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Committee on Economic, Social and Cultural Rights

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

Third periodic reports submitted by States parties under  
articles 16 and 17 of the Covenant

**Estonia\***

[31 October 2008]

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

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## Introduction

1. The Republic of Estonia acceded to the UN International Covenant on Economic, Social and Cultural Rights on 21 October 1991 and it entered into effect on 21 January 1992. Estonia submitted its first report in 2002. The Committee on Economic, Social and Cultural Rights discussed it on 19 and 20 November 2002 and adopted its concluding observations on 29 November 2002.
2. The Report is submitted on the basis of Art 16 and 17 of the Covenant. The Report covers the period from 2000 to April 2007.
3. The Report was drawn up by the Ministry of Social Affairs in cooperation with other ministries, agencies and non-governmental organisations.

## Article 1

4. In 2005 the Estonian parliament (the *Riigikogu*) approved the Estonian national strategy on sustainable development “Sustainable Estonia 21”.<sup>1</sup> One of the development objectives to 2030 defined in the strategy is ecological balance, i.e. taking into account self-regeneration capacity of nature when using it, the ability of people to treat nature and the environment as an integrated whole of which they form a part.
5. The objectives set out in the strategy “Sustainable Estonia 21” serve as a basis for forming Estonia’s positions in international cooperation in sustainable development within the European Union, the Baltic Sea region and globally. In 2006 benchmarks were prepared to monitor implementing of the objectives of the strategy, to analyse the efficiency of actions and to revise and update the objectives.
6. Under the Public Information Act 2001, all information available to the public sector is accessible to the public (except information to which access has been restricted specifically). The process of handling cases of environmental pollution or issuing of usage permits is open to the general public. Interested parties can participate in the process and influence it. In cases where access to public information has been restricted or cases of failure to involve the public in issuing environmental permits, persons may have access to court for the protection of their rights. Additionally, in 2001 Estonia acceded to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention). Under the Convention, Estonia guarantees the right of non-governmental environmental organisations which operate in public interests to challenge decisions made by public authorities concerning the environment.

## Article 2

### Discrimination

7. We will not repeat the relevant articles of the Estonian Constitution which we already described in the previous Report.
8. As at 31 December 2007, there were 116 248 persons with undetermined citizenship living in Estonia, forming 8% of the total population. However, absence of Estonian

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<sup>1</sup> <http://www.envir.ee/166310> Text of the strategy in English.

citizenship is not an obstacle to enjoying social, economic and cultural rights. All people legally residing in Estonia are ensured the protection of the above rights. People who are legally resident in Estonia enjoy social guarantees, such as health insurance, family allowances, disability benefits etc, equally with Estonian citizens. People who are illegally staying in Estonia are not guaranteed social benefits or assistance. Emergency medical assistance, however, is guaranteed to all persons on the Estonian territory.

9. The Gender Equality Act entered into effect on 1 May 2004. The Act aims to guarantee equal treatment of the sexes as required by the Constitution and to promote equality of women and men as one of the main human rights and a common good in all spheres of society.

10. The Government approved the Draft Equal Treatment Act in May 2007. At the end of 2007 the draft was debated in the parliament and it will probably be adopted in 2008. The Equal Treatment Act will transpose the EU Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin, and the EU Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.

11. The aim of the Equal Treatment Act is to protect people against discrimination and to promote the principle of equal treatment. The Act lays down tasks in implementing and promoting the principle of equal treatment, as well as a procedure for settling discrimination disputes.

12. The duty of implementing and promoting the principle of equal treatment is imposed on employers, educational and research institutions and the ministries. The Draft Act establishes an independent and impartial gender equality commissioner to monitor compliance with the requirements of the law.

13. Under the Draft Act, discrimination disputes are settled by the courts or labour dispute committees. The Chancellor of Justice may settle disputes by way of conciliation proceedings. If a person's rights have been violated by discriminating, they may demand that the person violating their rights should end the discrimination and compensate the damage caused by violation. Persons whose rights have been violated by discriminating may also request payment of a reasonable amount of money as compensation for non-proprietary damage caused to them.

14. The Penal Code which entered into effect on 1 September 2002 provides for punishment of several offences involving discrimination or related violations.

15. Incitement of hatred (§ 151) means activities which publicly incite to hatred or violence on the basis of nationality, race, colour, sex, language, origin, religion, sexual orientation, political opinion, financial or social status if this results in danger to the life, health or property of a person. Such activities are punishable by a fine of up to 300 fine units or by detention.

16. The same act, if it causes the death of a person or results in damage to health or other serious consequences, or if committed by a person previously punished for such act, or if committed by a criminal organisation, is punishable by pecuniary punishment or up to 3 years' imprisonment.

17. Legal persons committing such acts may be punished by a pecuniary punishment.

18. Violation of equality (§ 152) means unlawful restriction of the rights of a person or granting of unlawful preferences to a person on the basis of their nationality, race, colour, sex, language, origin, religion, sexual orientation, political opinion, financial or social status. Such activity is punishable by a fine of up to 300 fine units or by detention.

19. The same act, if committed at least twice, or if significant damage is thereby caused to the rights or interests of another person protected by law or to public interests, is punishable by a pecuniary punishment or up to one year of imprisonment.

20. Discrimination based on genetic risks (§ 153), which means unlawful restriction of the rights of a person or granting of unlawful preferences to a person on the basis of their genetic risks, is punishable by a fine of up to 300 fine units or by detention.

21. The same act, if committed at least twice, or if significant damage is thereby caused to the rights or interests of another person protected by law or to public interests, is punishable by a pecuniary punishment or up to one year of imprisonment.

### **Statistics**

22. In the period 2002–2004, offence proceedings were initiated in respect of one case of violation of gender equality (in 2002) and five cases of incitement of social hatred (one in 2003 and four in 2004).

23. Misdemeanour proceedings were initiated in respect of eight cases of incitement of social hatred in 2005 and three cases in 2006.

24. No offences under § 151–153 of the Penal Code were registered in 2005. One criminal offence under § 151 was registered in 2006.

## **Article 3**

### **Overview of the situation of gender equality**

#### **Surveys and statistics**

25. Statistics Estonia<sup>2</sup> has issued two publications on the situation of women and men: “Women and men in Estonia 2001” and “Women and men. Collection of articles 2006”. The yearbook “Social sector in numbers”, published by the Ministry of Social Affairs, contains a separate chapter with statistics characterising the situation of women and men in society.

26. A comparative analysis of the situation of women and men was made on the basis of a time use survey carried out in Estonia in 1999–2000. The analysis indicated that women had more limited free time and suggested the main reasons for this.

27. As a result of the time use survey, it was found that the share of paid work was significantly higher (by more than one hour) among men, and men also had more free time as compared to women. At the same time, women spent over two hours more time on household chores and the family. Women spent significantly more time on family and home than men in all stages of life, beginning from adolescence to old age. The biggest gender gap, or the worst situation of inequality, however, was found to be in the age group 20–34 where the amount of household chores performed by women was 2 hours and 45 minutes more than among men.

28. Two gender equality monitoring exercises were carried out in 2003 and 2006 in order to find out the attitudes and opinions of society towards the status of women and men. It was found that Estonia was among the countries where people did not identify gender inequality as a social problem. Estonia is a society emphasising traditional family-centred values where women’s opportunities for success and self-realisation are smaller than among

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<sup>2</sup> *Statistics Estonia* is the statistical office of Estonia.



men. It is considered common that women work and at the same time take care of the family and home.

29. To ensure equality between women and men, in the period 2001–2006 a new Gender Equality Act was passed, new institutions were created, the situation of women and men in various spheres of life was analysed, materials were published, and conferences, seminars and training events were organised to raise awareness about the norms of equal treatment of women and men and the causes of unequal treatment. Projects have also been launched to support self-awareness and independence of women.

#### **State's policy to reduce gender inequality**

30. The Ministry of Social Affairs has initiated and coordinated programmes and projects to promote gender equality and reduce inequality. These have been primarily aimed at informing and training the public and relevant target groups, preparing and distributing the relevant materials, raising the administrative capacity of state agencies to notice and identify discrimination of women and reduce gender inequality.

31. On the initiative of the Government, time use among women and men, its coverage in the media, problems of poverty and social exclusion have been studied.

32. Measures for reducing inequality between women and men have been aimed at raising the share of women in politics and decision-making and in companies, fighting violence against women and combating trafficking in women. These are issues which the Committee noted as points for concern in its concluding observations number 18, 19, 41 and 42 in 2002.

33. In 2000, the International Labour Organisation (ILO) publication "ABC of Women Workers' Rights and Gender Equality" was translated and published in Estonian. Reprint of the publication was issued in 2005.

34. A programme "More and better jobs for women" was carried out with support from the ILO in 1999–2003. It was meant for increasing the share of women entrepreneurs and raising employment among women. A hundred new jobs were created and eight new women's organisations were set up as a result of the project.

35. A publication "Different but equal" was issued in cooperation with the United Nations Population Fund in 2008 which provides an overview of key concepts of equality and the main problem areas. The publication is used for providing general training as well as specific training courses on various topics. The need for general awareness-raising publications is demonstrated by the fact that half of the print (3000 copies) was distributed to interested persons already within the first three months. The publication was translated into Russian in 2005. This makes it possible to introduce key ideas about women's rights in a popular format for the Russian speaking population.

36. "A guide on employment of older women workers in Estonia" (from the ILO series on Gender in Life Cycle) was published in 2004 to increase participation of older women in the labour market and to reduce age discrimination.

37. In cooperation with Latvia, Denmark and Italy a project "Mass media in (re)distribution of power" was carried out from December 2003 to February 2005. As a result, publications containing studies on depiction of Estonian women politicians in the media and self-reflections by women politicians were published ("Research on governance: women and men politicians' equality" and "Mass media in (re)distribution of power"). The project report is available at <http://www.medijuprojekts.lv/>.

38. As a result of a project carried out within the Programme relating to the European Community Framework Strategy on Gender Equality (2001–2005), a guide on gender

impact assessment was prepared in 2004. The guide is meant for civil servants and persons dealing with legislative drafting and preparing of various programmes, action plans, projects and measures.

39. Within a project “Women to the Top”, aimed to support career development among women, mentoring programmes were launched in five private companies in Estonia and a book dealing with issues of organisation theory from a feminist point of view was translated. The project was carried out in cooperation with gender equality institutions from Sweden, Denmark and Greece under the Programme relating to the European Community Framework Strategy on Gender Equality (2001–2005). The project report is available at <http://www.women2top.net/>.

40. From July 2004 until December 2005 the EU Phare 2003 twinning project “Development of administrative capacity in the field of gender mainstreaming” was carried out. The aim of the project was to integrate provision of information on gender equality into curricula of higher educational institutions and to create a virtual competence centre – a database/webpage on gender equality. The project surveyed the awareness of public servants about gender equality, their attitudes towards it and their training wishes. A similar survey was also conducted among those who completed the training. (Reports of the surveys: “*Capacities of the Estonian civil servants in the field of gender mainstreaming. Pre-training and post-training study prior and after training of civil servants*” <http://gender.sm.ee/failid/Preposteng.doc>).

41. Within the above Phare project, 17 trainers were trained who, in turn, then trained 180 state and local government public servants. Training strategies and guidance material for conducting training courses were drawn up during the project (<http://gender.sm.ee/index.php?097943740>; <http://gender.sm.ee/failid/Koolitusjuhend.doc>).

42. From September 2004 until December 2005, a project “Breaking patterns: new role models for men in leadership” was carried out in cooperation between Iceland, Sweden, Hungary, Austria and Estonia within the European Community action plan for promoting gender equality. The aim of the project was to help male leaders and managers to better reconcile their work and family life and to encourage them to provide similar opportunities for their employees, thus helping to change archaic gender roles and eliminate stereotypes. The project home page is at [www.leadingfathers.info](http://www.leadingfathers.info).

43. In 2006 the Ministry of Social Affairs published in electronic format the “Handbook on the Strategy for Gender Mainstreaming” (<http://gender.sm.ee/index.php?097943152>).

44. The project “Implementing the principle of gender mainstreaming in new Member States – pilot project with Hungary”, financed from the funds of the European Community Framework Strategy on Gender Equality (2001–2005), was carried out from September 2005 to November 2006. The main project partner was the Hungarian Ministry of Social Affairs and Labour. Other participants included the Hungarian SEED Foundation, the NGO Gender Mainstreaming EWIV, the Polish Ministry of Labour and Social Affairs, and the Estonian Ministry of Social Affairs.

45. Under the leadership of the GEM EWIV experts, Estonia participated in drawing up a handbook on management of gender equality development and preparing a concept for institutionalisation of equality on state level. Both materials have been translated into Estonian. Four newsletters describing the progress of the project were also translated into Estonian. The materials in Estonian are available on the web page of the Ministry of Social Affairs ([www.sm.ee](http://www.sm.ee)). The project overview and report are available at the project home page at <http://www.genderpilot.hu/>.

### Activities within the European Community EQUAL initiative

46. Within the programme relating to the European Community EQUAL initiative, projects were launched in Estonia with the aim to improve economic opportunities for women. Several projects initiated in this field also serve as a response to the Committee's points of concern with regard to employment of women and lower pay of women (points 14, 15, 37 and 38).

47. The aim of the project "We Friends – West Estonian Development Partnership", carried out under the leadership of Tuuru Foundation, is to ensure 70% employment among women with lower competitive ability and young single mothers in western Estonia by 2010. The immediate aim of the project is to implement innovative support measures (mobile business incubator, counselling, etc), a model of best practice and a functioning development partnership for reintegrating the target group to the labour market.

48. The aim of the project "Flexible forms of work and study – best possibilities for reconciling work and family life", carried out under the leadership of the Estonian Employers' Confederation, is to improve opportunities for reconciling work and family life among men and women through increasing the availability of flexible forms of work and influencing of attitudes.

49. The aims of the project "Through connected services to the labour market", carried out under the leadership of the Viljandi County Authority, included improving access to labour market for young mothers, creating new methods for raising employment among women, finding jobs for the target group and informing them about the opportunities for accessing the labour market.

50. The overall aim of the project "WHOLE – Work and Home in Our Life in Europe (reconciling work and family life through training of parents)", carried out under the leadership of Tartu Folk High School, is to develop opportunities through partnership, so that working people with children could participate in the work process to the maximum extent and that they would not become victims of discrimination due to being parents.

51. The aim of the project *Lapsed hoitud, emad tööl* (Taking care of children while mothers work), carried out under the leadership of the State Chancellery, is to create alternative childcare possibilities, thus giving parents the opportunity to return to the labour market. Within the project, the public is informed about alternative childcare possibilities such as family day-care centres and children's rooms.

### Funding from the State budget

52. Since 2002, the state budget includes appropriations earmarked for promoting cooperation among women. This is a positive special measure aimed to compensate shortcomings arising from differences in communication networks of women and men and from differences in access to information, resources and decision-making.

53. The overall aim of project competitions for applications for funding is to promote cooperation among women's organisations and increase their role in promoting life on both the local and state level.

54. Funding has been used to support projects aimed at introducing women's rights and gender equality topics, as well as reducing inequality (competitions have included topics such as women's entrepreneurship and raising employment among women, preventing violence against women and assisting of victims, measures to support reconciling work and family life, women's rights and protecting them, overcoming gender barriers in choice of occupation and education, influencing decision-making on local level, participating in politics).

55. The main activities carried out under the projects mostly include seminars, training courses, local and national conferences.

#### **The role of the Ministry of Social Affairs in promoting gender equality**

56. Promoting equality between women and men and coordinating relevant activities is within the area of competence of the Ministry of Social Affairs since 2000.

57. The Ministry of Social Affairs provides advice on issues of implementing the principle of equal treatment and gives guidance for implementing the Gender Equality Act. It also analyses the impact of laws and other legislation on the situation of women and men in society and publishes reports on implementing the principle of equal treatment of women and men. The relevant tasks are primarily performed by the Gender Equality Department of the Ministry. The Department is a reorganised former Gender Equality Bureau. Since 2004 the Gender Equality Department includes five staff positions.

58. The Department provides information and advice about strategies for promoting gender equality to the Government, government agencies, local authorities and other interested persons.

59. Officials of the Gender Equality Department provide counselling on issues of implementing the principle of equal treatment of women and men. They explain to people which institutions are competent to settle cases of discrimination and, if necessary, help people with drawing up applications and forward the applications to competent bodies, except if the relevant body is a court or labour dispute committee.

60. The Social Policy Information and Analysis Department of the Ministry of Social Affairs prepares the necessary indicators for assessing the level of gender equality in Estonia, coordinates the relevant research and study activities, and analyses gender-disaggregated data.

#### **Taking into account international principles**

61. In reducing gender inequality and implementing the policy of promoting gender equality, Estonia proceeds from the action plan adopted at the UN Fourth World Conference on Women in Beijing in 1995 and from the relevant guidelines of the European Union.

62. In 2004 Estonia submitted its fourth report on implementing the UN Convention on the Elimination of All Forms of Discrimination against Women. In summer 2007 the Committee on the Elimination of Discrimination against Women discussed the report submitted by Estonia and delivered its final conclusions on 23 July 2007. The report includes a more detailed description of the Gender Equality Act and the activities of the Gender Equality Department.

63. Reducing inequality between women and men and promoting gender equality is a common objective for EU Member States under the Treaty establishing the European Community. Additionally, Estonia as an EU Member State must integrate measures for achieving equality between women and men in all other policy areas.

64. When using money from the European Union Structural Funds Estonia must comply with the EU regulations No. 1083/2006, No. 1081/2006, No. 1080/2006 and No. 1085/2006, under which the activities financed from the relevant funds (the European Social Fund, the European Regional Development Fund, the Cohesion Fund, and the Pre-Accession Facility) must contribute to eliminating gender inequality and promoting equality between women and men.

65. In the framework of the European Social Fund, support is provided to gender mainstreaming and various measures to improve access to employment and increase constant participation and share of women in employment, reduce gender differentiation on the labour market (*inter alia*, dealing with gender-based pay differences arising from direct or indirect causes).

66. Estonia's national strategy for the use of EU structural funds in 2007–2013 provides that the aim of promoting equal opportunities for women and men is taken into account in planning and implementing activities relating to priority areas included in all the implementing plans.

67. Support is provided to projects which contribute to ensuring economic independence of women and men, more equal participation of women and men in decision-making, reconciling of work and family life, combating gender stereotypes, decreasing gender segregation on the labour market and in education, reducing the pay gap between women and men, and promoting active participation of other disadvantaged persons and groups in society, including with regard to access to training and labour market.

### **Gender Equality Act**

68. The aim of the Gender Equality Act is to ensure equal treatment required by the Constitution of Estonia and to promote gender equality of men and women as a fundamental human right and a public good in all areas of social life (§ 1).

69. Under § 3 of the Act, gender equality is defined as a situation in society where both women and men use their rights and share obligations equally, bear equal responsibility, and where equal opportunities for this exist.

70. The concept of discrimination based on sex is defined through the concept of requirement of equal treatment of women and men, whereby equal treatment means absence of any direct or indirect discrimination based on sex.

71. Under § 3(3) of the Act, direct discrimination based on sex occurs where one person is treated less favourably on grounds of sex than another person is, has been or would be treated in a comparable situation. Direct discrimination based on sex also includes sexual harassment or less favourable treatment of a person in connection with pregnancy and child-birth, parenting, performance of family obligations or other circumstances related to gender.

72. The definition of indirect discrimination based on sex covers all situations which *de jure* may appear neutral, but *de facto* are discriminating. Indirect discrimination based on sex occurs where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary (§ 3(4)).

73. The Act also lays down special cases which are not considered as discrimination (e.g. protection of women in connection with pregnancy and giving birth, or compulsory service in the armed forces for men).

74. Obligation to implement active measures to reduce gender inequality is laid down in § 9(1) of the Act, under which state and local government agencies are required to promote gender equality systematically and purposefully.

75. In case of discrimination in occupational life and in case of a discriminating job offer or training offer, an injured party may demand compensation for damage and termination of the harmful activity. In addition, an injured party may demand a reasonable

amount of money to be paid as compensation for non-proprietary damage caused by the violation (§ 13(2)).

76. To ensure effective legal protection of individuals, the burden of proof in a certain procedural stage transfers to the defendant. A person who feels discriminated must first present facts to prove their claim, based on which it can be suspected that either direct or indirect discrimination may have taken place. Then the defendant must explain the reasons and motives of their behaviour or decision. After a suspicion of discrimination can be said to exist, the burden of proof shifts to the defendant. If the person against whom an application has been filed refuses to provide proof or explanation, such behaviour is considered as admission of discrimination.

77. In addition to creating a mechanism for ensuring the rights of persons, the Gender Equality Act also creates a basis for two main strategies: application of special measures which grant advantages for the less-represented gender or reduce gender inequality (§ 5(2) clause 5), and implementation of gender equality as a horizontal strategy integrated in all other policy fields (§ 9 and 10).

78. Committees, councils and other collegial bodies formed by state and local government agencies must, if possible, include both sexes.

79. Educational and research institutions and institutions engaged in the organisation of training must ensure equal treatment for men and women upon vocational guidance, acquisition of education, professional and vocational development and re-training. The curricula, study material used and research conducted must facilitate abolishment of unequal treatment of men and women and promote equality (§ 10).

80. Under § 11 of the Act, employers must actively contribute to promoting equality between women and men. The obligation of promoting rests on all employers both in the private and the public sector.

81. To comply with the duty of promoting equality, the Gender Equality Act recommends employers to employ persons of both sexes when filling vacant positions (§ 11(1) clause 1), to ensure that the number of men and women hired to different positions is as equal as possible and ensure equal treatment for them upon promotion (§ 11(1) clause 2), to create working conditions which are suitable for both women and men and support reconciliation of work and family life, taking into account the needs of employees (§ 11(1) clause 3).

82. The Gender Equality Act requires employers to collect statistical data concerning employment which are based on gender and which allow, if necessary, the relevant institutions to monitor and assess whether the principle of equal treatment is complied with in employment relationships. This measure allows paying better attention to problems of gender inequality.

### **Institutions which settle discrimination disputes**

#### **Courts**

83. In case of discrimination in employment relations, persons may demand compensation of proprietary and non-proprietary damage (§ 13 Gender Equality Act). To claim compensation, a person must have recourse to the court. To determine the amount of compensation, a court will take into account, *inter alia*, the scope, duration and nature of the discrimination. A court will also take into account whether the violator has eliminated the discriminating circumstances or not. A person may file a claim of compensation with the court within one year as of the date when they became aware or should have become aware of the damage caused (§ 14). Until now, there is no information about cases in

Estonia where a person filed a complaint with a court to claim compensation for discrimination based on sex in employment relations.

### **Gender Equality Commissioner**

84. The Gender Equality Commissioner is appointed to office by the Minister of Social Affairs for a term of five years. The activities of the Commissioner are financed from the state budget. The Commissioner assumed office in October 2005.

85. The Gender Equality Commissioner accepts applications from persons and provides opinions concerning possible cases of discrimination, analyses the effect of legislation on the situation of men and women in society, makes proposals to the Government of the Republic, government agencies, local authorities and their agencies for amendments to legislation, advises and informs the Government of the Republic, government agencies and local government agencies on issues relating to the implementation of the Gender Equality Act, and takes measures to promote gender equality (§ 16).

86. The Commissioner provides an opinion on whether the principle of equal treatment has been violated in a particular legal relationship.

87. A person seeking an opinion from the Commissioner, must submit an application which sets out the circumstances indicating that discrimination based on sex has occurred (§ 17(3)). In order to provide an opinion, the Commissioner has the right to obtain information from all persons who may possess information which is necessary to ascertain the facts relating to a case of discrimination, and demand written explanations concerning facts relating to alleged discrimination based on sex, and demand submitting of relevant documents or their copies within the term designated by the Commissioner (§ 17(4)).

88. Since October 2005, the Commissioner has received 65 written applications. The Commissioner has delivered an assessment/opinion to fifty persons concerning possible discrimination based on sex. In ten cases the Commissioner has provided advice and information to government agencies and local government bodies on issues concerning implementation of the Gender Equality Act (the *Riigikogu*, the State Chancellery, the Ministry of Social Affairs, the Ministry of Justice, local government councils, educational institutions, judges). The Commissioner has made 24 public presentations to promote gender equality.

### **Chancellor of Justice**

89. Since 1 January 2004, everyone has the right of recourse to the Chancellor of Justice with a request to verify whether a state or local government agency or body, a legal person in public law, or a natural or legal person in private law who is performing public functions complies with the principle of ensuring fundamental rights and freedoms and the principle of good administration.

90. Additionally, everyone may have access to the Chancellor of Justice for conducting conciliation proceedings if they believe that a natural person or a legal person in private law has discriminated them on the basis of sex.

91. Conciliation proceedings are voluntary and, thus, the party against whom a complaint is made is not obliged to participate in the proceedings. However, if both parties agree to participate in the proceedings and the Chancellor confirms an agreement reached between the parties, performance of the agreement is compulsory for both parties.

92. Until now, the Chancellor of Justice has not initiated any conciliation proceedings on the basis of a claim of discrimination based on sex. The reasons for this might be that people are not aware of this opportunity, they do not wish to make their problems public, or that people do not understand that they have been discriminated against on the basis of sex.

93. In addition to conciliation proceedings, the Chancellor of Justice analyses how application of legislation affects the situation of different members of society, informs state agencies and interested persons about the application of the principles of equality and equal treatment, makes proposals for amending legislation, develops cooperation between individuals and legal persons in the interests of ensuring the principles of equality and equal treatment, and himself or herself promotes these principles in cooperation with other persons.

#### **Labour dispute committees**

94. According to the Labour Inspectorate, labour dispute committees have received complaints of alleged discrimination in four cases. In one of them, a case of harassment was confirmed (§ 102(4) Employment Contracts Act). The labour dispute committee awarded payment of compensation for non-material damage to the injured party. The other alleged cases of discrimination were related to discrimination on the basis of age or social status in termination of an employment contract and in payment of wages. However, the labour dispute committees did not find any unequal treatment in any of the cases.

#### **Other institutions and non-governmental organisations dealing with issues of gender equality**

95. During the reporting period, the number of institutions engaged in representation of equality of women and men has increased. In addition to the Chancellor of Justice and the Gender Equality Commissioner, various working groups have been set up on national level.

96. Since 2004, a national gender equality working group has been operational and deals with the legislative process in this field in Estonia and on the level of the European Union.

97. In March 2007, there were over 150 women's organisations in Estonia. In 2007, most of the women's organisations belonged to two umbrella organisations – Estonian Women's Associations Round Table, established on 15 August 2003, and the Estonian Women's Cooperation Chain, established on 4 August 2003.

98. The Estonian Women's Associations Round Table (<http://www.enu.ee/enu.php>) mostly includes all regional round tables of women's organisations. Its aim is to form common positions among women in dialogue with public authorities on issues important to society by advancing participatory democracy and equality between women and men. The Estonian Women's Associations Round Table is the Estonian coordinator of the European Women's Lobby (EWL).

99. The Estonian Women's Cooperation Chain (<http://www.ewl.ee/?id=1&keel=ee>) unites women's associations of political parties, and politicians whose aim is to support participation of women in society and politics and to achieve equality between women and men.

100. The umbrella organisations have organised forums, conferences and seminars, established cooperation relationships with international organisations, published information materials, carried out surveys, made public appeals, and participated in law-making. The recognition of both organisations has significantly grown year by year and, with the events they have organised, they have attracted the interest of the media towards issues of gender equality.

101. The Estonian Women's Associations Round Table hands out the annual White Ribbon Award since 2004. The award may be given to an individual or an organisation who, in the past year, has done most to combat violence against women or to raise awareness of the problem in society. The award is presented on 25 November on the International Day for the Elimination of Violence against Women.



102. The Estonian Women's Cooperation Chain organises an annual public competition for the *Teenäitaja* (Role model) Award since 2003. The award may be given to a public figure who has influenced ethical values of Estonian society, advanced political culture in line with European principles, promoted equality, settled crises or problems that harass society, etc.

103. The Estonian Women's Studies and Resource Centre (<http://www.enut.ee/enut.php?keel=ENG>) operates as an academic library for women's and gender studies and as an information centre for women's studies. It also actively organises seminars and conferences and issues publications on women's rights and, *inter alia*, mediates to the public key research results and publications.

104. The non-profit organisation Civic Training Centre (<http://www.kodanikukoolitus.ee/index.html>) was established with the aim to teach people how to be a citizen and implement their ideas, to support civic initiative and competitiveness, positive attitude to life, tolerance and determination. Since 2001 the organisation holds an annual forum "Women to decision-making". In addition, many of its activities are aimed at women belonging to minority groups (unemployed women, women belonging to national minorities) and to women candidates of political parties.

105. The aim of the Estonian Women's Training Centre (<http://www.nkk.ee>) is to help women find their place and new opportunities and outlets in the conditions of the developing market economy and democracy. The Centre focuses on women's career development in Estonia and abroad (e.g. promoting entrepreneurship among women, improving business skills of women entrepreneurs, developing women leaders and managers, strengthening of cooperation networks). The Centre also provides Internet-based counselling to women on issues of employment.

106. The Estonian Association of Disabled Women (<http://www.epnu.ee/>) is a non-profit association uniting women with various disabilities. It raises awareness of society about equal rights, needs and duties of women with disabilities, and promotes tolerant attitude of society towards women with disabilities. The Association has made proposals to local authorities and state's legislative bodies for guaranteeing equal coping opportunities for disabled women. If necessary, the Association monitors and protects guaranteeing of international human rights.

107. The Confederation of Estonian Trade Unions and the Estonian Employees' Unions' Confederation have separate women's committees whose activities are described in more detail under Article 8 of this Report.

108. The activities of different centres and organisations operating in Estonia have directly supported the state's policies, as their overall aim has been advancing self-awareness of women, changing entrenched traditional attitudes of society, and raising the issue as a subject of public discussion. For example, 41 articles on issues of equality were published in the written press in 1999. The number of publications rose to 136 in 2003 when the draft Act on equal treatment of women and men was debated.

109. All the above-mentioned organisations were active during the debate on the draft Gender Equality Act, organising meetings with members of the *Riigikogu*, sending joint declarations to parliamentary groups, and appearing in the media.

#### **Participation of women in decision-making**

110. All major political parties have women's associations.

111. Estonia has six members in the European Parliament. Three of them (i.e. 50%) are women.

112. The proportion of women in the national parliament has constantly increased. As a result of elections in March 2007, 25 women (i.e. 24.8% of the total number of MPs) were elected to the *Riigikogu*. The proportion of women was 18.8% in the *Riigikogu* elected in 2003, 17.8% in the *Riigikogu* of 1999, and 11.9% in the *Riigikogu* of 1995. In 2003–2006 the Speaker of the *Riigikogu* was a woman (Ene Ergma, who continues as Speaker of the current *Riigikogu*). The first deputy speaker of the current *Riigikogu* is also a woman (Kristiina Ojuland, who also served as Foreign Minister in 2002–2005).

113. The proportion of women in local councils has also increased. In local government elections in 2005, 29.6% of women were elected. Both in 2002 and 1999, 28.3% of women were elected, while in 1996, 22.6% of women were elected.

114. The proportion of women among Government Ministers has fluctuated from 7% to 36% during the reporting period. Currently, the proportion of women in the Cabinet of Ministers is 21.4%. In spring 2007, there were three women ministers in the Government: the Minister of Culture, the Minister of Social Affairs, and the Minister for Population and Ethnic Affairs.

#### **Issues of trafficking in human beings**

115. In paragraph 19 and 42 of its concluding observations, the Committee was concerned about the issue of trafficking in women, and called upon the State party to take effective measures to combat trafficking in women and to ratify the relevant international instruments. Estonia has taken various measures to implement the recommendations made by the Committee and to combat the problem of human trafficking.

116. On 28 August 2005 the Minister of Justice and the Minister of Internal Affairs signed the Laulasmaa Declaration,<sup>3</sup> in which it was agreed that the criminal activity related to human trafficking would be considered as common priority for the prosecutors' offices and the police.

117. In January 2006, the Government approved the Development Plan for Combating Trafficking in Human Beings 2006–2009. The plan contains strategic objectives in the fight against human trafficking and sets out the main measures and activities for achieving these objectives. It also sets out the responsibilities of administrative agencies. Implementation of the development plan is coordinated by the Ministry of Justice.

118. Successful implementing of the development plan will contribute to reducing human trafficking in Estonia. It will also contribute to increased law-abiding behaviour of the population and will help victims of human trafficking to better re-socialise. As a result of implementing the development plan, public awareness about the essence of human trafficking should increase and people should be better able to avoid becoming victims of trafficking and notify more actively the law enforcement authorities about possible cases of human trafficking. Victims of trafficking will also be better able to seek assistance from the relevant authorities (embassies, victim support workers, police). As a result of the development plan, a network of specialists will be launched to react competently to cases of human trafficking and cooperate actively with other countries and international institutions (Europol, Interpol).

119. Estonian penal law is in conformity with the EU Council Framework Decision (2002/629/JHA) of 19 July 2002 on combating trafficking in human beings and the EU Council Directive (2004/81/EC) of 29 April 2004 on the residence permit issued to third-

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<sup>3</sup> Laulasmaa Declaration on Priorities for Fight against Crime. Electronically available at <http://www.just.ee/15087>.

country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities.

120. Estonia ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children to the UN Convention against Transnational Organised Crime on 10 March 2004.

121. Estonia plans to sign the Council of Europe Convention on Action against Trafficking in Human Beings in 2008.

122. Since 2002, awareness raising activities and various prevention projects have been organised. There is cooperation between the non-profit sector and the police, victim support services have been established, social workers and victims support staff have been trained, etc.

123. A campaign against trafficking in women in Nordic and Baltic countries was carried out in Estonia in 2002–2003. Its aim was to launch a debate on the issue of trafficking in women as a social problem and to change prevalent attitudes towards the issue.

124. Within the campaign, teachers, youth workers and vocational counsellors were trained, lectures at schools and other establishments were held, surveys were conducted to identify the risk groups and preparedness of the state to deal with the problem.

125. In addition to nationwide campaigns organised by the Government, the International Organisation for Migration (IOM) has organised campaigns in Estonia to inform about the risks of trafficking in human beings (a campaign for women in 2001–2002 and for young people in 2004–2004). The Red Cross organised a campaign to inform about the risks of human trafficking for schoolchildren in 2005–2006.

126. In 2005–2008, Estonia participated in the pilot project “Support, protection, safe return, and rehabilitation of women victims of trafficking for sexual exploitation” coordinated by the Nordic-Baltic taskforce against human trafficking. In the framework of the project, shelter and counselling services for women victims who have been trafficked abroad have been created.

127. In 2005–2008, Estonia participated in the EQUAL project “Integration of Women Involved in Prostitution, including Victims of Human Trafficking, into the Legal Labour Market”. A shelter for victims and a rehabilitation/day-centre for persons involved in prostitution and being victims of trafficking have been created within the project. The project partners are Lithuania, Germany, Poland, Italy and Portugal.

128. Since 2004, Estonia has a counselling line to prevent human trafficking (phone number 660 7320) which provides information to persons going to work abroad, as well as advice and counselling to public servants and the general public and victims. The counselling service is provided by the non-profit association Living for Tomorrow. Since November 2006, the phone service is financed by the Ministry of Social Affairs.

129. The main form of trafficking in women in Estonia is pimping (pimping). In the Põhja Police Prefecture there is a prostitution working group.

130. The aim of this working group is collecting information about pimping, systematising the information, carrying out surveillance procedures and pre-trial proceedings of criminal cases initiated in respect of ascertained criminal episodes.

131. At the beginning of its activities, the working group identified establishments dealing with pimping and then started actively closing them down. Since the start of its activities, approximately 200 persons have been declared as suspects in connection with pimping and enabling the related illegal activities (since 16 July 2006 aiding of prostitution)

or in connection with other similar offences. In almost all the cases declaring a person as suspect has lead to subsequent conviction by the court.

132. The Central Criminal Police deals with the cases where women from Estonia have been taken to other countries to serve as prostitutes. The international criminal intelligence department of the Central Criminal Police receives the relevant enquiries from abroad. The Central Criminal Police regularly receives information related to cases through requests for legal assistance and through direct international exchange and collection of information between law enforcement authorities of different countries.

### **Legislative drafting**

133. The Estonian Penal Code prohibits enslaving, abducting of a person to a country where his or her personal freedom may be restricted, pimping, and various other criminal offences related to trafficking in human beings. Such offences are punishable by 5 to 15 years' imprisonment and the sentences are equal to those imposed for other serious criminal offences.

134. Although the Penal Code does not contain a separate section called "Trafficking in human beings", the Code includes about 16 sections on criminal offences related to human trafficking and prohibits any such activity: enslaving (§ 133), abduction of a person to a country where his or her personal freedom may be restricted (§ 134), unlawful deprivation of liberty (§ 136), illegal conduct of human research (§138), illegal removal of organs or tissue (§139), inducing a person to donate organs or tissue (§ 141), compelling a person to engage in sexual intercourse (§ 143), compelling a person to satisfy sexual desire (§ 143,<sup>1</sup> entered into effect 16 July 2006), child stealing (§ 172), sale or purchase of children (§173), disposing minors to engage in prostitution (§ 175), aiding prostitution involving minors (§ 176), use of minors in production of pornographic works (§ 177), production of works involving child pornography or making child pornography available (§ 178), illegal transportation of aliens across state border or temporary border line of Republic of Estonia (§ 259), provision of opportunity to engage in unlawful activities, or pimping (§ 268; until 15 July 2006), and aiding prostitution (§ 268<sup>1</sup> entered into effect 16 July 2006).

135. Since 16 July 2006, it is punishable to use a person under 14 years old as a model or actor in the production of a pornographic or erotic picture, film or other work. Previously, the age limit for both erotic and pornographic works was 18 years.

136. A section on compelling a person to satisfy sexual desire (§ 143<sup>1</sup>) and a section on aiding prostitution (§268<sup>1</sup>) have been added to the Penal Code. Section 268<sup>1</sup> was particularly important for statistical purposes, because it is important to distinguish aiding prostitution (new section 268<sup>1</sup>) from other types of provision of opportunity to engage in illegal activity (§ 268).

137. Aggravating circumstances in connection with aiding prostitution include (§ 176 and § 268):

- (1) Committing of the criminal offence by a group or a criminal organisation; or
- (2) By a person who has previously committed such an offence (aiding prostitution of minors or adults).

138. Aiding prostitution of minors with presence of aggravating circumstances is punishable by three to fifteen years' imprisonment. Aiding prostitution of adults with presence of aggravating circumstances is punishable by three to twelve years' imprisonment. In addition, there is a possibility of compulsory dissolution in respect of legal persons who have repeatedly aided prostitution of minors or adults.

### Statistics

139. Information about registered criminal offences in Estonia in 2001–2004 (data from the Police Board): enslaving and pimping.

Table 1

#### Registered criminal offences: enslaving and pimping

	2004	2003	2002	2001*
Enslaving (Penal Code § 133)	1	5	0	-
Pimping (Penal Code § 268 – partly, Penal Code § 2026)	51	44	19	8

\* Only the Criminal Code.

140. Registered criminal offences related to trafficking in human beings in Estonia in 2005–2006 (data of the criminal proceedings register). According to the data of the criminal proceedings register, 161 criminal offences which may be related to human trafficking were registered in 2005 and 136 offences in 2006.

Table 2

#### Type of criminal offence relating to trafficking in human beings according to section in the Penal Code

	Number of offences 2005	Number of offences 2006
§ 133. Enslaving	1	1
§ 134. Abduction to a country where personal freedom may be restricted	0	0
§ 136. Unlawful deprivation of liberty	55	44
§ 138. Illegal conduct of human research	0	0
§ 139. Illegal removal of organs or tissue	0	0
§ 140. Inducing a person to donate organs or tissue	0	0
§ 143. Compelling a person to engage in sexual intercourse	5	7
§ 143 <sup>1</sup> . Compelling a person to satisfy sexual desire	-	0
§ 172. Child stealing	6	0
§ 173. Sale or purchase of children	1	0
§ 175. Disposing minors to engage in prostitution	0	0
§ 176. Aiding prostitution involving minors	3	2
§ 177. Use of minors in production of pornographic works	26	10
§ 178. Production of works involving child pornography or making child pornography available	3	29
§ 259. Illegal transportation of aliens across state border or temporary border line of Republic of Estonia	2	5
§ 268. Provision of opportunity to engage in unlawful activities, or pimping	59	38
§ 268 <sup>1</sup> . Aiding prostitution	-	0
<b>Total</b>	<b>161</b>	<b>136</b>

141. The number of criminal cases (the number of criminal cases subject to judicial proceedings in the respective year, including pending cases where no judgment was delivered that year).

Table 3  
**Criminal cases subject to judicial proceedings (including pending cases where no judgment was delivered in the year in question)**

<i>Type of criminal offence according to section in the Penal Code</i>	<i>Number of criminal cases in</i>	
	<i>2005*</i>	<i>Number of criminal cases in 2006*</i>
§ 133. Enslaving	2	0
§ 134. Abduction to a country where personal freedom may be restricted	0	0
§ 136. Unlawful deprivation of liberty	18	20
§ 138. Illegal conduct of human research	0	0
§ 139. Illegal removal of organs or tissue	0	3
§ 140. Inducing a person to donate organs or tissue	0	1
§ 143. Compelling a person to engage in sexual intercourse	3	2
§ 143'. Compelling a person to satisfy sexual desire	-	0
§ 172. Child stealing	1	2
§ 173. Sale or purchase of children	0	0
§ 175. Disposing minors to engage in prostitution	1	0
§ 176. Aiding prostitution involving minors	4	1
§ 177. Use of minors in production of pornographic works	3	4
§ 178. Production of works involving child pornography or making child pornography available	1	10
§ 259. Illegal transportation of aliens across state border or temporary border line of Republic of Estonia	2	3
§ 268. Provision of opportunity to engage in unlawful activities, or pimping	17	8
§ 268'. Aiding prostitution	-	0
<b>Total</b>	<b>52</b>	<b>54</b>

142. Other countries identified 49 victims of human trafficking from Estonia in 2006. Although Estonia recognised all of them as victims of human trafficking, national statistics on victims of human trafficking include five of them.

#### **Article 4**

#### **Article 5**

#### **Article 6**

##### **Obligation of convicted prisoners to work**

143. Under paragraph 13 of its concluding observations, the Committee expressed concern that convicted prisoners in the State party are required to perform forced or compulsory work and if they refuse to perform the work they face “penalties” in the form of loss of privileges, such as possibility to apply to the court for early release. In paragraph

35 the Committee recommended that the State party make work for convicted prisoners conditional on their consent, in conformity with the ILO Forced Labour Convention (No. 29).

144. Under § 37(1) of the Imprisonment Act, prisoners are required to work. The following categories of prisoners are not required to work: prisoners who are older than 63 years; prisoners who are acquiring general or secondary vocational education or participating in vocational training; prisoners who are unable to work for health reasons; prisoners who are raising a child of less than 3 years of age.

145. We would like to note that the obligation of prisoners to work does not constitute forced or compulsory work prohibited under the Covenant, which is also prohibited by Estonian legislation and various international instruments. Under the Constitution, no one may be compelled to perform work or service against his or her free will, except /.../ work which a convict must perform on the basis of and pursuant to procedure established by law (§ 29(2)).

146. The European Convention for the Protection of Human Rights and Fundamental freedoms provides for an exception. Forced or compulsory labour shall not include any work required to be done in the ordinary course of detention (Art 4 para 3 (a) of the Convention).

147. ILO Convention No. 29 also provides that the term “forced or compulsory labour” shall not include any work or service exacted from any person as a consequence of a conviction in a court of law, provided that the said work or service is carried out under the supervision and control of a public authority and that the said person is not hired to or placed at the disposal of private individuals, companies or associations (Art 2 (c)).

148. Based on the above, we hold that the obligation of convicted prisoners to work cannot be interpreted as forced work.

149. The obligation of prisoners to work is not unlimited under Estonian imprisonment law. Work in prison, including working conditions, pension for incapacity for work, release from obligation to work, and remuneration of work of prisoners, is regulated in detail.

150. Work provides an opportunity to fill daily life in prison with meaningful activity and supports the re-socialisation process of prisoners. The Ministry of Justice department of prisons has not received any complaints concerning imposing of “penalties” for refusal to perform work and consequent loss of privileges. In practice, prisoners themselves want to work as this enables them to occupy time during the imprisonment and to earn an income. Work is considered rather a privilege among prisoners and the Ministry of Justice is making efforts to find work for more prisoners.

151. Since 1 January 2007, the court decides possible early release of all prisoners without any application or referral from the prison authorities. Thus, a prison director lacks discretion either to apply or not to apply for early release of a prisoner.

152. The Ministry of Justice is of the opinion that the obligation of prisoners to work has a legal basis in the Constitution and it also serves an important aim, i.e. re-integration of prisoners to society. The work required in Estonian penal institutions is in conformity with the general principles expressed in case law of the European Court of Human Rights. Therefore, changing of Estonian legislation in this respect is not necessary.

### **Employment statistics**

153. Recent years on the Estonian labour market have been marked by rapid and positive changes as a result of fast economic growth. The number of employed persons and the employment rate have continued to grow since 2001. Employment saw a particularly sharp

increase in 2006, when the number of employed persons grew 6.4% and the employment rate 3.7 percentage points.

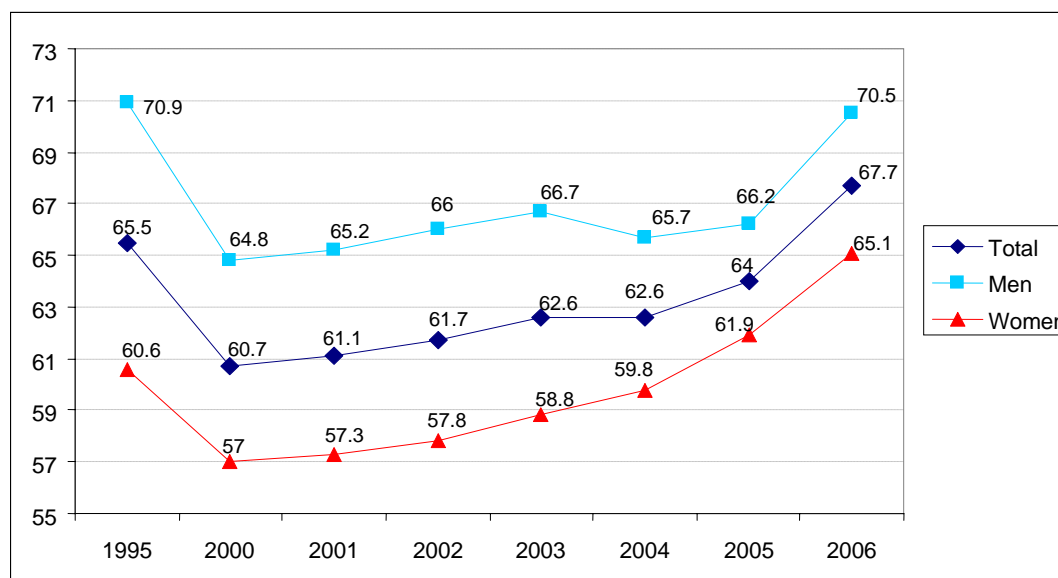
154. Compared to both 1995 and 2000 the total number of employed persons has grown, in particular on account of an increase in employment among women, which in turn has been influenced by the gradual increasing of the retirement age, leading to women exiting the employment market later. Employment among women grew particularly sharply between 2004 and 2006. Employment among men leapt in 2006, when the number of employed persons grew 7.5% and the employment rate exceeded 70%.

Table 4  
Number of employed persons aged 15–74, 2000–2006 (thousands)

	2000	2001	2002	2003	2004	2005	2006
<b>Total</b>	<b>572.5</b>	<b>577.7</b>	<b>585.5</b>	<b>594.3</b>	<b>595.5</b>	<b>607.4</b>	<b>646.3</b>
Men	291.1	293.9	297.5	302.5	299.1	300.5	322.9
Women	281.4	283.8	288.1	291.8	296.4	306.9	323.3

Source: Estonian Labour Force Survey, Statistics Estonia.

Figure I  
Employment rate among persons aged 15–64, 1995–2006 (%)



Source: Estonian Labour Force Survey, Statistics Estonia.

155. The Estonian employment rate (67.7%) is higher than the average among European Union Member States. With its indicators for employment among women and older employees, Estonia has exceeded the respective Lisbon Strategy target set by the European Union for 2010.<sup>4</sup> Employment among women reached 65.1% in 2006.

<sup>4</sup> The EU Lisbon Strategy sets the EU 2010 targets of raising the overall employment rate to 70%, the female employment rate to 60% and the employment rate for older workers (aged 55–64) to 50%.



