



Välisministeerium

Siseministeerium

Haridus-ja Teadusministeerium

Kultuuriministeerium

Justiitsministeerium

6. juuni 2011 nr 8.3-1/4922

Eesti Vabariik ühines 1991. aastal ÜRO majanduslike, sotsiaalsete ja kultuuriliste õiguste rahvusvahelise paktiga (*International Covenant on Economic, Social and Cultural Rights*; (avaldatud RT II 1993, 10, 13). Vastavalt nimetatud pakti artiklitele 16 ja 17 on osalisriigid kohustatud ÜRO majanduslike, sotsiaalsete ja kultuuriliste õiguste komiteele (edaspidi *komitee*) esitama läbivaatamiseks aruande seadusandlike, administratiivsete ja muude abinõude kohta, mille abil täidetakse konventsiooni sätteid.

Eesti esitas kolmanda perioodilise aruande 2008. aastal. Kokkuleppel Sotsiaalministeeriumiga on konventsiooni artiklid jaotatud ministeeriumide vahel vastamiseks pädevuse järgi. Palume teie vastust punktile nr 6. **Vastust palume 1. juuliks 2011.**

Eesti 2008. aasta aruanne on kättesaadav Välisministeeriumi veebilehel:

<http://www.vm.ee/?q=node/10128>

Lugupidamisega

Alar Streimann
Kantsler

Teadmiseks: Sotsiaalministeerium

Lisa: Koopia ÜRO ülemkomissariaadi kirjast ja küsimustest 5 lehel 1 eks

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SAABUNUD Siseministeeriumisse
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The Secretary-General of the United Nations (Office of the High Commissioner for Human Rights) presents his compliments to the Permanent Representative of Estonia to the United Nations Office at Geneva and has the honour to inform His Excellency's Government that its second periodic report (E/C.12/EST/2) has been scheduled for consideration by the Committee on Economic, Social and Cultural Rights at its forty-seventh session, which will be held at the United Nations Office in Geneva in November 2011. The precise dates of the consideration of the report will be communicated in due course.

In preparation of the consideration of the report of Estonia, the Committee has adopted a list of issues on the report (E/C.12/EST/Q/2 – advanced unedited version), aimed at supplementing the report with sufficient information to enable the Committee to assess the state of implementation of the rights provided for in the Covenant. The Committee would be grateful to receive written replies to the list of issues by no later than 15 July 2011, in hard copy and in electronic form (in WORD).

For further information, please contact Ms. Maja Andrijasevic-Boko, Secretary of the Committee at 022 917 92 16 or at mandrijasevic-boko@ohchr.org, or the Committee's assistant Mr. Robert Ouko at 022 917 9703 or at rouko@ohchr.org

The Secretary-General of the United Nations (Office of the High Commissioner for Human Rights) avails himself of this opportunity to renew to the Permanent Representative of Estonia to the United Nations Office at Geneva the assurances of his highest consideration.

 6 December 2010

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**Implementation of the International Covenant on Economic,
Social and Cultural Rights**

**List of issues to be taken up in connection with the consideration of the
second periodic reports of Estonia concerning articles 1 to 15 of the
International Covenant on Economic, Social and Cultural Rights
(E/C.12/EST/2)**

I. General Information

1. Please update the information contained in the second periodic report with regard to (a) new bills or laws, and their respective regulations; (b) new institutions (and their mandates) or institutional reforms; and (c) recent ratifications of human rights instruments.
2. Please provide examples of cases where the Covenant has been invoked by national courts of law, either as a ground for a case or as interpretative guidance for legal norms.

II. Issues relating to the general provisions of the Covenant (arts. 1-5)**Article 2 paragraph 2 - Non-discrimination**

3. Please provide recent data, disaggregated on the basis of the prohibited grounds of discrimination, on a yearly comparative basis, on the implementation of the rights enshrined in the Covenant.
4. In view of the low number of court cases based on discrimination as enumerated in paragraphs 22 to 24 of the State party report, please inform the Committee of any measures taken by the State party to enforce its anti-discrimination legislation in a more effective manner so as to ensure the right of victims to effective remedies.
5. Please provide detailed information on the new act replacing the Social Benefits for Disabled Persons Act, cited in paragraph 194 of the State party report, and the impact of its implementation. Moreover, please indicate whether the various allowances, listed in table 36 of the State party report, enable persons with disabilities and their families to have an adequate standard of living or to meet the expenses for which they are paid, such as the

education allowance for non-working disabled student. Please also indicate to what extent public services and buildings are accessible to persons with disabilities, taking account of the various forms of disability.

6. Please provide additional detailed information about 'persons with undetermined citizenship' as referred to in paragraph 8, and how this status of 'undetermined citizenship' affects the enjoyment of economic, social and cultural rights on the same level as citizens.

7. Please indicate whether the State party has adopted a comprehensive strategy as well as targeted policies and programmes to ensure the right of the Russian-speaking population to the enjoyment of economic, social and cultural rights without discrimination.

