



REPUBLIC OF ESTONIA
MINISTRY OF JUSTICE
AND DIGITAL AFFAIRS

Our Ref 21.05.2026 No 11-3/4054-1

Dear colleagues in the prison service,

I am writing to kindly seek your support for the Estonian prison service in the proceedings currently pending before the Grand Chamber of the European Court of Human Rights concerning the smoking ban for detainees.

Since 2017, Estonian prisons have been entirely tobacco-free, with a comprehensive ban on smoking in place. Smoking-related tobacco products and designated smoking areas have been absent from prisons for nearly a decade, ensuring that both staff and detainees are in a fully tobacco-free environment. In its initial judgment of 4 November, the European Court of Human Rights expressed concerns that, in introducing the ban, insufficient consideration had been given to the private autonomy of prisoners who wish to smoke. Estonia has since referred the case to the Grand Chamber.

The Grand Chamber has decided to take up the case. As ECHR proceedings allow states to submit observations and express support for the positions of other states, I would respectfully encourage you to consider participating in the proceedings and sharing your views. Such contributions could play an important role in helping Estonia (and other countries) secure broader support for its position and arguments in this case.

A smoking ban in prisons is not merely a restriction but a forward-looking solution that protects the health of both detainees and staff, fulfills the employer's duty to ensure a safe environment, reduces debt relationships, and frees up staff resources for more meaningful security and rehabilitation efforts.

Accordingly, I invite you—if you find these arguments persuasive and support the view that states should have the right to impose such restrictions—to express your support to the ECHR by 15 June 2026 at the latest. This can be done by submitting a request through your country's representative before the ECHR.

With appreciation for your consideration of this matter.

If you have any questions or would like to discuss this further, please feel free to reach out to me.

Yours sincerely,

Rait Kuuse
Deputy Secretary General on Prisons
Ministry of Justice and Digital Affairs

- Encl.: 1. Referral request (ECHR);
2. Prison smoking ban in Estonia.