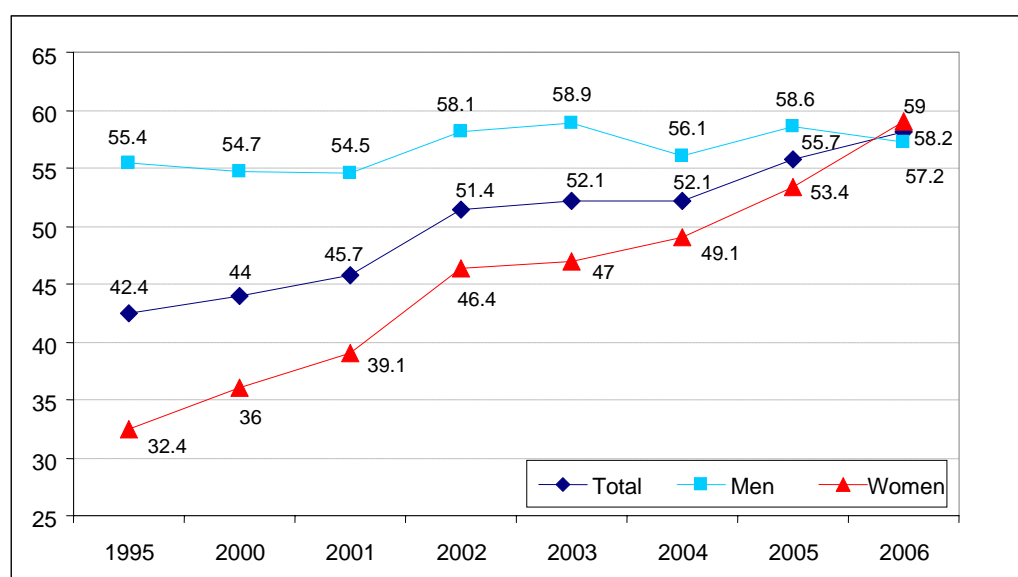
156. Employment among older employees reached 58.2% in 2006. In addition to the gradual increasing of the retirement age also the low pensions, leading people to work longer and earn an additional income to the pension, further contribute to the high employment among older employees.

Table 5  
Number of older employees (aged 55–64), 2000–2006, (thousands)

	2000	2001	2002	2003	2004	2005	2006
<b>Total</b>	<b>69.5</b>	<b>70.3</b>	<b>78</b>	<b>78</b>	<b>78</b>	<b>82.6</b>	<b>86.7</b>
Men	37.1	35.9	37.7	37.8	36	37.3	36.7
Women	32.4	34.4	40.3	40.2	41.9	45.3	50

Source: Estonian Labour Force Survey, Statistics Estonia.

Figure II  
Employment rate among older employees (aged 55–64), 1995–2006 (%)

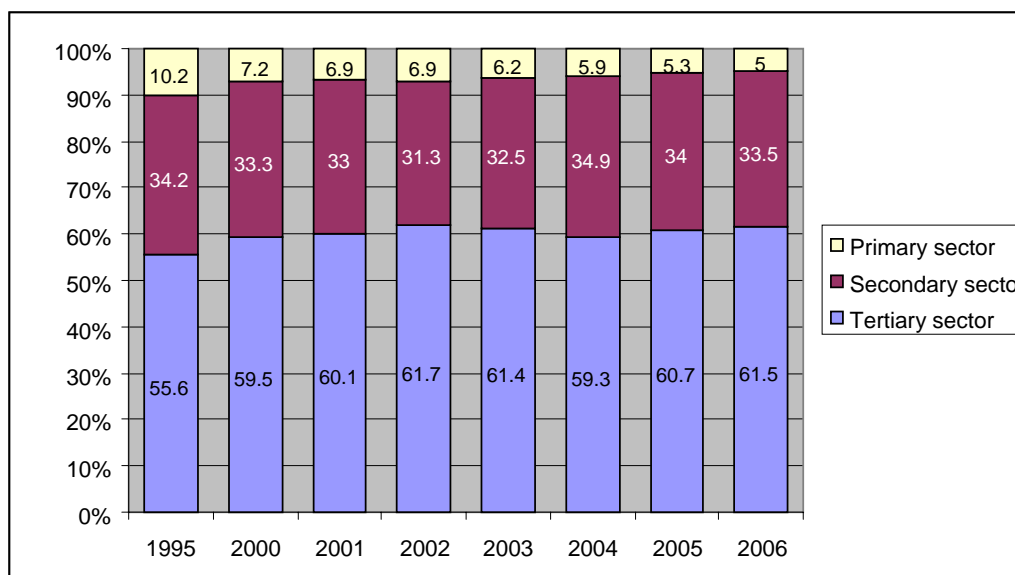


Source: Estonian Labour Force Survey, Statistics Estonia.

### Employment by economic sectors

157. The division of employed persons by economic sectors has also seen far-reaching changes over the past ten years. The relative weight of the primary sector (agriculture, forestry) has dropped by a half (from 10% to 5%). The relative weight of employees in the tertiary sector (services sector) has, however, increased over 61%. The relative weight of employees in the secondary sector (industry) has remained relatively stable over the years and is at a level comparable to that of 2000.

Figure III  
Employed persons by economic sectors, 1995–2006 (%)



Source: Estonian Labour Force Survey, Statistics Estonia.

158. The changes between sectors are more substantial when comparing men and women. Whilst the number of agricultural workers decreased among both men and women, among women this predominantly took place on account of an increase in the tertiary sector, but men were more inclined to move to work in the secondary sector.

Table 6  
Employed persons by gender and economic sector, 2000–2006 (%)

	2000	2001	2002	2003	2004	2005	2006
<b>Men</b>							
Primary sector	9.7	9.9	9.6	8.5	8.1	7.1	6.7
Secondary sector	42.4	42.4	40.8	41.8	44.2	44	45.6
Tertiary sector	47.9	47.7	49.6	49.8	47.7	48.8	47.7
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
<b>Women</b>							
Primary sector	4.6	3.9	4.2	3.8	3.6	3.5	3.2
Secondary sector	23.9	23.2	21.5	22.8	25.5	24.2	21.5
Tertiary sector	71.5	72.9	74.3	73.4	70.9	72.3	75.2
<b>Total</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>

Source: Estonian Labour Force Survey, Statistics Estonia.

#### Working full-time and part-time, and multiple jobs

159. The majority of employed persons in Estonia are working full-time. Part-time workers amounted to 7.8% in 2008 (4.3% of men and 11.3% of women). The percentage of part-time workers among women has increased slightly over the years.

160. Underemployed<sup>5</sup> persons amounted to 1.5% in 2006. The decrease is 1.3 percentage points compared to 2000. There are more underemployed persons among women than among men.

Table 7

**Relative weight of full-time and part-time working, 2000–2006 (%)**

	2000	2001	2002	2003	2004	2005	2006
<b>Total</b>							
Full-time and part-time	100	100	100	100	100	100	100
Full-time	90.7	91.8	92.3	91.5	92	92.2	92.2
Part-time	9.3	8.2	7.7	8.5	8	7.8	7.8
..underemployed	2.8	2.8	2.1	2.4	2.2	1.8	1.5
<b>Men</b>							
Full-time and part-time	100	100	100	100	100	100	100
Full-time	94	94.9	95.2	94.6	94.6	95.1	95.7
Part-time	6	5.1	4.8	5.4	5.4	4.9	4.3
..underemployed	2.4	2.1	1.9	2.2	1.9	1.1	0.9
<b>Women</b>							
Full-time and part-time	100	100	100	100	100	100	100
Full-time	87.2	88.7	89.3	88.2	89.4	89.4	88.7
Part-time	12.8	11.3	10.7	11.8	10.6	10.6	11.3
..underemployed	3.3	3.4	2.2	2.6	2.5	2.4	2.1

Source: Estonian Labour Force Survey, Statistics Estonia.

161. Along with economic development and a growth in household income the occurrence of multiple jobs has gradually decreased in Estonia over the years. In 2006, 3.3% of employed persons, equally among men and women, held at least a second job in addition to their main job. In 1995, the proportion of people with multiple jobs was 2.5 times higher (8.2% of employed persons) than in 2006. Having a second job has decreased equally among both men and women.

Table 8

**Persons with multiple jobs by gender, 2000–2005 (thousands)**

	2000	2001	2002	2003	2004	2005
<b>Total</b>	<b>32.5</b>	<b>25.2</b>	<b>26.5</b>	<b>23.6</b>	<b>20.1</b>	<b>19.8</b>
Men	15.2	13.6	13.7	11.4	9.9	9.6
Women	17.3	11.7	12.8	12.2	10.2	10.1

Source: Estonian Labour Force Survey, Statistics Estonia.

<sup>5</sup> An underemployed person is a part-time worker who wishes to work more and is prepared to accept additional work immediately (within two weeks).

### Unemployment statistics

162. According to the Labour Force Survey there were 40 500 unemployed persons in Estonia in 2006. Compared to 2000, when Estonia experienced the height of unemployment, the number of unemployed persons has dropped by more than 50%. The favourable economic climate of the recent years, accompanied by the creation of new jobs and a demand for labour, lowered the unemployment rate to 5.9% in 2006. Unemployment fell among both men and women.

163. Unemployment in Estonia is mostly structural, meaning that the acquired educational qualification, skills and work experience often fail to correspond to the rapidly changing labour market requirements. Unemployed persons have an average educational qualification significantly below that of the employed persons. The lower the educational qualification, the higher generally the unemployment rate and the longer the work-seeking period. On the labour market there is a demand for skilled workers and specialists, but a large proportion of the unemployed persons have only completed basic education or general secondary education (42% in total) and lack the required professional skills.

164. Comparing men and women, the unemployment among Estonian men is slightly higher than among women (6.2% and 5.6% respectively).

165. The number of registered unemployed persons has also fallen rapidly, having always been roughly half of the number of unemployed persons determined by labour force surveys, as not all unemployed persons register themselves as unemployed with the Labour Market Board.

Table 9

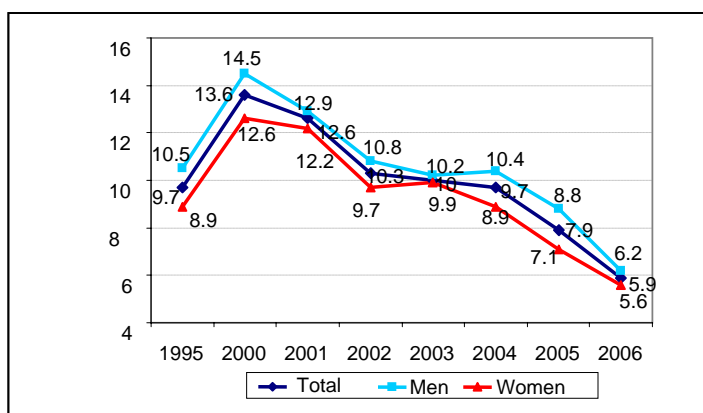
#### Number of unemployed persons by gender, 2000–2006 (thousands)

	2000	2001	2002	2003	2004	2005	2006
<b>Total</b>	<b>89.9</b>	<b>83.1</b>	<b>67.2</b>	<b>66.2</b>	<b>63.6</b>	<b>52.2</b>	<b>40.5</b>
Men	49.5	43.7	36.1	34.2	34.7	28.9	21.3
Women	40.5	39.3	31	32	28.9	23.3	19.2
<b>Total number of unemployed persons registered</b>	<b>46.3</b>	<b>54.1</b>	<b>48.2</b>	<b>43.3</b>	<b>37.0</b>	<b>29.8</b>	<b>18.1</b>

Source: Estonian Labour Force Survey (Statistics Estonia) and the Estonian Labour Market Board.

Figure IV

#### Unemployment rate dynamics among men and women, 1995–2006 (%)



Source: Estonian Labour Force Survey, Statistics Estonia.

### Youth on the labour market

166. In 2004–2006, unemployment among youth also dropped sharply along with the general decrease in unemployment, with the youth unemployment falling from 21.7% in 2004 to 12% in 2006. This is the lowest indicator of the past 12 years and remains below the average of the European Union countries.

167. On the basis of the employment status about 2/3 of young people are economically inactive. This means that the vast majority of persons are studying and not working at that age. Students amount to about 89% of the economically inactive persons. The 2006 youth employment rate (31.3%) more or less corresponded to the 2000 level, but was significantly below the 1995 level (40.7%). A total of 4.2% of persons aged 15–24 are unemployed.

168. Unemployment of young women is usually above that of men. In this regard 2005 constituted an exception when the unemployment rate of young women dropped below the unemployment rate of young men. Unemployment among young women remained stable in 2006, but unemployment of men continued its rapid downward trend, resulting in a drop in the overall youth unemployment rate.

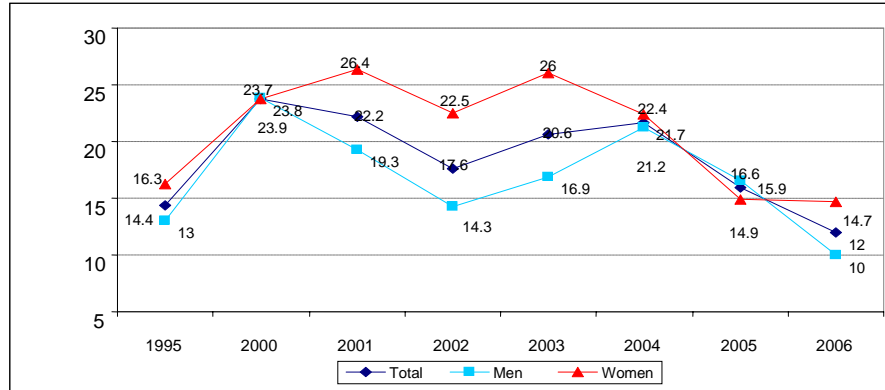
Table 10

#### Employment status of persons aged 15–24, 2000–2006 (thousands)

	2000	2001	2002	2003	2004	2005	2006
Employed	62.3	62.1	56.3	59.1	54.8	59.5	65.7
Unemployed	19.5	17.8	12	15.4	15.2	11.2	9
Economically inactive	116.2	120.2	133.8	130.4	134.9	137	135.5
<b>Total</b>	<b>198</b>	<b>200.1</b>	<b>202.1</b>	<b>204.9</b>	<b>204.9</b>	<b>207.7</b>	<b>210.2</b>
Men							
Employed	36.1	37.9	34.9	36.4	33.2	34.1	38.9
Unemployed	11.3	9.1	5.8	7.4	9	6.8	4.3
Economically inactive	53.4	54.9	62.3	60.6	62.3	65.1	64.1
<b>Total</b>	<b>100.8</b>	<b>101.9</b>	<b>103.1</b>	<b>104.4</b>	<b>104.4</b>	<b>105.9</b>	<b>107.3</b>
Women							
Employed	26.2	24.2	21.4	22.6	21.6	25.4	26.8
Unemployed	8.2	8.7	6.2	8	6.2	4.4	4.6
Economically inactive	62.8	65.3	71.5	69.8	72.6	72	71.4
<b>Total</b>	<b>97.2</b>	<b>98.2</b>	<b>99.1</b>	<b>100.4</b>	<b>100.4</b>	<b>101.8</b>	<b>102.9</b>

Source: Estonian Labour Force Survey, Statistics Estonia.

Figure V  
Unemployment rate dynamics among persons aged 15–24 by gender, 1995–2006 (%)



Source: Estonian Labour Force Survey, Statistics Estonia.

### Long-term unemployment

169. Approximately half of the unemployed (48%) have been seeking work for a year or longer and this makes their reintegration into the labour market more difficult.

170. Long-term unemployment has decreased by a half compared to year 2000. A decrease in long-term unemployment started in 2001. The situation improved sharply in 2006. In 2006 there was a total of 19.6 thousand long-term unemployed (10.8 thousand men and 8.8 thousand women). The previous period of less than 20 000 long-term unemployed occurred in 1993.

Table 11

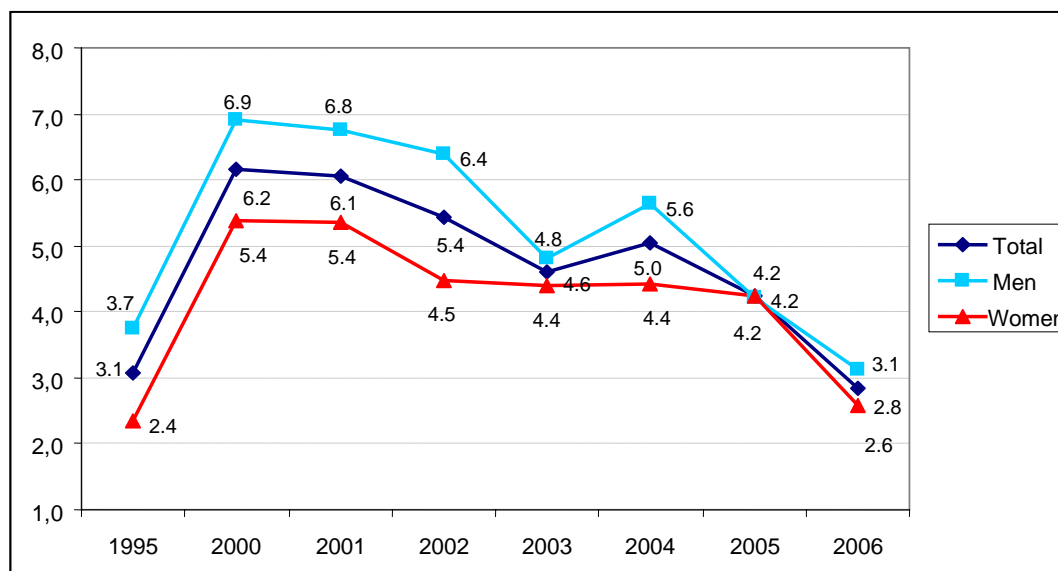
### The number of unemployed persons by duration of unemployment 2000–2006 (thousands)<sup>6</sup>

	2000	2001	2002	2003	2004	2005	2006
<b>Total</b>	<b>89.9</b>	<b>83.1</b>	<b>67.2</b>	<b>66.2</b>	<b>63.6</b>	<b>52.2</b>	<b>40.5</b>
12 months or longer	40.8	40.1	35.5	30.4	33.2	27.9	19.5
..24 months or longer	24	25.6	23	20.1	21.5	18.2	11.4
<b>Men</b>							
<b>Total</b>	<b>49.5</b>	<b>43.7</b>	<b>36.1</b>	<b>34.2</b>	<b>34.7</b>	<b>28.9</b>	<b>21.3</b>
12 months or longer	23.5	22.8	21.3	16.2	18.8	13.9	10.8
..24 months or longer	14.1	14.7	14.3	11.8	11.8	9.2	6.4
<b>Women</b>							
<b>Total</b>	<b>40.5</b>	<b>39.3</b>	<b>31</b>	<b>32</b>	<b>28.9</b>	<b>23.3</b>	<b>19.2</b>
12 months or longer	17.3	17.3	14.3	14.2	14.4	14	8.8
..24 months or longer	9.9	10.9	8.8	8.4	9.7	9	5

Source: Estonian Labour Force Survey, Statistics Estonia.

<sup>6</sup> Due to rounding off the result reached upon adding up, the figures for men and women in the table may yield a result different from the figure presented in the table.

Figure VI  
**Long-term unemployment rate dynamics by gender 1995–2006 (%)**



Source: Estonian Labour Force Survey, Statistics Estonia.

171. In addition to long-term unemployed, the number of people who have given up searching for work has also decreased (7.1 thousand). This indicates that the reduction in long-term unemployment has not taken place on account of people giving up fruitless searching for work. The number of people in 2006 who had given up looking for work had decreased twofold compared to 1995 (13.8 thousand) and threefold compared to 2001 (22.3 thousand).

#### Employment of disabled persons

172. According to the 2002 Labour Force Survey<sup>7</sup> the employment rate among disabled persons was 26%. There were a total of 96.5 thousand disabled persons, of whom 25.2 thousand were working.

173. Over the recent years active attention has been paid to the reduction of the number of people absent from the labour market due to disabilities or illness and to reintroducing them to employment. According to the 2006 Labour Force Survey the employment of disabled persons has improved, with the employment rate reaching 32.6%.

#### Employment of persons belonging to national minorities

174. The Committee expressed concern under paragraph 12 of its concluding observations about the high level of unemployment among people belonging to national minorities. It is true that the unemployment rate is somewhat higher among people belonging to national minorities than among Estonians. In 2006, the unemployment rate among Estonians was 4% and the unemployment rate among non-Estonians was 9.7%.

<sup>7</sup> 2002 was the first year when a section on disabled persons was included in the labour force survey carried out regularly by Statistics Estonia. Next time a similar section was included in 2006. Thus it is only possible to set out comparisons between these years.

Compared to 1995 and 2000 unemployment has dropped among both Estonians and non-Estonians. The situation improved significantly between 2004–2006 and unemployment among non-Estonians dropped from 15.6% to 9.7% over two years.

175. The difference in the employment rates of Estonians and non-Estonians is first and foremost caused by the high level of unemployment in north-eastern Estonia, where the economic infrastructure has changed. Lack of proficiency in Estonian and high real estate prices hamper the search for work elsewhere in Estonia.

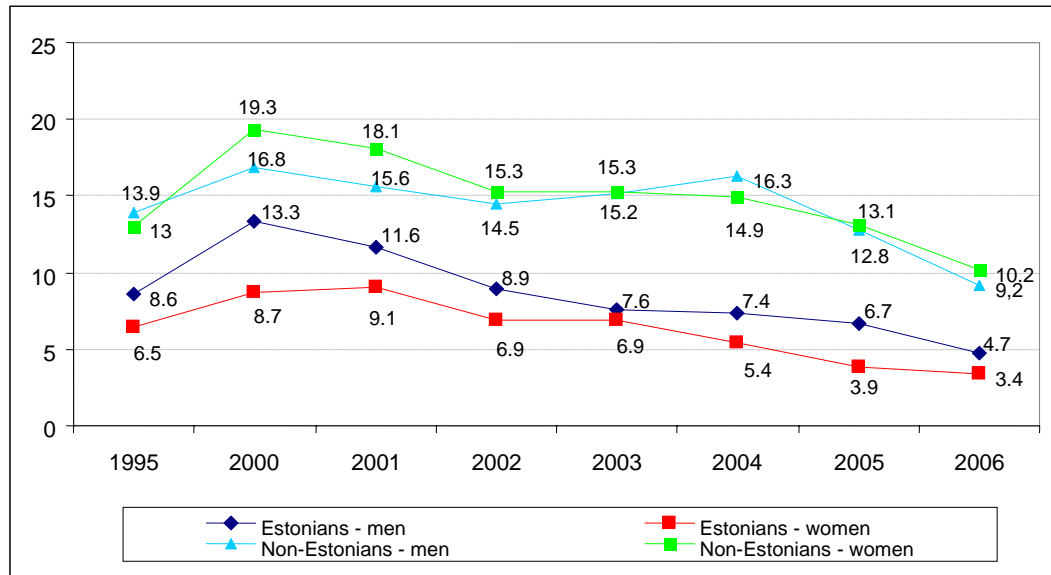
Table 12

**The number of unemployed persons by ethnic background 2000–2006 (thousands)**

	2000	2001	2002	2003	2004	2005	2006
<b>Estonians</b>							
<b>Total</b>	<b>47</b>	<b>45</b>	<b>34.2</b>	<b>31.3</b>	<b>27.4</b>	<b>22.9</b>	<b>18.6</b>
Men	29.2	25.8	19.5	16.9	16.2	14.5	10.7
Women	17.8	19.2	14.8	14.4	11.2	8.5	7.9
<b>Non-Estonians</b>							
<b>Total</b>	<b>42.9</b>	<b>38</b>	<b>32.9</b>	<b>34.9</b>	<b>36.3</b>	<b>29.3</b>	<b>21.9</b>
Men	20.2	17.9	16.7	17.3	18.6	14.4	10.6
Women	22.7	20.1	16.3	17.6	17.7	14.9	11.3

Source: Estonian Labour Force Survey, Statistics Estonia.

Figure VII

**Unemployment rate dynamics among Estonians and non-Estonians 1995–2006 (%)**

Source: Estonian Labour Force Survey, Statistics Estonia.



### Regional differences

176. Under paragraph 34 of its concluding observations the Committee recommended taking measures in the regions with the highest unemployment rate. It has to be admitted that unemployment is still characterised by regional differences and the differences between regions<sup>8</sup> can be threefold, between counties even more than fourfold. At the same time the situation has improved considerably in all counties, including in the counties where employment has been the lowest until now.

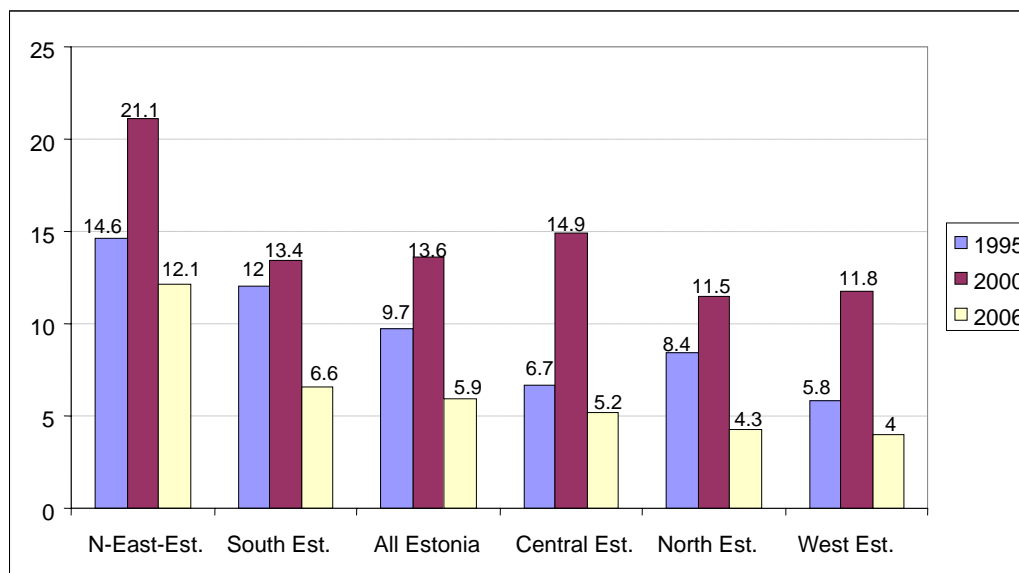
177. Jõgeva County had the highest rate of unemployment among counties (13.1%), in 2005 and 2006 exceeding even Ida-Viru County (12.1%), which was the county with the highest unemployment during the entire transitional period. In several counties unemployment remained within 3%,<sup>9</sup> which demonstrates an increasing shortage of labour.

178. Between regions the average rate of unemployment varied from 4% in Western Estonia to 12.1% in north-eastern Estonia.

179. Despite the above, north-eastern Estonia has made rapid progress over the recent years in both reducing unemployment as well as increasing employment, largely thanks to more intensive entrepreneurial activities and the application of the European Social Fund projects. In addition, Ida-Viru County has always been used as a target region in measures taken and new services tested under national employment programmes, so as to offer a maximum of active measures to the non-Estonian unemployed living there and to help them get back to work.

Figure VIII

#### Regional unemployment rate in Estonia in 1995, 2000 and 2006 (%)



Source: Estonian Labour Force Survey, Statistics Estonia.

<sup>8</sup> Estonia is divided into five regions: Northern Estonia: Harju County (incl. Tallinn); Central Estonia: Rapla, Järva and Lääne-Viru Counties; North-Eastern Estonia: Ida-Viru County; Western Estonia: Lääne, Hiiumaa, Saare and Pärnu Counties; Southern Estonia: Jõgeva, Tartu, Viljandi, Põlva, Valga and Võru Counties.

<sup>9</sup> Due to the small number of unemployed it was not possible to calculate the precise level of unemployment for all counties in 2005 and 2006.

**Expenditure on labour market measures 2000–2006**

180. Expenditure on labour market policies reached 195.1 million kroons in 2003, amounting to 0.15% of the GDP. Expenditure on active labour market measures<sup>10</sup> and passive labour market measures<sup>11</sup> (employment subsidies) was roughly equal. The expenditure on active labour market measures exceeded expenditure on passive labour market measures over 2004–2006. The labour market policy costs of 2006, for example, amounted to a total of 272.6 million kroons, of which 233.8 million kroons were spent on active labour market policies and 38.8 million kroons on passive labour market measures.

**ILO Conventions**

181. Under paragraph 37 of its concluding observations the Committee included a recommendation for Estonia to ratify the International Labour Organisation (ILO) Convention (No. 111) concerning Discrimination in respect of Employment and Occupation.

182. During the reporting period Estonia ratified the ILO Convention No. 111 (entered into force on 17 August 2005), the ILO Convention (No. 122) concerning Employment Policy (entered into force on 12 March 2003), the Minimum Age Convention (No. 138) (entered into force on 15 March, 2007) and the ILO Convention (No. 182) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (entered into force on 24 September 2001).

183. In 2005 the Ministry of Social Affairs submitted to ILO reports on implementing the ILO Convention (No. 2) concerning Unemployment, the ILO Convention (No. 100) concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, and the ILO Convention (No. 122) concerning Employment Policy.

**National law****The right to work and the freedom to choose work**

184. The legal provisions determining a person's right to work have not changed compared to the previous report.

185. Since 1 May 2004, the citizens of EU Member States have the right to enter the Estonian labour market without restrictions. A member of an EU citizen's family has the right to work in Estonia provided that they have a right of residence.

186. European Union citizens may work at all positions in Estonia, provided that they meet the requirements established by law or on the basis of law. Certain restrictions are only linked to the exercise of official authority. Under the Public Service Act only Estonian citizens may be appointed to positions which involve exercise of public authority and protection of public interest. These positions include, for example, management positions at higher public authorities, state supervision, national defence or judicial powers, processing of state secrets, state prosecution and diplomatic representation as well as positions where

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<sup>10</sup> The cost of taking active labour market measures is considered to include expenditure on all labour market services, subsidies related to participation in labour market services (for example grants) and Labour Market Board administrative costs. Labour Market Board administrative costs are considered to be active labour market costs due to the fact that the majority of these costs are related to organising the provision of services.

<sup>11</sup> The cost of taking passive labour market measures is considered to include the cost of unemployment benefits/employment subsidy and social tax in certain specific cases.

the public servant has the right to restrict a person's fundamental rights and freedoms upon securing public order and security.

187. Citizens of third countries cannot work as public servants or local government officials. Everyone may work at other positions (incl. as support staff or staff employees), provided they comply with the requirements established by law or on the basis of law.

188. In order to work, the citizens of third countries need a residence permit which permits work or another type of residence permit and a work permit. The precondition for receiving a temporary residence permit, which permits working, is the existence of a specific employee and position. Upon termination of the employment relationship the residence permit also expires. Should the employee wish to take up a new position with a different employer, they must also apply for a new residence permit.

189. On 31 August 2006, the Government approved the principles for the arrival of foreign labour to Estonia, which the Ministry of Economic Affairs and Communication shall use as a basis for drawing up modern criteria for the movement of labour.

190. In 2004, the Working Conditions of Workers Posted in Estonia Act entered into force. The purpose of the Act is to ensure the protection of the rights of workers from a foreign country who have been posted in Estonia in the framework of the provision of services. The Act also aims to ensure fair competition between employers involved in the provision of services. The Act lays down the working conditions upon which workers from a foreign country who have been posted in Estonia must be treated in compliance with Estonian legislation and collective agreements. If the provisions of the laws of a foreign country that apply to employment contracts are more favourable towards the posted workers than the Estonian laws, the provision that is more favourable to the worker is applied.

### **Labour market legislation**

191. In 2003, the Ministry of Social Affairs with its cooperation partners started to develop a new concept of labour market measures. The Government approved the concept in May 2004. The objective of the concept was to carry out a study of the Estonian labour market system, including an analysis of the content, organisation and problems of labour market services as well as suggestions for improving the existing system. The focus was on activating the unemployed and on an individual approach in offering services, which also helps to prevent long-term unemployment. The objective was to shorten the duration of being unemployed and to direct people from benefits to work.

192. In parallel, the Ministry of Social Affairs also coordinated work on developing a welfare services concept. The main idea there was to view all users of welfare services as potential employees who need to be assisted in re-entering the labour market and must receive assistance which is based on the individual needs of the person.

193. On 1 January 2006, the previous Unemployed Persons Social Protection Act and the Employment Service Act were replaced by a new Labour Market Services and Benefits Act, which regulates both the services as well as the benefits offered to the unemployed and the people seeking work. The Act follows the principles of the labour market measures concept.

194. In 2006, the Ministry of Social Affairs completed a study on the coping and needs of disabled persons, which will serve as a basis for changing the Social Benefits for Disabled Persons Act. The concept of the new Act foresees redesigning the present system into a framework which supports active employment seeking and work by working-aged disabled persons by compensating the additional expenses linked to employment. The Government

approved the concept for changing the Social Benefits for Disabled Persons Act on 10 July 2006. According to preliminary plans the new Act should be approved in 2008.

### **The Labour Market Services and Benefits Act**

195. The principles of the Labour Market Services and Benefits Act include an individual approach to all clients and the application of a case by case approach to labour market risk groups.

196. According to the case by case approach the issues related to a particular client are solved by one case manager who may involve different partners in the process if needed. The partners may, for example, include schools, local authorities, healthcare institutions, i.e. organisations that fill a parallel significant role in solving the client's problems, as unemployment may also be caused by health problems, shortfalls in education, lack of childcare facilities, etc.

197. The Act determines risk groups whose problems in entering the labour market are given particular attention (§ 10(5)). The respective risk groups include unemployed persons with disabilities; young unemployed (aged 16–24); unemployed persons who have been released from detention facilities during the 12 months preceding registration as unemployed; people between 55 and the age of old-age pension; unemployed persons who have received a caregiver's allowance prior to being registered as unemployed and have not been employed or engaged in activities considered equal to employment during the 12 months preceding registration as unemployed; long-term unemployed (unemployed for over 12 months, over 6 months in the case of young people aged 16–24); the unemployed who do not speak Estonian and whose employment is therefore hampered.

198. The unemployed persons belonging to a risk group receive an individual work seeking plan outlining the barriers that hamper employment of the person. Specific actions, which the unemployed person must take in solving his or her problems (for example participation in labour market training, active work seeking, writing a CV, etc.), are planned together with the case manager. The individual work seeking plan is drawn up without delay, but not later than in five weeks from registration as unemployed.

199. The purpose of the concept of suitable work is to protect the unemployed person over the first months of unemployment from work offers which are not favourable to the person. Should the period of unemployment continue, an approach is taken from a certain moment that finding any employment is of primary importance, since a lengthened period of unemployment makes it more difficult to return to the labour market. Employment at fixed-term jobs remunerated with minimum monthly pay also helps a person to maintain existing qualifications and social inclusion. It also adds to work experience which, in turn, facilitates further seeking for work.

200. The Act supports the right of disabled persons to work, as it provides all disabled persons with the possibility to receive national labour market services and support. Earlier, people with a total loss of capacity for work (100%) did not enjoy the right to labour market services and support.

201. The Act provides for six new labour market services which specifically target assisting the employment of disabled persons.

202. The following services are intended for disabled persons: adapting the work space and means, free provision of technical aid necessary for work, work with a support person, and assistance during the recruitment interview.

203. Adaption of the work space and means and the free use of technical aid is provided to persons with a physical disability. The employer carries out the adaption, of which the Labour Market Board compensates 50%, but not more than 30,000 kroons. The maximum

level of compensation is fixed with the State Budget Act for each budgetary year. An adaption for one unemployed person is possible once in three years. Should the employer initiate termination of the respective work or service relationship prior to the lapse of three years, they must compensate the Labour Market Board for the adaptation.

204. Means of technical aid are also provided free of charge for up to three years, but not for longer than validity of the employment relationship.

205. Support person services are primarily offered to unemployed persons with a mental disability who may need more time than usual for acquiring the necessary work skills. Up to 700 hours of support person services are permitted per one unemployed person. Up to eight hours of the service during the first month of employment, up to four hours during the second month and up to two hours during the third and fourth month of employment may be offered. The service is reduced proportionally over time because the final objective is ensuring the independent employment of the person. If there are grounds to believe that the unemployed person is not able reach full employment, the service is not provided.

206. Assistance during the recruitment interview is mostly provided to persons with speech and hearing impairment, yet the law provides for assistance to all who need it due to their disability. The service may be provided by a Labour Market Board consultant, a volunteer (for example a family member) or a specialist (for example a speech therapist, a sign language interpreter, a psychologist).

207. Although designated services have been developed for people with disabilities, they also have access to all other labour market services on the basis of an individual work seeking plan. Similarly to other unemployed persons the main services offered to disabled persons since 2006 have mostly included career counselling and different labour market training, as well as work internships and work-related exercise.

208. New services for the unemployed include work-related exercise and work internship. The internship is particularly useful for young unemployed persons who have acquired a profession but lack the practical work experience necessary for finding a job. Work internship also makes it possible to offer an opportunity for learning and practicing with an employer in areas where vacant posts are available but no training is offered by educational institutions. Work-related exercise practice is an effective measure for creating an initial work habit or for rehabilitating the work habit in the case of unemployed persons lacking earlier experience of working or the long term unemployed.

209. The regulation of labour market services offered by the private sector has also been simplified. The operating licences system in force since 2000 was replaced by a formal registration in the Register of Economic Activities. Work mediation services must be provided to work seekers free of charge.

### **Labour market measures for increasing employment**

#### **National strategy documents**

210. In 2001, the Ministry of Social Affairs in cooperation with the European Commission presented the Report on Joint Assessment of Employment Priorities (JAP) in Estonia. The document provided an assessment of the situation on the labour market at the time as well as measures for improving the situation. The Joint Report was also a part of the preparations for joining the European Social Fund. In 2002 and 2003, the Ministry of Social Affairs submitted JAP progress reports to the EC Commission, providing an overview of the activities carried out.

211. In 2001, a national employment programme for Ida-Viru County for 2002–2006 was drawn up by the Ministry of Economic Affairs and Communications in cooperation with

the Ministry of Social Affairs and the Ministry of Education and Research. The objective of the programme was to concentrate national resources for reducing unemployment in Ida-Viru County via an integrated application of entrepreneurial, social and educational measures. The programme was motivated by a belief that a successful way of reducing unemployment and increasing employment is via promotion and support of entrepreneurial activities by the development of human capital.

212. The development and application of the programme follows the Committee's recommendation number 34, where the Committee urged encouraging investments and development in the regions with the highest unemployment rate in Estonia with a view to providing employment for workers.

213. In January 2002, the Estonian Employers' Confederation, the Confederation of Estonian Trade Unions and the Government of the Republic signed an agreement on the 2002 labour market policy. The objective was to involve different labour market players in solving the problems related to employment and unemployment. Cooperation between the three signatories to the agreement was planned to promote work of trilateral employment councils, pay increased attention to the development of social programmes in the case of redundancies and develop principles for the functioning and funding of an in-service training and retraining system.

214. "National Development Plan – Joint Programming Document 2003–2006", containing a separate chapter on developing the labour market, was drawn up in preparation for Estonia to start using European Union structural funds.

215. In 2001–2004, each year an employment action plan was drawn up in Estonia based on the European Union Employment Strategy and the European Employment Guidelines. The action plans were prepared in cooperation between different ministries, social partners and other institutions and were coordinated with other development plans (e.g. the Development Plan for Estonian Economy 2000–2003, the National Development Plan, etc.). The employment action plans presented an overview of the problems and bottlenecks related to the Estonian labour market, the application of labour market policies and the specific actions necessary for improving the situation.

216. In spring 2005, the European Council adopted the renewed Lisbon Agenda, i.e. the EU strategy for economic growth and employment. Based on the Agenda, the Government drew up the Programming Document for the Estonian Economic Growth and Employment Action Plan, including the main objectives for increasing Estonia's competitiveness in 2005–2007. In October 2006, Estonia submitted a progress report on the action plan for 2005–2006 to the European Commission.

#### **Employment programme and activities carried out**

217. A programme "Increasing Employment, Avoiding Long Term Unemployment and Preventing the Exclusion of Persons Belonging to Risk Groups" (hereinafter referred to as the Employment Programme) was drawn up for the application of employment action plans.

218. In 2001 the Government allocated 10,454,000 kroons for the application of the Employment Programme. Several studies were carried out in the course of the 2001 programme (for example a study on the impact of social benefits on people's labour market behaviour by Policy Studies Centre PRAXIS, the study of long term unemployed by the Institute of Economics and Business Administration of the Tallinn University of Technology).

219. A database of long term unemployed persons was completed at the employment offices with the support of the 2001 programme, designated consultants were employed and

support for the employment of long-term unemployed through labour market training and employment subsidies paid to employers were started. 480 long term unemployed persons took part in the project.

220. In 2002, the Government allocated 11 million kroons for the Employment Programme. Youth employment pilot projects were continued in 2002 and support was provided for the Phare project “Support to Youth Employment”. The standards of public services (e.g. vocational guidance, employment subsidies to employers, work mediation, etc.) were developed further in the course of the Phare 2000 Project.

221. Projects for testing services offered to risk groups were continued in the framework of the 2003 Employment Programme. The main focus was on long term unemployed and older employees.

222. Pilot projects for developing a new active labour market measure — work internship — with the purpose of providing unemployed persons without professional skills or experience with work experience and habits were carried out in seven counties with the support of the 2003 programme.

223. The project “Applying Active Measures to Long Term Unemployed for their Return to the Labour Market”, started in 2002, was continued. This project included facilitation of the return of unemployed persons to the labour market through individual counselling, compiling of an individual action plan, vocational guidance, group consultations, training and payment of additional support. The cost of the project amounted to 2.46 million kroons.

224. The project “Reducing Unemployment among Older Employees, Increasing the Work Ability of Older Employees and Preventing Social Exclusion” was launched in coordination with the 2002–2005 National Programme for Applying the Basic Principles for the Policy on the Elderly. The objective of the project was to develop a combined offering of labour market measures to older employees in accordance with their individual needs. The project was applied in seven counties and a total of 139 unemployed persons participated. The planned cost of the activities was 1.38 million kroons.

225. The National Employment Programme 2005–2006, as a successor of the earlier Employment Programme, was drawn up with the purpose of carrying out the employment objectives foreseen by the Economic Growth and Employment Action Plan for 2005–2007. The total cost of the activities of the National Employment Programme 2005–2006 was 4.2 million kroons, incl. 2 million kroons for testing new labour market services.

226. New labour market services intended for risk groups (e.g. work-related exercise) were tested and the awareness of employers of the labour potential of risk groups was increased in the framework of the National Employment Programme 2005–2006. For example, a disabled person friendly employer label was developed in cooperation with social partners. The label is issued both to those offering jobs to disabled persons as well as those offering internships. The purpose of the label is to recognise employers and to increase awareness among employers about disabled persons as a suitable labour force.

227. Information leaflets, distributed both in the regional offices of the Labour Market Board as well as at local authorities, were produced with the support of the 2005–2006 Employment Programme. A separate newspaper was produced to introduce work-related exercise as a new service.

228. A case based networking training programme, which has served as a basis for training specialists since autumn 2005, was developed in the framework of the 2005–2006 Employment Programme in order to improve the case management work method.

**Activities within the framework of the European Social Fund (ESF)**

229. Estonia has used the resources of EU structural funds, including those of the European Social Fund (ESF). The central objective of using the resources of the European Social Fund is to increase employment through the development of human resources.

230. ESF resources planned for 2004–2006, but usable until the end of 2008, were used during the reporting period. In addition to the European Social Fund each project is also co-funded by Estonia.

231. The development of human resources within the framework of the ESF includes the development of an education system which is available to everyone and ensures labour force flexibility, coping and lifelong learning, the development of human resources in order to increase economic competitiveness of companies, ensuring equal opportunities on the labour market and increasing administrative capacity.

232. Increasing of administrative capacity included enhancement of professional and management skills in public administration as well as development of a high-quality and sustainable public service training system. 2.48 million euros were foreseen for funding these projects in 2004–2006 and a total of 132 projects received funding. ([http://www.riigikantselei.ee/failid/HSprojektid\\_I\\_III\\_veeb.xls](http://www.riigikantselei.ee/failid/HSprojektid_I_III_veeb.xls)).

**Ensuring equal rights on the labour market within the framework of the ESF**

233. Projects for ensuring equal rights helped to reduce unemployment, thereby preventing poverty and social exclusion and increasing social inclusion.

234. Activities with the purpose of faster integrating to the labour market unemployed persons and employees who have received a redundancy notice and therefore face the actual risk of becoming unemployed, as well as activities to allow better labour market access for risk groups (disabled persons, people released from detention facilities, non-Estonians, young people, older people) and to increase the effectiveness and quality of labour market services were carried out.

235. The projects included an offering of in-service training and retraining (including entrepreneurial training), increasing of the working ability and preparedness among risk groups, opportunities for persons with an insufficient command of Estonian to learn the language required at work, so as to support their integration to the labour market, employment assistance and creation of protected work places or work places with a support person as well as other transitional work opportunities.

236. In addition, the projects included assistance for starting entrepreneurial activities and the reduction of barriers faced by women upon entering and returning to the labour market.

237. Existing labour market services were also developed further and adjusted to regional needs in the course of the projects. New labour market measures were developed and applied, employees offering active labour market measures and services supporting integration to the labour market were trained and employment offices were modernised.

238. A total of 33 million euros were foreseen for the funding of equal opportunities projects. 91 projects were funded over 2004–2006, 27 projects were funded in 2007. (<http://www.tta.ee/esf/?lk=89>).

239. As at the end of 2006, the projects had involved 8400 people, among them 3000 men and 5400 women. 3966 people, i.e. 47.2%, found employment. 866 new jobs, occupied by 323 men and 543 women, were created.



### **Activities within the framework of the European Community EQUAL initiative**

240. Resources of the European Social Fund were also used for carrying out the European Community EQUAL initiative. The initiative is intended for developing and testing new methods for reducing the labour market related inequality, discrimination and social exclusion within the framework of development cooperation. The budget of the programme for 2004–2008 is 5.42 million euros.

241. Five projects for facilitating entry or return to the labour market for people experiencing difficulties with integration or reintegration to the open labour market were launched within the framework of the programme. Seven projects have focused on flexible and effective work organisation formats, the development of support services for the successful combining of work and family life and the reintegration of people who have left the labour market. One project has supported social integration of asylum seekers. The projects were started in 2004 and will continue until 2008 (<http://www2.sm.ee/esf/index.php?lk=260>).

### **Significant development trends in labour market related institutions**

242. The position of Deputy Secretary General on Labour Policy was created at the Ministry of Social Affairs in 1999. In 2000 the Labour Market Department was established and the structure of the Labour Market Board was reorganised.

243. The Employment Services Act, which entered into force in 2000, provided for the new service of vocational guidance. On this basis, vocational counsellors were employed by the employment offices in 2000. The counsellors underwent vocational guidance training in 2001 in order to be able to offer a high-quality service. Over the subsequent years the employment offices also recruited separate consultants for employers with the purpose of intensifying contacts with employers.

244. In 2004, based on the new labour market concept, the staffing of employment offices was reinforced with public servants specialised in unemployed persons with disabilities, who started to apply the principles of case management. Case management training is carried out presently, so as to ensure that all Labour Market Board consultants are competent to offer services on the basis of the new principles.

245. At the beginning of 2004, a new department — the Labour market Information and Analysis Department — was created in the Ministry of Social Affairs. The department analyses labour statistics, international practices and the impact of strategies and policy measures. It also supplies both public servants and the general public with the results of its analyses.

246. On 1 January, 2006, the employment offices were merged with the Labour Market Board and turned from independent organisations into regional offices of the Labour Market Board, whilst representation in all counties was maintained.

### **Educational measures to increase employment and productivity**

#### **Applied education and vocational training**

247. Issues of applied and vocational training in the field of education are regulated by the Vocational Educational Institutions Act, the Adult Education Act, the Education Act, the Professions Act, the Recognition of Foreign Professional Qualifications Act, and the Institutions of Applied Higher Education Act.

248. Issues of vocational training for persons with special needs are regulated by the Minister of Education and Research Regulation No. 25 “The conditions and procedure of study of persons with special needs in vocational educational institutions” since 2006. The regulation was issued on the basis of the Vocational Educational Institutions Act (§ 14(4)). Under the regulation, a school in cooperation with local authorities must create the conditions necessary for vocational training of persons with special needs, taking into account, as much as possible, wishes of the student, specific nature of the special needs and possibilities to find suitable work.

249. The aim of the vocational education system in Estonia is to ensure vocational and professional preparation of young people and their social preparedness to start working life and participate in life-long learning. Vocational education in Estonia is acquired on the level of secondary education (i.e. vocational secondary education either on the basis of basic education or general secondary education) and higher education (applied higher education). There are certain professions, specialties or occupations where vocational secondary education can only be acquired on the basis of general secondary education, as entrants to the course are presumed to have reached certain age maturity.

250. Social partners have also been actively involved in reforming the vocational education system. In December 2000, the Ministers of Education, Economic Affairs, and Social affairs, representatives of federations of employers and employees and the Chamber of Commerce and Industry signed a cooperation agreement for 2001–2004, aiming to ensure the availability of qualified labour and its suitability to the needs of the labour market.

251. Estonia is implementing a new form of vocational education as a separate programme – apprenticeship training. This is suitable for young people who wish to acquire a vocation within the framework of practical training in a company. Such apprenticeship training is integrated with limited theoretical training offered by a vocational educational institution.

252. The target group for apprenticeship training are young people without basic education or vocational skills, equally with those who already have basic and general secondary education. 70% of the training is composed of practical work in a company and 30% of theoretical study at a vocational educational institution. Practical work in a company alternates with theoretical studies at school, which enables students to implement immediately in practice what they learned in theoretical classes. After completion of the curriculum students undertake a vocational qualification examination. If they pass the examination they are awarded a vocational certificate. Apprenticeship training in Estonia has so far been carried out within the framework of EU Phare and ESF pilot projects.