8. Please provide detailed information on the impact of the implementation the 2009-2010 integration programme for new immigrants.

Article 3 - Equal right of men and women

9. Please inform the Committee as to whether the State party has adopted a national strategy and action plan to ensure the equal right of men and women to the enjoyment of all economic, social and cultural rights. In view of the prevailing stereotypes in the State party, please provide information on the impact of measures taken to raise the public's awareness of gender roles, including among the youth.

10. Please provide detailed information on the implementation of the project 'flexible forms of work and study - best possibilities for reconciling work and family life,' particularly in the private sector.

III. Issues relating to the specific provisions of the Covenant (arts. 6-15)

Article 6 - Right to work

11. Please provide detailed information on the 'risk groups' that benefit from the new labour market services, under the new Labour Market Services and Benefits Act adopted in 2006. Please also inform the Committee about the impact of targeted measures taken to address unemployment among (a) the long-term unemployed, (b) persons with disabilities, (c) persons belonging to minority groups, (d) older women, and (e) single mothers.

Article 7 - Right to just and favourable conditions of work

12. In light of information provided by the State party in para. 326 of the report on discrimination against women in the labour market, including the wage gap, please provide information on the impact of measures taken to address such discrimination. Please also provide information on steps taken to ensure the effective enforcement of the Gender Equality Act, the Employment Contracts Act and the provisions of the Wages Act on the principle of equal pay, including the mechanisms in place to monitor the implementation of these Acts.

Article 8 - Trade union rights

13. Please update the Committee on progress made in relation to the review of the State party's legislation on the prohibition of strikes, as referred to in paragraph 387 of the State

party report, and to what extent it has brought the State party's enactments in line with article 8 of the Covenant.

Article 9 - Right to social security

14. Please inform the Committee of measures that the State party envisions as regards its social security system to ensure that those who live on social security benefits and assistance, such as unemployed persons and pensioners, are not at risk of poverty.

Article 10 - Protection of the family, mothers and children

15. Please inform the Committee about the impact of measures taken to combat domestic violence, including whether they comprise large-scale campaigns to raise awareness of domestic violence and violence against women, and the incorporation of specific provisions in national legislation which criminalize and punish domestic violence.

16. Please provide detailed information on the results achieved by the measures taken by the State party, including the 2006-2009 Development Plan for Combating Trafficking in Human Beings, mentioned in paragraph 117 of the State party report, on reducing trafficking assisting victims. Further, given the low number of criminal cases relating to trafficking registered, please indicate why trafficking in persons is still not a specific criminal offence in the State party.

17. Please explain the reasons for lowering the legal minimum age from 18 to 14 for models or actors in the production of pornographic pictures, film or other works.

Article 11 - Right to an adequate standard of living

18. Please inform the Committee of the impact of measures taken by the State party to address the shortage of social housing, as mentioned in paragraphs 717 and 718 of the State party report.

19. Please provide information measures taken to combat ethnic disparities in relation to the extent and depth of poverty in the State party.

Article 12 - Right to health

20. Please inform the Committee about the impact of the implementation of the health development plan referred to in paragraph 851 of the State party report.

21. Please indicate why infant mortality rate is higher in rural areas in the State party. Please also comment on how availability, accessibility and quality of health care services in rural areas and in the North-Eastern part of the State party are guaranteed, particularly in view of the problems mentioned in paragraph 831 of the report. Please provide detailed information on the impact of measures taken in this regard.

22. In light of the increasing incidence of substance abuse and the spread of HIV among drug users in the State party, please provide information on the impact of measures taken to increase the availability of substitution therapy and syringe exchange programmes in all regions concerned.

23. Please provide detailed information on the prevalence of mental health problems among the various groups of the population (urban/rural, ethnic groups) and the response given by the State party, including on availability, accessibility and quality of mental health

care services. Please also provide information on the impact of policies and measures taken to reduce suicide risk, including among the youth.

24. Please inform the Committee about the availability, accessibility and affordability of sexual and reproductive health services, including for adolescents. Moreover, please provide information on sexual and reproductive health programmes education in school. Please also provide statistical data on abortion rate, disaggregated by age groups.

Articles 13 and 14 - Right to education

25. Please provide statistical data on rates of enrolment in vocational and higher education, on a yearly comparative basis, disaggregated by sex and field of study.

26. In view of the gender segregation in employment and the predominance of women in low-paying works, please inform the Committee about the impact of measures adopted by the State party to encourage girls and young female students to pursue education in traditionally male-dominated fields of study.

Article 15 - Cultural rights

27. Please inform the Committee of measures taken by the State to guarantee the protection of the cultural heritage of the various ethnic groups in the State party. Please also provide information on how the culture and cultural heritage of minorities have been incorporated into the national education programme as well as in cultural events and activities in the State party.

28. In view of the statistical data available on participation in cultural activities in the State party and on reasons restricting participation, please provide detailed information on measures taken by the State party to increase interest in, and access to, culture among its population, particularly among ethnic groups.