from being members of political parties, given the considerable number of non-citizens residing in Estonia (CERD/C/EST/8-9, para.73; CERD/C/EST/CO/7, para. 14);

(c) Possibility of facilitating or waiving the language requirements for the acquisition of citizenship for those who were born or graduated from schools in the country as well as vulnerable groups including the elderly. Possibility of providing free Estonian language courses for a larger number of non-Estonian speakers, including members of Russian-speaking minorities and stateless persons (CERD/C/EST/8-9, para.155);

(d) Information regarding resource allocation in order to ensure the choice of the language of instruction (CERD/C/EST/8-9, para.220). Efforts made to ensure the quality of education while strengthening Estonian language instruction to Russian-speaking children and respecting their identity;

(e) Implementation of various planned activities with a view to improving educational opportunities for Roma children (CERD/C/EST/8-9, para.249).