253. As a result of reorganising the network of vocational educational institutions, the number of the institutions has decreased from 85 in the academic year 1999/2000 to 68 in the year 2004/2005. Smaller or less promising vocational educational institutions were closed, merged with larger ones or combined into large vocational education centres. In the academic year 2004/2005, out of 68 vocational education institutions 47 were state owned, 3 municipally owned and 18 privately owned.

254. When looking at the proportion of young people acquiring vocational secondary education on the basis of basic education or secondary education, a 16% increase of students acquiring vocational education on the basis of basic school education can be noted (16,306 students in 2002 and 18,886 in 2004) while the number of students acquiring vocational secondary education on the basis of secondary education has dropped (11,817 students in 2000 and 10,762 in 2004). Probably young people who have acquired secondary education prefer to pursue further studies in higher educational institutions and not so much

in vocational educational institutions. However, the current occupational structure on the labour market is in need of significantly more specialists trained in vocational education.

### Adult education

255. Adult education is divided into formal education acquired within the adult education system, in-service training and informal education training.

256. According to a nationwide survey carried out in 2001 (the sample consisting of 1008 people aged 15–74), 13% of the respondents had participated in adult training within 2001. Interest in learning was relatively equal among men and women: 12% of male respondents and 14% of female respondents had attended training. People with higher income had participated in training more than those with lower income.

257. According to the 2005 data by Eurostat, 5.9% of persons aged 25–64 in Estonia had participated in lifelong learning, i.e. in adult education. This is significantly lower than the aim set by the EU Lisbon strategy to achieve 12.5% participation rate in lifelong learning by 2010.

258. In order to raise the number of people participating in lifelong learning, the Ministry of Education and Research prepared a concept of a three-pillar financing system in 2006. The three pillars include funding for in-service training of employees, training of people belonging to risk groups, and training of registered unemployed people.

Table 13

#### The share of people aged 25–64 in training (%) in Estonia in 2000–2005 (asked about the past four weeks)

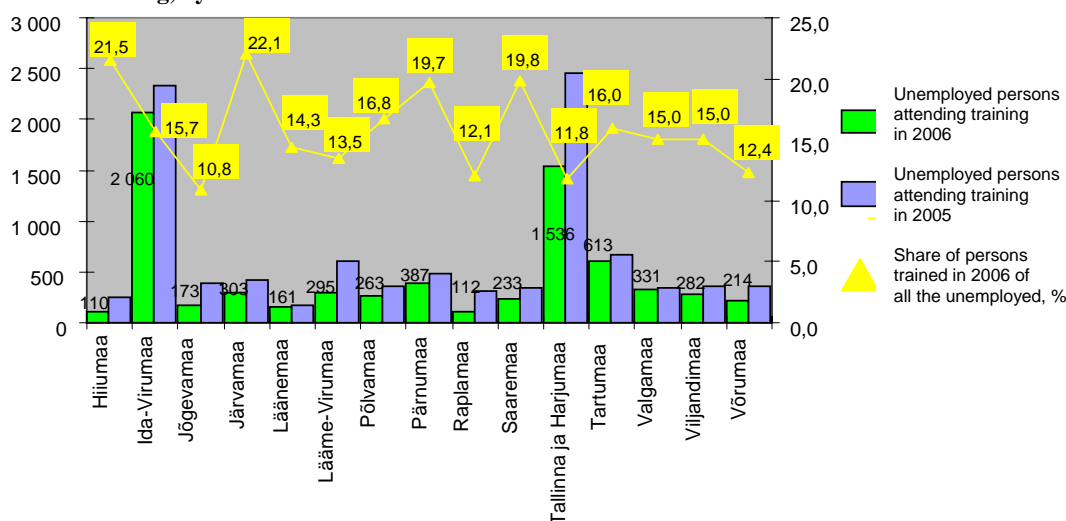
Year	2000	2001	2002	2003	2004	2005
Share of participants	6.0%	5.2%	5.2%	6.2%	6.7%	5.9%

Source: Eurostat, 2005.

259. In the labour market system, persons from the age of 16 to retirement age who are registered as unemployed can acquire a specialty and vocation through labour market training. The precondition is that in cooperation with a career counsellor a person must ensure that the training is expedient, i.e. the choice of training matches the person's prior experience and the current needs of the labour market. More detailed analysis of the needs is contained in an individual job seeking plan of an unemployed person.

260. In 2006, 7073 unemployed persons were referred to labour market training, which was 2781 referrals less than in 2005. However, the overall share of unemployed persons who participated in training increased (13.7% in 2005, and 14.7% in 2006).

Figure IX  
**The number and share of unemployed persons participating in labour market training, by counties in 2005–2006**



Source: Labour Market Board.

### Career counselling

261. Career services in the education sector are provided both within the framework of youth work and formal education. The Estonian Youth Work Centre coordinates the work of information and counselling centres in counties. Within the general education system, since September 2004 all schools are required to include the topic of “Developing an occupational career” as part of the curriculum with the aim to help pupils obtain information about themselves, working life, occupations and professions, etc. Vocational educational institutions are also required to provide career counselling services to their pupils.

262. Career services on the level of higher education are offered in five larger universities in Estonia. The main aim of career services is to develop job seeking skills of students and to assist them in finding work. Surveys are also conducted to find out the employment rate of university graduates and how many of them work in the specialty that they studied.

263. In the labour market system career counselling services are provided by regional departments of the Labour Market Board. The clients, on the basis of the Labour Market Services and Benefits Act, are registered unemployed persons or job seekers who have received a notice of termination of their employment relationship.

264. At the end of 2005, professional standards for three types of career services specialists were approved (career counsellor, school career coordinator, and career information specialist) and they can now acquire the relevant profession. 16 career counsellors passed the professional examination in 2006.

265. The state career counselling service is oriented to certain target groups. In the education sector, for example, the target group is defined as persons aged 7–26, in the labour market system the defining factor is registration as unemployed. Persons who are employed can use the services of counsellors in the private sector.

### Activities within the European Social Fund

266. One of the aims of using financing from the European Social Fund during the reporting period was to develop an education system that ensures flexibility of the labour force, coping skills and lifelong learning and is accessible to all.

267. With the help of projects for developing the education system, the education and school system was improved (incl. improving the quality of teaching and studying, and creating equal opportunities for acquiring education), the environment for lifelong learning was developed (incl. creating the necessary conditions and providing opportunities for lifelong learning) and training was provided.

268. In the period 2004–2006, there was 53,621,020 euros available for financing such projects. Altogether 147 projects were financed. The main areas of projects were doctoral schools, raising the quality of study, curriculum development, inviting guest lecturers, preliminary vocational training, and in-service training (<http://www.innove.ee/struktuurifondid/?op=text&subop=welcome>).

### Economic measures to increase employment, ensure opportunities for work, and raise productivity

269. The current situation in Estonia is characterised by availability of jobs for the majority of job seekers. There is even certain shortage of labour. At the same time, it is necessary to take measures to ensure sustainability of the economy, so that all job seekers would be able to find work also in the long-term perspective.

270. Several strategy documents have been drawn up with the aim of ensuring sustainability of the economy: “Estonia’s success 2014”, “Sustainable Estonia 21”, “Estonian economic growth and employment action plan 2005–2007”, “Enterprising Estonia 2002–2006” (“Estonian business policy 2007–2013”), and “Knowledge-based Estonia”, which provide for measures for raising Estonia’s competitiveness and creating a knowledge-based economy and thereby raising productivity.

271. In 2000, the Ministry of Economic Affairs and Communications created the Enterprise Estonia Foundation, aimed to promote Estonia’s business environment and competitiveness of companies. The Foundation supports businesses and the development of employees through various measures, such as training support, consultation support, promoting of entrepreneurship.

272. An increased knowledge base of the economy constitutes a positive development, characterised by a relatively rapid increase of expenditure on research and development activities. In 2001–2004, the research and development expenditure of Estonian companies grew by 25% a year on average. The growth of total expenditure in 2001–2004 was rapid, reaching 19% per year on average. The proportion of expenditure from GDP was 0.79% in 2003 and 0.88% in 2004. According to the economic growth and employment action plan for 2005–2007, Estonia has set itself an aim of research and development expenditure of 1.5% of GDP by 2008, and 1.9% by 2010.

273. Movement towards knowledge-based economy is also characterised by a significant increase of the proportion of innovative companies from 36% in 2002 to 49% in 2006. The large increase of innovative companies took place on account of innovation in small and medium-sized enterprises and service sector enterprises.

274. Income tax has been lowered and tax-exempt minimum income has been raised since 2005. As a result, the real income of employees rose slightly. In 2005, the income tax rate was lowered from 26% to 24%. In 2003, the new income tax rate was set at 23%. In 2007, the income tax rate was reduced to 22%, and according to current plans the rate should drop to 20% in 2009. Companies registered in Estonia still do not have to pay

income tax on reinvested profit. This allows them to invest more resources in developing the company which, in turn, should result in the creation of new jobs.

#### **Activities within the European Social Fund**

275. One of the aims of using financing from the European Social Fund for the development of the human resource during the reporting period was to increase the competitiveness of companies.

276. Knowledge and skills of employees, as well as their adaptation ability with the aim to avoid unemployment, were increased through human resource development projects. The projects offered in-service training and re-training to maintain and raise the competitiveness of persons working in companies. Their entrepreneurial skills were improved, conditions were created for the emergence of new jobs, and people's abilities in the area of research and development and technology development were improved.

277. In 2004–2006, there were approximately 10.15 million euros available for financing the relevant projects. By the end of 2006, a total of 1691 projects had been financed (<http://www.eas.ee/?id=3107>).

#### **Discrimination on the labour market**

##### **Surveys**

278. Within the framework of the European Union Year of Equal Opportunities the Ministry of Social Affairs carried out a population survey in 2007 to determine people's awareness of the opportunities for the protection of their fundamental rights in case of discrimination. The survey covered discrimination on the basis of sex, age, disability, race, religion, and sexual orientation. It focused on discrimination in working life, education and provision of public services, and sought to find out people's awareness and attitudes and experiences.

279. In a 2005 working life barometer survey, it was also studied whether and on the basis of which characteristics or qualities employees perceived they had been treated unfairly or unequally. The survey demonstrated that perception of unfair treatment was most often related to the age of an employee (either too young or too old) and insufficient knowledge of the official language.

##### **Age**

280. According to the working life barometer survey, 14% of the respondents said that someone at their workplace had been treated unfairly or unequally due to their high age. 11% claimed that someone at their workplace had been discriminated due to their young age. 2.5% of the respondents claimed that they themselves had been treated unfairly or unequally due to being too young. 1.1% said that they had perceived unequal treatment due to their old age. Among 16–29-year olds, 8.6% had perceived discrimination due to their too young age. Among respondents aged 50–64, 2.6% had perceived discrimination due to their age.

281. To reduce discrimination on the basis of age, an amendment to the Employment Contracts Act entered into effect in spring 2006, eliminating the possibility of terminating an employment contract due to age (§,108). Thus, employers no longer may terminate an employment contract due to a person reaching a certain age (65 years).

282. In addition, since 2002 employment programmes have been used to support various projects to increase employment of young and old people, incl. creating of jobs for young people with disabilities (the project was carried out in different counties in Estonia), e.g.

work-related rehabilitation, counselling and training of young people with disabilities in Tallinn, and reducing scarcity of work for older people, raising employment and preventing social exclusion in target counties (the project was carried out in seven counties).

283. The Labour Market Services and Benefits Act that entered into force in 2006 defines young people aged 16–24 and older people aged 55 to retirement age as labour market risk groups who are provided services on the basis of the case management principle. Provision of services to certain target groups has also been expanded (e.g. wage support is also offered to long-term unemployed young people).

#### **Non-proficiency in the official language and ethnic origin**

284. According to the working life barometer survey, 6% of the respondents (5.5% of men and 6% of women) found that someone at their workplace had been treated unfairly or unequally because of being of a different ethnic origin than the majority of the employees, and 11% found that someone had been treated unfairly or unequally because they did not speak the official language. Respectively, 2% (1% of men and 2% of women) and 3% of the respondents had felt the above-mentioned types of discrimination towards themselves.

285. According to the 2000 census, the proportion of Estonians in the population was 67.9%. There are more than 100 different ethnic nationalities living in Estonia, the largest ethnic groups being Russians (25.63%), Ukrainians (2.12%), Belarusians (1.26%), and Finns and Izhorians (0.87%).

286. Unemployment has decreased and the rate of employment has risen consistently both among Estonians and non-Estonians since 2000. The relevant indicators experienced a major leap in 2005 and 2006 due to an overall rapid economic development in this period (see above the Table “The number of unemployed persons by ethnic background 2000–2006”).

287. Within the framework of the state integration programme 2000–2007, a large number of measures aimed at integrating different nationalities were taken, incl. measures for ensuring equal position on the labour market.

288. One of the sub-programmes of the integration programme was “Estonian language learning for adults”, in the course of which materials informing about and explaining the language examinations and examination procedures were drawn up and distributed, language training was organised, language courses free of charge were provided, and performance based subsidies for attending language training were provided.

289. Under the sub-programme “Social competence”, various activities were carried out with the aim to increase equality in working life, such as organising business trips for non-Estonian speaking people with the aim of language practice, stimulating youth cooperation, supporting media education, and preparing an information programme for the citizenship examination.

290. In drawing up the state integration plan 2008–2013, socio-economic integration was seen as a priority. In addition to non-Estonians who had been living in Estonia for a long time, attention was also given to integrating new migrants.

#### **Gender**

291. According to the working life barometer, 2% of the respondents (3% of men and 1% of women) noted that someone at their workplace had been treated unfairly or unequally because of being a man, and 5% (5% of men and 5% of women) noted that some employees had been discriminated because of being a woman. 0.5% of men and 2% of women said they had experienced discrimination against themselves at their workplace.

292. From the point of view of gender inequality, problems on the labour market are wage gaps (according to Eurostat, the difference between the hourly wage of men and women in Estonia is 24%), labour market segregation, and small representation of women in leading positions.

293. In 2001, section 5<sup>1</sup> was added to the Wages Act, prohibiting establishment of different wage conditions for the same or equal work to employees of different sex. Employers are required to compensate the damage caused through violation of the principle of equal pay.

#### **Disability**

294. According to the working life barometer, 1% of the respondents had perceived discrimination due to a chronic illness or disability.

295. Labour market services provided to and projects carried out for people with disabilities were described in more detail above.

#### **Religion and belief**

296. There is freedom of religion in Estonia and membership of churches and religious associations is free. There is no state church. According to the 2000 census, 31.8% of the people who chose to reply to this question (29% of all the persons above 15 years old accounted in the census) professed one particular religious tradition.

297. No surveys have indicated that inhabitants of Estonia perceive any significant discrimination on the basis of their religious conviction. According to the working life barometer, 1% of the respondents noted that someone at their workplace had been treated unfairly or unequally because of their religion. None of the respondents had perceived any such discrimination in respect of themselves.

#### **Political opinion**

298. According to the working life barometer, 2% of the respondents noted that someone at their workplace had been treated unfairly or unequally because of their membership of a political party. 0.5% of the respondents said they had perceived such discrimination in respect of themselves.

#### **Sexual orientation**

299. According to the working life barometer, 1% of the respondents (1.7% of men and 0.5% of women) noted that someone at their workplace had been treated unfairly or unequally due to their different sexual orientation. One person (out of a sample of 1008 people) noted that they had experienced such discrimination in respect of themselves.

300. In 2004, the Gay and Lesbian Information Centre was opened in Tallinn in cooperation of the Estonian Gay League and the National Institute for Health Development. The Centre provides counselling to sexual minorities.

#### **General legislation prohibiting discrimination**

301. In May 2004, amendments to the Estonian Employment Contracts Act were introduced, prohibiting unequal treatment in employment relationships. It is prohibited to discriminate against employees or persons applying for employment on grounds of sex, racial origin, age, ethnic origin, level of language proficiency, disability, sexual orientation, duty to serve in defence forces, marital or family status, family-related duties, social status, representation of the interests of employees or membership in workers' associations, political opinions or membership in a political party, or religious or other beliefs. The



Employment Contracts Act (§,10<sup>3</sup>) also stipulates the right of employees to demand from the employer compensation for the proprietary and non-proprietary damage caused by the discrimination.

302. If anyone believes they have been discriminated, they have the right of recourse to the court, the Chancellor of Justice, the Gender Equality Commissioner, or a labour dispute settlement committee. These possibilities are explained in more detail under Article 3 of the Report.

### **Allowed discrimination**

303. Exceptions to the prohibition on discrimination are laid down in § 10<sup>1</sup> of the Employment Contracts Act.

304. Grant of preferences on grounds of pregnancy, giving birth, giving care to minors or adult children incapacitated for work and parents who are incapacitated for work is not considered discrimination.

305. It is allowed to grant preferences on grounds of membership in association representing the interests of employees or in connection with representing the interests of employees.

306. It is also not considered discriminatory to grant preferences to disabled workers, including creation of working environment taking account of the special needs of disabled workers, or taking account of the sex, level of language proficiency, age or disability upon employment of a person, or upon giving instructions or enabling access to retraining or in-service training, if this is an essential and determinative professional requirement arising from the nature of the professional activity or related conditions.

307. Similarly, allowing a suitable working and rest time regime which satisfies the religious requirements of an employee is not considered as discrimination.

### **International cooperation**

#### **EU Phare projects**

308. *Project name:* Consensus III Twinning project “Support to the Institutions Building in the framework of Social Acquis” Component 1 “Labour Market and the European Social Fund” (ES 9910)

*Partner country:* Denmark

*Cost:* 220,658 EUR

*Duration:* 2001–2002

*Results:* Ensuring the administrative preparedness of the Ministry of Social Affairs for implementing the European Social Fund. The need for legislative changes was determined, a framework for the implementing structure and procedures was prepared, the audit structure was determined and the IT needs for implementing the ESF were explored. A working group to implement the project was formed, comprising representatives of the Ministry of Social Affairs, the Ministry of Education and Research, the Labour Market Board, and of the Foundation for the Reform of the Estonian Vocational Education. Project implementation was monitored by a working group comprising representatives of different ministries and social partners.

309. *Project name:* Support to Balanced Development of Labour Market Services (ES 00.06.01.01)

*Partner country:* Germany

*Cost:* 1,800,000 EUR

*Duration:* 2002–2003

*Results:* The aim of the project was to improve the effectiveness and flexibility of the state's labour market system both for job seekers and employers. To achieve this, labour market services were developed, the administrative capacity of the labour market system was improved, and the administrative staff and information systems were prepared for accession to the European Union. In the framework of the project, the monitoring and assessment system for labour market measures and services was developed.

310. *Project name:* Support to Youth Employment (ES 01.07.03)

*Partner country:* Great Britain

*Cost:* 1,000,000 EUR

*Duration:* 2004

*Results:* The aim of the project was preparing and providing service packages specifically designed for the needs of younger people. 19 employees of the labour market system were trained to work with young people. 517 young people attended adjustment training, 315 attended labour market training, 108 were referred to undertake work exercises, and 142 were employed with the help of the support.

311. *Project name:* Enhancing Employment Opportunities for People with Disabilities

*Partner country:* Great Britain

*Cost:* 437,000 EUR

*Duration:* 2003–2004

*Results:* The aim of the project was expanding employment opportunities for people with disabilities and increasing their employment through rehabilitation, social security, creating and developing a network between the labour market system and vocational educational centres in order to provide rehabilitation services, labour market measures and workplace adjustment services for people with disabilities. In the framework of the project, 20,000 individual rehabilitation plans were drawn up, 500 people participated in active labour market measures in 2004, 12 rehabilitation teams were formed, and 91 civil servants were trained. As a result of the project, a special webpage [www.pite.ee](http://www.pite.ee) on employment services for people with disabilities was created. The webpage also contains project reports and handbooks that were drawn up. As a result of the project, a case manager specifically dealing with people with disabilities was hired in each labour market board in 2004. The case managers were trained in skills needed for case management, workplace adjustment, and disability awareness issues.

## **Article 7**

### **Conventions and reports**

312. In 2005, Estonia ratified the ILO Convention concerning the Organisation of Labour Inspection in Industry and Commerce (No. 81), and the Labour Inspection (Agriculture) Convention (No. 129).

313. In 2005, Estonia submitted its reports on implementing the ILO conventions No. 81 and 129.

#### **Minimum wage**

314. Since 2002, the Government does not participate in minimum wage negotiations with the social partners. Social partners bilaterally agree on the minimum wage each year. Under the Collective Agreements Act, the parties extend the agreed minimum wage to all the employees and employers. The Government accepts the agreement of the social partners and passes an Act to establish nationwide the minimum wage agreed between the social partners. The negotiations are based on basic information contained in the relevant last report.

315. The bases for the establishment of wages in employment relationships have not changed as compared to the previous reporting period. Wages must correspond at least to the minimum wage level established nationally and they must be laid down in an employment contract.

316. The Labour Inspectorate carries out national supervision of compliance of the wages agreed in the employment contracts with the nationally established minimum wage. In case of non-compliance, a labour inspector may issue a precept to bring the wages into line with the minimum required wage.

317. People receiving minimum wages most often work in wholesale and resale sectors (23%), education (15%), and processing industry (15%).

318. The average wage grew 3.4 times by 2005 as compared to 1995, and 1.6 times as compared to 2000. The minimum wage grew respectively by 5.9 and 1.9 times in the same periods. Thus, the minimum wage has grown more quickly than the average wage during the reporting period. In comparison with 2006, the minimum wage grew by 20% in 2007.

Table 14

#### **Average gross wage, in Estonian kroons**

	<i>Average gross wage, in kroons</i>	
Average of different areas of activity	2000	4 907
	2001	5 510
	2002	6 144
	2003	6 723
	2004	7 287
	2005	8 073
	2006*	9 063*

*Source:* Statistics Estonia.

Includes workers employed on the basis of an employment contract, service contract, and Public Service Act.

\* No average wage information for 2006. The average wage in the first three quarters was 9,063 kroons.

Table 15

#### **Average gross wage by areas of activity, in kroons**

	2000	2005
Average for different areas of activity	4 907	8 073

	2000	2005
Agriculture, hunting, and ancillary services	2 823	5 626
Forest management, logging, and ancillary services	4 379	8 365
Fishing	3 552	4 575
Mining industry	5 869	8 734
Processing industry	4 772	7 526
Electricity, gas and water supply	5 916	9 630
Building	4 379	8 480
Wholesale and retail; repairing of vehicles and domestic appliances and electronic equipment	4 706	7 401
Hotels and restaurants	3 054	5 421
Transport, warehousing and communications	6 027	8 859
Financial intermediation	10 889	16 384
Real estate, renting and business activities	4 980	9 724
Public administration and national defence; mandatory social insurance	6 287	10 101
Education	4 187	7 219
Health care and social welfare	4 387	7 900
Other public, social and personal services	4 189	6 970

*Source:* Statistics Estonia.

Includes workers employed on the basis of an employment contract, service contract, and Public Service Act.

Table 16  
**Average gross wage, in kroons**

	2000	2005
Average	4 907	8 073
State	5 644	9 474
Local government	4 198	6 927
Estonian persons in private law	4 395	7 412
Foreign persons in private law	6 986	10 025

*Source:* Statistics Estonia.

Includes workers employed on the basis of an employment contract, service contract, and Public Service Act.

Table 17  
**Minimum wage, in kroons**

2000	1 400
2001	1 600
2002	1 850
2003	2 160
2004	2 480

2005	2 690
2006	3 000
2007	3 600

*Source:* Ministry of Social Affairs.

### **Equal pay and working conditions for women and men**

319. In 2001, the principle of equal pay was introduced in the Wages Act. Establishing of different wage conditions for the same or equal work to employees of different sex is prohibited. At the request of an employee, an employer is required to prove that it has adhered to the principle of equal pay and any preferences given were based on objective circumstances not connected to sex.

320. Under the Gender Equality Act, an employer may not establish conditions for remuneration or other conditions which are less favourable regarding an employee or employees of one sex compared with an employee or employees of the other sex doing the same or equivalent work. An employer is also prohibited to direct work, distribute work assignments or establish working conditions such that persons of one sex are put at a particular disadvantage compared with persons of the other sex. (Gender Equality Act §6(2))

321. In Article 3 we provided an overview of the institutions which can be contacted with complaints of discrimination.

322. From October 2005 to the end of 2006, 12 persons contacted the Gender Equality Commissioner with issues concerning violation of the prohibition of discrimination in employment. The complaints were mostly concerned with discrimination upon hiring. Some complaints also raised issues of pay or benefits, and issues of reconciling work and family life. Most of the complainants, however, did not wish to pursue any substantive proceedings but only wished to have the Commissioner's assessment of a potential issue concerning gender equality. The Commissioner, therefore, delivered only three official opinions on the existence of potential discrimination in employment.

323. The state has actively collected information on equal treatment which forms a basis for all further steps and policies.

### **Gender pay gap**

324. Society has become aware of the problem of a pay gap between women and men and the relevant debate has become more active in the recent years.

325. In 2004, the PRAXIS Centre for Policy Studies carried out a gender pay gap survey based on labour survey databases for the period 1998–2000. In 1998–2000, the wages of women constituted on average 72.7% of the wages of men.

326. The reason for differences in the average wage is that women and men work in different sectors and the professions with the majority of women employees are less paid and valued. Furthermore, it is more difficult for women to reach the top positions at their workplace. Men are promoted more rapidly and to higher positions and, consequently, they also receive better remuneration. The third factor is connected with discrimination based on sex: women often receive a lower wage even when all the other indicators (e.g. position, education and qualifications) are completely comparable to those of men colleagues. One of the reasons for this might be the prejudice among employers, who think that women, in

particular women with small children, are less dedicated to work and that men have the duty to provide for the family.

327. 9% of men and 36% of women think that their career opportunities in their current job are poor. This does not necessarily mean that women have poorer career opportunities at workplace due to their sex. This relatively indirect and indicative figure might be due to the character of jobs held by most women (e.g. jobs where career opportunities would be equally poor for men, even if there were more men in those jobs).

Table 18

**Average gross hourly wage of full-time and part-time employees, in kroons**

	2000		2005	
	Men	Women	Men	Women
<b>Total</b>	<b>31.52</b>	<b>23.77</b>	<b>55.22</b>	<b>41.22</b>
Legislators, higher officials, managers	52.64	40.25	87.08	70.25
Top specialists	46.82	33.29	79.97	60.91
Middle-level specialists and technicians	36.26	25.62	67.73	45.54
Officials	29.24	22.89	45.97	37.62
Service and sales staff	21.75	14.87	35.74	28.18
Skilled workers in agriculture and fishing	15.77	14.42	33.66	31.45
Skilled workers and craftspersons	24.59	20.69	47.22	31.94
Machine and equipment operators	25.27	22.9	43.12	34.42
Unskilled workers	16.3	12.16	31.07	22.75

Source: Statistics Estonia.

Table 19

**Ratio of hourly wage of women to hourly wage of men (%)**

Professional group/year	2000	2005
<b>Total professional groups</b>	<b>75.4</b>	<b>74.6</b>
Legislators, higher officials, managers	76.5	80.7
Top specialists	71.1	76.2
Middle-level specialists and technicians	70.7	67.2
Officials	78.3	81.8
Service and sales staff	68.4	78.8
Skilled workers in agriculture and fishing	91.4	93.4
Skilled workers and craftspersons	84.1	67.6
Machine and equipment operators	90.6	79.8
Unskilled workers	74.6	73.2

Source: Statistics Estonia.

**Projects and measures**

328. The project "Equality of women and men – the principle and aim of effective and sustainable enterprises" is planned to be carried out in 2007–2008 with co-financing from

the European Union transition support funds. The aim of the project is to raise awareness of the private sector about gender equality and the relevant legislation, policy areas, means and best practices.

329. Within the framework of the project, a survey is carried out to find out the awareness of employers about gender equality, attitudes to the issue and implementation of gender equality legislation in the private sector; to receive an overview of the guidelines, methods and measures used in the private sector of the EU member states to implement the principle of equal treatment of women and men and to promote gender equality; to draw up guidelines for the private sector workers in Estonia, *inter alia* for drafting the basic principles of wage calculation and criteria of work evaluation to eliminate the wage gap between women and men; to increase the private sector awareness of the relevant legislation and to improve their knowledge and skills in using the means and methods for promoting gender equality, and to create a network of private sector employers and interest groups to mediate information, experience and best practices on promoting gender equality.

### **Safe and healthy working conditions**

#### **Legislation**

330. Employers must guarantee a safe working environment. They must assess the dangers and risks and apply all possible measures to reduce exposure to environmental risks, so that exposure to risks remains below the established thresholds.

331. The main laws for protecting the physical and mental health and safety of workers are the Occupational Health and Safety Act and the Chemicals Act (entering into effect in 1999 and 1998, respectively), the Use in Closed Environment of Genetically Modified Micro-organisms Act (2002) and the Radiation Act (2004) and their implementing legislation.

332. The Occupational Health and Safety Act has not significantly changed during the reporting period. Under the Act, the legislator is required to ensure compliance with the occupational health and safety requirements in all situations related to work.'

333. Since 1 July 2007, it also extends to the work of self-employed persons. Under the Act, self-employed persons must ensure the operational functionality and proper use of the equipment, personal protection devices and other facilities belonging to them. They must also participate in common activities for occupational safety with the aim not to endanger with their activities their own life and health or that of others present at the workplace.

334. The Chemicals Act provides the legal basis for organising the handling of chemicals and for restricting economic activities involving the handling of chemicals, and lays down the main safety requirements and the procedure of notification of chemicals. The provisions of the Act also apply in other areas concerning the handling of chemicals which are regulated by law, in so far as these areas are not regulated by other laws.

335. The Use in Closed Environment of Genetically Modified Micro-organisms Act regulates the safe use of genetically modified microorganisms in a closed environment with the aim to protect the health of workers and the environment.

336. The Radiation Act provides for basic safety standards for the protection of persons and the environment against the hazards arising from ionising radiation. It also lays down the rights, obligations and liability of persons upon the use of ionising radiation. The Act regulates radiation practices and activities upon which the presence of natural radiation sources may lead to a significant increase in the exposure of workers or members of the public, as well as intervention in cases of radiological emergencies or in cases of lasting exposure resulting from the after-effects of a radiological emergency or a past practice.

337. Maximum tolerances have been established for hazardous chemicals and physical risk factors (noise, vibration, electromagnetic fields) which may not be exceeded in a working environment. There must also be protective, rescue and first aid equipment available at a workplace to avoid health risks.

338. Employers must ensure compliance with the occupational health and safety requirements equally in respect of all the employees. Under the Employment Contracts Act, fixed-term workers may not be treated in a less favourable manner than comparable permanent workers, unless different treatment is justified on objective grounds arising from the law or collective agreement.

339. The Estonian working environment policies are still based on the Government programme document of 1998 called "The Estonian working environment policy". The working environment policy proceeds from the principle of prevention, i.e. avoiding occupational accidents and diseases and other illness caused by work, creating safe and healthy working conditions, maintaining and improving the employees' ability to work.

340. Creating of a risk-free and healthy working environment is also promoted by harmonising and implementing of European Union directives, drawing up guidance materials, developing an integrated system of occupational health legislation, providing occupational health and safety training to employees and employers, improving the quality and availability of occupational health services. Estonia has transposed into its legislation the EU occupational health and safety Framework Directive 89/391/EEC together with the accompanying individual directives.

#### **Institutions and agencies dealing with occupational health**

341. In 2004, the Occupational Health Centre was merged with the Health Care Board under the jurisdiction of the Ministry of Social Affairs. The change was intended to ensure better availability and quality of occupational health services for employers and employees.

342. Employers are assisted by providers of occupational health services who carry out risk analysis at workplace and health checks for employees, organise medical rehabilitation and provide counselling to employers for improving working conditions. On 1 January 2006, 46 providers of occupational health services (employing a total of 95 occupational health doctors and 29 occupational health nurses), 11 occupational hygienists and 3 ergonomists were registered with the Health Care Board.

343. Training and in-service training of employers, occupational environment specialists and representatives, and first aid providers in companies is regulated by the Minister of Social Affairs Regulation No. 80 of 14 December 2000 "The procedure for occupational health and safety related training and in-service training". Under the regulation, the relevant training may only be provided by training institutions registered with the Ministry of Social Affairs. Currently there are more than a hundred registered training institutions in this area.

344. Basic and applied research (ergonomics, work related stress, working environment parameters, etc) relating to working environment has been carried out at the Tallinn University of Technology and the University of Tartu Institute of Health during the reporting period.

#### **Labour Inspectorate**

345. The Labour Inspectorate through the network of its local agencies carries out state supervision on ensuring a safe working environment and preventing of occupational accidents and occupational diseases.

346. The task of the Labour Inspectorate is to supervise compliance with legislation and assess the situation of working environment in companies, to verify compliance with

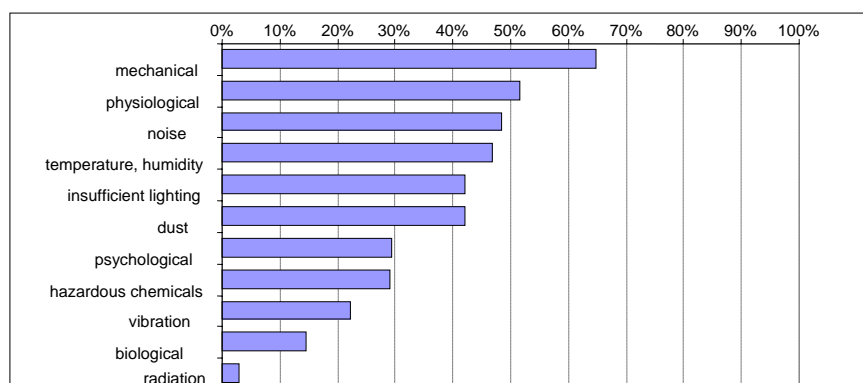


precepts and assess the changes introduced in a company, to enforce penalty payments in case of failure to comply with precepts, to carry out market supervision, to investigate causes of occupational accidents and occupational diseases. The Labour Inspectorate also provides counselling to employers and employees during its verification visits and regular office hours in local Labour Inspectorate offices.

347. Since 2000, the Labour Inspectorate has been assessing the situation of working environment in companies. In 2000–2005, the presence of risk factors in 10 000 companies was assessed. It was found that the main causes of risk were mechanical tools, and the threats to the health of workers derived from physical risk factors (e.g. hard physical labour and forced body positions during work).

Figure X

**The presence of main risk factors based on results of supervision (% of supervised companies, in 2000–2005)**



Source: Ministry of Social Affairs, Labour Inspectorate.

348. The number of verification visits per year is considerably higher than the number of controlled companies because, for different reasons, it may be necessary to visit some companies several times (e.g. to carry out approval and consent procedures required by law, to deal with applications filed by employees, to issue a precept to an employer after an investigation of a serious or fatal occupational accident, to carry out follow-up inspections). The number of verification visits may also depend on the size of companies controlled in a particular year and the types of verification methods used.

349. In 2006, measures were taken to intensify supervision. As a result, the number of verification visits grew by 16% as compared to 2005 (5982 verification visits were carried out in 2006, while in 2005 the number was 5029), the number of controlled companies by 49% (3846 in 2006, 2575 in 2005), and the number of precepts issued to employers for eliminating detected problems by 26% (3306 in 2006, 2450 in 2005).

350. The law provides for the possibility of applying penalty payments if precepts are not complied with by deadline. In case of a failure to comply with a precept, a labour inspector may apply a penalty payment under the procedure set out in the Substitutive Enforcement and Penalty Payment Act. This is a sanction which is applied if the addressee of a precept fails to comply with the duty imposed by the precept. If the precept is complied with by due date, no penalty payment is applied. Penalty payment is a definite fixed sum.

### Occupational accidents

351. An occupational accident defined as damage to the health or death of a worker which occurs in the performance of a duty assigned by an employer or in other work

performed with the employer's permission, during a break included in the working time, or during other activity in the interests of an employer.

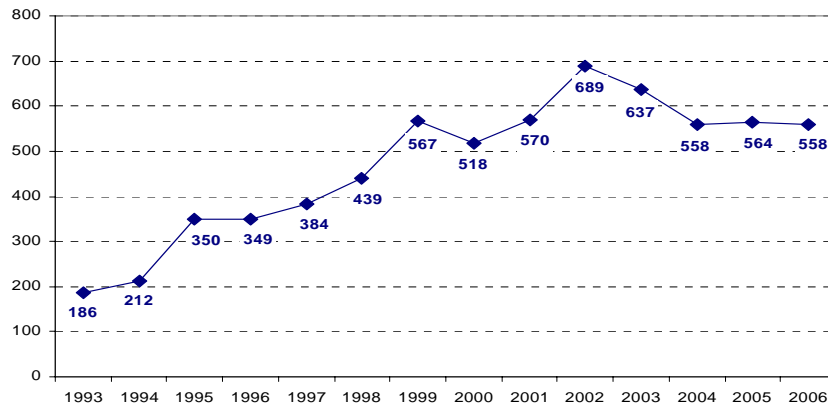
352. In 2006, Tallinn Labour Inspectorate registered 3594 occupational accidents (in 2004, the number was 3269), 2251 of them occurred with men and 1049 with women. A third of the registered accidents happened in larger than medium-sized companies (50–249 employees). Half of the accidents happened in industry or in companies involved in production. The largest number of accidents happened with unskilled and skilled workers, machine operators and service staff. The age group most frequently involved in accidents were young people aged 20–24.

353. Until 2002, the number of registered occupational accidents grew. The growth was due to failure to comply with safety requirements, as well as better registration of accidents and legislative changes. In 2003, the number of occupational accidents decreased in connection with a legislative amendment, according to which accidents happening on the way to work are no longer accounted as occupational accidents.

354. The number of occupational accidents resulting in death has decreased.

Figure XI

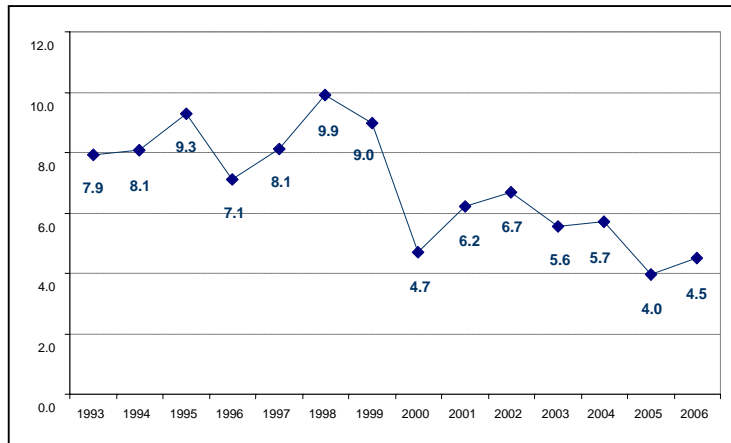
**Occupational accidents per 100,000 employees in Estonia in 1993–2006**



Source: Ministry of Social Affairs, Labour Inspectorate.

Figure XII

**Occupational accidents resulting in death, per 100,000 employees in 1993–2006**



Source: Ministry of Social Affairs, Labour Inspectorate.

355. In connection to the statistics on occupational accidents, it should be noted that on average 500 occupational accidents per 100 000 employees per year are registered in Estonia, while, according to Eurostat, in the European Union on average 3300 occupational accidents per 100 000 employees are registered. This is a sign of under-reporting of occupational accidents in Estonia. This could be tackled by introducing a system of mandatory insurance of occupational accidents and occupational diseases for employers.

Table 20

**Summary data on occupational accidents 2000–2006**

	2000	2001	2002	2003	2004	2005	2006
<b>Total number of occupational accidents</b>	<b>2 965</b>	<b>3 293</b>	<b>4 033</b>	<b>3 783</b>	<b>3 326</b>	<b>3 425</b>	<b>3 651</b>
incl., % men	67	62	62	70	70	68	69
women	33	38	38	30	30	32	31
Number of persons suffering a serious physical injury	692	1 180	1 316	1 163	973	999	1 071
incl., % men	...	...	...	...	73	74	73
women	...	...	...	...	27	26	27
Number of deaths due to occupational accidents	27	36	39	33	34	24	29
incl., % men	93		91	100	71	83	83
women	7		9	0	29	17	17
Number of occupational accidents per 100,000 employees	424	570	532	544	559	564	558

Source: Ministry of Social Affairs, Labour Inspectorate.

**Occupational diseases and illness caused by work**

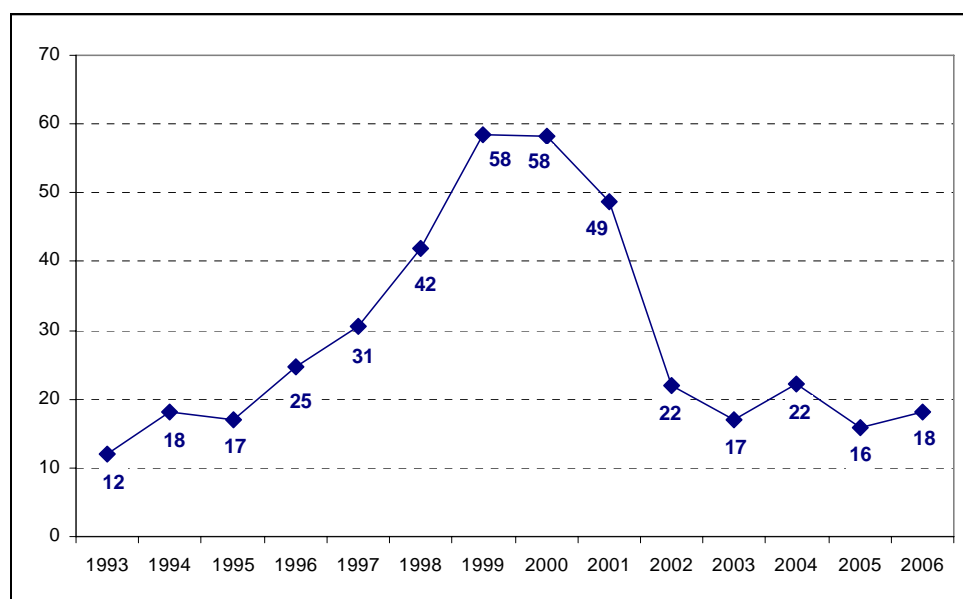
356. An occupational disease is a disease which is directly caused by risk factors present in the working environment, i.e. there is a direct causal link between a risk factor and a disease. Employees may demand compensation of damage related to occupational disease by the employer. In the case of illness caused by work, the working environment is one of the several factors which may be the cause of illness. Illnesses caused by work should come under the attention of specialists dealing with problems of the working environment, in order to deploy the necessary resources for reducing the effect of risk factors present in the working environment to prevent the development of occupational diseases.

357. Statistics are maintained both for occupational diseases and for illnesses caused by work. Most occupational diseases are diagnosed among employees aged 45–54. In the recent years, the most frequently diagnosed occupational diseases were vibration disease (40–45% of all the cases), overload related diseases (30–35%), and reduced hearing (15–17%). The trend, however, is towards a decrease of diseases caused by vibration and noise, and towards an increase of diseases of bones and muscles. Among occupations, the largest number of occupational diseases are diagnosed among tractor drivers, field workers, cattle farmers, drivers, and bus drivers.

358. The prevalence of occupational diseases in Estonia is relatively small and has been on the decrease in the recent years. This is not directly related to rapid improvement in the working environment, but rather to better availability of occupational health doctors in the relevant counties, the burden of proof related to the connection between a disease and the working environment, and other problems of diagnosing occupational diseases. The number

of occupational diseases, in particular the number of illnesses caused by work, is considered to be underestimated in Estonia.

Figure XIII

**Number of occupational diseases per 100,000 employees in Estonia 1993–2006**

Source: Ministry of Social Affairs, Labour Inspectorate.

Table 21

**Summary data on occupational diseases 2000–2006**

	2000	2001	2002	2003	2004	2005	2006
Number of first-time incidents of occupational disease	296	247	117	95	132	94	117
incl., % men	...	61	62	49	55	51	55
women	...	39	38	51	45	43	45
Number of first-time incidents of occupational disease per 100,000 employees	58	49	22	17	22	16	18

Source: Ministry of Social Affairs, Labour Inspectorate.

**Female workers and pregnant women**

359. Occupational health and safety requirements apply equally to female and male workers.

360. With the Government Regulation No. 50 of 7 February 2001, separate requirements for the work of pregnant women and breastfeeding women workers were established. Under the Regulation, employers must apply the following measures to ensure safe work of female workers: temporary alleviation of working conditions if necessary, changing of work arrangements, incl. reducing the length of a working day and allowing for suitable rest breaks, temporary transfer to easier or different work, temporary transfer to daytime or evening work.

361. Pregnant women may not be required to work in the conditions of high air pressure, in the case of an existence of a risk of rubella, risk of toxoplasmosis, nor perform work with lead and its toxic compounds, underground work, work at night, and manual moving of heavy objects.

362. Under the Minister of Social Affairs Regulation No. 26 of 27 February 2001 “Occupational health and safety requirements for manual moving of heavy objects”, employers must ensure that the weight of the objects conforms to the physical abilities of the workers when employing women workers for moving of objects. In general, the allowed weight of a movable object to be handled by women workers is up to 50% of the weight of objects allowed for men workers.

#### **Working and rest time and holidays**

363. A new Holidays Act (2001) and a new Working and Rest Time Act were enacted during the reporting period to regulate working and rest time and holidays. Regulation of holidays has not changed as compared to what was explained under the previous report. In general, regulation of working and rest time has also remained more or less the same.

364. Under the Working and Rest Time Act, the following categories of workers have reduced working time: employees who perform underground work, work that poses a health hazard or work of a special nature — up to seven hours per day or thirty-five hours per week; teachers and educators working in schools and other child care institutions, and other persons working in the area of education, and psychologists and speech therapists working on the basis of employment contracts entered into with a provider of health care services — up to seven hours per day or thirty-five hours per week.

365. Working time of employees engaged in underground work, work which poses a health hazard or work of a special nature is reduced if they work under such conditions for at least thirty hours per week.

366. In addition to the New Year’s Day, mentioned in the previous report, the working day directly preceding the Anniversary of the Republic of Estonia, the Victory Day and Christmas Day is also reduced by three hours.

#### **International cooperation**

367. Two occupational health related Phare Twinning projects carried out in cooperation with the Finnish Occupational Health Institute (2000–2004) significantly contributed to improving the provision of occupational health services. The first project “EU PHARE Support to the Estonian Occupational Health Sector” was implemented in 2000–2002. In the course of the project, supervision of occupational health doctors and specialists was carried out and launching of the activities of the Occupational Health Centre were supported. The second project “Estonian-Finnish Twinning Project on Occupational Health Services” was implemented in 2003–2004 and its aim was to increase the quality of occupational health services.

368. The Ministry of Social Affairs in cooperation with the Institute for Health Development has started implementing an asbestos safety partnership programme “Managing occupational risks related to asbestos in Estonia” in conformity with the EU Directive 2003/18/EC. The programme period is 2006–2007.

369. Estonia has been constantly participating in the work of EU occupational health and safety management bodies (e.g. Advisory Committee on Health and Safety at Work). It has also cooperated with the European Agency for Safety and Health at Work, the European Foundation for the Improvement of Living and Working Conditions, and the International Labour Organisation.

## Article 8

### Right to trade unions

370. During the reporting period, reports on implementing the ILO conventions No. 87 and 98 were submitted. The reports on Convention No. 87 cover the period from 31 May 1998 to 31 May 2000, and 1 June 2002 to 31 May 2003. The reports on Convention No. 98 cover the period from 31 May 1999 to 31 May 2001, and 1 June 2000 to 31 May 2002.

### Legislation

371. The activities of trade unions are regulated by the Trade Unions Act. A new version of the Act was passed in 2000. The Act brought the activities, rights and obligations of trade unions into line with the national and international law that had been amended in the meantime.

372. In 2002, a chapter on the responsibility of the parties was added to the Act. The liability and sanctions for obstructing the activities of trade unions or of persons belonging to trade unions were established, as well as for failure to comply with the duty of notification or consultation.

373. In 2007, the new Employees Representative Act entered into effect. The purpose of the Act was to transpose into Estonian law the EU directive on information, notification and consultation of employees. In connection with this, amendments were also introduced to the Trade Unions Act, specifying the rights of trade union representatives and their participation in notification and consultation. The aim of the amendment was to ensure equal rights to trade union representatives and employees' representatives.

### Founding of and joining trade unions

374. The rules for founding of and joining trade unions are liberal. Under § 4 of the Trade Unions Act, persons may found trade unions freely, without prior permission, and to join or not to join trade unions. § 7 of the Act provides that a trade union may be founded by at least five employees. § 2 of the Act provides that an employee means any person who is employed, regardless of the nature of the work performed.

375. All persons may found or join trade unions, except members of the armed forces who are in active service in the Defence Forces.

### Structure of trade unions, confederations and their membership

376. The structure of trade unions has not changed as compared to the previous report. Trade unions have the right to form and join federations and central federations (§ 4 of the Trade Unions Act). The state has never interfered in the process of forming federations or central federations of trade unions.

377. Estonia has two trade union central federations: Confederation of Estonian Trade Unions (Estonian acronym EAKL) and the Estonian Employees Unions' Confederation (Estonian acronym TALO). The EAKL has 19 member organisations with more than 43 700 members. The TALO has 12 member organisations with more than 28 500 members. The number of member organisations of the EAKL has decreased during the reporting period, while the number of member organisations of the TALO has grown.

378. The proportion and number of women members of the EAKL has grown as compared to the previous report: in 1999 there were 25 600 women members, constituting 42.7% of all the members, in 2004 there were 27 482 women members, constituting 56.7% of all the members. The EAKL has an equality committee which has 10 members. Among

the members of the TALO, approximately 60% are women. The TALO also has a women's committee.

379. The equality committee of the EAKL participated in the work of the Women's Committee of the International Confederation of Free Trade Unions (ICFTU). The Committee has organised trade union courses for women of its member organisations. In addition, the EAKL participates in the ICFTU Central and Eastern European women's cooperation network project "Discrimination of women at workplace". The EAKL organises training seminars for its women members every year. In 2005, for example, the seminars focused on including the issues of gender-mainstreaming in topics of collective bargaining.

380. Membership of trade unions has been on the decline during the whole reporting period. According to the annual labour force survey in Estonia, 14.3% of employees belonged to trade unions in 2000, 13.9% in 2001, 12.9% in 2002, 11.1% in 2003, and 9.3% in 2004. In 2005, 8.5% of all employees belonged to trade unions.

#### **Trade unions joining international organisations, and freedom of activity**

381. Trade unions have the right to join international organisations of employees (§ 4 Trade Unions Act). The TALO and EAKL became full members of the European Trade Union Confederation (ETUC) in 2002. In addition, they cooperate with ICFTU. The state has never interfered in the process of joining international organisations by trade unions.

382. The freedom of activity of trade unions is guaranteed by § 5 of the Trade Unions Act, under which, in their legal activities, trade unions are independent of employers, associations of employers and representatives thereof, state agencies and local authorities and other organisations. Employers, associations of employers and representatives thereof, state agencies and local authorities may not dissolve, restrict or prohibit the activities of trade unions, or intervene in the internal matters of trade unions.

#### **The right to collective bargaining**

383. Collective bargaining is regulated by the Collective Agreements Act. A collective agreement is a voluntary agreement between employees or a union or federation of employees and an employer or an association or federation of employers, and also state agencies or local authorities, which regulates labour relations between employers and employees.

384. The government has set an example in collective bargaining. Delegations of the Government of the Republic and of central federations of trade unions meet regularly to negotiate about employees who are employed by the Government. Four collective agreements in which the Government is in the role of an employer had been concluded by 2007.

385. In 2000, the Collective Bargaining Act was amended. Trade unions were given a priority for concluding collective agreements in companies (§ 3 of the Act). In addition, § 4 of the Act was supplemented with an extension mechanism under which a collective agreement entered into between an association or federation of employers and a union or federation of employees and a collective agreement entered into between the central federation of employers and the central federation of employees may be extended by agreement of the parties in respect of the wage conditions and the working and rest time conditions. The scope of such extension is determined in the collective agreement.

**The right to strike**

386. The right to strike is regulated by the Collective Labour Dispute Resolution Act. No significant amendments to the Act have been made as compared to the previous reporting period, and the explanations given in the previous report are still valid. In connection with the adoption of the Penal Code in 2002, a chapter on liability was added to the Act, establishing punishments for obstruction of a resolution of a collective labour dispute, continuation of a strike or lock-out which has been declared unlawful or has been suspended, or organisation of a continuation of strike or lock-out which has been declared unlawful, has been suspended or postponed.

387. Members of the Defence Forces, police officers and public servants are still prohibited to participate in a strike. The Estonian authorities are aware of the problem of prohibition of strikes in public service and the Government is dealing with the issue. The Ministry of Justice is preparing a public service concept which should solve many of the problems of public service (including the issue of the prohibition of strike) through an integrated approach.

**Article 9****International legislation**

388. On 10 March 2004, Estonia ratified the European Code of Social Security.

**Social security system**

389. The social security system has not changed and still consists of five insurance schemes which are listed in the previous report.

390. Since 1 May 2004, EU coordination rules are applicable in respect of the Estonian social security system. Regulation (EEC) No. 1408/71 of the Council on the application of social security schemes to employed and self-employed persons and their families moving within the Community is applied throughout the EU. This guarantees to persons the preservation of their acquired pension rights, recognition and aggregation of insurance periods, and export of benefits. The scope of the Regulation includes incapacity for work benefits, old-age and survivor's benefits, health insurance benefits, death grants, unemployment benefits, and family benefits.

**The state pension insurance**

391. The general pension insurance system is regulated by the State Pension Insurance Act, the Funded Pensions Act, the Old-Age Pensions on Favourable Conditions Act, and the Superannuated Pensions Act. A new State Pension Insurance Act entered into effect on 1 January 2002. The Act replaced the earlier State Pension Insurance Act.

392. The same types of pensions as described in the previous report were valid during the reporting period. No new types of pensions have been established.

393. As a result of a pension reform, a new state pension system (or the so-called first pillar insurance) entered into effect. This was described in the previous report and also in the reply to the questions on the first report asked by the Committee on Economic, Social and Cultural Rights.

394. The scope of state pension insurance coverage and its coverage of different groups is the same as described in the previous report. In the following part, we will only describe some changes in the state pension insurance system introduced during the reporting period.



### The new Pension Insurance Act

395. As compared to the first State Pension Insurance Act, pensions are now indexed, a deferred old-age pension has been introduced, the rate of the survivor's pension has been revised and the range of persons entitled to the survivor's pension has been extended, and the national pension and the early-retirement pension is paid to pensioners also when they continue to work.

396. On 1 January 2002, indexation of state pensions was started. By 1 April of each calendar year, state pensions are indexed by an index the value of which is the arithmetic mean of the yearly increase of the consumer price index and the yearly increase in receipts of the pension insurance component of social tax.

397. By 1 April of a calendar year, the Social Insurance Board calculates the national pension rate, new values of the base amount of a pension and the value of a year of pensionable service, by multiplying the values currently in force by the index. Thanks to indexation and a one-off additional rise of pension approved by the *Riigikogu*, the old-age pension for a person with average pensionable service (44 years) rose from 1635 kroons on 1 January 2002 to 3136 kroons on 1 April 2006.

398. The new State Pension Insurance Act established a deferred old-age pension. A deferred old-age pension is an old-age pension which is granted at a later age than the pensionable age. In the case of a deferred old-age pension, the pension is increased by 0.9 per cent for every month which has passed after the person has attained the pensionable age.

399. A deferred old-age pension is not granted to a person to whom a state pension has been granted (except a survivor's pension or a national pension upon loss of a provider). The aim of establishing a deferred old-age pension was to create more flexible opportunities for transfer from working life to retirement and provide an opportunity to persons to increase their pension by deferring the time of calculation of the pension.

400. Since 1 April 2004, the rate of the survivor's pension for three or more family members is 100%, for two family members 80% (previously 70%), and for one family member 50% (previously 40%) of the old-age pension on the basis of which the survivor's pension is calculated.

401. The range of persons entitled to a survivor's pension has also been expanded. A provider's non-working widow who is pregnant (from the twelfth week of pregnancy), a provider's widow or widower who is permanently incapacitated for work or of pensionable age and whose marriage to the provider had a duration of at least one year (under previous version five years) are now also entitled to a survivor's pension. A parent or guardian of a provider's child who is not employed and is raising the provider's child who is under 3 years of age in his or her family also has the right to a survivor's pension.

402. A working pensioner receives a full pension. Until 2005, no early-retirement pension and until 2006 no national pension was paid if a pensioner was working. Since 7 January 2005, a person who has reached pensionable age and receives an early-retirement pension is also entitled to receive this pension even if they work (if the working pensioner is still of working-age, no old-age pension is paid) and since 20 November 2006 the relevant persons have the right to a national pension even if they work.

403. The amendments were introduced to improve the financial situation of pensioners, allowing them to receive simultaneously both the pension and wages if they have reached the general pensionable age. The aim was to stimulate integration of pensioners to the labour market and to avoid exclusion from the labour market of persons who receive a pension. Working while receiving a national pension allows pensioners to transfer to an

old-age pension in the future, because if they work they can acquire the 15 years of service required to receive an old-age pension.

#### **Changes in the pension for incapacity for work**

404. Since 1 April 2000, no percentage of incapacity for work is determined in case of an incapacity pension (previously a degree of incapacity for work was determined). Permanent Estonian residents and foreigners residing in Estonia on the basis of a temporary residence permit are entitled to an incapacity pension.

405. Persons who are at least 16 years old and declared permanently incapacitated for work with the 40 to 100 per cent loss of the capacity for work and who have earned a following pension qualifying period in Estonia by the commencement date of establishment of permanent incapacity for work are entitled to an incapacity pension.

Table 22

#### **Qualifying periods for incapacity pension**

<i>Age</i>	<i>Required pension qualifying period</i>
16–20 years	No requirement for length of service
21–23 years	1 year
24–26 years	2 years
27–29 years	3 years
30–32 years	4 years
33–35 years	5 years
36–38 years	6 years
39–41 years	7 years
42–44 years	8 years
45–47 years	9 years
48–50 years	10 years
51–53 years	11 years
54–56 years	12 years
57–59 years	13 years
60–62 years	14 years

406. The greatest of the following old-age pensions shall be the basis for calculation of a pension for incapacity for work: the old-age pension of a person who is permanently incapacitated for work calculated on the basis of years of pensionable service and the insurance component, or the old-age pension if the person has completed thirty years of pensionable service. A pension for incapacity for work is a percentage corresponding to the loss of capacity for work multiplied by the greater of the two above-mentioned sums.

407. In case of a permanent incapacity for work resulting from a work injury or occupational disease, an incapacity pension is granted without the requirement of years of pensionable service. An incapacity pension to a person who has been declared as permanently incapacitated for work is granted for the duration of the whole period of incapacity for work but not longer than until the age for an old-age pension. A person may be declared permanently incapacitated for work for a period of six months, one year, two years or five years.

### Changes in the old-age pensions on favourable conditions and superannuated pensions

408. Arising from the EU Council Directive 79/7/EEC, the Old-age Pensions on Favourable Conditions Act and the Superannuated Pensions Act equate the requirements of years of pensionable service for women with those for men. The rise in the requirement for years of pensionable service for women takes place gradually and the years of service will be equal as of 2015.

409. Under the Superannuated Pensions Act, 2600 persons were receiving a pension at the end of 2005, most of them being working-age people who would transfer to an old-age pension paid on the basis of the State Pension Insurance Act once they reach the pensionable age, because the latter pension is larger.

410. Under the Old-age Pensions on Favourable Conditions Act, 35 600 persons were receiving a pension at the end of 2005, 58% of them men and 17% working-age people. When they reach pensionable age, the type of their old-age pension will usually not change.

### Changes in special pensions

411. Already during the previous reporting period, prosecutors had the right to a special pension under the Prosecutor's Office Act and judges under the Courts Act. During the reporting period, special pensions to police officers and members of the Defence Forces were also introduced. They are entitled to a special pension at the age of 50 if they comply with the relevant requirement of the years of service.

412. Some high-level public servants or independent officials also have additional social guarantees in the form of a special pension (Chancellor of Justice, Deputy Chancellor of Justice-Adviser, Auditor General, Chief Auditor of the National Audit Office). Such persons do not receive a special pension if they continue to work in the same position after reaching pensionable age.

413. Since 2002, officials of the National Audit Office are no longer entitled to a special pension, except those who had acquired 70% of the required length of service by 4 March 2002 and who continue to acquire the required full length of service by their pensionable age.

414. Under the Salaries, Pensions and other Social Guarantees of Members of the *Riigikogu* Act, members of the *Riigikogu* who have become members after 2003 are not entitled to a special pension.

415. At the end of 2006, approximately 1700 persons were receiving a special pension, two thirds of them being working-age persons. Under the Public Service Act, 3900 persons were receiving a supplementary old-age pension for public servants.

Table 23

#### Persons receiving a state pension, by types of pension, on 1 January

Type of pension	2000	2001	2002	2003	2004	2005	2006
<b>Total persons receiving the pension<sup>1</sup></b>	<b>379 292</b>	<b>372 972</b>	<b>376 549</b>	<b>377 136</b>	<b>377 343</b>	<b>381 096</b>	<b>380 423</b>
Men	129 402	124 885	131 518	134 087	135 938	138 480	139 285
Women	249 890	245 087	245 031	243 049	241 405	242 616	241 138
Recipients of old-age pension	284 327	297 363	298 490	296 836	294 063	294 736	292 970
Old-age pensioners	284 305	297 315	298 432	295 920	293 032	293 606	291 777
Early-retirement pension	-	2 349	4 620	6 274	7 715	9 437	10 704
Deferred old-age pension	-	-	-	91	168	256	338
Recipients of state special pension	22	48	58	916 <sup>2</sup>	1 031	1 130	1 193

Type of pension	2000	2001	2002	2003	2004	2005	2006
Recipients of superannuated pension	3 240	3 369	3 386	2 839	2 820	2 821	2 848
Recipients of incapacity for work pension <sup>3</sup>	66 814	43 394	47 140	51 339	55 480	59 174	61 921
I disability group; loss of capacity for work 100%	7 496	4 449	5 449	6 644	7 538	7 830	8 169
II disability group; loss of capacity for work 80–90%	41 098	23 994	23 560	23 636	24 297	24 890	25 052
III disability group; loss of capacity for work 40–70%	13 468	14 951	18 131	21 059	23 645	26 454	28 700
Children with disability	4 752	..	..	..	..	..	..
Recipients of survivor's pension							
Families	15 318	15 712	14 017	8 183	7 924	9 312	9 766
With one family member	8 769	11 260	10 081	5 727	5 410	6 634	7 010
With two family members	3 827	3 224	2 855	1 863	1 932	2 061	2 179
With three or more family members	1 722	1 228	1 081	593	582	617	577
Family members	23 256	21 936	19 429	11 960	11 613	13 131	13 500
Recipients of national pension <sup>4</sup>							
Due to age	...	3 490	3 221	3 024	3 382	3 182	2 969
Due to incapacity for work	...	3 167	2 908	2 536	2 553	2 644	2 702
Families who have lost a provider	...	159	1 352	5 831	5 077	3 612	2 439
<b>Total recipients of national pension</b>	<b>1 655</b>	<b>6 910</b>	<b>8 104</b>	<b>14 162</b>	<b>13 367</b>	<b>11 234</b>	<b>9 184</b>
Proportion of pensioners in population, %	27.6	27.3	27.7	27.8	27.9	28.3	28.3

Source: Social Insurance Board.

<sup>1</sup> In case of all types of pensions, persons receiving the pension have been taken into account.

<sup>2</sup> The number of persons receiving a special national pension increased in connection with introducing a special pension for police officers in 2002.

<sup>3</sup> Until 2000, a disability group for a person was given, since 1 April 2000 a percentage of incapacity for work is determined.

<sup>4</sup> Since 2003, some recipients of a survivor's pension began to receive a national pension due to a legislative amendment.

Table 24  
Average size of pensions<sup>1</sup> (kroons per month)

Type of pension	2000	2001	2002	2003	2004	2005	2006
Old-age pension	1 551	1 552	1 620	1 832	2 072	2 302	2 739
Early-retirement pension	-	1 316	1 328	1 471	1 657	1 828	2 180
Deferred old-age pension	-	-	-	1 766	2 061	2 345	2 873
Special national pension <sup>2</sup>	...	...	...	5 548	5 903	6 093	6 229
Superannuated pension	1 083	1 118	1 250	1 430	1 651	1 887	2 279
Incapacity for work pension <sup>3</sup>	1 141	1 057	1 037	1 111	1 244	1 367	1 625
I disability group; loss of capacity for work 100%	1 381	1 281	1 310	1 459	1 664	1 849	2 214
II disability group; loss of capacity for work 80–90%	1 238	1 160	1 133	1 194	1 346	1 499	1 798
III disability group; loss of capacity for work 40–70%	817	826	831	907	1 004	1 101	1 306

Type of pension	2000	2001	2002	2003	2004	2005	2006
Survivor's pension							
Per family receiving the pension	1 280	1 138	1 078	1 031	1 001	1 136	1 319
With one family member	853	836	808	812	751	920	1 102
With two family members	1 670	1 612	1 514	1 362	1 374	1 534	1 740
With three or more family members	2 832	2 662	2 444	2 109	2 092	2 128	2 360
Per family member receiving the pension	843	815	778	705	707	822	964
National pension							
Due to age	...	947	936	965	984	1 019	1 162
Due to incapacity for work	...	978	907	860	837	832	907
Families who have lost a provider	...	619	1 046	1 164	1 053	1 072	1 017
Per family member receiving the pension	800	941	872	839	809	829	912
<b>Average</b>	<b>1 459</b>	<b>1 461</b>	<b>1 508</b>	<b>1 687</b>	<b>1 890</b>	<b>2 090</b>	<b>2 478</b>

Source: Social Insurance Board.

<sup>1</sup> Calculated based on the sum of monthly pensions given to pensioners and the number of registered pensioners (data for 1998 are annual average).

<sup>2</sup> Occupational pension for police officers, officials of the National Audit Office, judges, prosecutors and Chancellor of Justice financed from the state budget.

<sup>3</sup> Until 2000 (incl.) the pension was determined and paid according to a disability group.

### Financing of pensions

416. Most of the pensions are financed from the social insurance tax.

417. National pensions and special pensions are financed from the state budget. In some cases, state budget financing is used only for the part which exceeds the pension paid under the State Pension Insurance Act, the additional old-age pension paid to officials under the Public Service Act, and some other pension supplements.

418. In 2006, 12.5 billion kroons was used for paying of pensions; 12 billion of the sum was financed from the social insurance tax and 0.5 billion from the state budget.

419. In addition, additional resources from the state budget have been transferred to the pension insurance fund in order to compensate for the repayment of part of social insurance tax to persons who have joined the 2nd pillar of the mandatory funded pensions insurance scheme.

Table 25

### Expenditure on state pension insurance (million kroons)

	2000	2001	2002	2003	2004	2005	2006
Old-age pension	5 467.8	5 704.2	6 309.2	7 049.0	7 938.5	9 036.3	10 685.6
Incapacity for work pension	663.3	578.4	655.9	794.6	931.6	1 127.0	1 400.6
Survivor's pension	229.4	206	156	102.8	122.1	147.6	173.3
Superannuated pension	36.9	43.8	44.4	48.6	56.9	67.6	81.4
National pension	67.3	77.3	105.7	141.1	125.8	110.2	104.0
Parliamentary pension, president's occupational pension <sup>1</sup>	9.1	11.5	14.4	18.1	24.4	27.3	33.0
<b>Total pension expenditure</b>	<b>6 473.8</b>	<b>6 621.1</b>	<b>7 285.6</b>	<b>8 154.2</b>	<b>9 199.3</b>	<b>10 516.0</b>	<b>12 477.9</b>

	2000	2001	2002	2003	2004	2005	2006
Pensions financed from the social insurance tax	6 214.3	6 364.1	6 962.5	7 762.8	8 789.9	10 083.8	12 015.6
Pensions and pension supplements financed from the state budget <sup>2</sup>	259.5	257.0	323.1	391.4	409.4	432.2	462.3
Proportion of pension expenditure, %							
Of GDP	6.78	6.12	6.00	6.14	6.27	6.08	..
Of the state budget	22.69	22.22	21.22	20.62	19.32	19.00	18.7 <sup>3</sup>

Source: Social Insurance Board.

<sup>1</sup> Paid from the budget of the *Riigikogu* and the State Chancellery.

<sup>2</sup> Different pensions and pension supplements are financed from the state budget: national pension, pensions of different officials (judges, prosecutors, National Audit Office officials, Chancellor of Justice, members of the Defence Forces, police officers, Members of the *Riigikogu*, President).

<sup>3</sup> The proportion of pensioners in the state budget decreased, as the state budget together with the supplementary budget grew 21% in 2006, while pensions are regulated with a law and do not depend directly on the growth of the state budget.

420. The second and third pillar of the pension system were described in the reply to the questions of the Committee on Economic, Social and Cultural Rights concerning the previous report.

421. Collecting of contributions to the second pillar started on 1 July 2002. Additionally, since 1 January 2004, funded pensions are provided from the state budget to each obligated person who receives a parental benefit under the Parental Benefits Act, i.e., 1% of the sum of the benefit per each child who is born.

422. Making of first payments from the second pillar will begin in 2009. Each person who has reached pensionable age and who receives a state pension has the right to the payment of a mandatory funded pension.

Table 26

**Mandatory funded pension (second pillar of pension insurance)**

	2002	2003	2004	2005
<b>Total number of persons who have joined the scheme, as at the end of year</b>	<b>209 610</b>	<b>353 176</b>	<b>426 792</b>	<b>481 268</b>
Men	91 939	157 679	193 847	221 198
Women	117 671	195 497	232 945	260 070
<b>Total sum of contributions, million kroons</b>	<b>81.9</b>	<b>874.8</b>	<b>1 322.7<sup>1</sup></b>	<b>1 761.9<sup>1</sup></b>
Of which:				
Part withheld from worker's wage	27.3	291.6	443.2	591.0
Part received from the social insurance tax	54.6	583.2	877.7	1 195.0
Part received from parental benefits	-	-	2.3	3.6
<b>Total volume of the funds (final balance) as at the end of year, million kroons</b>	<b>172.0</b>	<b>991.8</b>	<b>2 482.5</b>	<b>4 652.3</b>

Source: Estonian Central Securities Depository.

<sup>1</sup> The sum does not equal the total sum of different contributions due to corrective entries made in the data exchange system.

423. Collecting of contributions to the third pillar began in August 1998. Joining the third pillar is voluntary and, therefore, the number of persons who have joined the third pillar is smaller than the number of persons joining the mandatory second pension pillar. Since 2002, the statistics distinguish between the number of men and women who joined the pillars.

424. Persons have the right to receive a pension from the third pillar or to withdraw shares as of attaining 55 years of age or as of establishment of a full and permanent incapacity for work. Payments from the third pillar are already being made but, as the collection period has been short, payments are also small and they do not significantly raise the persons' pension.

425. The pension of women is 3–5% lower than the pension of men. Thus, the difference between the wages of men and women (23–25%) does not yet have a significant impact on the size of pensions, as most of a pension depends on the number of years of pensionable service acquired (until 1999) and not on wages. Women usually also receive additional years of service on account of raising children, which increase the size of their pension although men work longer.

Table 27

**Supplementary funded pension (third pension pillar)**

Year	Number of persons joined (contracts), at the end of year	of them		Contributions received, million kroons	Insurance sum, at the end of year, million kroons
		Men	Women		
2000	24 430	...	...	111.3	2 123.5
2001	34 883	...	...	166.4	2 658.9
2002	46 732	21 515	25 216	235.8	3 685.7
2003	58 317	28 638	29 678	307.5	4 935.8
2004	68 469	33 887	34 581	339.3	6 244.1
2005	75 009	36 672	38 337	443.0	7 622.2

Source: Financial Supervision Authority.

**Estonian national strategy report on pensions 2005**

426. The Ministry of Social Affairs drew up the Estonian national strategy report on pensions, defining the general guidelines for development, how to avoid social exclusion of the elderly, to improve the opportunities of elderly people to maintain their standard of living and increase solidarity between and within generations. In addition, the aim of the development guidelines is to support extension of working life and increasing the level of employment, as well as sustainability of both the private and public sector pension system, support flexible work and career opportunities, make the pension system more adaptable, and ensure the equality of women and men.

([http://www.sm.ee/est/HtmlPages/EST\\_pension\\_report\\_ENG18/\\$file/EST\\_pension\\_report\\_ENG%2018.07.05.doc](http://www.sm.ee/est/HtmlPages/EST_pension_report_ENG18/$file/EST_pension_report_ENG%2018.07.05.doc))

**Health insurance**

427. The solidarity-based health insurance in Estonia is regulated by the Health Insurance Act, enacted on 1 October 2002. The principles of health insurance are mostly the same as in the previous Act, although some necessary adjustments have been introduced.

428. For the purposes of the Health Insurance Act, an insured person is a permanent resident of Estonia or a person living in Estonia on the basis of a temporary residence

permit, for whom a payer of social tax is required to pay social tax or who pays social tax for himself or herself. The amount of social insurance tax to be transferred to the national health insurance fund is 13 per cent of the taxable sum.

429. Since the beginning of 2007, all unemployed persons registered with the Labour Market Board are guaranteed health insurance as of the 31st day of registration. The amendment is important in particular for long-term unemployed persons, because due to health problems it is often difficult for persons in the risk group to take up employment.

#### **Persons exempt from the payment of social tax**

430. The range of persons considered equal to insured persons has been somewhat extended during the reporting period. The following categories of persons are considered equal to insured persons: pregnant women (from the 12th week of pregnancy), young people until 19 years of age, persons receiving a national pension granted in Estonia, and dependent spouses of insured persons who have up to five years until old-age pension.

431. In addition, the following persons are also considered equal to insured persons: young persons until the age of 21 who are acquiring basic education in an Estonian educational institution founded and operating on the basis of law or in a similar institution abroad; pupils until the age of 24 who are acquiring general secondary education; persons without basic education who are above the age of an obligation to attend school and who acquire vocational education; pupils acquiring vocational education on the basis of basic education or secondary education; and university students permanently residing in Estonia.

432. The range of persons for whom the state pays the social tax has also been expanded. On the basis of the Social Insurance Tax Act, the state pays social tax for one parent residing in Estonia and raising a child under three years old, for a guardian or caregiver with whom a written agreement of providing care in the family has been concluded, or for a person who uses a parental leave instead of a parent and who raises a child under three years old in Estonia. The state also pays social tax for a non-working parent who resides in Estonia and raises three or more children under 19 years old residing in Estonia and of whom at least one is less than eight years old.

433. Under the Foreign Service Act, the state pays social tax for a person receiving a spouse's allowance, for a non-working spouse of a public servant or a regular Member of the Defence Forces seconded to a position in a structural unit of an international defence organisation if such a spouse does not already receive a national pension, and for a non-working spouse of a President of the Republic during and after the term of office if the spouse is not receiving a national pension. The state also pays social tax for conscripts in compulsory military service of the Defence Forces.

434. The state pays social tax for a parent or step-parent of a child aged 3–16 and residing in Estonia and having a moderate, severe or profound disability or of a child aged 16–18 and having a severe or profound disability if such parent or step-parent resides in Estonia and is not employed and does not receive a national pension, and for a parent, guardian or caregiver residing alone in Estonia with whom an agreement of raising a child in the family has been concluded and who raises seven or more children under 19 years old and residing in Estonia.

435. The state pays social tax for an employee of a company, non-profit association, foundation or sole proprietor if the employee receives a pension for incapacity for work, for a person receiving an unemployment benefit, for a person who is registered as unemployed under the Labour Market Services and Support Act, and for a person who participates in labour market training of a duration of at least 80 hours, in work internship or work-related exercise under the Labour Market Services and Support Act.



436. The state pays social tax for a non-working person who does not receive a national pension and participates in the elimination of the consequences of a nuclear disaster, nuclear test, or accident of a nuclear power plant, and for a person receiving a social benefit granted on the basis of the Social Welfare Act.

437. A city or rural municipality pays social tax for a person who resides in Estonia and receives a caregiver's allowance under the Social Welfare Act but who does not work or receive a national pension. The Unemployment Insurance Fund pays social tax for persons who receive an unemployment insurance benefit.

#### **Waiting period for insurance cover**

438. In comparison with the previous report, the waiting period for insurance cover of insured persons has changed. Under the Health Insurance Act, the insurance cover of public servants and persons working on the basis of an employment contract commences upon expiry of a waiting period of fourteen days calculated as of the commencement of employment or service if the employer has submitted the documents necessary for making an entry on commencement of the insurance cover of the person in the health insurance database to the health insurance fund within seven calendar days as of the date on which the person commences employment or service. The insurance cover terminates two months after termination of the employment or service relationship.

439. The insurance cover of persons for whom social tax is paid by the state or local authority begins from the date of making the entry on the commencement of insurance cover, and the insurance cover terminates one month after termination of the obligation of the state or local authority to pay social tax for the person.

440. The insurance cover of persons receiving the unemployment insurance benefit commences as of the making of an entry on commencement of the insurance cover in the health insurance database. The insurance cover terminates two months after termination of the obligation of the Estonian Unemployment Fund to pay social tax for the person.

441. The insurance cover of sole proprietors commences after the passing of a fourteen-day waiting period from entry of the sole proprietor in the commercial register or their registration with a regional tax centre of the Tax and Customs Board. The insurance cover of sole proprietors terminates two months after the person has submitted a notice of termination of their business activities to the Tax and Customs Board or the commercial register.

442. The insurance cover of persons considered equal to insured persons commences as of the making of an entry on commencement of the insurance cover in the health insurance database. Their insurance cover terminates if the person no longer meets the relevant criteria provided by the Act.

#### **Benefits in cash**

443. The Estonian Health Insurance Fund pays insured persons a benefit for temporary incapacity for work, adult dental care benefit, and supplementary benefit for medicinal products.

444. The following table provides an overview of the granting of a benefit for temporary incapacity for work, the duration of payment and percentage of benefit per average income per calendar day.

Table 28  
**Granting and paying of a benefit for temporary incapacity for work**

<i>Reason for leave</i>	<i>Type of certificate</i>	<i>Percentage</i>	<i>From which day the benefit is paid</i>	<i>The benefit is paid</i>
Illness, domestic injury, traffic injury	Sick leave certificate	80	Original certificate from the second day, follow-up certificate from the first day	Up to 182 days (in case of tuberculosis up to 240 days)
Occupational illness, occupational accident, complication or illness as a result of an occupational accident	Sick leave certificate	100	Original certificate from the second day, follow-up certificate from the first day	Up to 182 days
Injury while protecting the interests of the state or society or obstructing the commission of a crime	Sick leave certificate	100	Original certificate from the second day, follow-up certificate from the first day	Up to 182 days
Quarantine	Sick leave certificate	80	Original certificate from the second day, follow-up certificate from the first day	Up to 7 days
Nursing of a sick family member at home	Certificate for care leave	80	From the first day	Up to 7 days
Nursing of a child under 12 years old	Certificate for care leave	100 at home, 80 in hospital	From the first day	Up to 14 days
Care of a child under three years old or a child under 16 years old with disability during the illness of the child's mother or during provision of obstetrical care	Certificate for care leave	80	From the first day	Up to 10 days
Pregnancy and maternity leave	Certificate for maternity leave	100	From the first day	140 days (+ 14 days in case of multiple birth or birth with complications)
Adoption of a child under 10 years old	Certificate for adoption leave	100	From the first day	70 days
Transfer to another work	Sick leave certificate	80 or difference in wages	From the first day when easier work was started or new position assumed	In case of illness up to 60 days, in case of pregnancy until pregnancy leave and maternity leave

*Source:* Estonian Health Insurance Fund.

### **Prices and compensation of health services**

445. In comparison with the previous period, the prices of health services have changed. A visit to a family doctor (i.e. general practitioner) is free of charge. A home visit of a family doctor costs 50 kroons, but no fee for a home visit may be taken from a pregnant woman as of the 12th week of pregnancy and from insured persons under two years old.

446. A visit to a medical specialist costs 50 kroons. No fee for a visit to a medical specialist is taken if out-patient specialist medical assistance is provided to a pregnant woman as of the 12th week of pregnancy, to insured persons under two years old, or if provision of emergency out-patient medical care is followed immediately by the provision of in-patient health care services, if the insured person was referred to the medical specialist by another health care worker in the same medical institution or by the same medical specialist in another medical institution.

447. The in-patient bed-day fee is 25 kroons, but no bed-day fee is taken for the time of provision of intensive care, for the provision of in-patient specialist medical assistance in connection with pregnancy and birth, and for the provision of in-patient specialist medical assistance to minors.

448. Dental care to persons under 19 years old is free of charge. Free dental care is provided only in the case of services included on the list of health care services of the Estonian Health Insurance Fund as established by the Government, and only at the providers of health care services with whom the Health Insurance Fund has an agreement for financing of services. Insured persons aged 19 or older have the right to dental care compensation in the sum of 300 kroons per year. Pregnant women and mothers of a child less than one year old have the right to dental care compensation in the sum of 450 kroons per year.

449. The Estonian Health Insurance Fund compensates 4000 kroons of the cost of dentures to persons aged 63 or older and to old-age pensioners once every three years. From 2003 to 2006 the amount of the compensation was 2000 kroons. Pensioners who receive a pension on favourable conditions under the Old-age Pensions Act or the Superannuated Pensions Act do not get the compensation (they acquire the right to compensation when they turn 63 years old).

450. In the case of medicines entered on the list of the Estonian Health Insurance Fund, insured persons pay only part of the price of the medicine already in a pharmacy. The Health Insurance Fund compensates the remaining part directly to pharmacies. For people this constitutes a non-cash compensation. The percentages of discounts of medicines have changed as compared to the previous reporting period.

451. Discount of 100 and 75 per cent applies to medicines which are intended for treatment or alleviation of diseases on the list established by the Government. When establishing the list of diseases the Government proceeds from the considerations of severity and life-threatening nature of the diseases, possibility of spreading, humane considerations and available financial resources of health insurance.

452. Discount of 50 per cent applies to medicines which are not used for treatment or alleviation of the diseases on the list of diseases established by the Government.

453. In the case of children under 4 years old, 100 per cent discount applies to medicines entered on the list. Upon sale of medicines entered on the list of medicinal products with a discount rate of 75 per cent, the 90 per cent discount rate applies to children between 4 and 16 years of age and persons receiving a pension for incapacity for work or an old-age pension under the State Pension Insurance Act.

454. In the case of a 50% discount the patient pays 50 kroons to the extent of cost-sharing and the Estonian Health Insurance Fund pays the part which exceeds the discount.

455. On 1 January 2003, a provision of the Health Insurance Act entered into force, according to which insured persons have the right to a supplementary benefit for medicines. This benefit is paid in addition to the previous benefits paid by the Health Insurance Fund, if the person himself or herself has paid more than 6000 kroons per calendar year for discount medicines (the same cost for 2007). The Health Insurance Fund shall additionally

compensate for justified and certified amounts ranging from 6000 to 20 000 kroons which are paid during a calendar year for medicinal products which are entered in the list of medicinal products and are necessary for out-patient treatment of an insured person. Thus, maximum supplementary benefit for medicinal products per person per calendar year can reach 9500 kroons.

456. Supplementary benefit for medicinal products helps to compensate expenditure on medicines primarily for those insured persons whose treatment schemes include expensive medicines, who suffer from chronic diseases and therefore have to take medicines during a long period or have to use a combination of several medicines.

457. The share of health insurance benefits of the GDP has decreased as compared to 1995 and 2000, but the absolute sum of benefits has significantly risen (from 4050.8 million kroons in 2000 to 6983.8 million kroons in 2005).

Table 29

**Costs of health insurance (million kroons)**

	2000	2001	2002	2003	2004	2005
<b>Total health insurance benefits</b>	<b>4 050.8</b>	<b>4 263.6</b>	<b>4 647.9</b>	<b>5 292.2</b>	<b>6 137.0</b>	<b>6 983.8</b>
Non-cash benefits	3 325.0	3 509.4	3 828.6	4 368.3	5 035.0	5 718.7
Treatment <sup>1</sup>	2 881.0	2 881.5	3 097.2	3 615.7	4 098.8	4 783.9
Medicines compensated to Insured persons	444.0	627.9	731.4	685.1	863.8	871.8
Cash benefits	725.8	754.2	819.3	991.4	1 174.4	1 328.1
Benefits for temporary incapacity for work	725.8	754.2	819.3	923.9	1 102.0	1 248.3
Sickness benefit	488.1	494.1	529.8	604.2	723.5	785.1
Care allowance	77.0	86.8	82.3	91.9	104.9	111.6
Maternity benefit	132.3	148.3	182	204.7	253.2	330.3
Occupational accident benefit	19.5	20.0	25.2	23.1	20.4	21.3
Benefit on the basis of personal application	-	-	-	-	-	-
Other benefit (transfer to easier work) <sup>2</sup>	8.9	5.0	..	..	..	..
Other cash benefit <sup>3</sup>	-	-	-	67.5	72.4	79.8
Share of health insurance benefits of the GDP	4.24	3.94	3.83	3.98	4.18	4.04

Source: Estonian Health Insurance Fund.

<sup>1</sup> Expenditure on health services, disease prevention, health promotion, nursing, dental treatment, benefits for medicinal devices, and costs related to foreign agreements.

<sup>2</sup> Since 2002 included in the sickness benefits.

<sup>3</sup> Dental treatment benefit for adults and supplementary benefit for medicinal products.

458. Health insurance coverage has increased as compared to 2000 (from 93.4% in 2000 to 95.2% in 2006). During the reporting period the state has taken various above-mentioned measures to increase the number of persons covered by health insurance.

Table 30  
**Health insurance coverage at the end of the year**

	2000	2001	2002	2003	2004	2005	2006
Number of insured persons	1 276 923	1 278 086	1 284 076	1 272 051	1 271 558	1 271 345	1 278 016
% of population	93.4	93.9	94.7	94.2	94.5	94.5	95.2
Incl. employed insured persons	...	574 284	578 578	585 139	595 734	617 631	646 739
% of insured persons	...	44.9	45.0	46.0	46.9	48.6	50.6

Source: Estonian Health Insurance Fund.

### Social protection of unemployed persons

459. Estonia has a two-tier system of unemployment benefits. The first tier is the unemployment insurance system which guarantees to insured persons benefits dependent on their earlier wage. These benefits are paid in equal daily rate to persons who do not have the right to unemployment insurance benefits and whose income is below the established threshold.

#### Unemployment insurance

460. The unemployment insurance scheme is regulated by the Unemployment Insurance Act which entered into force on 1 January 2002. Important amendments to the Act were introduced in 2007, which increase the protection of employees in case of unemployment and employer's insolvency.

461. Unemployment insurance in Estonia covers two other types of labour market risks in addition to the risk of unemployment: the risk of collective redundancy and the risk of insolvency of employer. In the case of the first risk, unemployment insurance should help employers to cover expenses of collective redundancy in order to allow for cheaper reorganisation of a company and avoid a situation where an employer faces financial problems due to a worsened market situation and an obligation to pay large redundancy compensations. In the case of insolvency of an employer, unemployment insurance guarantees the payment of at least the minimum of outstanding claims of employees against the employer based on their employment relationship.

462. Unemployment insurance is compulsory. All employees and public servants who are required to pay unemployment insurance premiums until reaching pensionable age are covered against the risk of unemployment. Unemployment insurance does not cover the President of the Republic, members of the *Riigikogu* and the Government, judges, Chancellor of Justice and the Auditor General who have other social guarantees upon the termination of their service. Representatives of some independent or creative professions are also not covered. Unemployment insurance does not protect against business risks and therefore it does not cover sole proprietors or members of the board or supervisory council of companies.

463. Unemployment insurance coverage of employees is almost universal in Estonia: in 2002–2006 approximately 90% of the working-age employed persons were covered. High level of coverage has also been achieved due to the fact that unemployment insurance also includes persons employed on the basis of temporary employment contracts, contracts under the law of obligations, and part-time workers – insurance protection is not dependent on the number of hours worked or the amount of contributions paid per month.

464. Insurance benefits are financed from unemployment insurance premiums and the income received from investing them. In 2002–2005 the rate of unemployment insurance was 1% from the wage paid to an employee plus 0.5% to be paid by the employer from the total wage fund. Since 2006, the rates of unemployment insurance premiums are 0.6% and 0.3% respectively. Collecting of unemployment insurance premiums began on 1 January 2002. The Unemployment Insurance Fund pays unemployment benefits since 1 January 2003.

465. In order to be eligible for an unemployment insurance benefit, a person must register as unemployed with the local office of the Labour Market Board and submit an application for receiving an unemployment insurance benefit. The person must be registered as unemployed for the whole duration of receiving the benefit, i.e. they must actively seek work, fulfil an individual job-seeking plan and be prepared to accept work immediately.

466. Since 2007, 12 months of the insurance period must have been accumulated within 36 months (instead of the 24 months previously). According to the unemployment insurance database, this increases the number of persons entitled to benefits by approximately 10%. Above all, it improves the protection of those workers who repeatedly engage in short-term work.

467. An insured person does not have the right to receive an unemployment insurance benefit if their employment was terminated by agreement of the parties, on the initiative of the employee himself or herself, due to a breach of duties of employment or service, loss of confidence, an indecent act or act of corruption. In the case of all the other reasons for termination of an employment or service relationship, incl. in the case of an expiry of the term of an employment or service relationship or upon termination of a contract under the law of obligations, persons are entitled to unemployment insurance benefit.

468. During the first hundred days of being unemployed, a person receives an unemployment insurance benefit in the amount of 50% of their previous wage. As of the 101st day, the benefit drops to 40% of the previous wage. There is also a maximum level for the benefit: 1.5 times the average wage of insured persons during the previous calendar year. Only 3–4% of the recipients of the benefit have received the maximum level of benefit, which shows that the ceiling for the benefit is sufficiently high. Since 2007, there is also a minimum level for the benefit: an unemployment insurance benefit may not be lower than the effective rate of unemployment allowance.

469. The length of time when an unemployed person is entitled to receive an unemployment insurance benefit depends on their insurance period, i.e. how many months they worked and paid the insurance premium before becoming unemployed. The benefit is paid for up to 180 calendar days if the insurance period was shorter than 56 months, for up to 270 calendar days if the insurance period was 56 to 110 months, and for up to 360 calendar days if the insurance period was 111 months or longer. The insurance period starts running anew after each case of payment of an unemployment insurance premium to a person.

470. The benefit can also be paid in the case of collective termination of employment contracts. Collective termination of employment contracts means termination of the employment or service relationship due to the liquidation of legal persons, including undertakings, administrative agencies, or agency administered by an administrative agency; termination of the employment or service relationship due to the lay-off of employees; termination of contracts of employment due to the termination of work of an employer who is a natural person.

471. Persons who have reached pensionable age also have the right to receive a benefit in the case of collective termination of employment contracts, because the benefit is paid regardless of whether and for how long the employees who are made collectively redundant have paid the unemployment insurance premiums.

472. The size of the benefit depends on the length of a continuous employment relationship that an employee has had with the particular employer. If an employment relationship with the particular employer has lasted for up to five years, the Unemployment Insurance Fund pays the benefit in the amount of the worker's one month's average monthly wage, if the relationship has lasted for 5–10 years the benefit is the worker's one-and-a-half month's average monthly wage, and if the employment relationship has lasted for more than 10 years the benefit is the worker's two month's average monthly wage.

473. In the case of a bankruptcy of an employer, the Unemployment Insurance Fund pays the employees their outstanding wages, holiday pay, and benefits after the termination of the employment contract. The insolvency benefit is paid regardless of whether and for how long the employees and their employer had paid the unemployment insurance premiums. Employees who are in pensionable age also have the right to an insolvency benefit in case of an insolvency of their employer.

474. In 2003–2006, the Unemployment Insurance Fund compensated outstanding remuneration and benefits due to insolvency of employers in the amount of up to three average monthly wages of an employee, but not more than three average national monthly wages in Estonia.

475. Since 2007, the outstanding wages are additionally compensated in the amount of up to three monthly wages of an employee, but not more than three average national monthly wages in Estonia; the outstanding holiday pay in the amount of up to one month's holiday pay of an employee, but not more than one average monthly wage in Estonia; and outstanding benefit for termination of an employment contract in the amount of up to two average monthly wages of an employee, but not more than one average national monthly wage in Estonia.

Table 31  
**Unemployment insurance**

	2002	2003	2004	2005	2006
Number of persons who have paid employee's unemployment insurance premiums per year, <sup>1</sup> thousand	638.2	592.4	602.4	619.0	643.4
Recipients <sup>2</sup> of unemployment insurance premiums, million kroons	535.8	575.0	643.9	735.5	523.3
Unemployment insurance expenditure, million kroons	7.3	202.6	244.1	189.4	145.3
Share of unemployment insurance expenditure of the GDP, %	0.01	0.15	0.17	0.11	..
Cost of benefits granted during the year, <sup>2</sup> million kroons:	-	191.3	232.8	176.1	131.2
Unemployment insurance benefits	-	106.0	129.1	99.7	81.6
Benefits for collective termination of employment contracts	-	30.8	30.8	20.8	14.2
Employer insolvency benefits	-	23.0	34.6	26.9	15.1
Social tax paid on the benefits	-	31.5	38.3	28.7	20.3

	2002	2003	2004	2005	2006
Other costs (incl. operating expenses of the Unemployment Insurance Fund, bank and postal fees)	7.3	11.3	11.3	12.8	14.1
Recipients of benefits:					
Number of persons granted an unemployment insurance benefit	-	9 943	11 613	8 720	6 114
Number of persons granted a benefit for collective termination of employment contracts	-	4 001	3 769	2 420	1 595
Number of persons granted an employer insolvency benefit	-	2 058	3 007	2 186	1 254
Average number of unemployment insurance benefit recipients per calendar month	-	3 163	5 356	4 270	3 002
Maximum unemployment insurance benefit, kroons per calendar month	-	6 563	8 045	8 704	9 764
Average duration of payment of unemployment insurance benefits granted during the year, in calendar days <sup>3</sup>	-	144	135	132	128

*Source:* Unemployment Insurance Fund.

<sup>1</sup> The number contains all the employees who at least once a year were paid remuneration from which an unemployment insurance premium was withheld. The number of persons paying unemployment insurance premiums was the largest in 2002; then the premiums were also withheld from the wages of persons of pensionable age and persons receiving an early-retirement pension.

<sup>2</sup> Receipts of insurance premiums and the cost of benefits are both shown according to the accrual basis accounting, i.e. the sum of the receipts contains declared unemployment insurance premiums and the sum of the cost of the benefits contains the obligations incurred in granting the benefits.

<sup>3</sup> The duration of the payment of benefits is calculated on the basis of the decisions made, i.e. persons who were granted a benefit for the second time to allow the continuation of the payment of a benefit are registered as two separate cases. For 2006, only those unemployed persons have been taken into account whose period of receiving an unemployment insurance benefit had ended before 15 February 2007, because in later cases the period of payment of a benefit has not yet necessarily ended.

476. Although unemployment has been decreasing continuously since 2000, there were more recipients of insurance benefits in 2004 than in 2003. The growth in the number of benefit recipients in 2004 can be explained first and foremost with the gradual development of the unemployment insurance system: as compared to 2003, more people who became unemployed had acquired the necessary insurance period for receiving an unemployment insurance benefit in 2004, and also the awareness of both employees and employers about the possibilities of the unemployment insurance had increased.

477. Since 2004, the number of recipients of unemployment insurance benefits has declined constantly and the maximum duration of payment of insurance benefits has also decreased. The main cause of the positive development has been the economic growth enjoyed in the recent years, thanks to which the business environment improved and the number of unemployed persons declined. In connection with the growth of employment, the number of persons covered by unemployment insurance has increased.

478. Due to both the growth of employment and a rapid increase of wages, the receipts of unemployment insurance premiums increased in 2002–2005. In 2006, the receipts were smaller than in the previous years because at the beginning of 2006 the rate of the insurance



premium paid by employees dropped from 1% to 0.6% and the rate of the premium paid by employers from 0.5% to 0.3%.

### **Unemployment allowance**

479. Labour market services and unemployment allowances are provided on the basis of the Labour Market Services and Benefits Act.

480. Unemployment allowance is paid only if a person is not entitled to an unemployment insurance benefit or the right to the insurance benefit has expired. The earlier unemployment benefit was granted to registered unemployed persons on the basis of the Social Protection of Unemployed Persons Act, which was described in more detail under the previous report.

481. Unemployed persons whose income is less than the amount of the unemployment allowance and who have been employed or engaged in work or an activity equal to work for at least 180 days during the twelve months prior to registration as unemployed have the right to receive unemployment allowance. The employment and activity equal to work means work performed in Estonia or as an employee sent from Estonia on assignment abroad on the basis of an employment contract or in public service; work performed in Estonia based on a contract of employment, contract for services, authorisation agreement or contract under the law of obligations for the provision of other services; activity in Estonia as a sole proprietor; daytime or full-time study in an educational institution if the person's studies are suspended or concluded; and performance of conscript service obligation.

482. Previous employment or engagement in an activity equal to work is not required of an unemployed person who, for at least 180 days during the twelve months prior to registration as unemployed raised, as a parent or a guardian, a child of up to 18 years of age with a moderate, severe or profound disability, a child under 8 years of age or a child of 8 years of age until the child completed year one at school; or of a person who, for at least 180 days during the twelve months prior to registration as unemployed was under in-patient treatment, cared for a sick person, a person who is permanently incapacitated for work or an elderly person, or received a caregiver's allowance under the Social Benefits for Disabled Persons Act or under the Social Welfare Act, was unemployed due to declaration as permanently incapacitated for work, or held in custody or served a sentence in a prison or house of detention.

483. Unemployment allowance is paid for a period of up to 270 days. Unemployment allowance is paid for a period of up to 210 days to unemployed persons who left their previous work or service on the initiative of the employer for a breach of duties, loss of confidence or indecent act.

484. Unemployed persons who have received unemployment insurance benefit under the Unemployment Insurance Act for a period shorter than 270 days shall receive unemployment allowance until the end of the period of 270 days. After the end of the above period, an unemployed person who will attain pensionable age in less than 180 days shall be paid unemployment allowance until the person attains pensionable age.

485. The basis for calculation of unemployment allowance is the daily unemployment allowance rate established by the state budget for each budgetary year. In 2006, the daily unemployment allowance was 14.3 kroons. Since 1 January 2007 the daily allowance is 32.9 kroons.

### Other benefits for unemployed persons

486. Under the Labour Market Services and Support Act, unemployed persons are entitled to a grant if they participate in labour market training with the duration of at least forty days, or participate in work-related exercise. Since 2006, participants in labour market training are entitled to compensation of transport and accommodation costs for the days that they attended the training. The hourly rate of the grant is established by the state budget for each budgetary year. In 2007, the rate was 3.75 kroons, i.e. approximately 600 kroons. Persons participating in coaching for working like receive half of the rate of the grant. The grant and the transport allowance paid in connection with participation in labour market training or work-related exercise is no longer included in the income to be taken into account for the payment of a subsistence benefit. The maximum limit of a transport and accommodation allowance is established by the state budget for each budgetary year. In 2007 the amount of the allowance was 1200 kroons per month.

487. Unemployed persons are also entitled to apply for a business start-up subsidy in the amount of 20 000 kroons. The aim of the subsidy is to motivate and support unemployed persons in starting their own business. Entitled to the subsidy are unemployed persons who are registered with the Labour Market Board, are at least 18 years old and have completed business training or have vocational or higher education in economics or experience in business. If a person is granted business start-up subsidy, they will no longer be registered as unemployed and payment of unemployment allowance to them is terminated.

Table 32

#### Main indicators of registered unemployment (thousands)

	2000	2001	2002	2003	2004	2005	2006
<b>Registered unemployed<sup>1</sup> total, per year</b>	<b>120.9</b>	<b>136.9</b>	<b>108.0</b>	<b>99.0</b>	<b>88.5</b>	<b>71.7</b>	<b>48.2</b>
Men	...	...	...	45.1	40.3	31.9	20.2
Women	...	...	...	53.9	48.3	39.8	28.0
Incl. first-time cases	81.5	89.6	64.5	59.8	52.1	46.6	26.3
Recipients of unemployment benefit	67.4	70.4	56.9	47.4	39.3	31.3	20.7
Participants in active labour market measures							
Re-training for the unemployed	8.2	10.2	10.0	9.0	7.0	9.9	7.1
Work in a community placement <sup>2</sup>	4.2	0.1	0.5	0.6	0.4	0.2	-
Labour market support to unemployed as business start-up subsidy	0.4	0.4	0.4	0.4	0.3	0.3	0.3
Labour market support to companies for employing less competitive unemployed persons	0.2	0.3	0.2	0.5	0.5	0.7	0.2
Vocational counselling (number of consultations) <sup>3</sup>	2.1	8.2	8.1	8.9	7.9	9.5	8.4
Work-related exercise	-	-	-	-	-	-	0.7
Coaching for working life	-	-	-	-	-	-	0.4
Public work	-	-	-	-	-	-	0.2
Services for people with disabilities	-	-	-	-	-	-	0.1

	2000	2001	2002	2003	2004	2005	2006
Job offers received by the state employment offices, per year	14.9	15.0	16.1	14.4	20.7	29.2	30.3
Persons who found employment, per year <sup>d</sup>	21.8	23.5	23.4	17.3	22.4	19.3	16.3
Registered unemployed persons, <sup>1</sup> average per month	46.3	54.1	48.2	43.3	37.0	29.8	18.1
Incl. unemployment benefit recipients	26.6	28.9	23.5	19.6	14.4	11.6	6.2
Gender distribution of registered unemployed (average per month), %							
Men	42.5	44.9	44.3	45.6	45.5	42.9	41.8
Women	57.5	55.1	55.7	54.4	54.5	57.1	58.2
Proportion of registered unemployed (average per month) in the population aged 16 to pensionable age, %	5.3	6.5	5.9	5.3	4.5	3.5	1.8

Source: Labour Market Board.

<sup>1</sup> The number of unemployed may also include cases where a person registered as unemployed several times a year.

<sup>2</sup> The number of participants in work in community placement declined sharply in 2001 because financing of the service from the state budget was terminated.

<sup>3</sup> This is a new type of service established with the Labour Market Services Act as of 1 October 2000. Its aim is to help job seekers solve issues related to the choice of work, professional career, or finding or loss of work.

<sup>4</sup> Employed also in vacant jobs offered outside the employment offices' notification framework.

Table 33  
**Expenditure on social protection of unemployed persons (except unemployment insurance) (million kroons)**

Type of expenditure	2000	2001	2002	2003	2004	2005	2006
<b>Total</b>	<b>286.3</b>	<b>290.8</b>	<b>217.7</b>	<b>197.1</b>	<b>166.7</b>	<b>258.1</b>	<b>272.6</b>
Expenditure on passive measures:	220.5	212.9	129.3	97.3	64.5	52.7	38.8
Incl. unemployment benefit	119.8	132.7	104.1	81.1	55.0	42.5	24.7
Expenditure on active measures:	65.8	77.9	88.4	97.7	102.2	205.4	233.8
Incl. organisation of training	32.2	42.3	47.5	46.5	41.7	62.7	71.0
Training grant	6.1	7.3	7.1	7.2	7.8	10.3	9.8
Labour market support for unemployed persons as business start-up subsidy	4.3	4.2	4.2	6.4	5.8	8.9	6.5
Labour market support to employers for employing less competitive unemployed persons	2.1	3.2	3.1	3.8	9.4	14.2	7.5
EQUAL projects	..	..	..	..	..	8.9	27.5
ESF projects (partners)	..	..	..	..	..	23.9	33.0
Administrative costs	17.9	20.9	26.4	33.8	37.5	76.5	63.9
Other active labour market measures <sup>1</sup>	..	..	..	..	..	..	14.6

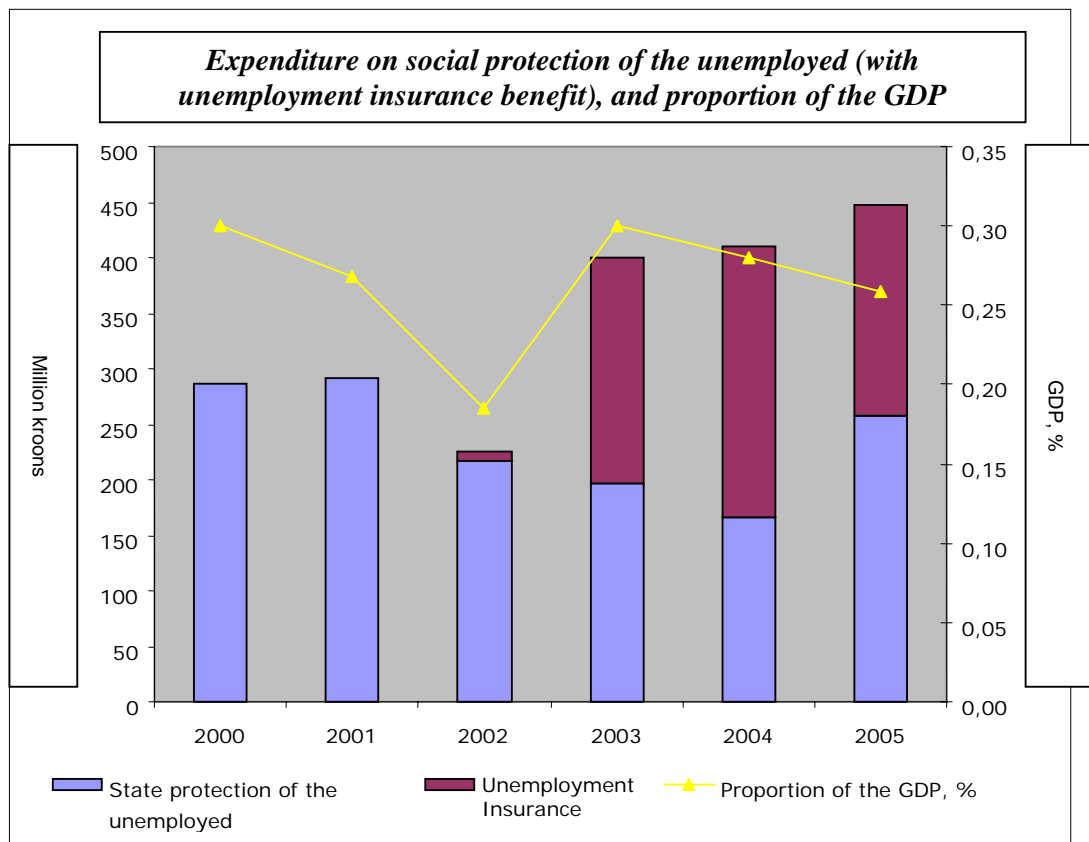
Type of expenditure	2000	2001	2002	2003	2004	2005	2006
Share of the expenditure on social protection of unemployed of the GDP, %	0.30	0.27	0.18	0.15	0.11	0.15	...
<b>Total share of expenditure on unemployment insurance and social protection of unemployed of the GDP, %</b>	-	-	<b>0.19</b>	<b>0.30</b>	<b>0.28</b>	<b>0.26</b>	...

Source: Ministry of Social Affairs.

<sup>1</sup> Work-related exercise, coaching for working life, work with support person, transport and accommodation allowance.

Figure XIV

**Expenditure on social protection of unemployed and its share of GDP (%)**



Source: Ministry of Social Affairs.

**Funeral benefit**

488. No changes in the procedure of paying the funeral benefit (death grant) have been made in comparison to the previous report, although the size of the benefit has increased. The funeral benefit was 1500 kroons in 2000 and 2600 kroons in 2007. Funeral benefit is paid upon a death registered in Estonia and upon a death, which is registered outside of Estonia, of a permanent resident of Estonia or an alien residing in Estonia on the basis of a

temporary residence permit or temporary right of stay; hence, the number of recipients of funeral benefits depends directly on the number of deaths. Funeral benefit is not paid merely if a person is declared dead and if funeral expenses are compensated for on the basis of another Act (e.g. at the expense of the state). In connection with a decline of the number of population and changing of the age distribution, the number of deaths has decreased, leading to a decrease in the granting of funeral benefits.

Table 34

**Funeral benefit**

	2000	2001	2002	2003	2004	2005	2006
Number of cases granted (per year)	17 759	18 147	18 239	17 976	17 626	17 150	17 090
The sum paid (per year), thousand kroons	28 744	33 262	32 830	32 357	35 180	37 675	40 948
Number of deaths	18 403	18 516	18 355	18 152	17 685	17 316	

*Source:* Social Insurance Board, Statistics Estonia.

**Compensation of damage in case of occupational accidents and occupational diseases**

489. The situation in compensation of damage in case of occupational accidents and diseases has not changed as compared to the previous report, except introduction of indexation of the benefit paid by the state. The conditions of granting a pension for incapacity for work are described in the chapter on pensions.

490. Employees who have suffered damage to health during performance of work-related duties have the right to request compensation of damage caused by health injury from the employer. The liability of employers is regulated by the Law of Obligations Act which entered into force on 1 July 2002. If an employer has been liquidated and there is no successor, the compensation is paid by the state.

491. The sums paid for compensation have decreased in the recent years, while the number of recipients of compensation has increased. This is due to the fact that in calculating the periodic compensation the pension for incapacity for work or other pension is deducted from the sum of the periodic compensation to the extent of the percentage of incapacity for work caused by an occupational accident or occupational disease. This periodic compensation was so far indexed with the consumer price index, while pensions were indexed with the pension index. As the growth of the consumer price index has been significantly lower than the growth of the pension index, the amount of compensation paid has decreased.

492. In addition, there has been a rise in the number of recipients of single benefits whose benefit is smaller. This has occurred mostly at the expense of those whose periodic compensation was declared equal to the pension for incapacity for work, which means that they were not paid any periodic compensation.

493. Indexation changed in 2007. Since 1 April 2007, the benefit paid by the state is indexed with the same index as pensions, which means that the benefit is rising together with the rise in pensions.

Table 35

**Compensatory benefits for occupational accidents and occupational diseases paid from the state budget**

	2000	2001	2002	2003	2004	2005	2006
Number of recipients of benefit at the end of year <sup>1</sup>	1 111	1 386	1 553	1 646	1 745	2 216	2 223
The sum paid (during the year), thousand kroons	21 605	29 678	34 612	36 916	38 302	36 025	34 999

Source: Social Insurance Board.

<sup>1</sup> Recipients of monthly benefit, and in the case of recipients of single benefits incrementally from the beginning of year.

**Other benefits****Social benefits for people with disabilities**

494. Payment of social benefits to people with disabilities is now specified in more detail as compared with the previous reporting period, because on 1 January 2000 the Social Benefits for Disabled Persons Act entered into force. Social benefits to disabled people are granted and paid to permanent residents of Estonia or persons residing in Estonia on the basis of a temporary residence permit if they have moderate, severe or profound disabilities which cause additional expense. The basis for the calculation of social benefits is the rate of social benefits established by the *Riigikogu* in the state budget for each budgetary year. In 2007, the rate of social benefits was 400 kroons.

495. Disabled adult allowance is paid monthly to a person at least 16 years of age for compensation for the additional expenses caused by the disability and, upon existence of a rehabilitation plan, for the activities prescribed therein.

496. The disabled adult allowance is paid monthly in an amount equal to 160 per cent of the social benefit rate (640 kroons in 2007) to a person with a profound disability, in an amount equal to 105 per cent of the social benefit rate (420 kroons in 2007) to a person with a severe disability, and in an amount equal to 50 per cent of the social benefit rate (200 kroons in 2007) to a person with a moderate disability.

497. Disabled child allowance is paid monthly to a disabled child up to 16 years old for compensation for the additional expenses caused by the disability and for the activities prescribed in the rehabilitation plan. Disabled child allowance is paid in the following amounts: to a child with a moderate disability 270% of the social benefit rate (1080 kroons in 2007), to a child with a severe or profound disability 315% of the social benefit rate (1260 kroons in 2007).

498. Caregiver's allowance is paid monthly to a parent or step-parent of a disabled child if the parent or step-parent cannot work due to raising the child. Caregiver's allowance for raising a child of 3 to 16 years of age with a moderate, severe or profound disability is 75% of the social benefit rate (300 kroons in 2007), for raising a child of 16 to 18 years of age with a severe disability 60% of the rate of social benefit (240 kroons in 2007), and for raising a child of 16 to 18 years of age with a profound disability 100% of the rate of social benefit (400 kroons in 2007).

499. Disabled parent's allowance is paid in an amount equal to 75% of the social benefit rate (300 kroons in 2007) and it is paid monthly to a disabled single parent or to a disabled

step-parent who is raising a child alone or to a disabled guardian who is raising a child alone or to a disabled person who is raising a child alone and with whom a written foster care contract has been entered into pursuant to the Social Welfare Act or to one of two disabled spouses raising a child of up to 16 years of age or a child of up to 19 years of age who is enrolled in a basic school, upper secondary school or vocational school in daytime study or, for medical reasons, in another form of study.

500. Education allowance is paid monthly (except in July and August) to a non-working disabled student who attends upper secondary school in years 10 to 12 or who attends a vocational school or an institution of higher education, and who has additional expenses in relation to his or her studies as a result of the disability. The size of the education allowance is 25–100% of the social benefit rate (100 to 400 kroons in 2007) and it is paid according to the actual additional expenses of the person.

501. Rehabilitation allowance is paid for the active rehabilitation of disabled persons of 16 to 65 years of age in rehabilitation institutions specified by the Minister of Social Affairs. Rehabilitation allowance is paid to compensate partially for actual rehabilitation expenditure in an amount of up to 200% of the social benefit rate during a calendar year (up to 800 kroons in 2007).

502. Disabled persons can also apply for in-service training allowance in an amount of up to 24 times the social benefit rate during three calendar years as of the first grant of the allowance.

503. Since spring 2005, a caregiver to a disabled adult person (aged 18 or older) is appointed by the local authority of the person's residence. If necessary, caregiver's allowance is paid to the caregiver. The amount of the allowance and the procedure of its payment is established by the local authority. This amendment was due to the need to achieve better accessibility of assistance for disabled persons and to increase the possibilities of local authorities to organise welfare services for disabled persons. Local authorities are closer to people and therefore they are able to assess better, more effectively and more quickly the actual situation of a person and provide assistance in case of need.

504. The number of recipients of disabled child allowance has been relatively stable throughout the reporting period. The number of recipients of disabled adult allowance has risen constantly on account of persons in retirement age in connection with the ageing of the population.

Table 36

**Recipients of social benefits for disabled persons<sup>1</sup>**

<i>Type of benefit</i>	2000	2001	2002	2003	2004	2005	2006
Disabled child allowance	4 409	4 722	4 923	5 125	5 302	5 357	5 295
With moderate disability	2 691	1 778	1 720	1 783	1 812	1 822	1 782
With severe and profound disability	1 718	2 944	3 203	3 342	3 490	3 535	3 513
Disabled adult allowance	-	84 168	88 794	92 605	98 032	102 263	107 431
With moderate disability	-	29 251	31 780	32 038	31 486	32 945	35 058
With severe disability	-	41 427	43 947	48 038	52 945	55 742	58 427
With profound disability	-	13 490	13 067	12 529	13 601	13 576	13 946

Type of benefit	2000	2001	2002	2003	2004	2005	2006
Caregiver's allowance (according to number of persons under care) <sup>3</sup>	2 071	26 841	31 813	35 230	38 060	2 053	1 837
For non-working parent of a disabled child aged 3–16	2 071 <sup>2</sup>	2 194	2 157	2 024	1 975	1 868	1 665
For non-working parent of a disabled child aged 16–18, and for non-working caregiver or guardian of a disabled person aged 18 or older	-	24 647	29 656	33 206	36 085	185	172
With severe disability	-	15 979	20 566	24 381	26 738	141	133
With profound disability	-	8 668	9 090	8 825	9 347	44	39
Disabled parent's allowance <sup>4</sup>	1 472	1 784	1 591	1 525	1 521	1 535	1 580
Education allowance for a non-working disabled student	15	32	27	31	27	16	19
Rehabilitation allowance (for persons aged 16–65)	-	115	1 381	1 614	1 815	1 848	2 274
In-service training allowance (single)	-	4	30	52	34	56	51

Source: Social Insurance Board.

<sup>1</sup> At the end of the year, except rehabilitation allowance and in-service training allowance (total number of recipients during the year).

<sup>2</sup> For a parent of a disabled child aged 3–18.

<sup>3</sup> Since 1 April 2005 the resources for caregiver's allowance of disabled adult persons were transferred to local authorities, and therefore the number of persons receiving the allowance is no longer shown in the Table.

<sup>4</sup> Number of children.

505. Among all the social benefits for disabled persons established by the relevant Act in 2000, the benefits for disabled children have grown during the reporting period. Other benefits have remained on the level determined with the Act in 2000.

Table 37

**The amount of social benefits for disabled persons<sup>1</sup>**

Type of benefit	2000	2001	2002–2005	2006 <sup>3</sup>
Disabled child allowance				
With moderate disability	840	840	860	1 080
With severe and profound disability	940	940	1 020	1 260
Disabled adult allowance				
With moderate disability	-	200	200	200
With severe disability	-	420	420	420



Type of benefit	2000	2001	2002–2005	2006 <sup>3</sup>
With profound disability	-	640	640	640
Caregiver's allowance				
For non-working parent of a disabled child aged 3–16	300	300	300	300
For non-working parent of a disabled child aged 16–18, and for non-working caregiver or guardian of a disabled person aged 18 or older:				
With severe disability	-	240	240	240
With profound disability	-	400	400	400
Disabled parent's allowance <sup>2</sup>	300	300	300	300
Education allowance for a non-working disabled student	100–400	100–400	100–400	100–400
Rehabilitation allowance (for persons aged 16–65)		-	up to 800 kroons per year	
In-service training allowance (single)		-	up to 9 600 kroons during 3 years	

Source: Social Insurance Board.

<sup>1</sup> Kroons per month (except rehabilitation allowance and in-service training allowance).

<sup>2</sup> Allowance per child.

<sup>3</sup> Since 1 April 2005 the resources for caregiver's allowance of disabled adult persons were transferred to local authorities.

506. As expenditure for social benefits of disabled persons is established by law, and during the reporting period only the benefits to disabled children increased, the share of benefits in the state budget and the GDP grew until 2002 and then began to decline. The decline of the share in the recent years has been amplified by considerable growth of the state budget (e.g. 21% in 2006).

507. Although the share in the GDP and the state budget has declined, the absolute amount of the benefits has constantly increased (the total amounts for 2005 and 2006 were smaller than for 2004 only because the Table does not any more contain the amounts of caregiver's allowance that were transferred to the local authorities).

Table 38

**Expenditure on social benefits of disabled persons (million kroons)**

Type of benefit	2000 <sup>1</sup>	2001	2002	2003	2004	2005	2006
<b>Total benefits</b>	<b>75.7</b>	<b>441.2</b>	<b>565.2</b>	<b>588.8</b>	<b>630.1</b>	<b>571.3</b>	<b>580.3</b>
Disabled child allowance	46.9	50.0	57.2	59.7	62.8	64.4	81.6
Disabled adult allowance	-	318.4	396.8	408.0	436.6	462.8	484.9
Caregiver's allowance <sup>2</sup>	7.0	63.8	104.6	114.2	124.0	37.3	6.7
Other benefits	21.8	9.0	6.6	6.9	6.7	6.8	7.1

Type of benefit	2000 <sup>1</sup>	2001	2002	2003	2004	2005	2006
Share of the benefits, %							
Of the GDP	0.08	0.41	0.47	0.44	0.43	0.33	..
Of the state budget	0.27	1.48	1.65	1.49	1.32	1.03	0.86

Source: Social Insurance Board.

<sup>1</sup> The Social Benefits for Disabled Persons Act entered into force fully at the beginning of 2001.

<sup>2</sup> Since 1 April 2005, the resources for caregiver's allowance of disabled adult persons (aged 18 or older) were transferred to local authorities.

### Compensation paid to victims of crime

508. At the beginning of the reporting period, the state began to provide support to victims of crime. In 2001, the State Compensation to Victims of Crime Act was enacted. On 1 February 2004, it was replaced with the Victim Support Act.

509. Each person who has been caused suffering or damage is entitled to receive victim support. The right to financial compensation from the state arises if a person has been a victim of a crime of violence. A crime of violence is an act committed against the life or health of a person which is punishable under the criminal procedure and as a result of which the injured person dies, sustains serious damage to his or her health, or sustains a health disorder lasting for at least six months.

510. The amount of compensation was increased with the Victim Support Act enacted in 2004. In addition, a natural person who bears the expenses relating to the medical treatment or funeral of a victim is entitled to apply for compensation for the expenses. Besides compensation of the expenses for restoration of physical health, the costs of restoration of mental health are also compensated, i.e. compensation of costs of treatment also extends to psychological counselling and psychotherapy.

511. Compensation is paid both in case of intentional crimes and crimes of negligence if the crime resulted in serious damage to victim's health, a health disorder lasting for at least six months, or death. The severity of a crime (e.g. whether serious damage to health was caused) is determined through forensic medical assessment.

512. The amount of compensation is determined on the basis of the following material damage caused by a crime of violence: damage arising from incapacity for work, expenses for the medical treatment of the victim, material damage arising from the death of the victim, damage caused to spectacles, dentures, contact lenses and other appliances substituting for bodily functions and to clothes, and the victim's funeral expenses. Under the Victim Support Act, 80% of the above-mentioned damage is compensated, but not more than 150 000 kroons.

513. In the case of a victim's death, the Act provides for a fixed sum of 7000 kroons as compensation for funeral expenses. From this, the state funeral benefit is deducted, which was 2600 kroons in 2007. Compensation of funeral expenses is based on minimum funeral expenses, of which 80% is established as the rate of compensation. (The general principle of the law is that 80% of the actual expenses are compensated).

514. The dependants of a victim who dies as a result of a crime of violence receive compensation arising from the death of victim based on the victim's previous income: 75% of the victim's income in the case of one dependant, 85% in the case of two dependants, and a 100% in the case of three or more dependants.

515. Within the framework of provision of victim support services, a victim of an offence which is not a crime of violence has the right to receive compensation for the cost of

psychological care. Family members of a victim of any offence are also entitled to compensation of psychological care if their ability to cope has decreased due to an offence committed with regard to the victim. Compensation of psychological care is paid in an amount of up to one minimum monthly wage.

Table 39

**Compensation to victims of crime granted during the year**

	2002	2003	2004	2005	2006
Number of recipients of compensation	25	30	55	252	285
Amounts paid (per year), thousand kroons	274	362	778	1 028	1 181

*Source:* Ministry of Social Affairs.

**International cooperation**

Examples of projects within the framework of international cooperation:

516. *Project name:* ACCESS 1999 “Special Programme for Strengthening the Civil Society and Preparing for Accession of the Ten Candidate Countries in Central and Eastern Europe”.

*Cost:* 850 000 euros

*Duration:* 1999–2002

*Results:* In the course of the project, seven projects for the development of cooperation networks of NGOs and 34 micro-projects of NGOs were carried out, 28 of which dealt with problems of the social sector. Nine projects dealt with disabled people (people with mental or physical disability, and people with visual or hearing impairment), five projects dealt with integration to labour market, and two projects with HIV/AIDS prevention. The aim of the projects was primarily awareness raising through strengthening social integration, creating opportunities, and teaching social skills. Three projects were aimed at raising the administrative capacity of NGOs.

517. *Project name:* “Enhancing Employment Opportunities for People with Disabilities”.

*Cost:* 390 112 euros

*Duration:* 2003–2004

*Results:* In the course of the project, professional cooperation network between rehabilitation institutions, local social insurance offices, providers of labour market services and vocational training centres was developed with the aim to improve the provision of rehabilitation services, workplace adaptation for disabled people and to develop labour market measures. In addition, 12 local level cooperation networks were established. In the framework of the project, 20 000 personal rehabilitation plans for disabled working-age people were drawn up. In 2004, 500 disabled people participated in active labour market measures. Four seminars on assessing the levels of disability were held for 63 members of medical assessment committees, family doctors and employment consultants.

518. *Project name:* “Implementation of the social security co-ordination rules in the framework of free movement of persons”.

*Cost:* 615 615 euros

*Duration:* 2003–2006

*Results:* Besides the Ministry of Social Affairs, also the Social Insurance Board participated in the project. The project helped to raise the customer service quality of government agencies, incl. drawing up principles of customer service case management and preparing handbooks on standards (including rules on information exchange with customers and EU countries). In addition, handbooks on sickness and pregnancy benefits, unemployment benefits, incapacity for work benefits and applicable law were distributed; staff of the Social Insurance Board, the Estonian Health Insurance Fund and the Labour Market Board were trained; and necessary software and hardware for databases was procured.

519. *Project name:* in cooperation with the Dutch Government, a project “Reduction of Sickness Absence Rate” was carried out within the framework of *Matra-flex* programme.

*Cost:* 60 000 euros

*Duration:* first half of 2007

*Results:* Besides the Ministry of Social Affairs, also the Estonian Health Insurance Fund and the Ministry of Foreign Affairs participate in the project. The aim of the project is to improve the Estonian health insurance system. The measures include employers, employees, as well as the state. The project aims to reduce the rate of sickness absence in Estonia in order to reduce the financial expenses of the Estonian Health Insurance Fund. The resources that become available as a result are planned to be reallocated to ensure the necessary health care for the whole of Estonian population and to cover people who do not yet have health insurance.

## **Article 10**

### **Conventions**

520. On 22 February 2002 Estonia ratified the 1993 Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption (within the Hague Conference on International Private Law). The Convention entered into effect in respect of Estonia on 1 June 2002. The Ministry of Social Affairs was designated as the central authority, operating also as the competent authority under Article 23 of the Convention.

### **The concept of family**

521. Under the Family Law Act, a marriage is contracted between a man and a woman upon their mutual wish and with both being present at the same time, and it is registered at a vital statistics office.

### **Marriage**

522. A person who has attained 18 years of age is of age to marry (§ 3 Family Law Act). A minor between 15 and 18 years of age may marry with the written consent of his or her parents or guardian (§ 3 (1) and (2) of the Act).

523. A marriage may not be contracted between persons of whom at least one is already married, between direct ascendants and descendants, brothers and sisters, half-brothers and half-sisters, adoptive parents and adopted children, or between children adopted by the same person, and between persons of whom at least one has been placed under guardianship due to his or her restricted active legal capacity (§ 4 clause 1–3 of the Act).

524. A marriage is contracted not earlier than one month and not later than three months after submission of an application to a vital statistics office by the prospective spouses. At

the request of the prospective spouses, a vital statistics office may with good reason shorten or extend the term (§ 1 (3) and (4) of the Act).

525. Prospective spouses contract marriage with both being present in person at the same time (§ 1 (5) of the Act). A marriage is contracted upon the mutual wish of the prospective spouses. A marriage may not be contracted if a prospective spouse does not confirm his or her wish to marry or if a prospective spouse does not meet the above-mentioned requirements (§ 2 (1) and (2)).

526. A marriage is annulled if the above-mentioned requirements for prospective spouses (e.g., age of marriage) were not complied with.

527. A wish of a prospective spouse to marry and confirmation of the wish are preconditions for contraction of marriage in Estonia. If consent for marriage was obtained against the will of a prospective spouse by fraud or duress, the court will annul a marriage at the request of an entitled person.

Table 40  
**Marriages and divorces, 2000–2005**

			<i>Coefficient per 1000 inhabitants</i>		<i>Divorces per 1000 marriages contracted in the same period</i>
	<i>Marriages</i>	<i>Divorces</i>	<i>Marriages</i>	<i>Divorces</i>	
2000	5 485	4 230	4.01	3.09	771
2001	5 647	4 312	4.14	3.16	764
2002	5 853	4 074	4.31	3.00	696
2003	5 699	3 973	4.21	2.94	697
2004	6 009	4 158	4.45	3.08	692
2005	6 121	4 054	4.55	3.01	...

*Source:* Statistics Estonia.

### **Family benefits**

528. The system of family benefits is regulated by the State Family Benefits Act which entered into force on 1 January 2002. The principles of granting and paying family benefits are the same as during the previous reporting period. The size of certain family benefits has been raised, however.

529. The list of family benefits given in the previous report has been slightly supplemented. Adoption allowance, allowance for families with three or more children and families raising triplets, and parent's allowance for families with seven or more children have been added to the list of available benefits. In addition, a person receiving child care allowance is entitled to supplementary child care allowance of 100 kroons per month per each child of up to one year old.

Table 41  
**Amounts of state family benefits on 1 January (kroons)**

<i>Type of benefit</i>	<i>2000</i>	<i>2001</i>	<i>2002</i>	<i>2003</i>	<i>2004</i>	<i>2005</i>	<i>2006</i>
Childbirth allowance (single)							
For the first child (in case of multiple birth as of 2000)	3 750	3 750	3 750	3 750	3 750	3 750	5 000
For the second and following child	3 000	3 000	3 000	3 000	3 000	3 000	5 000
Adoption allowance (single)	-	-	3 000	3 000	3 000	3 000	5 000

Type of benefit	2000	2001	2002	2003	2004	2005	2006
Child allowance (per month)							
For the first child	150	150	150	150	300	300	300
For the second child	225	225	300	300	300	300	300
For the third and following child	300	300	300	300	300	300	300
Childcare allowance (per month)							
For a child up to 3 years old	600	600	600	600	600	600	600
For children aged 3–8 in families with a child up to 3 years old	300	300	300	300	300	300	300
For children aged 3–8 in families with three or more children	300	300	300	300	300	300	300
Supplementary childcare allowance for a child up to 1 year old	-	-	-	100	100	100	100
Allowance for families with three or more children (per child per quarter) <sup>1</sup>	-	150	150	150	150	-	-
Per child of a family with three children	-	-	-	-	-	150	300
Per child of a family with four or five children	-	-	-	-	-	300	450
Per child of a family with six or more children	-	-	-	-	-	375	450
Parent's allowance (per parent per month) of a family with seven or more children (children entitled to child allowance)	-	-	-	-	-	2 400	2 520
Allowance of a family raising triplets (per family per quarter) <sup>2</sup>	-	600	600	600	600	900	1 350
Child's school allowance (at the beginning of the school year)	450	450	450	450	450	450	450
Single parent's child allowance (per month)	300	300	300	300	300	300	300
Allowance of a child under guardianship or foster care (per month)	300	300	900	900	900	900	900
Conscript's child allowance (per month)	750	750	750	750	750	750	750
Start in independent life allowance <sup>3</sup> (single)	5 000	5 000	6 000	6 000	6 000	6 000	6 000

Source: Ministry of Social Affairs.

<sup>1</sup> Since 1 January 2004, allowance for a family with three or more children is paid instead of the earlier allowance for a family with four or more children.

<sup>2</sup> If the family only has triplets.

<sup>3</sup> For a person without parental care who grew up in a children's home or in a school for children with special needs for starting an independent life.

530. Allowance of a child under guardianship or foster care was 1500 kroons on 1 January 2007 (3000 kroons as of 1 January 2008). Start in independent life allowance is 6000 kroons as of 2007. Since 2007, start in independent life allowance is also paid to children who have been under guardianship or foster care.

531. Since 1 July 2007, the payment of quarterly allowances was terminated and the child allowance was raised to 900 kroons per month as from the third child in a family. Child allowance for the first and second child is 300 kroons per month as of 2008.

532. Since 2008, a separate child care allowance of 700 kroons per month was introduced for a parent of a child up to one year old.

533. Allowance for a parent of a family with seven or more children (paid once a month to one parent of a family with seven or more children who are entitled to child allowance) is 2640 kroons as of 2008.

Table 42

**Recipients of state family benefits**

Type of allowance	2000	2001	2002	2003	2004	2005
Childbirth allowance	12 636	12 526	12 986	13 100	14 402	14 245
Child allowance <sup>2</sup>	312 172	311 043	301 115	293 880	290 281	287 459
For the first child	198 337	199 483	194 173	190 670	189 007	187 397
For the second child	87 267	84 173	80 903	78 311	76 872	75 994
For the third and following child	26 568	27 387	25 939	24 899	24 402	24 068
Childcare allowance	55 065	58 618	58 762	58 800	48 543	50 517
For a child up to 3 years old	35 712	38 242	38 834	39 039	28 601	29 628
For children aged 3–8 in families with a child up to 3 years old	10 597	11 126	11 087	11 000	11 219	11 722
For children aged 3–8 in families with three or more children	8 747	9 250	8 841	8 761	8 723	9 167
Allowance for families with four or more children and a family raising triplets (children)	-	22 561	24 997	23 670	-	-
Allowance for families with three or more children and a family raising triplets (children)	-	-	-	-	68 061	69 982
Parent's allowance of a family with seven or more children (families)	-	-	-	-	-	195
Child's school allowance	228 091	222 770	213 253	205 509	200 097	190 479
Single parent's child allowance	22 300	25 266	27 958	28 432	28 540	28 126
Allowance of a child under guardianship or foster care	2 407	2 927	2 982	2 949	2 835	2 507
Adoption allowance	-	-	20	30	32	29
Conscript's child allowance	56	54	21	9	11	14
Start in independent life allowance	76	64	88	71	108	123
Single allowance for a family with four or more children	22 953	22 252	-	-	-	-

Source: Ministry of Social Affairs.

<sup>1</sup> The number of recipients of allowance at the end of year (in case of single allowances, the number incrementally from beginning of year).

<sup>2</sup> The number of children for whom allowance is received. The number of recipients of allowance for the first child also shows the overall number of families receiving child allowances.

### **Parental benefit**

534. Family benefits also include parental benefit, which is regulated by the Parental Benefit Act enacted on 1 January 2004. The Act aims to support reconciliation of work and family life. Parental benefit is meant to compensate the lost income to parents if a parent temporarily stops working due to taking care of a child.

535. A parent, adoptive parent, step-parent, guardian or caregiver raising a child, if they are permanent residents of Estonia or aliens residing in Estonia on the basis of a temporary residence permit, have the right to receive parental benefit. Until 1 September 2007, a mother raising a child up to six months old had the right to parental benefit, after that also a father was entitled to parental benefit.

536. Since 1 September 2007 the restriction was removed and the rights of men and women to receive the parental benefit became equal. Father is entitled to parental benefit when the child is 70 days old. This restriction is due to the fact that the pregnancy and maternity leave of working mothers lasts for 70 days before and after giving birth, and only the mother has the right to the maternity benefit for this period. Payment of parental benefit begins after the end of the pregnancy and maternity leave.

537. If the mother is not working and she is not entitled to a maternity benefit, payment of parental benefit begins from the moment of birth of the child. This ensures equal treatment to families where the mother was working before pregnancy and families where the mother was not working.

538. Payment of the parental benefit begins from the day following the last day of the period of payment of maternity benefit (pregnancy and maternity leave) and it is paid until 455 days are attained together with the days of the maternity benefit.

539. The amount of the parental benefit is calculated on the basis of an applicant's average income per calendar month in the previous calendar year. The amount of the benefit per month is 100% of the recipient's monthly average income that was subject to social tax in the previous calendar year. Any income that was subject to social tax is considered income for the purposes of the benefit. If the social tax for the person was paid by the state, this is not considered as income derived from work.

540. During the payment of parental benefit, a parent does not receive child care allowance for the child for whom the parental benefit is paid. Child allowance and family allowances are paid together with the parental benefit. For persons who have joined a pension fund under the second pillar of the pension system, the state pays additional one per cent per child of the sum of parental benefit to the pension fund.

541. If a parent was not working during the year prior to acquiring the right to the benefit, the parental benefit is paid as fixed sum (2690 kroons in 2007). If a parent worked in that year but his or her average income was smaller than minimum wage, the parental benefit is paid to the extent of the minimum wage. In 2007, minimum wage was 3600 kroons. The maximum limit of a parental benefit is the three-fold average wage for the penultimate year. In 2007, the maximum limit of the parental benefit was 21 624 kroons.

542. A parent may work while receiving the parental benefit. Work is understood as income from which an employer paid social tax during the particular calendar month, incl. payment of wages or bonuses for an earlier period. If the income is less than 2690 kroons per month, the amount of parental benefit is not affected.



543. If the monthly income earned while receiving the parental benefit is higher than 2690 kroons, the amount of the benefit is reduced. New benefit = (benefit + income)/1.2 – income. The benefit is not paid if the income earned during a calendar month while receiving the benefit exceeds the rate of the benefit five-fold (13 450 kroons in 2007). In the case of sole proprietors, the parental benefit is not reduced if they earn any income.

Table 43

**Recipients of parental benefit by types of benefit<sup>1</sup> and gender**

Type	2004			2005			2006		
	Total	Men	Women	Total	Men	Women	Total	Men	Women
100% in the amount of income per one calendar month	<b>9 605</b>	323	9 282	<b>11 052</b>	330	10 722	<b>13 963</b>	409	13 554
In maximum amount	<b>913</b>	65	848	<b>831</b>	61	770	<b>1 098</b>	81	1 017
In the amount of monthly minimum wage	<b>5 122</b>	30	5 092	<b>5 787</b>	22	5 765	<b>6 297</b>	42	6 255
In the amount of parental benefit	<b>6 670</b>	29	6 641	<b>5 967</b>	16	5 951	<b>5 797</b>	22	5 775
<b>Total</b>	<b>22 569</b>	<b>447</b>	<b>22 122</b>	<b>23 797</b>	<b>431</b>	<b>23 366</b>	<b>27 172</b>	<b>554</b>	<b>26 618</b>

Source: Ministry of Social Affairs.

<sup>1</sup> The maximum amount of parental benefit was 15 741 kroons and 17 472 kroons in 2005.

Table 44

**Expenditure on state family benefits and parental benefits (million kroons)**

Type of benefit	2000	2001	2002	2003	2004	2005	2006
<b>Total family benefits and parental benefit</b>	<b>1 317.0</b>	<b>1 317.2</b>	<b>1 395.4</b>	<b>1 382.1</b>	<b>2 106.0</b>	<b>2 195.8</b>	<b>2 541.6</b>
Childbirth allowance	42.0	42.3	44.0	44.4	48.9	48.3	72.6
Child allowance <sup>1</sup>	711.8	696.5	754.1	730.0	1 058.0	1 034.9	1 006.7
Childcare allowance	352.8	353.4	354.0	366.0	293.5	286.7	268.9
Single parent's child allowance	85.1	88.0	100.6	103.0	103.7	102.6	100.2
Child's school allowance	102.5	100.2	95.9	92.5	90.5	85.8	81.3
Allowance of a child under guardianship or foster care	10.3	10.7	32.4	32.6	32.0	29.4	26.0
Allowance for families with four or more children and a family raising triplets	-	14.0	13.6	12.8	-	-	-
Allowance for families with three or more children and a family raising triplets	-	-	-	-	37.3	48.9	80.8
Parent's allowance of a family with seven or more children	-	-	-	-	-	5.7	6.0
Single allowance for families with four or more children	11.5	11.1	-	-	-	-	-
Other benefits	1.0	0.9	0.8	0.6	0.8	0.9	1.1
Parental benefit	-	-	-	-	441.3	552.7	898.0

Type of benefit	2000	2001	2002	2003	2004	2005	2006
Share of family benefits and parental benefit, %							
Of the GDP	1.38	1.22	1.15	1.04	1.44	1.27	..
Of the State budget	4.62	4.42	4.06	3.49	4.42	3.98	3.80

Source: Ministry of Social Affairs.

<sup>1</sup> In 2003, an additional childcare allowance was introduced in the amount of 100 kroons per month per each child up to one year old. This is the reason for increase in the amount of childcare allowance paid in 2003. In 2004, the Parental Benefit Act entered into force, under which no childcare allowance is paid during the period of paying the parental benefit, and therefore the expenditure for payment of childcare allowance dropped.

### Fiscal incentives to families

544. Parents may deduct from their taxable income the expenses made on the education of their dependants (up to 26 years of age), including interest payments on student loans.

545. Since 2006, families with children may deduct from their taxable income 24 000 kroons a year per each child up to 17 years old as from the second child in the family.

546. Since 2004, young parents graduating from a higher educational institution or vocational school may apply for extinction of their remaining student loan to the extent of 50% per each child up to three years old.

547. In addition to valuing children and raising of children, benefits provided for families help to alleviate child poverty. An analysis<sup>12</sup> has shown that state family benefits, parental benefit and the additional tax-exempt income depending on the number of children helped to reduce the proportion of children living below the relative poverty line by almost one third (approximately 20 000 children), i.e. by 8–10 percentage points, in the period 2000–2007. Benefits have mostly reduced poverty in families with many children; the effect has been somewhat smaller on single parent families.

548. There are no data on families not covered by state benefits. Counselling and preventive assistance do not reach families who consciously avoid this, e.g. families who have become socially inactive due to long-term coping problems, or families who have failed to register their new residence upon moving, and families who are only interested in financial support and do not consider any other type of intervention justified.

### Domestic violence, notifying about it and possible assistance

549. The small number of notified cases of domestic violence in Estonia is due to small awareness of the issue among the public as well as specialists. Nevertheless, this tendency has started to change due to information campaigns in the recent years.

550. The Committee in paragraph 18 of its concluding observations expressed concern that many cases of domestic violence still go unreported. In paragraph 41 the Committee recommended intensifying efforts to combat domestic violence, including through ensuring the availability and accessibility of crisis centres where victims of domestic violence can find safe lodging and counselling.

<sup>12</sup> Võrk, A., Paulus, A., "Peredele suunatud rahaliste toetuste mõju vaesuse leevendamisele Eestis: analüüs mikrosimulatsioonimeetodi abil" [The impact of financial benefits for families on alleviation of poverty in Estonia: an analysis based on the microsimulation method], Poliitikauuringute Keskus Praxis 2007.

551. An effective means for combating domestic violence is restraining order. A basis for applying a restraining order is in the Law of Obligations Act. The Act prohibits any activity which causes damage (§ 1055).

552. In the case of causing bodily injury, damage to health, violating of privacy or other personality rights, a person may request applying of a restraining order in respect of the violator, regulating of the use of housing or communication, or applying of other similar measures.

553. For the application of restraining order, a person must submit a relevant request to the court. Restraining order and other similar measures provided for by law may be applied for a term of up to three years. Before applying a restraining order or another measure for protection of personality rights, the court will hear the person with respect to whom application of such measure is requested and the person in the interests of whom proceedings are conducted for application of such measure. Where necessary, the court will also hear the persons close to the persons specified above, and the rural municipality or city government or police authority of the residence of the persons.

554. If necessary, the court may secure an application or apply necessary provisional legal protection while adjudicating the matter (i.e. if necessary, a restraining order may be applied immediately).

555. It is possible to apply a temporary restraining order during criminal proceedings (§ 141<sup>1</sup> Code of Criminal Procedure) if criminal proceedings were initiated on suspicion of committing a crime against persons (e.g. physical abuse, causing of serious damage to health) or against a minor. A temporary restraining order is applied if there is a need for rapid intervention in a situation. To apply a temporary restraining order, a prosecutor will make a relevant request with a consent of the victim to the court. A temporary restraining order may be applied for the whole duration of the criminal proceedings.

556. At the request of the victim or at the request of the Prosecutor's Office and with the consent of the victim, a preliminary investigation judge or court may amend the conditions of a temporary restraining order or annul a temporary restraining order.

557. Violation of a restraining order is punishable (§ 331<sup>2</sup> Penal Code). Violation of a restraining order or other measure of protection of personality right, except violation of a temporary restraining order, if this poses a danger to the life, health or property of persons, or repeated violation of a restraining order or other measure of protection of personality right is punishable by a pecuniary punishment or up to one year of imprisonment.

558. The Ministry of Justice plans to prepare an information leaflet explaining the restraining order. Estonia has trained police officers, prosecutors, judges, lawyers, child protection workers, and victim support workers about provisions regulating the use of restraining order.

### **Training and campaigns**

559. Various training seminars (e.g. for police officers, prosecutors, judges, social and victim support workers, child protection workers, medical workers) have been organised to raise awareness of domestic violence. Various campaigns and information events (e.g. campaigns “Don’t hit a child”, “When love hurts”) have also been organised to raise public awareness. There have also been debates in the media (e.g. inserts on issues of violence in the daily “Eesti Päevaleht”).

### **Services for victims of violence**

560. Better notification of cases of violence can be achieved by developing services for parties involved in violence. Estonia has been doing this during the reporting period.

561. The first shelter specifically intended for victims of domestic violence was opened in Tartu in 2002. In 2005, a shelter in Tallinn was opened and in 2006 a shelter in eastern Estonia. Shelters are run by non-profit-making organisations and provide temporary accommodation, counselling, medical assistance and information about different services.

562. In 2003, a nationwide network of women's support groups was launched to support victims of violence in intimate relationships. In 2007, there were five support groups providing psychological and legal assistance and encouraging women to break out of violent situations.

563. According to the non-profit organisation Estonian Centre of Social Programmes, approximately 60–70 women per month participate in support groups. The number of persons contacting the support groups, i.e. either participating in them or contacting the groups by telephone, was approximately 110–120 women per month in 2005.

#### **Police statistics**

564. In 2006, the police registered 4731 family quarrels, of which 3519 occurred without participation of a child and 1212 with presence of a child. 492 of the cases without participation of a child and 134 of the cases with presence of a child were registered as a criminal offence.

#### **Services for victims**

565. Of the services available to victims of domestic violence, information is currently available about persons contacting shelters, victim support and women's support groups. As compared to 2000, the number of persons contacting the shelters due to domestic violence has increased. 164 persons contacted the shelters in 2000 (105 women, 59 men), 146 in 2001 (105 women, 41 men), 162 in 2002 (110 women, 52 men), 326 in 2003 (231 women, 95 men), 254 in 2004 (158 women, 96 men), and 309 in 2005 (226 women, 83 men).

566. 3005 victims contacted the state victim support system launched in 2005. In 841 of the cases, the reason for contact was domestic violence, in 278 cases violence against children, and in the remaining cases other reasons.

567. Following an amendment to the Victim Support Act in spring 2007, conciliation service and psychological counselling of victims are also compensated through the state victim support system.

#### **Development plan**

568. In 2006, the Ministry of Social Affairs began drafting a development plan for preventing and combating violence in intimate relationships for 2008–2011. The overall aim of the development plan is to devise a common coordinated policy to prevent and combat domestic violence.

569. The target groups of the development plan are victims of violence, witnesses of violence and violently behaving persons.

570. The development plan also aims to increase sustainability of shelters, develop a network of services available to parties of violence, and improve prevention. The development plan also pays attention to the need of constant assessment of the situation and improving cooperation.

### Changes in legislation concerning children

571. Under the amendment made to the Child Protection Act in 2004, teachers and educators of children with special needs must conform to the requirements established by law and be suitable for this work.

572. Since 1 January 2007, the Social Welfare Act regulates the child-minding service and sets down requirements for it. The aim of legal regulation of the service is to increase security of children in a situation where a child is temporarily being looked after by a stranger and not by a person living together with a child. The child-minding service provides an alternative to parents whose child cannot for some reason attend a pre-school child care institution.

573. Child-minding service is a service supporting the ability of a parent to work, study or cope while the care, development and security of a child is guaranteed by a provider of the child-minding service. Child-minding service is intended for persons raising a child (e.g. parent, guardian, or caregiver). The duty of the parent is to assess the suitability of the location and conditions under which the service will be provided and the suitability of the person who is going to provide it.

574. The legal representative of a child with severe or profound disability or the caregiver specified in § 252 (1) of the Social Welfare Act is entitled to state-funded child-minding service until the end of the calendar year during which the child attains 18 years of age, provided that the need for child-minding services for a child is set out in the child's rehabilitation plan, caring for the child is not guaranteed simultaneously with other social services (except for foster care), and the child is not staying at an educational institution at the same time.

575. Under the Maintenance Allowance Act, enacted on 1 January 2008, a parent raising a child alone is entitled to apply for maintenance allowance from the state on the condition that they initiate court proceedings to claim maintenance from the parent who has failed to comply with the duty to pay maintenance. The maintenance allowance paid by the state may be seen as part of the maintenance which is paid instead of the defaulting parent who should be obliged to pay it. The state later reclaims the money from the parent who was obliged to pay the maintenance, i.e. the maintenance claim will transfer to the state.

576. The payment of maintenance allowance should guarantee maintenance of a child in a situation where one of the parents fails to fulfil their duty of maintenance and the measures taken to claim the maintenance (i.e. initiating of court proceedings) have not yet provided the desired result. Another important aim of the Act is to encourage parents more actively to go to court with their maintenance claims. Until now, many single parents simply accepted the fact that maintenance was not paid and did not even try to protect the rights of their child in court.

577. Maintenance allowance is financed from the state budget. The daily rate of maintenance allowance is 50 kroons and the total amount of assistance 4500 kroons (maintenance allowance is granted for a period of 90 days). Maintenance allowance is paid in parts.

578. The state does not start enforcement proceedings against a debtor before their duty to pay the maintenance has been confirmed by the court. The state claims from a parent the sum which was paid as maintenance allowance, i.e. the sum in respect of which the claim has transferred to the state. Practice shows that maintenance claims submitted to court are usually justified and the proceedings result in a decision ordering the payment of maintenance.

579. According to a survey conducted by Statistics Estonia in 2005, approximately 80% of children of single parents in Estonia do not receive maintenance from the other parent.

At the beginning of 2006, there were approximately 10 700 files related to maintenance claims being processed by bailiffs, in 3900 cases (36%) of them there were problems with claiming maintenance, i.e. a debt of maintenance payments had accumulated.

### Employment of minors

580. Restrictions for employment of minors were specified in the amendments introduced to the Employment Contracts Act in 2004 and in the Working and Rest Time Act enacted in 2001. Under the Employment Contracts Act, as a general rule, a person who is at least 18 years of age can be an employee. An employee may be a minor only in exceptional cases.

581. An employer may not to employ a minor or require a minor to work if the work is beyond the minor's physical or psychological capacity, is likely to harm the moral development of the minor, involves the risk of accidents, is likely to harm the minor's social development or to jeopardize his or her education, or involves health hazards to the minor. The list of work and risk factors, in the presence of which employers may not employ minors, is established with the Government Regulation No. 171 of 30 April 2004 "Risk factors in the working environment and work in the case of which employment of minors is prohibited".

582. In employing minors, restrictions arising from special Acts must also be complied with. Under the Alcohol Act (2001) and the Tobacco Act (2005), minors may not be employed for work involving handling of alcohol or tobacco products.

583. Minors of 13–14 years of age and minors of 15–16 years of age subject to the obligation to attend school are permitted to perform light work where the nature of the tasks is simple and does not require great physical or psychological effort. The list of light work which minors are allowed to do is established with the Government Regulation No. 172 of 30 April 2004 "The list of light work which minors are allowed to do".

584. Persons who are subject to obligation to attend school may only be employed during school holidays. During school time, minors may work as creative workers in the field of culture, sport or advertising.

585. According to the Labour Inspectorate, the majority of 13–14-year-old minors who work in summer are employed in taking care of green areas. Minors do planting in gardens or plant agricultural crops, weed and water the plants, and do other similar work.

586. As can be seen from the following table, while the proportion of 15–16-year-old minors who are employed has decreased during the reporting period, the proportion of 13–14-year-old employed minors has increased as compared to 2000. This mostly demonstrates the interest of young people in this age group to earn pocket money during their summer holidays. For example, organisers of summer work camps have noticed a significant increase in the number of young persons wishing to work as compared to the work available. Because of a widespread interest among young people themselves, we have not considered it necessary to prohibit them from working. Instead, the rules and conditions for employing young people aged 13–14 have been specified in more detail. Compliance with the rules and conditions is supervised regularly.

Table 45

#### Employment of minors in paid work

<i>Employed persons aged 15–17, 2000–2005*</i>		<i>Employed persons aged 13–14, 2000–2005**</i>	
<i>Year</i>	<i>Rate of employment, %</i>	<i>Year</i>	<i>Rate of employment, %</i>
2000	3.8	2000	0.22
2001	3.7	2001	0.43

<i>Employed persons aged 15–17, 2000–2005*</i>		<i>Employed persons aged 13–14, 2000–2005**</i>	
<i>Year</i>	<i>Rate of employment, %</i>	<i>Year</i>	<i>Rate of employment, %</i>
2002	..	2002	0.49
2003	2.2	2003	0.25
2004	1.6	2004	0.34
2005	1.5	2005	0.47
		2006	0.57

*Sources:* \* Statistics Estonia.

\*\* Labour Inspectorate.

587. Under the Working and Rest Time Act, minors must have reduced working time: four hours per day or twenty hours per week for employees who are 13–14 years of age or subject to the obligation to attend school; six hours per day or thirty hours per week for employees who are 15 years of age and not subject to the obligation to attend school; seven hours per day or thirty-five hours per week for employees who are 16–17 years of age and not subject to the obligation to attend school.

588. Employees who are 13–14 years of age or subject to the obligation to attend school may not be required to work during evening time (18.00–22.00). Exceptionally, with the permission of a labour inspector of the location (residence) of the employer, minors may be hired to work as persons engaged in creative activities in the areas of culture, sport or advertising during evening time until 20.00 on condition that the work does not harm the health, safety, development or morality of minors or interfere with their studies.

589. Minors may not be required to work during night time (22.00–06.00). Exceptionally, with the permission of a labour inspector of the location (residence) of the employer, minors who are 15–17 years of age and not subject to the obligation to attend school may be required to work as persons engaged in creative activities in the areas of culture, sport or advertising during night time until 23.00 or, in the event of participation in the artistic activities of performing arts institutions, during night time until 24.00 on condition that the work does not harm the health, safety, development or morality of minors or interfere with their studies.

590. In order to enter into an employment contract with a minor, a written consent of the legal representative of the minor is required. In order to enter into an employment contract with a minor of 13–14 years of age, the employer is required to request a written consent of a labour inspector. If the labour inspector ascertains that the work is not prohibited for a minor and that the working conditions are in accordance with the legal requirements, the labour inspector may issue a consent to employ the minor.

591. Supervision over employment relationships and compliance with occupational health and safety rules is performed by the Labour Inspectorate. In case of violation of the rules, a labour inspector may issue a precept. Failure to comply with the precept may result in application of a penalty payment. Depending on the type of violation, penalty payment may be up to 10 000 or 20 000 kroons.

592. Labour inspectors may impose a fine of up to 300 units for violation of occupational health and safety requirements. If the same act is committed by a legal person, a labour inspector may impose a fine of up to 40 000 kroons.

593. Under the Employment Contracts Act, employers may not apply a probationary period when employing minors (§ 33 (5)). It is also prohibited to send minors on a business trip (§ 51 (2)).

### **Sexual mistreatment of children**

594. Under Estonian legislation, the sale of children, child prostitution and child pornography are prohibited.

595. In several chapters of the special part of the Penal Code, a distinction is made whether an act was committed in respect of an adult or a minor. For example, in the case of offences against sexual self-determination, commission of an offence against a minor involves harsher punishments than commission of the same offence against an adult. Under § 58 of the Penal Code, commission of an offence against a minor is always considered as aggravating circumstance.

596. Interests of a victim who is a minor are protected in criminal proceedings under the Code of Criminal Procedure.

597. Police prefectures employ officers who are specialised in this field. In the North Police Prefecture, which is the largest police establishment and covers the area of Tallinn, the specialised officers are concentrated in the child protection unit.

598. All regional police establishments have special interview rooms for child victims.

### **Neglected children**

599. In relation to the previous report of Estonia, the Committee expressed concern about a large number of street children. In Estonia the problem are neglected children, not so much street children in the classic sense.

600. The main risk group in Estonia are children without parental care or with insufficient parental care. Information about such children mostly reaches social workers or child protection workers who then start dealing with the problem.

601. According to people who work directly with children in risk groups, by 2006 there were no more children in Estonia who could be defined as street children. There are children who lack parental care or children belonging to risk groups, but they usually fairly quickly come to the attention of child protection authorities or the police.

602. Due to coping problems of families, social exclusion, insufficient skills of parents, or other factors approximately 1300 new children without parental care come to the attention of child protection workers every year. With adequate and timely intervention, an attempt is made to avoid the emergence of a new generation of excluded people. In cases where counselling does not yield expected results and the life or health of a child are in danger if they continue to live with parents, a child protection worker may initiate removal of a child from a parent or deprivation of parental rights.

603. Under § 53 of the Family Law Act, a child may be removed from one or both parents without deprivation of parental rights if it is dangerous to leave the child with the parents. If leaving a child with a parent threatens the health or life of the child, a guardianship authority may remove the child from the parent prior to obtaining a court order. In such case the guardianship authority must file a claim with a court within ten days for removal of the child or for deprivation of parental rights. If the reasons for removal of a child cease to exist, a court may order return of the child at the request of a parent.

604. Under § 54 of the Family Law Act, a court may deprive a parent of parental rights if the parent abuses alcoholic beverages, narcotic or other psychotropic substances, abuses parental rights, is cruel to a child, has a negative influence on a child in some other manner, or, without good reason, has not during one year participated in raising a child who resides in a child care institution. If upon depriving a parent of parental rights a child is left without parental care, a guardianship authority must arrange for care of the child.



605. A child deprived of parental care is placed either in a social welfare institution, under foster care or guardianship, or is adopted.

606. Guardianship is established for the purpose of raising a child and for protection of his or her personal and proprietary rights and interests. Guardianship is established for a child whose parents are deceased, missing, with restricted active legal capacity, or deprived of parental rights. Guardianship may also be established for a child who for other reasons is left without parental care.

607. A court decides on establishment of guardianship on the application of a guardianship authority or of the person who is placed under guardianship. The wishes of a child who is at least ten years of age or of a person with restricted active legal capacity must be considered in the appointment of a guardian. The wishes of a child younger than ten years of age must also be considered if the development level of the child so permits.

608. Guardian of a child is the child's legal representative and he or she must attend to the raising and maintenance of a child.

Table 46

**First-time registration of children without parental care, and placement of registered children in alternative care, 2000–2005**

	2000	2001	2002	2003	2004	2005
Children registered per year	1 227	1 255	1 249	1 276	1 092	858
Boys	659	703	703	685	602	431
Girls	568	552	546	591	490	427
Registered children were placed in alternative care <sup>1</sup>	1 305	1 288	1 301	1 326	1 073	979
Incl. in a child welfare institution	157	202	238	184	226	175
In a new family	597	455	392	381	266	261
In child's biological family	320	411	441	453	371	416
In a shelter	231	220	230	308	210	127

Source: Social Sector in Figures 2006, Ministry of Social Affairs.

<sup>1</sup> The number of placed children is larger than the number of registered children due to placement of children who had been registered but not placed during the previous year.

609. The number of children without parental care who were registered for the first time has significantly declined in the past five years. In 2001, 1255 children were registered, while in 2005 the number had dropped to 858. In respect of placement of children it may be noted that fewer children are placed in welfare institutions and shelters and increasingly more children are placed back in their biological family.

Table 47

**Children using the state child welfare service, by gender and age and proportion in the population by age groups, at the end of year**

Year, gender	Total	0–2	3–6	7–14	15–17
<b>Total</b>					
<b>2000</b>	<b>1 715</b>	<b>111</b>	<b>145</b>	<b>831</b>	<b>384</b>
<b>2001</b>	<b>1 814</b>	<b>96</b>	<b>156</b>	<b>814</b>	<b>429</b>
<b>2002</b>	<b>1 881</b>	<b>100</b>	<b>160</b>	<b>821</b>	<b>474</b>
<b>2003</b>	<b>1 539</b>	<b>81</b>	<b>150</b>	<b>627</b>	<b>487</b>

<i>Year, gender</i>	<i>Total</i>	<i>0–2</i>	<i>3–6</i>	<i>7–14</i>	<i>15–17</i>
<b>2004</b>	<b>1 549</b>	<b>81</b>	<b>155</b>	<b>608</b>	<b>492</b>
<b>2005</b>	<b>1 567</b>	<b>93</b>	<b>176</b>	<b>552</b>	<b>519</b>
<b>Boys</b>					
2000	<b>1 024</b>	66	89	513	211
2001	<b>1 087</b>	61	95	492	246
2002	<b>1 135</b>	62	98	512	262
2003	<b>904</b>	35	90	394	290
2004	<b>932</b>	43	96	374	299
2005	<b>928</b>	43	98	341	314
<b>Girls</b>					
2000	<b>691</b>	45	56	318	173
2001	<b>727</b>	35	61	322	183
2002	<b>746</b>	38	62	309	212
2003	<b>635</b>	46	60	233	197
2004	<b>617</b>	38	59	234	193
2005	<b>639</b>	50	78	211	205
<b>Per 1,000 people in the relevant age group</b>					
2000	<b>3.8</b>	3.02	5.37	6.01	1.53
2001	<b>4.1</b>	2.56	5.54	6.76	1.96
2002	<b>4.2</b>	2.61	5.96	7.42	1.84
2003	<b>3.6</b>	2.11	4.88	7.51	1.34
2004	<b>3.7</b>	2.04	5.1	7.54	1.46
2005	<b>3.8</b>	2.26	5.0	8.21	1.55

*Source:* Social Sector in Figures 2006, Ministry of Social Affairs.

### **Children in shelters**

610. One third fewer children ended up in shelters in 2005 than in 2003 (1798 children in 2003 and 1237 children in 2005).

611. Although the number of children in shelters has decreased by more than a half in 2003–2005, the main reason why children need to go to a shelter is still the lack of a permanent place of residence.

Table 48

### **Children who used the shelter service, 2003–2005**

	<i>2003</i>	<i>2004</i>	<i>2005</i>
<b>Total minors</b>	<b>1 798</b>	<b>1 354</b>	<b>1 237</b>
Lack of residence	292	131	138
Incl. aged 0–6	113	54	81
Aged 7–14	116	50	37
Aged 15–17	63	27	20

*Source:* Statistics Estonia.

612. Besides offering a possibility of overnight stay, shelters also provide counselling and other support and assistance (e.g. food aid, clothes) for children and families.

613. According to Tartu Children's Shelter, 41 children who used the shelter service in 2005 came to the shelter because of a lack of residence. These are children who mostly come to the shelter together with parents who have been evicted from their residence due to rent debts or whose tenancy contract has expired. There are no street children in Tartu who are forced to live in the streets due to lack of parental care.

614. According to Pärnu Family Help Centre, 17 children who used the shelter service in 2005 came to the shelter because of a lack of residence. The majority of these children were from larger families (with 3–4 children) who, due to their small income, had problems with rent payments and had been evicted from their leased apartment. These children may live in the shelter together with their parents until their dwelling problem is solved. According to available data, there are no children in Pärnu who have no housing at all. Mostly during the summertime the police bring to the shelter young people who have simply left home, do not go home for the night and wander in the streets.

615. Tallinn Children's Shelter has two centres. In Lilleküla there is a centre with a capacity of 16 persons for children without parental care aged 3–18. The centre at Nõmme tee has a capacity of 30 persons and is intended for children aged 10–18 who have addiction problems and need special regime.

616. Lilleküla centre has provided assistance to more than 2000 children during its operation, i.e. to 140–224 children per year. In 2005, Lilleküla centre provided assistance to 150 children, among them 83 boys and 67 girls. The majority of children were aged 7–14 (total 85 children), there were also 33 children aged 15–17 and 32 children up to 6 years of age.

617. Problems because of which children come to Lilleküla centre are, for example, vagrancy, lack of care at home, domestic violence, problems of teenagers at home, illness of a parent, lack of residence, alcoholism, stealing, difficult financial situation, drug abuse of parents.

618. The children stay in Lilleküla centre usually only for a short period of time. 56% of children stay in the shelter for up to a week, 19% for up to a month, and the rest of the children stay in the shelter longer than a month, i.e. as long as it takes to solve their problem, which, in some cases, may take for up to a year.

619. Most children are brought to the centre by the police (40%), followed by child protection workers of city districts (28%), and in the remaining cases either children themselves or their parents come to seek assistance from the centre.

620. In 2005, 42% of the children who stayed in Lilleküla centre returned back home, 16% went to another welfare institution, 13% to children's home, 5% to a new residence, 5% to relatives, and 4% to foster families. A certain number of children remain in the shelter, while waiting for a solution to their problem.

621. In Nõmme tee centre of Tallinn Children's Shelter, there are two departments each with a capacity of 10 boys, and one department with a capacity of 10 girls. Many children have problems with alcohol abuse, solvent abuse or drug-addiction.

622. In 2000–2005, 190 children received assistance from the centre. It is extremely important to cooperate with families and close ones, because after completion of a social programme the majority of children return home. For example, in 2004–2005 there were 32 children in the centre, of whom 27 returned home and 5 were referred to a children's home after completing the programme.

**Preventive child protection measures**

623. More and more information events, training seminars and campaigns on issues of child protection have been organised both for specialists and the general public on national as well as local level in cooperation with non-profit associations in the recent years.

624. During the reporting period, the number of researchers as well as qualified practitioners in the field of social work and child protection increased significantly. In 2000, there were 118 child protection workers in county authorities and local authorities in Estonia. In 2005, their number had risen to 153.

625. Cities have created day centres for children where they can play, eat warm meals or do homework. The target group of most day centres are children from families with coping problems. Children from families with better opportunities can find activities in hobby schools or in various hobby circles operating in schools.

626. There are a number of counselling centres in Estonia where services are provided by different specialists such as psychologists, psychotherapists, psychiatrists, sexologists, and speech therapists. Some of the centres operate as local government establishments, some are non-profit associations or commercial undertakings. Social counselling is provided by social workers employed by all local authorities.

627. Counselling service is also available free of charge through trust lines operating both in Estonian and Russian. For example, there is a nationwide trust line 126, Life Line, youth trust line, county trust lines, children's trust line, and others. In 2005, a separate help and information line for children (number 1345) was opened in Tallinn.

628. To assist children in risk groups, counselling to families at risk has been provided in order to reduce the number of neglected children and increase the ability of families in raising children. This has been done through projects and services organised by non-profit associations, as well as through local government services. Different forms of family work, service of support persons for families, family counselling and therapy, family camps, and payment of benefits to raise the coping ability have also been used.

629. In the recent years, the network of specialists to assist neglected children has improved considerably.

630. Certain local networks have provided an important contribution to assisting children at risk. For example, in 2000 the Tallinn City Government created a partnership programme "Riskilaps" (Child at risk), involving 25 different organisations. In the framework of the partnership, the assistance provided to children at risk has developed considerably, the relevant centres have been created and developed, and the number of child protection workers has been increased.

631. In the framework of the "Riskilaps" programme, some field work in the streets was done at the beginning of the reporting period to map problematic and existing places where children and young people tend to gather. Contact with children was established to introduce the existing centres to them and invite them there.

632. During the reporting period, the Estonian Union for Child Welfare prepared a description of the service of a family support person and methodology for the provision of the service. The service is provided in cooperation with the local authorities and is oriented to families with children where parents are in need of counselling to be able to fulfil their parental role and ensure the well-being and sustainable development of children. The Union for Child Welfare has supported launching of the service in different regions in Estonia. Once the service is established, the local authority is responsible for providing it.

633. In addition, the Union for Child Welfare has also promoted services which offer an alternative to the child care service provided in the public sector, and in cooperation with

the public sector they have tried to launch alternative services to give parents more choice. The Union for Child Welfare has developed a service of afternoon child groups for children aged 7–8 and has supported launching of programmes to prepare pre-school children for school.

634. In 2006, in cooperation between the Family Centre *Sina ja Mina*, the Union for Child Welfare and the Ministry of Social Affairs, a campaign *Kasvame koos* (Growing together) was started to promote positive relations between children and parents.

635. On 1 November 2006, a campaign *Veebivend* (Web brother) on internet security was launched. In the framework of the programme, visual training materials for small children were prepared to demonstrate them how to avoid dangers on the internet (<http://www.lastekas.ee/?go=web&id=906>). The Web brother campaign was prepared in cooperation between Microsoft Estonia, the Union for Child Welfare, Tallinn Children's Family Centre and the police.

636. During the reporting period, regular training to parents has been provided in cooperation with non-profit associations (e.g. Family Centre *Sina ja Mina*, Union for Child Welfare). Different training and information materials on issues of children have been printed and distributed.

#### **Informing and involving of target groups**

637. Problem groups are informed about their rights through the media, different agencies, publications, and campaigns. In the framework of specific projects, other more individual and personalised measures are also used (e.g. personal contact in the framework of field work in the streets). In addition, social workers and child protection workers also provide information to problem groups about their rights, duties and opportunities.

638. The state, local authorities and non-profit associations regularly involve families, parents and to a certain extent also children as their target groups in developing and providing services for families.

#### **Strategy documents**

639. Estonia has prepared several basic strategic documents on ensuring the rights of children and developing a secure environment for them, on preventing and combating the sale of children, child prostitution and pornography.

#### **The strategy for guaranteeing the rights of the child**

640. On 16 October 2003, the Government approved the “Strategy for Guaranteeing the Rights of the Child” for 2004–2008. The Strategy aims at better and more coordinated implementation of the UN Convention on the Rights of the Child, so that the principles of the Convention and its optional protocols are implemented to guarantee basic and special needs of all children living in Estonia with the support of the family, community, and environment.

641. The first part of the Strategy focuses on objectives relating to satisfying the basic needs of children. Welfare and scope for development of each child is guaranteed through a family-centred approach and an inter-sectoral systematic cooperation network. Equal opportunities are guaranteed for access to high-quality education meeting the abilities of each child. Each child is supported in achieving better health and mental, emotional, and physical well-being. Each child is guaranteed opportunities and conditions for their development outside the family and outside formal education and employment.

642. The second part of the Strategy focuses on objectives relating to satisfying special needs of children. It is intended to reduce the number of children living in poverty or risk of

poverty and to take measures to include children with disabilities in society. Equal opportunities are created for children with special educational needs to participate in society. Opportunities are created to integrate children belonging to national minorities and/or other marginalised groups.

643. Additionally, the aim is to take measures to assist and support children without parental care, to prevent mistreatment of children and to provide all-round support to mistreated children. In order to reach the latter objective, measures are taken to prevent mistreatment of children, to raise community awareness of how to recognise mistreated children and notify the relevant support institutions, and a system is developed to assist mistreated children.

644. The objectives in the third part of the Strategy focus on development of well-functioning systems to ensure the well-being of children. Each child is ensured an opportunity to grow up in a family. A safe and child-friendly environment is created for each child. A system is developed for effective organisation of child protection.

645. A national action plan is drawn up for each year, reflecting the activities foreseen for achieving objectives set out in the Strategy. Since 2004, with ratification of the Optional Protocol, more focus in national action plans has been placed on preventing mistreatment of children, child trafficking, child prostitution and pornography, and the fight against these phenomena.

646. An inter-ministerial working group has been set up to draft, implement, and supervise the Strategy for Guaranteeing the Rights of the Child. Each ministry coordinates the activities of their area of competence and supervises performance of tasks. Drafting the action plan and submitting the relevant reports to the Government is the task of the Ministry of Social Affairs.

#### **Criminal policy development guidelines to 2010**

647. The development guidelines emphasise the need to develop a system that allows shortcomings in a child's environment to be noticed and eliminated as early as possible, as well as measures aimed at preventing dropping out from basic school.

648. In addition, development of a system to assist victims of crime is planned. The development guidelines emphasise that crime prevention with respect to minors must be swift and procedures must take into account the legal interests of the minor.

#### **Strategy of the Ministry of Justice to 2010**

649. Issues relating to minors are included in a separate part of the strategy of the Ministry of Justice.

650. To prevent crimes against minors, there are plans to restrict spheres of activity of convicted sex offenders in occupations involving contact with minors, and create a register of sex offenders in 2007.

651. In addition, restraining orders are applied (incl. for protection of victims who are minors) and monitoring of punishments for criminal offences committed in respect of children is carried out.

652. There are plans to analyse crimes committed in connection with human trafficking in order to reduce criminality in connection with trafficking in human beings.

#### **Ministry of Social Affairs development plan for 2007–2010**

653. The objectives related to guaranteeing the rights of children in the Ministry of Social Affairs development plan include implementing the action plan for combating trafficking in

children, developing welfare services for children, and creating an environment conducive to health and safety.

#### **Development plan for combating trafficking in human beings 2006–2009**

654. The activities to combat trafficking in children have been merged in the development plan for combating trafficking in human beings 2006–2009 which involves all target groups. The merger of the activities was done for the reason that many activities in the development plan concern simultaneously both adults and children, and it is more practical to plan and implement the relevant activities in an integrated way.

655. Activities specifically dealing with children in the development plan for combating trafficking in human beings include consistently raising the professionalism of specialists working with children by organising in-service training for workers of child welfare institutions and training for child protection workers (e.g. training to recognise sexual mistreatment of children and assist sexually mistreated children), and noticing the needs of the child and intervening when necessary through the help and information line for children (number 1345).

#### **The development plan to reduce juvenile crime for 2007–2009**

656. The Government has approved a development plan with priorities of preventing and combating crimes committed by minors for the period 2007–2009, and has planned the necessary measures and resources for this.

#### **International cooperation**

657. Since 2002, Estonia participates in the working group for cooperation on children at risk under the Council of the Baltic Sea States to cooperate on issues of sexual mistreatment, street children and children without families, children in institutional care, young offenders, and unaccompanied and trafficked children. Mostly, the states have exchanged experience, organised joint training and seminars, carried out surveys and compared the practice of different states. Within the framework of the working group, Estonia is planning cooperation with Norway, Sweden and Russia to assist children who leave institutional care.

658. Estonia has established a contact point in the framework of cooperation between the Baltic Sea states to solve cases of unaccompanied and trafficked children. The contact point allows swift and effective information exchange between countries to better assist children in need of help. Within cooperation between the Baltic Sea countries a research project is carried out to compare procedures for assisting trafficked and unaccompanied children and to assess the situation of children who have become victims of human trafficking.

659. In addition, since 2003 Estonia participates in the EU informal intergovernmental working group *L'Europe de L'Enfance*, and since 2004 in the Council of Europe expert group on children and families. In the framework of the EU working group, there has been exchange of experience and shaping of common positions. In the Council of Europe expert group, measures for preventing violence against children (incl. to ban physical punishment of children) and for supporting poor and socially excluded parents and families have been prepared.

660. In 2005–2006, an Estonian-Finnish cooperation project “No to violence! Effective tools for teachers and specialists working with children in Estonia and Finland” was carried out with support from the EU Daphne programme and the Finnish Ministry of Social Affairs and Health (the project budget was 122 000 euros). Project activities in Estonia were carried out by the Child and Youth Work Association of the Estonian Evangelical Lutheran Church, the non-profit association Family Centre *Sina ja Mina*, and Tallinn

Children's Shelter. Various training events were organised in the framework of the project for specialists working with children and young people. In Estonia, 30 youth work specialists were trained in order to teach them to assist young people who have experienced domestic violence. Additionally, a course "Teachers' school" was organised for teachers with the aim of improving their communication skills and ability to prevent domestic violence.

## Article 11

### Standard of life of the population and income of households

661. The average monthly net income per member of household rose constantly in 1995–2005, reaching 3476 kroons in 2005. The average annual increase was 13.4%. In the period from 2000 to 2005, the average income grew by 59.2%.

Table 49

#### Economic and social indicators

<i>Year</i>	<i>2000</i>	<i>2005</i>	<i>Change 2005/2000 (%)</i>
Average gross monthly wage, kroons	4 907	8 073	164.5
Average old-age pension, kroons	1 532	2 558	167.0
Average disability pension, kroons	1 067	1 522	142.6
Average net monthly income per member of household, kroons*	2 183	3 476	159.2
Consumer price index (compared to previous year, %)	4.0	4.1	102.5
Unemployment rate (ratio of the unemployed to labour force), %**	13.6	7.9	58.1
Registered unemployment (ratio of registered unemployed to working-age population), %***	5.7	3.6	63.2
Distribution of income*			
Share of 40% of lowest-income households in total income, %	20.7****	22.0	106.3*****
Ratio of incomes of 20% of lowest-income households to 20% of highest-income households 20%	6.7	5.5	82.1

*Source:* Statistics Estonia, Ministry of Social Affairs.

\* Household surveys, Statistics Estonia.

\*\* Based on labour force surveys (ILO methodology).

\*\*\* Based on the number of persons registered as unemployed on the basis of the law.

\*\*\*\* Data of 2001.

### Distribution of income of households

662. The average income of all types of households grew by more than a half in the period of five years. Among all households, the growth of income was slightly higher among rural inhabitants.



Table 50  
Average net monthly income among different types of households (kroons)

Year	2000	2005	Change (%)
1 adult	2 520	3 975	158
2 adults	2 743	4 242	155
2 adults with children	2 144	3 320	155
With 1 child	2 510	3 903	155
With 2 children	2 006	3 093	154
With 3 or more children	1 556	2 417	155
1 adult with a child	1 659	2 565	155
Household with a pensioner as head of household	1 640	2 534	155
Household of city inhabitants	2 326	3 647	157
Household of rural inhabitants	1 866	3 133	168

Source: Ministry of Social Affairs.

663. Throughout the years, the income (per member of household) has been the lowest among families with one adult and with children<sup>13</sup> and families with three or more children, while the income has been the highest in households with two adults.

664. By gender of head of household,<sup>14</sup> the net income of male heads of household per member of household was approximately 10% (9.4–10.5%) higher than the income of female heads of household in 2000–2005.

665. The average net income of households is significantly dependent on the level of education of a head of household.<sup>15</sup> If head of household has higher level education, the average net income per member of household is 75% higher than if head of household has lower level education. The relevant gap has decreased by approximately four percentage points in the past five years.

666. Diminishing of economic inequality among the population is also visible from the difference (ratio) between the income of 20% of the wealthiest and 20% of the poorest households (shown in the first Table), which dropped from a difference of 7.7 times to a difference of 5.5 times (i.e. approximately 30%) in the period of ten years.

#### Consumption expenditure of households

667. The share of food and non-alcoholic beverages in consumer expenditure has been decreasing constantly. The highest increase has been in expenditure for transport, communication services and free time, and somewhat also for health care. The constant decrease of the share of basic expenditure (food and housing) shows that the standard of living has been rising, as more and more households can afford spending their income for other types of expenses.

<sup>13</sup> Child – member of household aged 0–15.

<sup>14</sup> Head of household – person with highest contribution to family budget. The concept was introduced in 1997.

<sup>15</sup> Levels of education are presented according to the International Standard Classification of Education (ISCED 1997). The concept was introduced in household budget surveys in 2000.

Table 51  
**Structure of consumption expenditure of members of household (%)**

<i>Year</i>	<i>2000</i>	<i>2005</i>
Food and non-alcoholic beverages	33	27
Alcoholic beverages	2	2
Tobacco products	2	1
Clothes and footwear	7	7
Housing	16	15
Household expenses	5	6
Health care	3	3
Transport	8	11
Communication services	5	6
Free time	6	8
Education	1	2
Hotels, cafes, restaurants	4	4
Various goods and services	6	6
Non-monetary consumption	2	2
Consumption expenditure	100	100

*Source:* Statistics Estonia, Ministry of Social Affairs.

Table 52  
**Structure of consumption expenditure of member of household by income decile and level of education of head of household (%)**

<i>Year</i>	<i>Income decile of household</i>		<i>Level of education of head of household</i>				<i>Gender of head of household</i>					
	<i>2000</i>		<i>2005</i>		<i>2000</i>		<i>2005</i>		<i>2000</i>		<i>2005</i>	
	<i>I income decile</i>	<i>X income decile</i>	<i>I income decile</i>	<i>X income decile</i>	<i>First level or lower</i>	<i>Third level or lower</i>	<i>First level or lower</i>	<i>Third level or lower</i>	<i>Third level</i>	<i>Man</i>	<i>Woman</i>	<i>Man</i>
Food and non-alcoholic beverages	42	20	36	17	42	28	37	23	32	34	26	28
Alcoholic beverages	2	2	2	3	2	2	2	2	3	2	2	1
Tobacco products	3	1	2	1	2	1	2	1	2	2	2	1
Clothes and footwear	5	10	4	8	4	8	5	7	7	7	7	7
Housing	15	12	16	12	21	14	19	14	15	17	14	17
Household expenses	4	8	3	9	5	6	5	7	6	5	6	7
Health care	2	2	3	3	3	3	5	3	2	3	3	4
Transport	6	12	8	14	6	9	8	12	9	7	12	10
Communication services	5	4	8	5	4	4	5	6	4	4	6	6
Free time	5	8	6	9	4	8	5	9	6	6	8	7
Education	2	2	3	1	0	2	1	2	1	2	2	1
Hotels, cafes, restaurants	4	5	3	5	2	5	1	5	4	4	4	3
Various goods and services	5	8	5	8	4	7	4	7	6	6	7	6

Year	Income decile of household			Level of education of head of household				Gender of head of household				
	2000		2005	2000		2005		2000		2005		
	I income decile	X income decile	I income decile	X income decile	First level or lower	Third level	First level or lower	Third level	Man	Woman	Man	Woman
Non-monetary consumption	0	6	1	5	1	3	1	2	2	2	3	1
Consumption expenditure	100	100	100	100	100	100	100	100	100	100	100	100

Source: Statistics Estonia, Ministry of Social Affairs.

### Calculation of the absolute poverty line – minimum means of subsistence

668. Since 2005, the minimum means of subsistence is considered as absolute poverty line in Estonia. The minimum means of subsistence is calculated on the basis of three expenditure components: food expenses (minimum food basket), housing expenses, and individual non-food expenditure. The minimum means of subsistence does not include expenditure on alcohol and tobacco products, travel, purchasing of means of transport, expenditure in restaurants and other catering establishments and hotels.

669. The calculation of food expenditure is based on the scientifically justified minimum food basket established by the Estonian Society of Food Research. The minimum food basket guarantees consumption of necessary daily food, minerals and vitamins without endangering a person's health. The daily energy value of the minimum food basket is 2400 kcal.

670. For calculation of the minimum food basket, a sample menu is drawn up. Food expenditure is then calculated on the basis of the menu. When calculating the cost of the food basket, each year the relevant quantities of food are multiplied by the purchase prices obtained from the household budget survey conducted by the statistical office of Estonia. The average prices for food expenditure of lower income households are used as purchase prices.

Table 53

### The sample menu used for calculation of the cost of the food basket

Foodstuff	Quantity per month <sup>1</sup> (kg or l)	Foodstuff	Quantity per month <sup>1</sup> (kg or l)
Rye bread	5.4	Fresh poultry (with bones)	1.8
Potato	12	Liver	0.21
Pasta	1.2	Frankfurters/cooked sausage	0.3
Rice	0.6	Fresh fish (Baltic herring)	1.95
Oatmeal	0.6	Fish fingers	0.45
Pearl barley	0.3	Preserved fish (sprats)	0.45
Buckwheat	0.6	Egg <sup>2</sup>	0.51
Semolina	0.3	Milk 2.5% fat	6
White bread	0.75	Flavoured yoghurt, 1.5% fat	1.5
Wheat flour	0.45	Kefir, 2.5% fat	1.2
Carrot	3.75	Curd cheese (non-fat)	0.45
Head cabbage	5.25	Cheese	0.45
Beetroot	1.14	Sour cream, 20% fat	0.3

<i>Foodstuff</i>	<i>Quantity per month<sup>1</sup></i> <i>(kg or l)</i>	<i>Foodstuff</i>	<i>Quantity per month<sup>1</sup></i> <i>(kg or l)</i>
Swede	0.93	Butter	0.3
Dried vegetables	0.3	Oil	0.45
Onion, incl. garlic	1.29	Nuts, seeds	0.12
Tomato	0.3	Sugar	0.75
Cucumber	0.15	Juice concentrate	0.6
Apple	3.75	Jam	0.6
Banana	1.8	Cocoa powder	0.03
Raisins	0.15	Coffee powder	0.15
Orange	1.2	Herb tea	0.03
Berries (average)	0.3	Salt	0.09
Fresh pork	2.16		

*Source:* Statistics Estonia.

<sup>1</sup> Quantity of food per 30 days.

<sup>2</sup> Egg is given in grams, which can be recalculated into price per piece (1 piece = 60 g) (the calculation includes approximately two eggs per week, i.e. 8.5 eggs per month).

671. The cost of 30 days minimum food basket was 762 kroons in 2004, and 816 kroons in 2005.

672. In accordance with the above methodology, the minimum means of subsistence is calculated per first adult member of household, by using the methodology for calculation of the three expenditure components. International equivalence scales are used to calculate the minimum means of subsistence for different sizes of households. For Estonia in the economic situation in 2004, the most suitable were OECD traditional equivalence scales – 1:0.7:0.5.<sup>16</sup>

673. The calculated minimum means of subsistence of a household with one member was 1836 kroons in 2004, and 1938 in 2005.

#### **Subsistence level and subsistence benefit**

674. The subsistence level is established by the *Riigikogu* in the state budget. The subsistence level is established for a person living alone and for the first member of a family for each budgetary year. The subsistence level of the second and each subsequent member of a family is 80 per cent of the subsistence level of the first member of the family. Subsistence level is established based on minimum expenses made on consumption of foodstuffs, clothing, footwear and other goods and services which satisfy the primary needs. Housing expenses are compensated on the basis of actual expenditure to the extent of the standard allotted living space.

675. In 2005, the subsistence level was 750 kroons for a person living alone or for the first member of family. Since 2007, the subsistence level is 900 kroons. Thus, subsistence benefit is paid to persons who, after payment of rent or utility costs from standard allotted

<sup>16</sup> Under the OECD traditional equivalence scale, the consumption of the first (or the only) adult member of household is considered as the consumption unit. The consumption of the second and each following adult member of household constitutes 70% and the consumption of a minor child (under 14 years old) 50% of the above consumption.

living space, have less than 900 kroons of income left per first family member and less than 720 kroons per each following family member.

676. The average amount of the benefit per application rose from 617 kroons in 2000 to 1192 kroons in 2005, while the number of granted applications decreased from 494 800 to 174 400.

677. In 2005, subsistence benefit was paid to approximately 26 700 households (approximately 4.7% of the total number of households) to ensure their subsistence level. Supplementary benefits were paid to 51 000 families. Among all households the average share of households who received the benefit per month dropped from 7.2% in 2000 to 2.6% in 2005.

678. Other social benefits from the state budget which are paid by local authorities according to the established procedure increased from 10 million kroons in 2000 to more than 42 million kroons in 2005.

679. In 2005, 250 million kroons was paid for social benefits (208 million kroons as subsistence benefit and 42 million kroons as supplementary benefits). One third of the funds for subsistence benefits were used by the Ida-Viru County.

#### Persons living below the absolute and relative poverty line

680. In 2005, 12.4% of households, 13.2% of persons and 16.8% of children lived below the absolute poverty line.

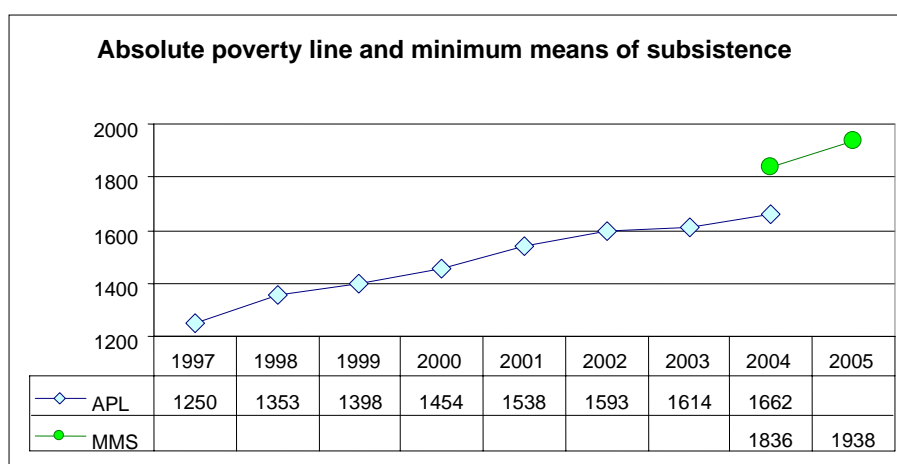
681. In deep poverty (i.e. with income up to 80% of absolute poverty line) lived 6.9% of households, i.e. 56% of households living below the absolute poverty line.

682. In 2005, 77.7% of households lived outside the risk of poverty (i.e. with income above 125% of absolute poverty line).

683. Although the absolute poverty line rose consistently in 2000–2005, the number of households, persons and children living below the absolute poverty line declined.

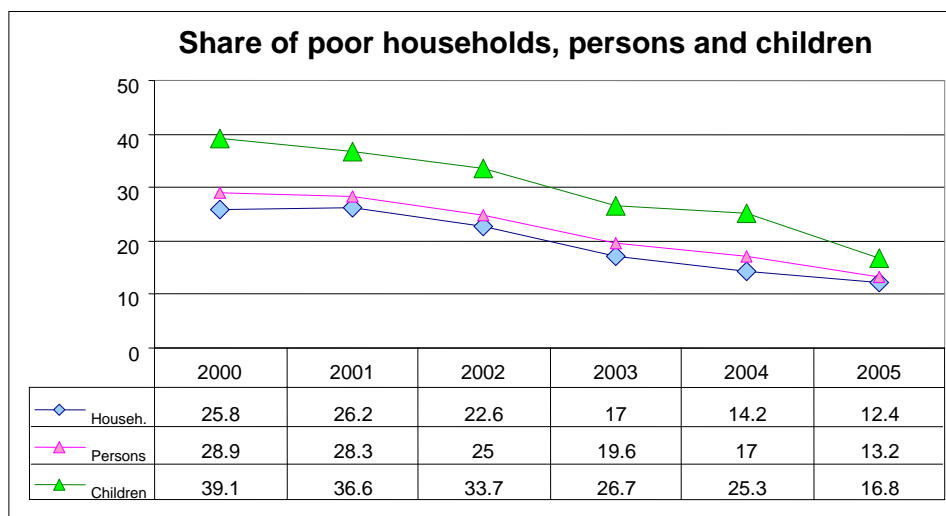
Figure XV

#### Absolute poverty line (APL) and minimum means of subsistence (MMS)



Source: E.-M. Tiit „Eesti rahvastiku põhinäitajad aastail 2005–2006 Euroopa taustal”. [Key population indicators in Estonia in the European context 2005–2006] Office of the Minister for Ethnic Affairs and Population, University of Tartu, Statistics Estonia.

Figure XVI  
Share of poor households, persons and children



Source: E.-M. Tiit „Eesti rahvastiku pöhinäitajad aastail 2005–2006 Euroopa taustal”. [Key population indicators in Estonia in the European context 2005–2006] Office of the Minister for Ethnic Affairs and Population, University of Tartu, Statistics Estonia.

684. As an indicator of relative poverty, the proportion in the population of those households whose net income after social benefits remains below the relative poverty level (60% of the median net income) has been calculated since 1998.

Table 54  
The rate of relative poverty based on gender and state of employment (%)\*

	2000	2004
<b>Total</b>	<b>18.3</b>	<b>18.3</b>
Men	17.3	17.4
Women	19.1	19.2
Unemployed	49.5	59.4
Pensioners	18.1	22.8

Source: Statistics Estonia.

\* Since 2003, the indicators of poverty and inequality have been determined on the basis of the Estonian social survey. Poverty and inequality indicators for 2000–2003 were calculated on the basis of the data from the household budget survey.

Table 55  
The rate of relative poverty based on type of household (%)\*

	2000	2004
1 adult	30.1	36.4
Household with children	19.5	17.7
1 adult and child(ren)	37.2	40.3

	2000	2004
2 adults and 1 child	13	13
2 adults and 2 children	16.4	12.4
2 adults and 3 or more children	22.9	25
Other household with children	19.3	13

*Source:* Statistics Estonia.

\* Since 2003, the indicators of poverty and inequality have been determined on the basis of the Estonian social survey. Poverty and inequality indicators for 2000–2003 were calculated on the basis of the data from the household budget survey.

685. Research on risk factors of poverty<sup>17</sup> showed that the most important poverty risk factor was unemployment of the head of household, which, in turn, may often be caused by low level of general education and/or professional training or insufficient proficiency in the official language. The number of dependent members of household, or residence in the countryside or a small town may be additional risk factors of poverty.

#### **Measures to improve the standard of living and reduce poverty and differences between households**

686. The long-term objectives of the state for reducing poverty include reducing and preventing poverty of families with children, preventing exclusion of children with special needs, improving independent coping of people with disabilities, ensuring adequate income for elderly people, ensuring decent social assistance, and preventing long-term dependency on assistance and benefits.

687. To reduce the poverty of families with children, the benefits for families in risk of poverty have been increased, the period of payment of parental benefit has been extended, and the amounts of benefits for families with many children have been increased.

688. A new concept of social benefits for people with disabilities emphasises employment and covering of additional expenses arising from this. The aim of the new concept is to motivate and support work of recipients of pension for incapacity for work and ensure needs-based compensation of additional expenses caused by disability.

689. To ensure more adequate income for elderly people, the pension system has been improved, employment of the elderly has been supported, and indexation of pensions was introduced.

690. To reduce general unemployment, different measures were taken which are described under Article 6 of the report.

691. Local authorities have been allocated resources for providing and developing social benefits and services in order to provide the kinds of services and assistance which support employment and inclusion and to improve the quality and availability of all social services.

692. During the reporting period, the state increased the subsistence level and supplemented social assistance with active measures.

<sup>17</sup> E.-M. Tiit. "Elatusmiinimum ja absoluutse vaesuse piir", [Minimum means of subsistence and absolute poverty line] Sotsiaalministeeriumi Toimetised nr 7, 2006, E.-M. Tiit. "Vaesus kui risk". [Poverty as risk] Eesti edu hind, 2005.

**Right to housing**

693. According to preliminary data, on 1 January 2006 Estonia had a population of 1 342 000 people. According to Statistics Estonia, the housing stock in Estonia includes 633 100 dwellings with a total area of 38.4 million m<sup>2</sup>, of which 66% is in cities. By types of dwelling, the housing stock can be divided into three main groups:

- Blocks of flats in 5-to-16-storey houses – 35%, age 10–35 years
- Blocks of flats in 1-to-4-storey houses – 30%, average age over 30 years
- Small houses (private houses, farmhouses) – 35%, average age over 50 years

694. The main type of housing are flats, which make up 75% of the total area of dwellings. On 1 January 2006, the private sector owned 96% of the housing stock and the public sector 4% (1% owned by the state and 3% by the local authorities). The share of private sector leased dwellings is approximately 10%.

695. On 1 January 2006, approximately 70% of all the households in Estonia lived in cities and towns, and 30% in rural areas (villages and small towns).

696. Approximately one third of all the households were one-person households, 30% of households had two, 18% three, and 13% four members. Households with at least five members made up only 6% of all the households in Estonia.

697. Target groups supported within the framework of state housing policy include lessees deprived of privatisation rights during the ownership reform, children and young people without parental care, disabled people, elderly people, families with many children, persons released from prison and persons under probation supervision, homeless people, cooperative societies and communities, and specialists dealing with planning and development of residential environment.

698. There are no statistics about the use of non-residential space for dwelling purposes (e.g. garages or other side buildings taken into use as dwellings). Information about this will be obtained during the next census in 2011.

**Homelessness**

699. There are no official statistics about homeless people. According to estimates of social workers, there are about 3000–3500 homeless people in Estonia, i.e. 0.25–0.3% of the population. The problem is worst in Tallinn (approximately 2000 homeless people), but homelessness is also an issue in other larger cities. The main causes that lead to homelessness are alcohol-addiction and unemployment, as a result of which a person starts accumulating rent debts which may be followed by eventual eviction. Another chain of causes is related to release from prison when a person is unable to find permanent employment and pay for dwelling.

700. Local authorities deal with social rehabilitation and counselling of homeless people, provide different social services for them and assist with food and clothing. In addition, local authorities and the third sector have opened homeless overnight shelters and safe houses in larger cities.

701. The number of users of the shelter service<sup>18</sup> was 6696 persons in 2000, among them 3409 men and 3287 women. Five years later, the number of users of the service per year had dropped considerably to 2606 persons, among them 1663 men and 943 women. The

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<sup>18</sup> Under the Social Welfare Act, a shelter is an institution offering temporary twenty-four hour assistance, support and protection for persons.



larger proportion of men among shelter users is mostly on account of persons released from prison. The number of minors staying in shelters during the reporting period decreased from 2441 persons (in 2000) to 1237 persons (in 2005).

702. The number of service providers has been stable throughout the years. There were 28 shelters in 2000 and 27 in 2007.

703. Statistics on users of overnight homeless shelter accommodation are collected since 2003. In 2005, there were 1880 service users, among them 365 women and 1515 men. More than half of the service users were regular customers, i.e. they used the overnight accommodation for more than 30 nights per year.

704. There are 12 homeless overnight accommodation providers in Estonia, four of them in Tallinn. In 2005, homeless overnight accommodation establishments had a capacity of 448 places, which were used on 105 155 occasions.

705. The costs of the service are covered almost 100% from the budget of local authorities.

### Provision of dwellings

706. In 2002, building of new dwellings increased considerably. This was due to rise in income, cheaper credit opportunities and better loan conditions, but also due to a sharp rise in the prices of existing standard flats which reduced the price difference between older and newer dwellings. By 2005, 3928 new dwellings had been taken into use.

### Lack of conveniences in dwellings

707. One third of dwellings in Estonia are blocks of flats built in 1971–1989. Such a large construction volume in a relatively short period of time is also a reason for a sharp increase in the need for renovation.

708. The service infrastructure and utilities of the dwelling stock do not always meet the modern standards. More than a fifth of Estonian dwellings do not have a flush lavatory or hot water and washing facilities.

709. Dwellings which are too small and with too few rooms are a problem for more than one sixth of the households, and a major problem for more than a tenth of the households. Approximately two thirds of households (61%) live in dwellings where they have fewer or the same number of rooms as members of household; 10% of the families live in dwellings with twice (or more times) fewer rooms than persons in the household. There are almost the same number of households living in particularly spacious dwellings with over two times more rooms than people.

Table 56

### Type of dwelling, domestic conveniences and space per member of household (%)

	<i>All Estonia</i>	<i>City</i>	<i>Rural area</i>
Type of dwelling:			
Individual house or row house	29.5	15.4	62.1
Flat or other dwelling	70.5	84.4	37.9
Lack of domestic conveniences			
No water system	9.1	2.9	23.6
No sewer	9.3	2.9	24.2
No flush lavatory	18.3	7.5	43.5
No hot water	19.4	10.2	40.8

	<i>All Estonia</i>	<i>City</i>	<i>Rural area</i>
No possibility to use bathroom/shower	22.1	12.1	45.4
No possibility to use sauna	75.9	86.6	50.8
Heating possibilities			
Central heating	55	71.3	16.9
Local central heating	9.8	7.1	15.9
Stove heating	34.7	21.4	65.9
Other heating	1.1		
Effective surface area per member of household			
Up to 15 m <sup>2</sup>	13.2	13.6	12.2
15–30 m <sup>2</sup>	44.9	48	37.8
Over 30 m <sup>2</sup>	41.9	38.5	50.1
Number of rooms per member of household			
Less than one room	25.2	26.4	22.4
One room	33.7	36.8	26.4
More than one room	41.2	36.8	51.3
Problems connected with dwelling*			
Leaking ceiling	6.2	4.9	9.3
Damp walls, floor or foundation	11.8	9.4	17.2
Too dark	7.3	6.9	8.3
Criminality close to dwelling	23.1	26.9	14.5
Noise can be heard in dwelling	68.6	74.8	54.4
Pollution around the dwelling	47.5	50.2	41.2

*Source:* Statistics Estonia.

\* The percentage indicates the proportion of members of household with a dwelling problem in a particular area.

Table 57  
**Distance of essential services from place of residence**

	%	%	%
Distance of nearest post office from residence			
Up to 0.5 km	27.3	28.8	23.9
0.5–1 km	27.8	34.2	12.9
1–2 km	22.7	27.3	11.9
2–5 km	13.9	9.1	25.3
Over 5 km	8.2	..	26
Distance of closest medical assistance from residence			
Up to 0.5 km	20.7	21.7	18.4
0.5–1 km	21.6	26.3	10.6
1–2 km	24.8	32	8
2–5 km	19.7	18.5	22.3

	%	%	%
Over 5 km	13.2	1.5	40.6
Distance of nearest general education school			
Up to 0.5 km	39.4	47.3	20.9
0.5–1 km	25.3	31.1	11.7
1–2 km	15.4	16.9	11.9
2–5 km	10.8	4.2	26.2
Over 5 km	9.2	..	29.4
Distance of the nearest permanent shop			
Up to 0.5 km	64.5	76.7	35.7
0.5–1 km	17.6	18.9	14.7
1–2 km	6.8	3.8	13.6
Over 2 km	11.1	..	35.9
Distance of the nearest public transport stop			
Up to 0.5 km	73.7	84.5	48.4
0.5–1 km	17	13.8	24.3
Over 1 km	9.4	1.7	27.3

*Source:* Statistics Estonia.

Urban settlements include cities, rural municipality towns and towns; rural settlements include small towns and villages.

### **Judicial eviction from dwelling**

710. Judicial eviction mostly concerns rent debtors under the Law of Obligations Act who have accumulated a long-term debt to the owner. Under § 5 of the Dwelling Act, no one may be evicted from a dwelling or their right of using the dwelling restricted in any other way than on the bases and in accordance with the procedure laid down in the Dwelling Act.

711. If a debtor has been evicted through court, the local authority is obliged to provide accommodation in a social housing unit for the person/household. Persons with special needs (disabled, elderly) are provided with a social dwelling. To ensure availability of the relevant space, the state allocates support for increasing the proportion of municipal dwelling stock for lease.

### **Compensation of housing expenses**

712. There is no separate compensation for housing expenses. A person living alone or a family are entitled to apply for subsistence benefit if their net monthly income after deduction of expenses for a dwelling in accordance with the conditions provided for by law is less than the established subsistence level.

713. In 2005, a total of 208 million kroons of subsistence benefit was paid, of which 43.5% is estimated to have been spent for compensation of housing expenses.<sup>19</sup>

<sup>19</sup> If the applicant's income is higher than subsistence level or equal to it, the whole subsistence benefit is considered to be for covering housing expenses. If the income is smaller than subsistence level, the whole housing expense for standard allotted living space is included in the subsistence benefit for

### Waiting list for housing and applicants for social housing

714. Waiting lists for housing are maintained by local authorities and there is no overall information on the state level. For example, in Tallinn there were 2933 applicants for municipal housing at the beginning of 2007, among them 1640 persons having become lessees as a result of the ownership reform, and 831 persons applying for housing on other important social reasons. The number of applicants for social housing was 345 in the same period.

715. At the end of 2005, there were 2844 social flats and other social dwellings in Estonia, among them 2021 or 71.1% had all conveniences. Among social flats and other social dwellings, 1581 or 55.6% were flats with one, two, three, or more rooms, and 1261 or 44.3% were single rooms. Among all the social flats and social dwellings, 144 or 5.1% had been adapted for persons with special needs.

Table 58

#### Number of inhabitants and places in social flats or social dwellings at the end of 2000 and 2005

	2000	2005
Number of inhabitants*	1 682	3 584
Incl. living alone	1 119	2 246
Living as a family	563	1 338
Among inhabitants		
Under pensionable age	625	2 041
Incl. persons with special needs	190	554
Persons of pensionable age	1 057	1 543
Incl. persons with special needs	150	448
Number of places	1 577	2 844
Incl. specifically adapted for persons with special needs	115	144

Source: Ministry of Social Affairs.

\* The number of inhabitants is higher than the number of places because some service users live in a social flat or social dwelling as a family.

716. 58% of local authorities would need more municipal and social housing than they are able to provide at the moment. The larger the size of an administrative unit, the higher the need. In Tallinn and all other larger cities the need exceeds the available stock. Among average-sized cities and towns 85% are in need of additional housing, among rural municipalities 52%.

717. In addition to the existing municipal and social housing, local authorities need approximately 6600 more dwellings, incl. approximately 5000 dwellings based on current distribution principles and approximately 1500 dwellings based on the general need. The highest need for municipal and social housing is in Tallinn.

### Legislation regulating dwellings

718. As compared to the previous reporting period, the Buildings Cooperative Act (*hooneühistuseadus*) was adopted, regulating one of the special forms of cooperatives and

covering housing expenses.

the rights and duties of its members in using parts of a building and arranging management of a registered immovable.

719. The Law of Obligations Act regulates matters concerning lease contracts of dwellings and transactions under the law of obligations as causal transactions (i.e. as a basis for transactions concerning real rights).

720. A new Building Act and a Planning Act have also been enacted.

721. The Building Act provides for the concept of construction work and building, and the rules for buildings in general. In order to ensure that a building meets the legal requirements, the Building Act provides for different supervision mechanisms. Under the Building Act, supervision is carried out by the Technical Inspectorate, local authorities and persons exercising owner supervision.

722. Construction must be carried out in accordance with a design which ensures the mechanical strength of the building, its fire safety, environmental, health and noise safety, and energy efficiency. A building permit is mandatory for building. Liability for compliance with requirements of the Building Act rests to a large extent on the owner of a building.

723. Establishing of additional requirements for buildings and construction work, laying down detailed procedures for issuing of building and usage permits, and arranging effective supervision of construction helps to improve the quality of construction work and ensures the safety of buildings and a safe environment.

724. The Planning Act regulates relations between the state, local authorities and other persons in the preparation of plans. The purpose of the Act is to ensure conditions which take into account the needs and interests of the widest possible range of members of society for balanced and sustainable spatial development, spatial planning, land use and building.

725. For the purposes of the Act, spatial planning is functional long-term planning for spatial development which coordinates and integrates the development plans of various fields and which, in a balanced manner, takes into account the long-term directions in and needs for the development of the economic, social, cultural and natural environment. Thus, planning is a means by which it is possible to shape the living environment in a balanced way and taking into account different interests.

726. The Estonian housing sector development plan for 2007–2013 deals with the issues of improving the residential environment. The aim of the development plan is to ensure diversity and balanced and sustainable development of residential areas by applying measures for ensuring economically effective and environmentally sustainable functioning of the residential environment, increasing the safety and developing of urban recreation areas.

#### **State measures**

727. The function of the state is to create the conditions on the housing market (legal regulation, institutional organisation, support measures) which enable owners and lessees of dwellings to settle dwelling problems as independently as possible, and help the actors in the dwelling sector to develop the sector. It is also important that application of dwelling policies is supported by labour policy and welfare policy measures.

728. During the reporting period the Estonian housing development plan 2003–2008 has been implemented and a new housing sector development plan 2007–2013 has been prepared.

729. The right to dwelling is supported by measures in both development plans. The aim of the measures is to ensure availability of dwellings through improving access to

dwellings, opportunities for acquiring dwellings, improving the dwelling conditions of target groups, solving the problem of dwelling of so-called forced tenants living in dwellings returned to previous lawful owners, improving the system of subsistence benefits, improving the legal environment and raising administrative capacity.

730. The state supports increasing the municipal leased housing stock of local authorities through co-financing. Local authorities do not generally have their own housing strategies, except the city of Tallinn which in 2002 approved a programme “5000 dwellings to Tallinn”, with the aim to build 5000 new dwellings during five years to reduce the shortage of housing and to stop the rapid increase of the sales and rent prices of dwellings. The total cost of the dwelling construction programme is approximately 900 million kroons. According to the financing scheme, the city’s participation is 75% and the state’s participation 25%. The expenditure for the city budget is estimated at 131 million kroons a year, which is practically the same as construction volume in 2002.

731. The state also supports increasing the proportion of social housing through increasing support to expanding the municipal leased housing stock. The new development plan provides for support to the extent of 75% for renovation of municipal and social housing. Leased housing is used for households belonging to target groups defined in the social registers. Each year local authorities also apply for resources from the state budget for this.

732. Estonia plans to continue increasing the support for expanding the municipal leased housing stock and encourage local authorities to establish social housing units.

733. Local authorities may carry out public-private partnership (PPP) projects in cooperation with the private sector. There are no legislative obstacles to this. The third sector may also develop real estate, incl. housing development. The housing sector development plan provides for state participation in PPP projects.

734. The state supports the local authorities to the extent of 50% of expenses in expanding the leased housing stock for accommodating the labour force arriving in the area, and to the extent of 75% in solving the problem of tenants of houses returned to previous owners. In the latter case, construction of leased housing, purchasing of leased flats or renovation of the existing building or flat(s) with the aim of creating a leased dwelling is supported.

735. On the basis of the residential environment implementation plan, Estonia applies for support from the EU structural funds for the development of energy management to support energy-efficiency projects and payment for energy audits for blocks of flats.

736. The Estonian housing sector development plan 2007–2013 provides for a measure “Development of urban areas” with the aim to support development of public urban space and recreation areas, to improve green areas in cities and suburban areas. The target group for the support are local authorities.

737. No large-scale projects for creating living environment in connection with large events have been implemented in Estonia.

#### **The right to healthy food**

738. On January 1st, 2007, the Organic Farming Act entered into force, providing the requirements applicable to activities in the area of organic farming to the extent that they are not established by European Union regulations, as well as the basis and scope of carrying out state supervision over persons active in the area of organic farming and the liability for failing to meet the requirements established with the said legislation.

739. The Veterinary and Food Board carries out supervision of food safety and compliance with other requirements.

#### **Access to clean water and to wastewater systems**

740. Estonia follows the European Union Directive 98/83/EC as well as the 1992 London Protocol on Water and Health, adopted under the 1002 Helsinki Convention on the Protection and Use of Transboundary Watercourses and International Lakes in ensuring drinking water quality. The requirements and principles of the above international agreements have been transposed into Estonia's legal system via the Public Health Act, the Water Act and respective secondary legislation. Enforcement is coordinated in cooperation between the Ministry of Social Affairs, the Health Protection Inspectorate and the Ministry of the Environment. The drinking water sector is treated as an integrated whole, from the water extraction point to the consumer.

741. The quality and control requirements of the drinking water used in Estonia are established on the basis of ministerial regulations by the Minister of Social Affairs and the Minister of the Environment:

1. Minister of Social Affairs Regulation No. 82 of 31 July 2001 "Drinking Water Quality and Control Requirements and Analysis Methods".
2. Minister of Social Affairs Regulation No. 152 of 21 December 2002 "The Procedure for Applying for, Issuing, Suspending and Repealing Permits for the Sale of Drinking Water Not Compliant with the Quality Requirements but Harmless to Human Health".
3. Minister of Social Affairs Regulation No. 58 of 4 April 2003 "The Procedure for Evaluating the Persons Taking Water Samples".
4. Minister of Social Affairs Regulation No. 1 of 2 January 2003 "The Quality and Control Requirements for Water Used for the Production of Drinking Water or intended for the Use for the Production of Drinking Water".
5. Minister of the Environment Regulation No. 18 of 26 March 2002 "The Procedure for Issuing, Amending and Repealing Special Use of Water Permits and Temporary Special Use of Water Permits, List of Documents Necessary for Applying for a Permit and Permit Forms".

742. Surface water is extracted for the water supply in two Estonian cities, in Tallinn and in Narva, i.e. almost a third to the country's population consumes drinking water extracted from a surface water body. Outside Tallinn and Narva ground water is the only source of drinking water.

743. The drinking water handler ensures drinking water compliance with the quality requirements and is under the obligation to provide information to consumers and the supervisory authority on the quality of the drinking water handled. The drinking water handler has to draw up a drinking water control plan for a minimum of three years and have it approved by the local health protection office. The Health Protection Inspectorate carries out additional checks of drinking water quality depending on the risk class of the water supply system. Additional checks are financed from the state budget.

744. All Estonian cities and many small settlements have a public water supply system. According to 2006 data available from the Health Protection Inspectorate, approximately 78% of the population uses water from the public water supply systems, but the coverage of population with public water supply systems differs to a great extent in different areas.

745. On a regional basis Estonia's ground water suffers from the presence of excess iron, manganese, hydrogen sulphide, fluoride, and chloride. A heightened effective dose was noted in the ground water of Western and Northern Estonia's Cambrian-Vendium aquifer.

746. Drinking water quality parameters have been divided into three groups: microbiological, chemical and indicators. The microbiological and chemical parameters characterise the hazard to health. The indicators affect the organoleptic properties of the water and indicate the overall pollution of the water. When these parameters are exceeded the conditions for the use of water and the overall quality of life deteriorate, but there is no direct hazard to life.

Table 59

**The proportion of population (in %) using non-compliant drinking water**

<i>Year</i>	<i>Microbiological non-compliance (%)</i>	<i>Chemical non-compliance (%)</i>	<i>Non-compliance as regards the indicators (%)</i>
2002	0.02	1.3	35.3
2003	0.006	2.3	28
2004	0.004	2.5	29.6
2005	0.01	2.0	29.0
2006	0.01	7.0	27.0

*Source:* Health Protection Inspectorate.

747. Large amounts of funding are directed to the construction and rehabilitation of water treatment plants and water supply systems each year.

748. Data available from health protection offices demonstrates that the indicators exceed the EU permitted limit values in the water of 573 public water supply systems (41%), used by 344 390 people, i.e. 29.6% of the population.

749. The production, supply, treatment and delivery of drinking water not compliant with the required indicators takes place only on the basis of permits for the sale of drinking water not compliant with the quality requirements but harmless to human health. The sales permits have been issued to 94% of the public water supply systems, which also have action plans in place for improving the quality of water.

750. A more detailed description of the situation in different regions is presented in the report drafted under Article 13 of Council Directive 98/83/EC on the quality of water intended for human consumption ([http://www.tervisekaitse.ee/documents/vesi/joogivesi/Olmevee\\_kvaliteedi\\_aruanne.pdf](http://www.tervisekaitse.ee/documents/vesi/joogivesi/Olmevee_kvaliteedi_aruanne.pdf)).

751. The central wastewater systems of cities covered 73% of the population in 2004.

### **Waste management**

752. Estonia's waste management has historically been directed to discharge of waste and the proportion of waste recovery has been low until now. Also, in terms of the present norms, all earlier landfills were noncompliant. The compliance criteria are based on the European Union Landfill Directive. Over the past 10–15 years waste management has developed rapidly in Estonia. Waste management infrastructure, pre-treatment of waste and recovery possibilities have been developed continuously. In June 2004 the new Packaging Act came into force, foreseeing the recovery of packaging waste to the following extent from May 2004:



- A minimum of 50 per cent of the total mass of packaging waste annually (60% from 31 December 2010)
- A minimum of 25 percent of the total mass of packaging waste and 15 per cent of the total mass of each category of packaging material recycled annually (respectively 45% and 15% from 31 December 2010)

753. The Packaging Act also follows the principle of producer's responsibility, i.e. companies who bring goods to the market in Estonia are under the obligation to ensure the collection and compliant handling of packaging waste and cover all related costs.

754. In order to achieve this objective, packaging companies have so far set up three packaging waste recovery organisations with the task of ensuring the nationwide collection of packaging waste and the target recovery levels of the packaging companies which have delegated their obligations. A packaging deposit system is in place for the packaging of low-alcohol beverages, beer and soft drinks.

755. The Waste Act, which entered into force in May 2004, applied the principle of producer's responsibility to motor vehicles and their components, incl. tyres, as well as electrical and electronic equipment and batteries. Companies bringing these products to the market in Estonia are under the obligation to ensure the collection and compliant handling of waste generated from these products and cover all related costs.

756. One of the most important objectives of the coming years is the development of biodegradable waste management. Pursuant to the Waste Act the proportion of biodegradable waste among municipal waste taken to landfill may not exceed:

- (1) The percentage by mass value of 45 starting from 16 July 2010.
- (2) The percentage by mass value of 30 starting from 16 July 2013.
- (3) The percentage by mass value of 20 starting from 16 July 2020.

757. A hazardous waste collection system has been constructed, consisting in the main part of three state owned hazardous waste collection and transfer centres, of which the Vaivara centre includes facilities for the physico-chemical treatment of hazardous waste and a designated hazardous waste disposal site.

758. Waste management forms a part of private sector economic activities, with the state owning just the three hazardous waste collection centres and local governments owning several regional waste management centres – the main part of waste collection, sorting, recovery, etc. takes place in the private sector.

759. 14 398 100 tons of waste were produced in Estonia in 1996 and 18 495 698 tons of waste in 2005. Municipal waste amounted to 519 900 tons in 1996 and 556 006 tons in 2005. The proportion of waste recovered increased from 4% in 1996 to 31% in 2005.

Table 60  
**Waste production 2001–2005**

<i>Year</i>	<i>Total waste</i>	<i>Hazardous waste</i>	<i>Non-hazardous waste</i>	<i>Municipal waste</i>	<i>Total to landfill</i>	<i>Recovery, %</i>	<i>Municipal waste per person annually</i>
2001	<b>12 838 765</b>	6 206 013	6 632 752	376 100	<b>9 510 703</b>	14	352
2003	<b>18 400 000</b>	7 540 480	10 856 031	536 801	<b>11 950 220</b>	23	396
2005	<b>18 495 698</b>	7 015 908	11 480 000	556 006	<b>11 440 329</b>	31	412

*Source:* Information and Technical Centre of the Ministry of the Environment.

760. According to the Register of Waste Disposal sites, compiled in 1995, there were 450 landfills in Estonia. As of 2007 there are 8 landfills in Estonia which comply with the European Union Landfill Directive (5 landfills for non-hazardous waste, 2 for hazardous waste and 1 for inert waste) and 22 landfills not compliant with the Landfill Directive requirements, which will be made compliant with the requirements or closed the latest by 16 July 2009. In addition, 24 waste disposal stations have been constructed.

761. Pursuant to the Waste Act a national waste management plan shall be developed and local government waste management plans established on the basis of the national plan in order to develop and regulate waste management. In addition to the waste management plan local authorities must establish, on their territory, waste management rules, regulations “The Types of Waste Subject to Organised Waste Transport, the Transport Areas, the Frequency and Time of Transport, the Limits of Waste Transport Fees and the Procedure for Determining the Waste Transport Fees” and “The Register of Waste Holders and the Procedure for Maintaining the Register”. Local authorities have not yet completed the drafting and enforcement of the above legislation.

762. The national waste management plan was adopted in 2002 and is being updated at the moment.

763. Under the Waste Act, the local authorities have the task of organising the collection of municipal and similar non-hazardous waste via a waste management company selected through a public competition, with whom an exclusive rights contract is concluded for a maximum period of 5 years. All waste holders within the area are obliged to join the collection system organised by the local authority. In general, the maximum number of inhabitants in one transport area is 10 000. There is no obligation to put in place organised waste transport in local governments with 1500 inhabitants or in the low-density areas of the administrative territory where the small number of waste producers and the small volume of waste would make organised waste transport excessively expensive and organised waste transport would lack health and environmental protection motives.

764. The optimum number of non-hazardous waste disposal sites in Estonia is 6–8. At the same time the construction of 1–2 waste incineration plants to Estonia over the next 5–10 has been planned, making the construction of new landfills unlikely. The coming years should see the construction of 60–80 waste disposal stations in addition to the existing 24 stations. An optimum biodegradable waste handling network also needs to be developed.

765. The disposal prices at landfills have an extensive impact on waste recovery. At the moment the average disposal price for one ton of waste is 40 euros. Taking into account the increasing pollution fees, the price is expected to be 55–60 Euros per ton of waste in 2009 and is likely to increase further.

766. The waste handling fee per household (collection, transport and disposal) amounts to 60–70 euros per ton at the moment. Thus the monthly waste handling fee per household amounts to 3–8 euros, which makes up 3–5% of the total housing costs in apartment buildings with central heating.

767. The main environmental pollution problems include the gigantic mountains of semi-coke and ash resulting from mining and use of oil-shale, which pollute the environment both directly as well as indirectly (visually), transport of oil shale ash (disposal of oil shale ash as liquid waste is partially permitted until 15 July 2009), the reduction of organic compounds in semi-coke from 12% to 16% by 2008, the low level of environmental awareness among the Estonian population, resulting in numerous cases of waste being dumped by the roadside or in forests, as well as the limited extent of sorting of municipal waste.

768. A test device for transporting oil shale ash was built this year and its performance will be evaluated over one year.

769. Local authorities must establish a municipal waste collection system in order to reduce illegal disposal of waste (incl. domestic incineration). Under the Waste Act, the system must include all households and other producers of municipal waste.

## Article 12

### Life expectancy

770. Although the average life expectancy has risen (71.6 years in 2003), the difference between the life expectancy of men and women is still more than ten years. In 2003, the life expectancy of men had risen to 66 years and the difference with women had dropped to 10.9 years.

Table 61

#### Life expectancy by age and gender

Year	Men					Women				
	0 yrs	1 yr	15 yrs	45 yrs	65 yrs	0 yrs	1 yr	15 yrs	45 yrs	65 yrs
2000	65.13	64.76	51.14	25.02	12.49	75.99	75.54	61.87	33.32	16.78
2001	64.62	64.26	50.66	24.7	12.46	76.21	75.79	62.17	33.56	17.17
2002	65.13	64.59	50.98	25.18	12.64	76.95	76.29	62.51	33.89	17.23
2003	66.04	65.6	51.93	25.52	12.68	76.9	76.33	62.62	33.88	17.17
2004	66.25	65.69	51.92	25.57	12.7	77.78	77.28	63.49	34.58	17.72
2005	67.27	66.66	52.94	26.16	13.1	78.14	77.54	63.85	35.02	18.05

Source: Ministry of Social Affairs, World Health Organisation Health for All (HFA) database.

The data for 1989–2002 have been recalculated based on the adjusted age distribution of the population between the censuses of 1989 and 2000 and the changes to the methodology of calculation of the life table as of 18 April 2005.

771. There are no significant differences between the life expectancy of urban and rural population. However, life expectancy is somewhat shorter in north-eastern Estonia (Ida-Viru County) as compared to other regions of Estonia.

Table 62

#### Life expectancy in 2004, by age, gender and place of residence

Age	All Estonia	Urban population*	Rural population*	North Estonia Tallinn (Harjumaa)	West Estonia	Central Estonia	North-eastern Estonia (Ida-Virumaa)	South Estonia
<b>Total</b>								
0	<b>72.02</b>	<b>72.08</b>	<b>71.96</b>	<b>72.33</b>	<b>72.34</b>	<b>73.02</b>	<b>68.48</b>	<b>72.96</b>
1	<b>71.49</b>	<b>71.51</b>	<b>71.53</b>	<b>71.7</b>	<b>71.72</b>	<b>72.81</b>	<b>68.09</b>	<b>72.32</b>
15	<b>57.72</b>	<b>57.74</b>	<b>57.83</b>	<b>57.97</b>	<b>57.96</b>	<b>59.16</b>	<b>54.53</b>	<b>58.55</b>
45	<b>30.28</b>	<b>30.41</b>	<b>30.11</b>	<b>30.78</b>	<b>30.63</b>	<b>30.85</b>	<b>28.43</b>	<b>30.64</b>
65	<b>15.63</b>	<b>15.77</b>	<b>15.44</b>	<b>15.88</b>	<b>15.77</b>	<b>15.59</b>	<b>14.57</b>	<b>16.12</b>

Age	All Estonia	Urban population*	Rural population*	Tallinn	North Estonia (Harjumaa)	West Estonia	Central Estonia	North-eastern Estonia (Ida-Virumaa)	South Estonia
<b>Men</b>									
0	66.25	66.07	66.79	66.42	66.68	68.31	65.46	61.93	67.13
1	65.69	65.44	66.42	65.67	65.94	68.23	65.3	61.65	66.39
15	51.92	51.66	52.65	52.01	52.22	54.42	51.54	48.02	52.7
45	25.57	25.54	25.78	26.16	26.08	26.65	25.31	23.47	25.69
65	12.7	12.82	12.61	13.07	12.98	12.79	12.33	11.76	13
<b>Women</b>									
0	77.78	77.79	77.77	77.86	77.76	77.1	78.09	75.32	78.88
1	77.28	77.29	77.25	77.37	77.28	76.74	77.43	74.79	78.34
15	63.49	63.51	63.55	63.56	63.46	63.65	63.68	61.42	64.42
45	34.58	34.62	34.55	34.64	34.53	34.6	34.66	33.2	35.28
65	17.72	17.81	17.56	17.8	17.69	17.51	17.72	16.81	18.2

Source: Statistics Estonia "Rahvastik 2003–2004 linna/maarahvastiku ja piirkondade lõikes" [Population 2003–2004 by urban/rural distribution and by regions].

\* Urban population — inhabitants of cities, rural municipality towns and towns; rural population — inhabitants of small towns and villages.

\*\* The area of Estonia is presented according to NUTS 3 qualification.

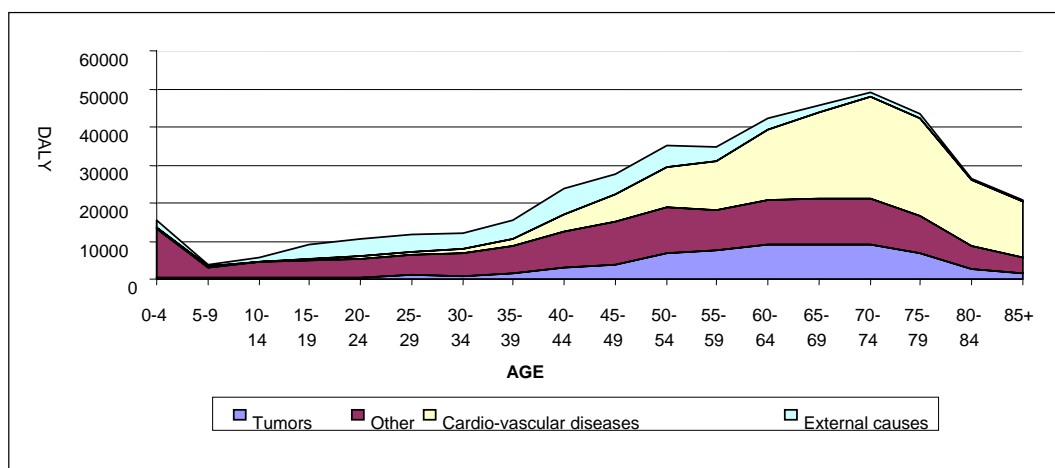
772. For some time already, disease burden is also measured in Estonia to better understand sources of loss of health. The term "disease burden" denotes loss in the health of population, expressed by the sum of the years of life lost due to premature mortality and the years of healthy life lost due to disability for incident cases of the health condition (DALY).

773. Almost half of all the potentially lost years of life are lost in productive age, i.e. years 16–64, due to illness, injury and mortality. In this age, years of life are reduced mostly due to health problems and deaths from external causes. Since the age of 40, important causes are also cardiovascular diseases and tumours.

774. Loss of health increases together with the age. The proportion of the population suffering from long-term diseases is significantly higher among the older population and smaller among the younger people. In the age group 60–64, almost half of the men and women have a health problem.

775. In 2006, approximately one third of the population (30%) suffered from long-term and chronic diseases, which is 3% less than in 2005 (33%).

Figure XVIII  
Sum of the loss of health in Estonia in 2003, by age groups



Source: Ministry of Social Affairs.

776. The proportions of disease groups as causes of loss of health remained unchanged in 2000–2003. In 2003, most of the years of life lost were due to cardiovascular diseases, tumours and external causes, representing respectively 39%, 15% and 12% of the total loss. The incidence of mental and addiction disorders is increasing constantly.

Table 63

The distribution of the sum of the loss of health (DALY) in 2000–2003, by disease groups (in brackets the position of a disease in the ranking table)

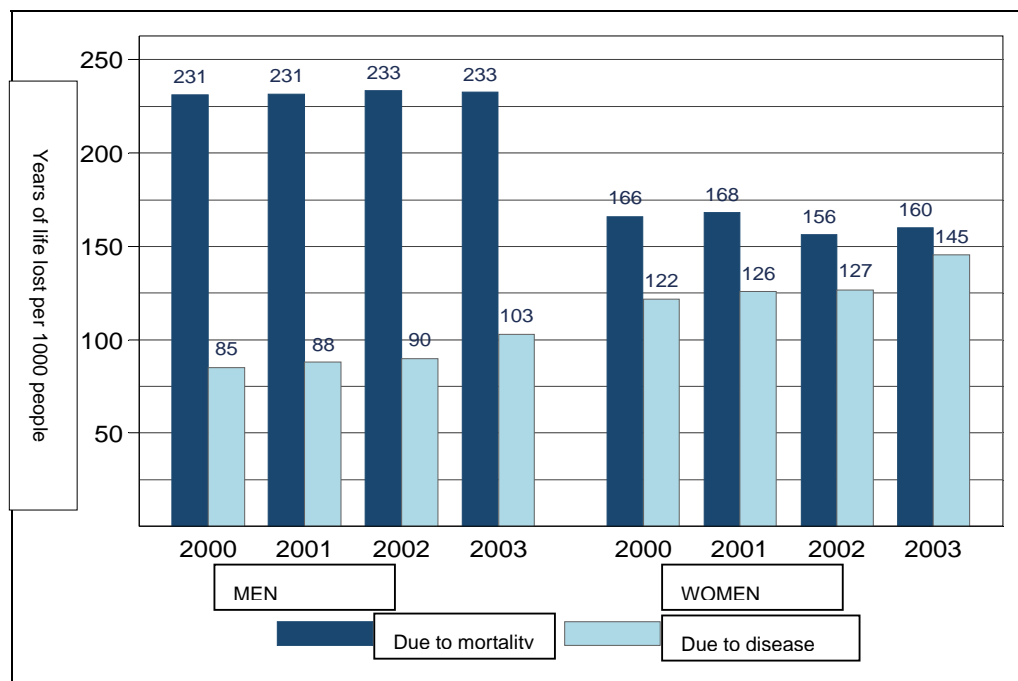
Disease groups	2000	2001	2002	2003
Respiratory diseases	20 988 (5)	20 196 (5)	19 567 (6)	20 412 (6)
Tumors	64 779 (2)	65 534 (2)	64 917 (2)	64 617 (2)
Uro-genital diseases	8 529 (11)	8 425 (11)	7 327 (11)	7 867 (11)
Diseases of joints and muscles	18 719 (6)	19 017 (6)	19 950 (5)	21 262 (5)
Other diseases and conditions	30 726 (4)	37 798 (4)	32 948 (4)	35 262 (4)
Infectious diseases	4 901 (12)	4 945 (12)	4 068 (12)	4 941 (12)
Neurological diseases	9 981 (10)	10 947 (9)	12 208 (9)	13 707 (9)
Psychiatric diseases	11 340 (8)	12 276 (8)	14 092 (8)	18 207 (7)
Diseases of digestive organs	15 108 (7)	15 160 (7)	16 243 (7)	16 143 (8)
Cardiovascular diseases	164 782 (1)	164 764 (1)	162 125 (1)	167 215 (1)
External causes	59 455 (3)	59 250 (3)	59 634 (3)	53 731 (3)
Deformities and birth-related conditions	10 024 (9)	9 826 (10)	7 651 (10)	8 819 (10)
<b>Total</b>	<b>419 332</b>	<b>422 138</b>	<b>420 730</b>	<b>432 182</b>

Source: Ministry of Social Affairs.

777. In comparison of the years, an increasing role of diseases as a cause of loss of health can be seen. During the above four-year period, the proportion of loss due to disease increased by 4%. The starting point for the change was 2002, although the biggest change occurred in 2003.

Figure XIX

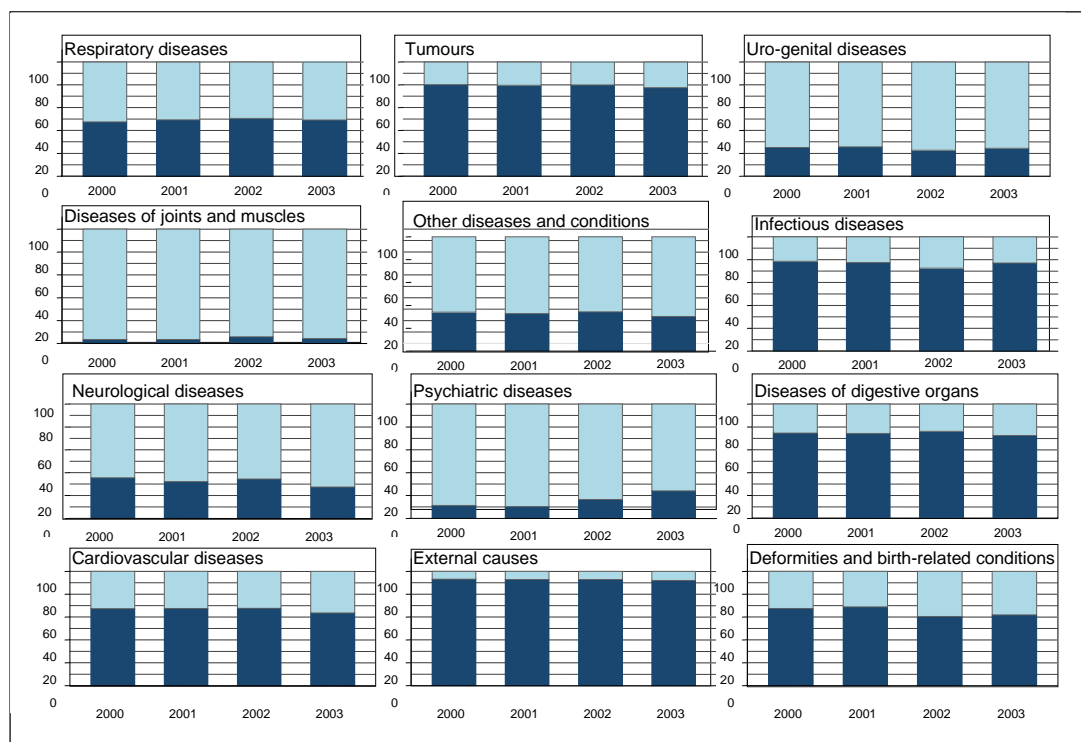
**The proportion of loss due to death and disease, by years and gender, 2000–2003**



Source: Ministry of Social Affairs.

778. The following Figure shows that cardiovascular diseases, tumours, and primarily external causes are a source of a high disease burden due to premature mortality. A dangerous trend can be seen in the increasing loss of years of life due to mortality from psychiatric disease. Despite the increased security as a result of development of society, mortality from external causes has not declined.

Figure XX  
The proportion of loss due to mortality and diseases, by disease groups, 2000–2003



Source: Ministry of Social Affairs.

779. Large gaps in the average life expectancy occur between social groups with different levels of education. At the beginning of the reporting period, the average life expectancy of men with higher education was 13.5 years higher than for men with basic education. Women with higher education were likely to live 19 years longer than men with basic education.<sup>20</sup>

780. The mortality rate among men is higher than among women, in particular in the younger age groups. For example, in the age group 25–64 the difference is almost three-fold (1128 cases per 100 000 inhabitants among men and 400 cases among women in 2003).

### Main infectious diseases

#### HIV/AIDS

781. Estonia is still characterised by a concentrated HIV/AIDS epidemic. The prevalence of HIV among intravenous drug addicts is above 5%, while it is less than 1% among pregnant women.

782. Although the number of new cases of HIV has decreased since 2002, the number of HIV-infected people is rising constantly (on 17 January 2007, there were 5754 HIV

<sup>20</sup> Kunst A., Leinsalu M., Kasmel A., Habicht J. "Social inequalities in health in Estonia", World Bank, Ministry of Social Affairs 2002.

positive people and 134 persons with AIDS in Estonia). In the following ten years, HIV is going to become an important cause of disease burden in Estonia.

Table 64  
**HIV infected people by gender**

<i>Year</i>	<i>Men</i>	<i>Women</i>	<i>Total</i>
2000	312	78	<b>390</b>
2001	1 127	347	<b>1 474</b>
2002	632	267	<b>899</b>
2003	606	234	<b>840</b>
2004	497	246	<b>743</b>
2005	389	232	<b>621</b>
2006	427	241	<b>668</b>

*Source:* Health Protection Inspectorate.

783. The infection is mostly prevalent in Ida-Viru County and Tallinn. Out of 668 HIV infected people in 2006, 312 or 46.7% lived in Ida-Viru County, and 263 or 39.4% in Tallinn. There are more cases of infection among men.

784. There are increasingly more cases of HIV acquired through sexual contact: 90% of the cases of HIV registered in anonymous AIDS testing centres in 2000 were injecting drug users; in the first half of 2006 only 50% of the new registered cases were among injecting drug users.

785. HIV infection is an important risk factor for contraction of tuberculosis. In the following years we may expect an increase of tuberculosis in Estonia, mostly among HIV infected people. A problem in Estonia is the incidence of a multi-resistant form of tuberculosis which is difficult to treat.

### **Tuberculosis**

786. The prevalence of tuberculosis decreased constantly during the reporting period. The number of people contracting tuberculosis in 2006 was almost twice lower than in 2000.

Table 65  
**Cases of tuberculosis**

<i>Year</i>	<i>Number of new cases</i>	<i>Per 100,000 inhabitants</i>
2000	642	45
2001	555	41
2002	522	38
2003	475	35
2004	429	32
2005	405	30
2006	330	25

*Source:* Health Protection Inspectorate.



### Health behaviour

787. Slightly less than half of the population (43%) do not engage in any sports or only do sports very rarely (a few times a year).

788. 30% of the respondents among the age group 16–64 engaged in physical exercise for at least half an hour at a time and 2–3 times a week or more often. This percentage has remained almost unchanged for the past eight years.<sup>21</sup>

789. People usually develop the habit of physical exercise in a young age and therefore it is important that children and young people have sufficient opportunities for sports and movement. A shortage of sporting facilities is still a problem in Estonia, as well as their distance from the residence or school. There are also insufficient opportunities for family sport (sporting activity of married or cohabiting people is half smaller than among single people). Facilities for fitness sport are usually expensive and sports clubs are in a poor financial situation.

790. The proportion of people engaged in fitness sport more than once a week is almost half higher among the population with higher income than among the lower-income population.

791. Eating habits of Estonians have improved in the last ten years. The biggest change has occurred in the consumption of food fats. There has been a dramatic change in replacing animal fats with plant fats, and a decrease in the general consumption of food fats.

792. Another remarkable change in the eating habits has occurred in the consumption of fresh fruit and vegetables. The daily consumption of fresh fruit and vegetables has increased both among men and women, being 17% and 27% respectively in 2002. Based on household surveys, the daily consumption of fruit, vegetables and berries, however, is still below 260 grams, being significantly lower than the World Health Organisation recommendation of 400 grams per day.

### Alcohol and drugs

793. The consumption of alcoholic beverages is rising constantly and has exceeded 12 litres of absolute alcohol per person during lifetime (from birth to death). In 2000–2004, the proportion of men consuming six or more units of alcohol at a time at least once a month rose from 43% to 47%; and the same proportion among women from 9.8% to 12.6%.

794. The proportion of people consuming six or more units of alcohol at a time at least once a month is half smaller among people with higher education, and significantly higher among unemployed persons, recipients of incapacity for work pension, persons without medical insurance, and households with two persons. Interestingly, except for the lowest income group, the higher the income the higher the number of persons consuming six or more units of alcohol at a time at least once a month.

795. The main problem in the state's alcohol policy is the availability of alcohol due to cheap price, a large number of sales outlets, and time restrictions on sale of alcohol applicable only in some local authorities (allowing for alcohol tourism), as well as increased number of incidents of drunken driving. Although the punishments are harsh, the compliance monitoring teams are unable to detect enough violators of the sales regulations.

796. Alcohol advertising also contributes to the consumption of alcohol. In addition, alcoholism treatment and counselling are not sufficiently available in Estonia.

<sup>21</sup> Survey of Estonian adult population health behaviour 2004.

Table 66  
**Alcohol consumption trends 2000–2003 (litres per person)**

	2000	2001	2002	2003
Strong alcohol	6.6	8.1	10.07	11.2
Wine	6.9	6.5	7.5	7.9
Beer	59.9	63.6	72.3	70.8
Cider	8.5	8.7	10.7	11.2

*Source:* Estonian Institute of Economic Research.

797. According to an adult health survey carried out in 2004, 47.7% of men and 32.8% of women were daily smokers. Both trends have been relatively stable in the last ten years, fluctuating between 44–47% among men and 17–21% among women.

798. According to a population survey of injecting drug users in 2005, there are an estimated 13 800 injecting drug users, of whom up to 62% are HIV positive. The majority of injecting drug users live in Ida-Viru County and Harju County. Insufficient opportunities for treatment of drug addiction is still a problem.

799. The number of sudden deaths due to drug use is also worrying. The number of sudden drug-related deaths rose sharply in 2004. Most of the persons dying due to drug use are aged 20–24.

#### **Assessment of one's own health and health behaviour**

800. Persons suffering from chronic diseases often note restrictions to their daily activities. As many as 87% of persons suffering from chronic diseases claim that their disease is restricting their daily activities. Nevertheless, less than half of them (36%) are persons whose disease restricts them significantly, and half of the respondents considered the restrictions as insignificant.

801. The period 2003–2005 was characterised by a trend where people assessed their health increasingly negatively. The situation improved in 2006. Half of the respondents (52%) aged 15–74 considered their health to be either good or generally good. In comparison with 2005, people's assessment of their health has improved – the proportion of positive assessment has increased by 6%.

802. Less than half of the population (37%), however, consider their lifestyle choices as healthy. This outcome is similar to previous years. People's assessment of their health depends on age – the older the respondents the more frequently they assess their health as poor, and vice versa. Inhabitants of larger settlements and people with higher education levels assess their health better.

#### **Health of young people**

803. Mortality of young people in Estonia is generally low and serious chronic diseases among young people are also rare. Nevertheless, the health of young people must be seen in a wider context, because a large number of cases of disease in later age have their root causes in childhood and adolescence.

804. Since the middle of the 1990s, the health behaviour of young people has deteriorated considerably. The cumulative effect of increased smoking, consumption of alcohol and narcotic substances, reduced physical activity, increased bodyweight, and unbalanced nutrition gives reason to expect development of several health problems in adult age.

Poorer health of young people may also have a negative effect on the economy both directly and indirectly through deteriorated school performance.

805. One in three boys and one in five girls aged 15–16 smoke. According to a survey of health behaviour in school-aged children in Estonia (HBSC), 2% of pupils in year three, 5% in year four, 8% in year six, and 26% in year nine at school consume alcohol every week. According to the European School Survey Project on Alcohol and Drugs (ESPAD), the alcohol behaviour of Estonian children deteriorated in 1999–2003 considerably more than in many other European countries. Illegal drug use among 15–16 year-old young people grew from 7% in 1995 to 24% in 2003.

806. Excessive use of alcohol and drugs also results in a constant increase of cases of psychological and addiction problems. Suicide has become the main cause of death among 15–29 year-olds.

807. Incidence of addiction problems in an increasingly younger age is also a problem. The results of the European School Survey Project on Alcohol and Drugs (ESPAD) published at the end of 2004 showed that one sixth of 15–16 year old pupils in Estonia who had tried drugs had first done so already at the age of 12 or even earlier. Approximately half of all the pupils knew at least one place where cannabis was sold, and the most frequent place for buying was a dealer's home. Pupils pointed out curiosity as the main reason for trying drugs. It may be claimed that large-scale availability of drugs in Estonia contributes to experimenting with drugs.

808. Among the European Union member states, Estonia has the highest mortality of under 14 year-old children due to injuries and poisoning.

#### Health of infants, babies and pregnant women

809. Both infant mortality and the number of stillbirths have decreased by approximately one third both among boys and girls as compared to 1999. Mortality of girls is approximately 25% lower than mortality of boys.

Table 67

#### Infant mortality by year, indicator and gender

Year	Died at less than one year old			Per 1,000 live births		
	Total	Boys	Girls	Total	Boys	Girls
2000	<b>110</b>	65	45	<b>8.4</b>	9.5	7.2
2001	<b>111</b>	65	46	<b>8.8</b>	10	7.5
2002	<b>74</b>	46	28	<b>5.7</b>	7	4.4
2003	<b>91</b>	56	35	<b>7</b>	8.4	5.5
2004	<b>90</b>	47	43	<b>6.4</b>	6.6	6.3
2005	<b>78</b>	43	35	<b>5.4</b>	5.7	5.1

Source: Ministry of Social Affairs, World Health Organisation HFA database.

810. The number of infant deaths was somewhat lower in urban settlements than in rural settlements during the reporting period (except in 2000 and 2001).

Table 68  
**Infant mortality in urban and rural settlements**

	<i>Total</i>	<i>Urban settlements</i>	<i>Rural settlements</i>
2000	<b>8.42</b>	8.17	8.70
2001	<b>8.79</b>	9.37	7.52
2002	<b>5.69</b>	6.00	5.05
2003	<b>6.98</b>	6.41	8.28
2004	<b>6.43</b>	5.86	7.80
2005	<b>5.44</b>	4.98	6.56
5-year average	<b>6.67</b>	6.52	7.04

*Source:* Ministry of Social Affairs.

811. Maternal mortality has fluctuated during the reporting period. In 2005, there were two cases. No socio-economic, regional or group differences can be indicated on the basis of these data.

Table 69  
**Maternal mortality due to complications during pregnancy, birth and puerperium**

<i>Year</i>	<i>Causes</i>							<i>Number of live births</i>
	<i>Total cases</i>	<i>Incl. pregnancy</i>	<i>Coefficient per 100 000 live births</i>					
			<i>Birth puerperium</i>	<i>Total</i>	<i>Pregnancy</i>	<i>Birth, puerperium</i>		
2000	<b>6</b>	3	3	<b>45.9</b>	23.0	23.0	13 067	
2001	<b>1</b>	1		<b>7.9</b>	7.9	0.0	12 632	
2002	<b>1</b>	1		<b>7.7</b>	7.7	0.0	13 001	
2003	<b>4</b>		4	<b>30.7</b>	0.0	30.7	13 036	
2004	<b>4</b>		2	<b>28.6</b>	0.0	14.3	13 992	
2005	<b>2</b>		4	<b>13.9</b>	0.0	27.9	14 350	
7-year average	<b>2.9</b>	1.0	1.9	<b>21.5</b>	7.8	13.7	13 214.7	

*Source:* Ministry of Social Affairs.

812. All children are subject to a state vaccination programme free of charge. In 2005, 99% of one-year children were vaccinated against tuberculosis and 95.9% of one-year children against tetanus, whooping cough, measles and poliomyelitis. In the case of the latter diseases, the proportion of vaccinated babies has grown as compared to 2000.

Table 70  
Coverage by vaccination

Year	% of 1-year-old children vaccinated against tuberculosis	% of 1-year-old children vaccinated against diphtheria	% of 1-year-old children vaccinated against tetanus	% of 1-year-old children vaccinated against whooping cough	% of 2-year-old children vaccinated against measles	% of 1-year-old children vaccinated against poliomyelitis
2000	99.7	92	92	92	93	92.5
2001	99.6	93.5	93.5	93.5	94.7	97
2002	98.9	94.2	94.2	94.2	95.2	94.2
2003	99.6	94.5	94.5	94.5	95.2	94.6
2004	99.1	94.3	94.3	94.3	95.5	95.1
2005	99	95.9	95.9	95.9	95.9	95.9

Source: Ministry of Social Affairs.

813. There are no considerable regional differences in vaccination of children against BCG, poliomyelitis, diphtheria and tetanus. In all regions the proportion of vaccination is in line with the requirements of the World Health Organisation (WHO).

814. Vaccination against whooping cough meets WHO requirements in all regions, although in Harju County (incl. Tallinn) it is 92.2% which is 3% lower than the average in Estonia (95.8%).

815. Vaccination against rubella, measles and mumps is lower than the WHO requirement only in Harju County (92.6%, requirement 95.0%). However, the proportion of vaccination for the whole of Estonia meets the WHO required level.

816. Vaccination against hepatitis B is significantly different from county to county (being the highest in Tallinn and Ida-Virumaa and lowest in Jõgeva County and Saaremaa County). The low rate of vaccination of two-year olds in 2004 was due to the fact that vaccination of babies against hepatitis B was started only in 2004, prior to that children aged 12–13 were vaccinated.

Table 71  
Vaccination coverage of two-year old children, by counties, 2004 (%)

	BCG	Poliomyelitis	Diphtheria, tetanus	Rubella, mumps	Whooping cough	Hepatitis B
WHO requirement	-	95.0	95.0	95.0	90.0	-
<b>Total</b>	<b>99.6</b>	<b>97.3</b>	<b>97.3</b>	<b>95.5</b>	<b>95.8</b>	<b>46.3</b>
Harjumaa	99.4	95.3	95.1	92.6	92.2	78.6
Incl. Tallinn	99.4	95.0	94.8	92.2	91.3	92.9
Hiiumaa	100.0	98.8	98.8	97.5	98.8	5.0
Ida-Virumaa	99.5	98.8	98.9	97.8	98.7	93.8
Jõgevamaa	100.0	99.1	99.1	98.7	99.1	1.9
Järvamaa	100.0	98.7	98.7	96.5	98.1	3.5
Läänemaa	100.0	98.8	99.2	97.1	97.5	12.0
Lääne-Virumaa	100.0	98.2	98.2	96.6	98.1	6.4
Põlvamaa	99.6	97.0	97.4	98.1	97.4	5.6
Pärnumaa	99.8	98.6	98.6	97.2	96.7	8.2
Raplamaa	100.0	98.8	98.1	98.1	97.8	10.9

	<i>BCG</i>	<i>Poliomyelitis</i>	<i>Diphtheria, Rubella, measles, tetanus</i>	<i>mumps</i>	<i>Whooping cough</i>	<i>Hepatitis B</i>
Saaremaa	100.0	99.6	99.2	99.2	99.2	1.5
Tartumaa	99.9	99.0	99.0	97.6	98.4	5.7
Valgamaa	100.0	98.4	98.7	96.5	98.7	6.9
Viljandimaa	99.6	98.0	98.5	97.6	97.6	8.1
Võrumaa	100.0	99.7	99.7	97.1	99.7	3.2

*Source:* Ministry of Social Affairs.

817. The average age of women giving birth as well as the age of those giving birth for the first time has increased. Beginning of sexual life has shifted to an earlier age than before, but more and more children have received sexual education at school. Among the women giving birth, the share of those with higher education but also with elementary education has increased, while the share of women with basic, secondary and vocational secondary education has decreased.

818. To reduce the number of stillbirths, medical examination for pregnant women throughout the pregnancy is free of charge. The professional association has drawn up the relevant guidelines for performing the examinations.

819. From the point of view of the health of both the mother and the child, it is positive that year by year the proportion of those pregnant women who register themselves before the 12th week of pregnancy has grown. In addition, the number medical examinations during pregnancy as grown: for example, the number of amniotic fluid examinations before the 21st week of pregnancy has increased from 3.4 examinations per 100 women giving birth in 2001 to 6.4 examinations in 2005; ultrasound examinations before the 21st week of pregnancy have become standard during pregnancy.

820. Very popular are family training sessions for pregnant women, taking place in all regions at maternity hospitals and teaching future parents to take care of the health of the mother and child.

821. After the birth of a child, a programme for medical monitoring of the infant begins. Within the programme, a family doctor dealing with the child or a paediatrician also visit the child at home to give the mother advice for taking care of the child depending on the conditions at home.

822. Newborn children are insured under the solidarity principle immediately after registration of the birth in the Estonian Health Insurance Fund.

823. All children are covered with health insurance under the solidarity principle and receive the necessary medical care, including dental treatment, free of charge.

### **Abortion**

824. The number of abortions dropped to 35% in 1998–2005 (18 424 abortions in 1998). Dropping of the number of abortions is due to information campaigns among young people but also due to easy access either free of charge or for a small fee to means for avoiding of pregnancy (mostly anti-baby pills).

### **Socio-economic impact of health**

825. Good health affects the economic well-being and productivity both on the level of the individual, household and national economy. Chronic diseases have a direct impact on the ability to work. Poor health reduces the number of working people and their number of

working hours and productivity. In Estonia 6–7% of the labour force (aged 15–74) are inactive due to a disease, disability or injury.

826. Various analyses show that poor health plays an important role in people becoming inactive in Estonia. Estonian men with poor health have approximately 40% smaller likelihood of participation on the labour market than men with good health; in the case of women the indicator is 30%. Estimates of indirect costs due to diseases, causing either present or future loss of production, range between 6–15% of the GDP.<sup>22</sup>

### **Primary level health care**

827. Primary level health care in Estonia consists of a set of services, including family doctor and nursing care, accessible to persons according to their residence. The services include prevention of diseases and health promotion, occupational health care, physiotherapy, nursing, midwife's assistance, school health care, dental treatment, and pharmacy services.

828. The WHO primary level health care principles have been integrated into the Estonian health care system for more than ten years already.

### **Service of family doctor**

829. According to annual patient satisfaction surveys, accessibility of the family doctor's service is better in rural areas than in cities: 32% of city inhabitants as compared to 61% of rural inhabitants are able to get an appointment with the doctor on the same day when they contact the doctor.

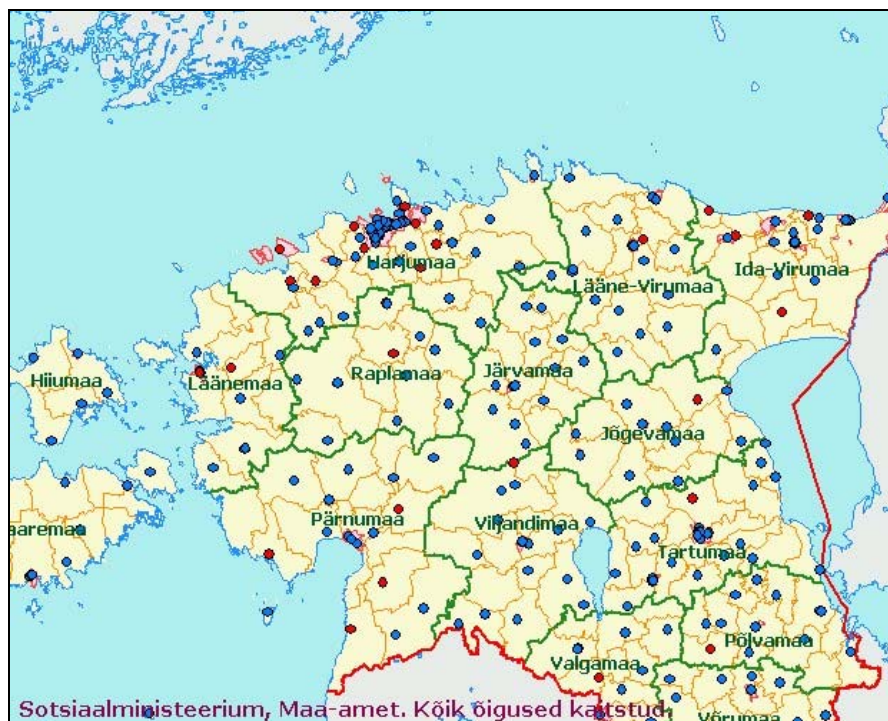
830. In general, accessibility of the service of family doctors can be considered good: 89% of the patients when they last registered for an appointment with a family doctor were able to get an appointment for a time that they wished.

831. The most important problem in the primary level health care is small inclusion of nurses and overburdening of family doctors with functions which essentially should be fulfilled by nurses. Transport of people to a provider of health care services is also a problem. Transport possibilities depend to a large extent on the existence of public transport or patient's personal means of transport, and on whether the local authorities are able to compensate and subsidise transport costs.

832. The number of family doctors and their ratio per 10 000 inhabitants has increased constantly. Regional distribution of family doctors can be seen on the following Figure.

<sup>22</sup> "Tervise mõju majandusele" [Impact of health on the economy], WHO European Regional Office, PRAXIS Centre for Policy Studies, Ministry of Social Affairs, 2006.

Figure XXI  
Geographical distribution of family doctors



Source: Ministry of Social Affairs, Land Board.

#### Other services which in essence provide primary level care

833. In the case of other services which in essence provide primary level care, such as nursing care at home, midwife's service, health promotion and prevention, health care at work and school, there is no equally developed network which would cover the whole country and provide equal and good accessibility.

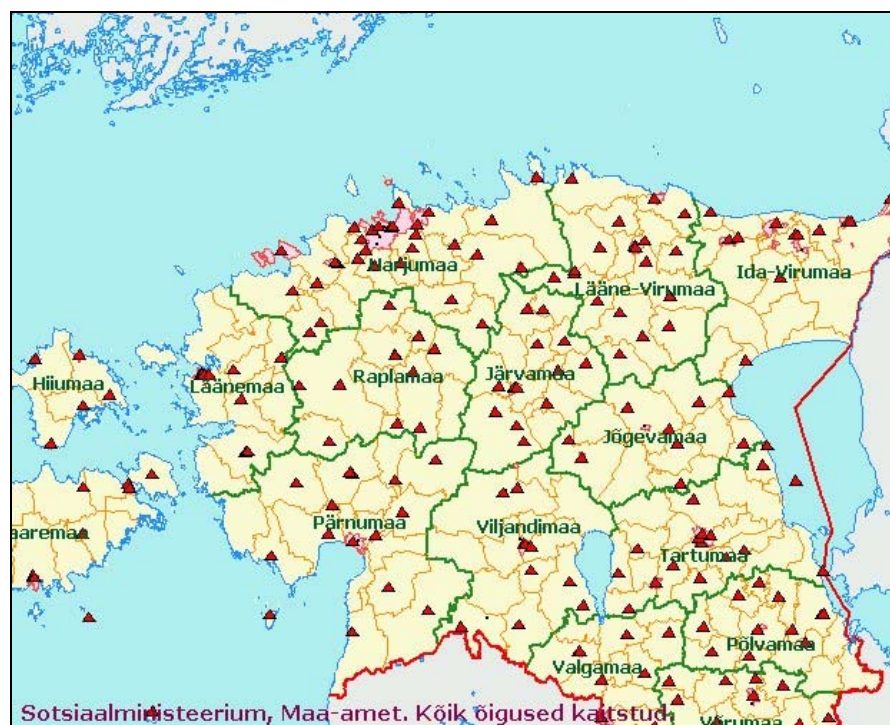
834. Prevention activities, including occupational and school health care are currently not sufficiently population based.

#### School health care system

835. After enrolment at school children become part of the school health care system where school health care workers systematically monitor their health and, in case of problems, notify the parents or a doctor. The school health care system also provides nursing care in medium-sized and large schools, i.e. the school nurse is present at school during the school's working time. Locations of the provision of school health care are shown on the following Figure.



Figure XXII  
Coverage by school health care providers



Source: Ministry of Social Affairs, Land Board.

836. At the beginning of 2006, the Estonian Health Insurance Fund concluded a contract for the provision of school health care services with 234 partners. There are only a few schools with a total of approximately 1500 pupils not covered by contracts for the provision of school health care.

837. Insufficient cooperation between providers of school health care and family doctors is the main problem in school health care. Such cooperation is hindered to a large extent by insufficient exchange of information.

#### Occupational health care

838. The occupational health service provided by occupational health doctors currently covers approximately 20% of employees. Considering a relatively low demand of employers for this service, the number of the existing occupational health doctors is sufficient (see also Article 7 of the report).

839. According to the Society of Occupational Health Doctors, the number of occupational health doctors should increase to 120 if the demand for the service by employees and employers rises and if we wish to ensure that approximately 80% of all employees are covered by occupational health service.

#### Nursing at home

840. The Estonian Health Insurance Fund has concluded contracts with 42 partners for financing of 90 000 visits to provide the service of nursing at home, including provision of supportive care for cancer patients at home. The need for the service in Estonia has been

estimated to be 500 000 visits a year. Thus, only 20% of the need is covered at the moment and this poses an important problem. The reason is shortage of staff with the relevant training, a weak network and financing. According to the development plan for the development of the nursing care network, it is estimated that the needs will be covered by the year 2015.

#### Midwife's service

841. The midwife's service includes monitoring of the progression of pregnancy and counselling in case of minor gynaecological problems. Until now mostly gynaecologists have been monitoring pregnant women. This is probably one of the main reasons for long queues for in-hospital appointment with a gynaecologist.

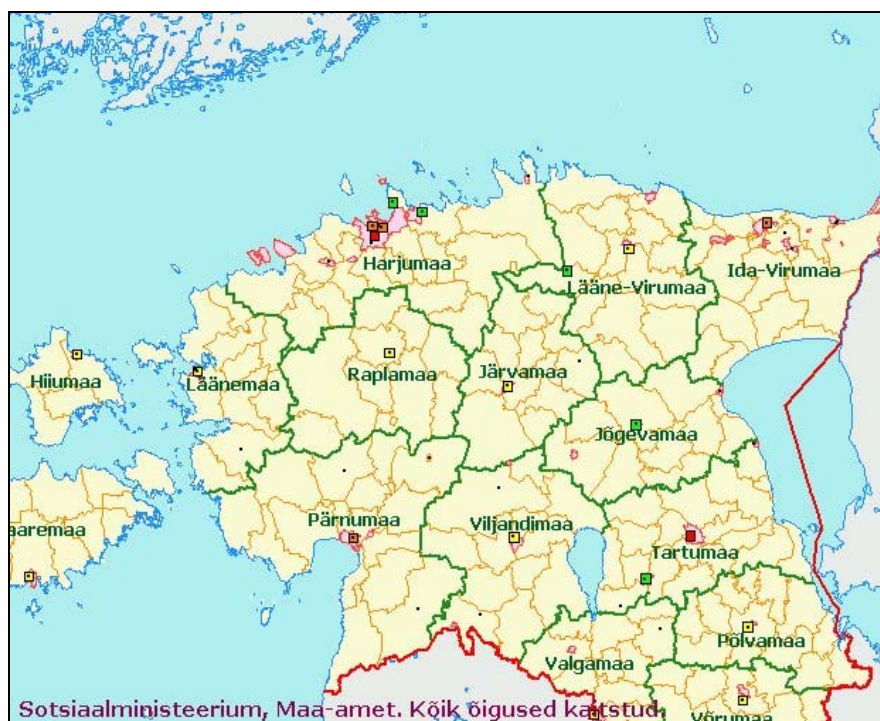
842. A problem is small proportion of primary level monitoring of the normal progression of pregnancy as compared to the proportion of specialist health care.

#### Access to active treatment and medicinal products

843. The geographical distribution of active treatment hospitals follows the principle that active treatment should be accessible for all persons within a radius of 70 km or 60 minutes drive by car.

844. Based on this principle, the Government approved the hospital network development plan in spring 2003 which forms a basis for the current hospital network (see the Figure below). In the Figure local hospitals are marked in green, general hospitals in yellow, central hospitals in orange, and regional hospitals in red.

Figure XXIII  
Geographical distribution of active treatment hospitals



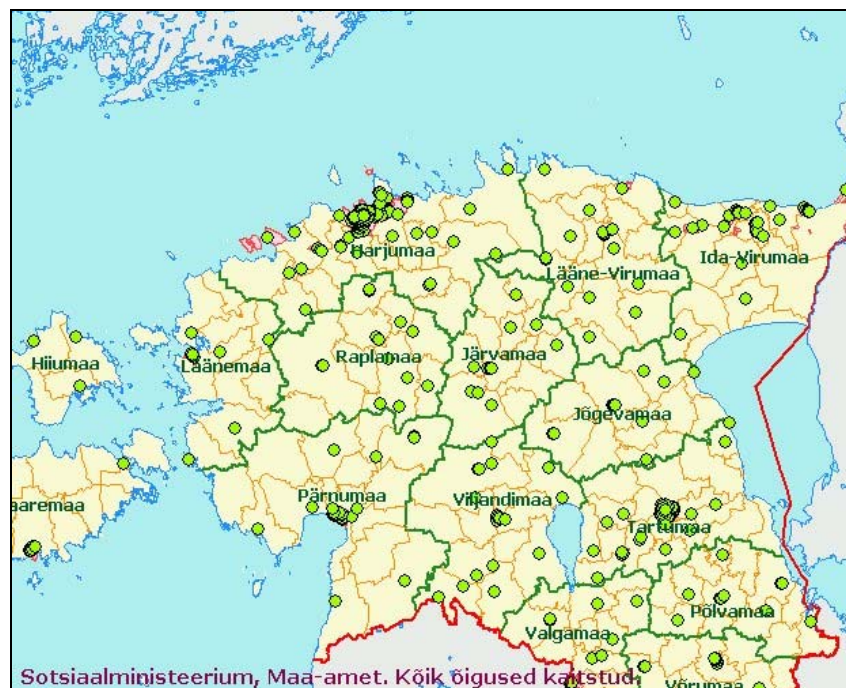
Source: Ministry of Social Affairs, Land Board.

845. Emergency medical care and emergency care is free of charge for all inhabitants of Estonia. Hence, it may be said that emergency active treatment is accessible within one hour for inhabitants of Estonia.

846. The distribution of pharmacies can be seen in the following Figure. It shows that medicines are accessible from any point in Estonia in less than one hour's drive.

Figure XXIV

**Geographical distribution of pharmacies**



Source: Ministry of Social Affairs, Land Board.

**State health care policy**

**Share of health care expenditure of the GDP and the state budget**

847. The total health care expenditure has been 5.5% of the GDP in the recent years.

848. The following Table shows the budget for family doctor care in 2001–2004 both as a share of the public sector health care expenditure and of all the health care expenditure. In comparison with 2001 and 2004, the share of family doctor care has increased by 26–29%.

Table 72

**The share of the health care expenditure budget for family doctor care (%)**

	2001	2002	2003	2004
Percentage of budget of family doctor care in public sector health care expenditure	5.54	6.05	5.90	6.97
<b>Percentage of budget of family doctor care in total health care expenditure</b>	<b>7.15</b>	<b>7.99</b>	<b>7.68</b>	<b>9.25</b>

Source: Ministry of Social Affairs, World Health Organisation HFA database.

849. In 2000–2007, the state's financial resources allocated for health promotion increased constantly.

#### **The state's activities**

850. The Government approved the key guidelines and principles for health policy in 2006.

851. The existing and new measures for implementing health policy will be merged into a development plan directly connected to the above health policy document. The development plan will contain numerical objectives and budgetary needs in relation to each sub-measure. The development plan will unite all programmes, strategies and development plans in this field into an integrated whole and it will be completed in 2007.

#### **The state's strategic objectives and measures**

852. In order to promote making healthy choices and organise systematically the prevention of chronic diseases, a cardiovascular diseases prevention strategy is being implemented since 2005. The strategy includes measures for healthy nutrition, physical activity, reduction of smoking and preventive health checks. National cancer strategy for 2007–2015 has also been drawn up.

853. To ensure healthy development of children, the school health care concept is developed, health promotion in pre-school child care establishments is improved through implementation of the concept of health-promoting kindergartens, and periodic surveys of the health behaviour of pupils are carried out within the framework of the strategy of the rights of the child.

854. A drug addiction prevention strategy is implemented to reduce damage to health caused by addictive substances. A new Tobacco Act and a new Narcotic and Psychotropic Substances Act have been enacted. Guidelines for the reduction of damage to health caused by alcohol have also been prepared to take relevant measures.

855. The national vaccination programme has been renewed with the introduction of a modern complex vaccine to continue reduction of infectious diseases. A continued decline in the spreading of infectious diseases has been achieved. A national tuberculosis programme and HIV/AIDS prevention strategy have been adopted and are being implemented. Measures to improve preparedness for epidemics and bioterrorism are being taken.

856. Measures within the environmental strategy are implemented to reduce health risks caused by the environment.

857. The chemical safety development plan has been updated and is being implemented to ensure chemical safety.

858. The hospitals network is modernised and availability of an optimum number of health care staff is guaranteed to develop a health care system corresponding to the needs of people. The state aims to ensure the protection of the rights of patients and information to patients about their rights, availability of high-quality health care services and sustainability and financial protection of financing of health care. In addition, primary level health services (incl. occupational health and emergency medical care) are being developed, and market supervision in respect of medicines, blood products and medical equipment is organised.

### Indicators and numerical objectives

859. All the strategies and programmes contain a large number of indicators by which the efficiency of the measures contained in them is assessed. The following is an overview of only some of the more general indicators.

860. The average life expectancy should rise to 71 for men by 2010 (66.25 years in 2004) and to 79 years for women (77.78 years in 2004).

861. Mortality of men under 65 years of age due to cardiovascular diseases should drop by 40% by 2020. As a result, 100 fewer men would die per 100 000 inhabitants each year than in 2002 (248 men per 100 000 inhabitants in 2002).

862. Mortality of women under 65 years of age due to cardiovascular diseases should drop by 30% by 2020. As a result, 24 fewer women would die per 100 000 inhabitants each year than in 2002 (81 women per 100 000 inhabitants in 2002).

863. The number of new cases of HIV per 100 000 inhabitants should be only 30 in 2009 and 20 in 2015 (the basic indicator for 2004 was 55).

864. The proportion of HIV infected pregnant women among all pregnant women per 100 000 inhabitants should be less than 1% in 2009 and less than 1% in 2015 (the basic indicator for 2004 was 0.5%).

865. The average age for trying drugs for the first time should have grown by at least one year by 2012 (in 2003 it was 12 years).

866. The proportion of persons having tried illegal drugs among the age group of 15–16 years should drop by at least 15% by 2012 (in 2003 it was 24%).

867. Cases of cancer should drop by 5% by 2015, based on the standardised morbidity rate per 100 000 inhabitants in 2000, which was 227.6 among women and 324.5 among men.<sup>23</sup> According to preliminary data for 2003,<sup>24</sup> it was 221.5 among women and 312.2 among men.

868. Incidence of lung cancer among men should drop by 10% by 2015 and increase of morbidity among women should stop. The basis for the assessment is the standardised morbidity rate per 100 000 inhabitants in 2000, which was 10.2 among women and 63.7 among men.<sup>25</sup> According to preliminary data for 2003,<sup>26</sup> it was 7.8 among women and 57.1 among men.

869. Incidence of cervical cancer among women should drop by 20% by 2015. The basis for assessment is the standardised morbidity rate per 100 000 inhabitants in 2000, which was 15.5.<sup>27</sup> According to preliminary data for 2003, it was 14.1.

### As a result of implementing the strategy for the prevention of cardiovascular diseases

870. Healthy eating habits are promoted, people are taught how to assess the healthiness of their eating habits, and healthiness of school meals is improved.

<sup>23</sup> *Source:* cancer register.

<sup>24</sup> Preliminary data become final when the data in the cancer register is linked with data on death certificates.

<sup>25</sup> *Source:* cancer register.

<sup>26</sup> Lung cancer is the most frequent disease in the case of which the morbidity indicators increase upon linking it with the data on deaths.

<sup>27</sup> *Source:* cancer register.

871. Physical activity of the population is supported through creation of new sporting facilities and informing people about the existing facilities.

872. A network for counselling on issues of giving up smoking is operational and campaigns to motivate people to give up smoking are organised.

873. Persons in the risk group for cardiovascular diseases are screened and counselled systematically. Guidelines for family doctors and nurses for providing health promotion related counselling are prepared.

874. It is important to use county networks of health promoters to implement various activities on local level.

**As a result of implementing the state's cancer strategy for 2007–2015**

875. Awareness of the population about environment related cancer risks will rise, in particular as concerns avoidable risk factors (incl. the effect of ultraviolet light and infections).

876. Choice of food which is useful and safe for health is promoted.

877. With the help of screening, more cases of cervical and breast cancer are detected in early phases of the disease.

878. High-quality and accessible diagnostics methods are introduced.

879. Rehabilitative and palliative treatment for cancer patients is ensured by competent service providers.

**As a result of implementing the strategy on the rights of the child**

880. Networks of health-promoting schools and kindergartens have been developed, as a result of which child care establishments are better informed about health promotion.

881. The principles of health-promoting schools are integrated into the education system, incl. introduction of health promotion in the curriculum of upper secondary schools.

882. A school health care information system is being developed to allow a school health nurse and a child's family doctor to exchange necessary information about the health of a child, including vaccination information.

883. Modern guidelines for the provision of school health service have been drawn up.

**As a result of implementing the strategy for drug prevention**

884. Active information campaigns within different projects are carried out among young people in different areas.

885. A network of low threshold centres and a network for treatment and rehabilitation of drug addicts has been developed and financing of the services provided by the centres is ensured. Expansion of treatment possibilities continues.

886. Regular meetings within the networks and training sessions to develop the field are held.

887. Prevention work in custodial institutions is carried out.

888. Drugs monitoring is carried out.

889. Drug use surveys among schoolchildren are conducted.

**As a result of implementing the new Tobacco Act**

- 890. The ingredients of tobacco products are controlled.
- 891. Any advertising and introduction of tobacco products is prohibited.
- 892. Smoking in public places has been restricted considerably.
- 893. An age restriction for possession of tobacco products has been imposed.
- 894. Health warnings on cigarette packages have been regulated in more detail.

**As a result of implementing the Narcotic and Psychotropic Substances Act**

- 895. Illegal growing of narcotic substances has been restricted, as growing of narcotic plants for commercial purposes is regulated in more detail.
- 896. Initiating of criminal proceedings in connection with possession of drugs has become easier, as the quantity of narcotic substances leading to initiation of criminal proceedings has been specified in more detail.
- 897. It is easier to carry out assessment of problematic drug use, as a database of treatment of drug addiction has been established.

**As a result of implementing measures in connection with alcohol consumption**

- 898. Among the main measures, the sale of alcohol in kiosks and in street trading in general has been prohibited. Tax labels with security elements have been introduced on bottle labels or caps. The latter measure has significantly reduced the amount of illegal alcohol in shops.
- 899. Regular campaigns have been carried out to reduce drunk driving. Breathalyser tests for drivers in the roads are regularly carried out.

**As a result of improving preparedness for epidemics and bioterrorism**

- 900. Preparedness plans for the main types of epidemics and bioterrorism have been drawn up.
- 901. A digital system for rapid notification of infectious diseases is introduced.
- 902. Regular preparedness training is carried out and preparedness plans are improved on the basis of training results.
- 903. Preparedness stocks are replenished and technical possibilities and safety of diagnostics of infectious diseases is improved.

**As a result of implementing the national immunoprophylactics programme**

- 904. Large-scale coverage of children with vaccinations has been maintained.
- 905. The HIB (*haemophilus influenza*) vaccine and acellular whooping cough vaccine (instead of a cellular vaccine) have been taken into use in the recent years.
- 906. Following the World Health Organisation recommendations, injected form of polio vaccine (IPV) is now used instead of the oral vaccine (OPV).
- 907. Vaccination against hepatitis B now starts already in infant age to prevent infection of babies.

**As a result of implementing the national tuberculosis programme**

908. Patients are provided with free tuberculosis diagnoses, directly controlled treatment and various social benefits to facilitate continuation of treatment.

909. A tuberculosis register has become operational.

910. A possibility for coercive treatment of tuberculosis has been created in the recent years.

911. Medicines for alleviation of side effects of tuberculosis medicines have been introduced.

**As a result of implementing the national strategy for HIV/AIDS prevention**

912. The spreading of HIV/AIDS is reduced.

913. Provision of needle exchange and counselling services, and methadone treatment to injecting drug users has increased.

914. According to a survey of 2005, 46% of drug addicts in Tallinn and Kohtla-Järve use needle exchange points as the main place of getting syringes and needles (Uusküla et al 2005). According to the recommendations of the World Health Organisation, at least 60% of exchange should be achieved. Needle exchange service is developed further and information campaigns to shape the attitude of the Estonian population towards the services for minimisation of damage are also carried out.

915. Possibilities for offering methadone treatment in prisons are being looked at.

916. Prevention of persons entering the sex industry is carried out, the health of persons involved in prostitution is protected, and measures are provided to assist persons in exiting the sex industry.

917. Local authorities, non-profit associations, specialists on sexually transmitted infections, and other experts are involved in prevention. A problem is insufficient training of specialists.

918. A case management system for ensuring accessibility of health care and social welfare services for HIV infected people is implemented to achieve more effective use of the resources.

919. In the coming years, there will be more people who need two or three treatments at a time (antiretroviral treatment (ARV), tuberculosis treatment (TB), and/or methadone treatment), two of which would be directly controlled (medicines are taken under supervision of medical staff every day). Currently, different specialists are located in different hospitals/regions. In the framework of the strategy, a system will be developed to make access to both TB and ARV medicines as easy as possible for patients.

920. Collecting of data in relation to HIV is not of sufficiently reliable quality. A new infectious diseases rapid notification system which is being developed will help to improve the data collection quality considerably. This will ensure availability of high-quality data for assessing the spreading trends of diseases and will facilitate planning of preventive measures and health care expenditure in this field.

**Results of activities in relation to infectious diseases**

921. A new Infectious Diseases Act was enacted in 2003 to improve control and monitoring of infectious diseases, provision of information about them, organisation of vaccination, and regulation of emergency situations as a result of spreading of infections.



**Results of the activities in relation to the environmental health strategy**

922. Legislation has been introduced to legalise measures to reduce, in the near future, air pollution, noise, radiation and vibration, and the effect of buildings raising the threat of disasters in densely populated areas.
923. Legislation has also been revised to regulate in more detail the permitted content of contaminants arising from the environment in drinking and bathing water, and to organise monitoring and supervision.
924. The monitoring and information system of ambient environmental factors affecting health is being modernised.
925. Contaminants arising from the environment and their sources are identified and mapped, and the collected information is made public.
926. Information on the condition and health effects of interior spaces (incl. structural design solutions) is given with the aim to reduce health risks.
927. The knowledge of specialists and of the public about health effects of the ambient environment has increased as a result of media publications, use of guidelines and information materials and training curricula.
928. A system for risk analysis of contaminants in food is being developed.
929. Support schemes for the production of environmentally sustainable and healthy materials and for implementation of the relevant technology are used.
930. Large-scale investments in drinking water and sewage systems and waste handling are made.
931. As a result of preparing risk plans, revising the legislative environment and carrying out training activities, it has been possible to avoid emergency and risk situations in the environment and improve preparedness for environment related emergencies.

**Results of guaranteeing chemical safety**

932. A new Chemicals Act and the Biocides Act entered into force in 2005.
933. An intoxication information centre is being established.
934. The REACH system for registration, evaluation, authorisation and restriction of chemicals is being implemented.
935. A biocides register has been created.

**Results of optimisation and modernisation of specialised medical care**

936. Important changes in specialised medical care have taken place in the past ten years. The number of hospitals has decreased by more than two times. Health services have been reorganised in accordance with the needs of the population and state's financial possibilities, and keeping in mind economic efficiency. State and municipal hospitals have become independent economic entities providing health services. This has made their economic activities more transparent, while avoiding possible conflicts of interests.
937. In comparison with the previous period, the duration of active hospital treatment has shortened approximately two times in the recent years. Introduction of new and more effective treatment methods increases the possibilities for treatment of patients, but at the same time it also places more responsibility and a larger burden on primary level health care. Increase of the efficiency of the active treatment system has been accompanied by a considerable need for rehabilitation and nursing care services. The development plan for

establishing the network of nursing care services was approved in 2004, but its implementation has not gone according to plans due to insufficient available financial resources.

938. Requirements for different health service providers have been drawn up to improve the quality of treatment. The Health Care Board was established to monitor compliance with the requirements.

939. The number and qualifications of health care professionals is monitored through the register of health care professionals. When planning the training needs, departure of health care staff abroad is also taken into account. The problem of departure of doctors is especially acute in surgical specialities.

940. In terms of optimisation of the health care system, systematic transfer from paper-based health information to digital storage and exchange of information, which started in 2003, is an important step.

941. The Ministry of Social Affairs organises market supervision of medicines, blood products and medical equipment. In connection with Estonia's accession to the European Union, the EU requirements for the production, storage, transport and marketing of medicines, blood products and medical equipment have been transposed. Quality control and market supervision procedures have also been approximated and there is information exchange with other member states in relation to quality problems of the above products.

#### **Results of development of the provision of primary level health services**

942. Emergency medical care has also been reorganised similarly to hospitals. Small ambulance brigades have been merged. In 2001 the logistics of the provision of emergency medical care was reorganised, so that ambulance brigades are more evenly distributed all over Estonia in order to improve access to emergency medical care. The equipment used by ambulance brigades was also standardised. The Health Care Board was established which organises the functioning of ambulance service and monitors compliance with the requirements for the provision of emergency medical care.

943. The system of alarm centres has developed consistently and now people only need to remember one phone number (112) for the alarm centre which allows them to contact either the police, ambulance or fire service depending on the type of the problem.

944. The reform of the family doctor system in Estonia is now finished. In the recent years, emphasis has been on improving the accessibility of family doctors (the aim is to reduce the number of patients per one family doctor), optimisation of work of family doctors (e.g. developing a cost model to serve as the basis for remuneration), launching of the family doctor information line (number 1220), and integrating of family doctors in the social system through case management.

945. More emphasis is given to expanding the functions of family nurses. Services of family nurses have been launched. The curriculum for training health nurses has been drawn up, and the first application for the provision of state-commissioned education has been made to the university on the basis of the curriculum.

946. In 2004, the Medicinal Products Act was passed, bringing the rules of placing on the market and handling of medicines in line with the EU requirements. In addition, several measures aimed at optimising the expenditure on medicines were introduced. Since then, doctors must write the active substance of a medicine and not the name of the medicine itself on the prescription. Compensation of prescription medicines is based on reference price and price agreements with producers are concluded for better control of price changes. As a result, the cost of medicines for patients and the Estonian Health Insurance Fund has decreased significantly.

### **Results of guaranteeing the rights of patients**

947. The basic principles for communication between patients and health care professionals are established in the Law of Obligations Act and the Health Care Services Organisation Act.

948. In addition, several foundations dealing with the protection of the rights of patients have been established in Estonia. The Ministry of Social Affairs supports their activities on a contractual basis from the resources of the state budget.

949. The development and introduction of treatment guidelines has contributed significantly to improvement of the quality of health services. The process is ongoing. Compliance with the guidelines is connected with the financing of health services and the compliance is monitored by the Estonian Health Insurance Fund.

950. Under the jurisdiction of the Health Care Board, an expert committee on the quality of health care exists. The committee carries out expert assessment of the quality of health services based on applications submitted by patients.

### **Results of guaranteeing the sustainability and financial protection of financing of health care**

951. Sustainability of financing of health care has been guaranteed by compulsory health insurance which is functioning practically 100% according to the principle of solidarity. The social tax and the health insurance tax which is part of it form a fixed percentage of the wages paid to a person. This has made it possible to link financing of the health care sector directly with the economic growth of the country.

952. It is important to guarantee continued access of insured persons to primary level health services (i.e. to family doctors) and free emergency care to all the inhabitants.

### **Health education**

953. In addition to full-time education of doctors at the University of Tartu and full-time education of nurses at higher educational institutions and specialised private establishments, an extensive network of providers of in-service training has developed. In-service training for adults is usually organised by professional associations.

954. In-service training which is considered to be of national priority is provided on the basis of curricula developed under the guidance of the state. In the case of issues of health care, the training is usually provided by universities. In the case of issues related to health promotion, the training is usually provided by the National Institute for Health Development which was specifically created for this purpose in 2003.

955. In the area of health protection, in-service training is mostly organised by the Health Protection Inspectorate. Health training for children is organised by the Ministry of Education and Research in cooperation with the Institute for Health Development.

956. Systematic in-service training oriented to a larger target group is usually carried out within the framework of strategies, development plans, programmes or projects. For example, the strategy for the prevention of HIV/AIDS includes training events for different target groups on the issues of HIV prevention, while the strategy for the prevention of cardiovascular diseases includes training on issues of prevention of heart diseases, etc.

### **International cooperation**

957. Estonia's accession to the European Union and the foreign aid received in this framework (PHARE and Transitional Facility projects) considerably contributed to extensive revision and drafting of legislation during the reporting period.

958. Foreign aid received in the framework of ERDF and ESF projects significantly contributes to the modernisation and optimisation of the hospitals network.

959. Expert assistance from the World Health Organisation has been very useful in developing the health care system and in health promotion. Support from the Global Fund provided an important impetus to the activities of HIV/AIDS prevention in Estonia.

### Article 13

960. Similarly to elementary and basic education (compulsory education), the Constitution also guarantees the possibility of acquiring general secondary education free of charge in the state and local government educational institutions. Thus, all Estonian citizens, foreign citizens staying in Estonia and stateless persons have a constitutional right to general secondary education free of charge. The same principle arises from § 8 of the Basic and Upper Secondary Schools Act, under which studying at state and local government basic and upper secondary schools is free of charge. The state and local authorities must establish and finance the number of schools necessary to provide opportunities to acquire basic and secondary education (§ 11).

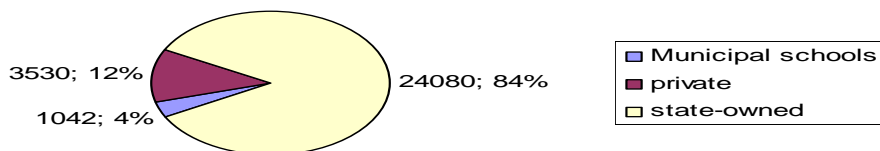
961. Upon completion of basic education, all persons have the right to continue studying in an upper secondary school or a vocational school. Under the Basic and Upper Secondary Schools Act (§ 17(2)), the state and local authorities must ensure the opportunities to acquire secondary education for those interested in it. Under the Vocational Educational Institutions Act (§ 4<sup>1</sup>), the state, rural municipalities and cities must ensure the opportunity to acquire secondary vocational education on the basis of basic education for those interested in it.

962. The right of acquiring vocational secondary education free of charge is stipulated in § 4(7) of the Education Act, according to which the acquisition of secondary education (divided into general secondary education and vocational secondary education) in public educational institutions is free of any tuition fees.

963. There are 49 vocational educational institutions in Estonia, including 34 vocational educational institutions administered by the state, 3 municipal vocational educational institutions, and 12 private vocational educational institutions. Tuition in municipal and state vocational educational institutions takes place on the basis of state-commissioned education financed by the state. In private vocational educational institutions, students themselves pay for the tuition. The Figure below shows that 4% of students participating in vocational education attend institutions with a tuition fee (data of 2006).

Figure XXV

#### Distribution of vocational education students



Source: Planning Department of the Ministry of Education and Research.

964. The following types of vocational education (in addition to vocational secondary education and vocational education on the basis of secondary education) exist since 2006 in order to increase the availability of vocational education:

- Vocational education on the basis of basic education is a type of vocational education where a student does not acquire secondary education but acquires the skills and knowledge needed to work in the chosen vocation
- Vocational education without the requirement of basic education is intended for persons who have exceeded the age of compulsory school attendance, who have not completed basic education and who wish to acquire a vocation

965. In order to ensure availability, students are allowed to choose a suitable study load (full-time or part-time study) and form of study (school-based or workplace based, i.e. apprenticeship, study). Adult persons for whom vocational educational institutions offer work-related in-service training also have access to vocational education. Equally, there are no obstacles for adults for entering formal education.

Table 73

**Distribution of students in vocational education, by language of instruction and gender, change in years**

<i>Language of instruction/gender</i>	<i>Number of students</i>					
	<i>2001/02</i>	<i>2002/03</i>	<i>2003/04</i>	<i>2004/05</i>	<i>2005/06</i>	<i>2006/07</i>
Estonian as language of tuition	19 303	18 476	18 435	19 523	19 628	19 787
Russian as language of tuition	10 510	9 619	9 748	10 392	9 385	8 864
Girls	13 256	12 802	12 534	13 080	12 969	12 786
Boys	16 557	15 293	15 649	16 835	16 044	15 865
<b>Total</b>	<b>29 813</b>	<b>28 095</b>	<b>28 183</b>	<b>29 915</b>	<b>29 013</b>	<b>28 651</b>

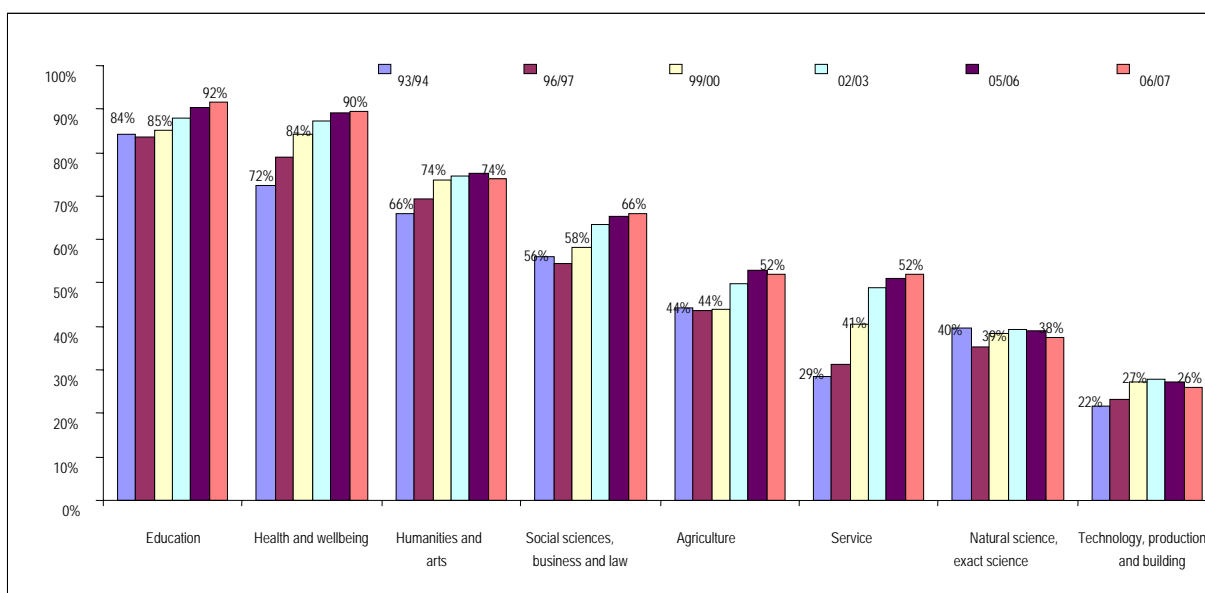
*Source:* Estonian Education Information System 10.11.2006.

966. Access to higher education presumes possession of secondary education. There are no other restrictions. There are specialities where the number of student places is limited and to gain access potential students must have high marks from state examinations and/or be successful in admission tests. 17% of higher education students have graduated from a vocational educational institution, the rest of the students come from upper secondary schools. In the last ten years, the share of older age groups in higher education has increased considerably. Girls are predominant in all forms of study on all levels.

967. Higher education in Estonia can be acquired in state-owned institutions (43%) and private educational institutions (57%). Studying at places subject to state-commissioned education is free of charge (45% of all student places). In comparison with the academic year 1999/2000, the number of (free) student places under state-commissioned education has increased by 2884, but the share of free places in all student places has dropped from 55% (2000/2001) to 45%.

968. In the initial years of the period, an increase in the share of female students could be noted. In the academic year 1993/94 the share of female students was 51% and in the period 2001/2002 – 2005/2006 it stayed at approximately 62%. However, in the academic year 2006/2007 their share had declined slightly (61%). The share of female students has been smaller in higher vocational education (46%) (53% in 2005/2006), in diploma study (54%) and doctoral study (55%) (53% in 2005/2006).

Figure XXVI  
The share of female students by areas of study, 1993/94, 1996/97, 1999/2000, 2002/03, 2005/06, and 2006/07



Source: Statistics Estonia, Estonian Education Information S969.

969. In Estonia, persons who are above the compulsory age of school attendance (17 years) have the right to enrol in evening courses of general education schools, distance learning, or external study in order to acquire elementary or general secondary education. Study load in these forms of education is lower than in daytime study. Pupils have the right to study only a few individual subjects at a time and acquire basic or secondary education during a longer period than traditional standard time of study. In evening courses, distant learning or external study, it is possible to attend classes in the relevant departments of standard general education schools or in separate schools (called adult upper secondary schools). Acquiring of general education in basic schools and upper secondary schools outside the daytime form of study is free of charge for pupils. Adults may also acquire secondary education in vocational educational institutions where they may choose between full-time or part-time study.

Table 74

**The number of pupils in daytime study of general education 2002/2003–2006/2007**

Year	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007
<b>Total in years 1–3</b>	<b>42 351</b>	<b>40 076</b>	<b>38 597</b>	<b>37 082</b>	<b>36 135</b>
<b>Total in years 4–6</b>	<b>57 783</b>	<b>51 995</b>	<b>46 918</b>	<b>42 479</b>	<b>39 870</b>
<b>Total in years 7–9</b>	<b>65 271</b>	<b>64 897</b>	<b>61 657</b>	<b>57 531</b>	<b>51 894</b>
<b>Total in years 1–9</b>	<b>165 405</b>	<b>156 970</b>	<b>147 172</b>	<b>137 092</b>	<b>127 899</b>

Table 75  
**Acquired basic education in 2005/2006**

<i>Form of study</i>	<i>Man</i>	<i>Woman</i>	<i>Total</i>
As an external student	2	3	<b>5</b>
In evening classes and distant learning	319	237	<b>556</b>
In daytime study	9 537	9 075	<b>18 612</b>
<b>Total</b>	<b>9 858</b>	<b>9 315</b>	<b>19 173</b>

970. The proportion of school drop-outs in basic school (years 1–9) in the given period was approximately 0.9% of all pupils, whereas 2/3 of all drop-outs were boys. The proportion of drop-outs in upper secondary school was 1.6%. Male pupils made up 50–55% of them.

971. According to the 2000 census, there were 2852 illiterate persons in Estonia (1271 men and 1581 women).

972. Only one or two new school buildings are constructed every year. Mostly the old school buildings are renovated and this is the competence of local authorities. Only one completely new school has been opened in the recent years. The problem is that due to a shortage of pupils schools need to be closed down or reorganised.

973. 98% of pupils are ensured access to education in accordance with the requirements established by the relevant regulation of the Minister of Social Affairs (the closest school providing the relevant education is within 3 km walking distance from home). If necessary, school owners provide school transport, support using of public transport, etc.

974. The period of study is 175 days. The school year lasts from 1 September to 31 August. The year is divided into four quarters. During the school year there are two one-week holidays (autumn and spring holiday), one two-week holiday (from Christmas to New Year), and a summer holiday lasting three months.

975. Involvement of pupils with special needs in education and providing equal opportunities for them for acquiring education has been one of the priorities of education policy.

976. In 2001–2006, the number of pupils in special schools (established according to the type of disability) has increased (2.99% in 2001; 4.58% in 2006) and the number of pupils with special educational needs attending mainstream classes has declined a little (12% in 2001; 11.3% in 2006). Surveys have indicated different reasons for this: parents prefer special schools because mainstream schools do not provide a sufficiently supportive study environment and teachers with necessary training (summary of a survey of families with children with special needs, conducted by the Estonian Chamber of Disabled People in 2004–2005).

977. Pupils with special needs in all school levels (incl. vocational education) have the right to request an individual curriculum corresponding to his or her ability to study and develop. Pupils with learning difficulties (with mental disability) can study according to adjusted national curricula, i.e. simplified curriculum and curriculum for pupils with moderate and severe learning disabilities.

978. The system of financing of general education includes resources for taking into account individual needs of pupils. Additional resources are provided if, due to special needs of a pupil, the study takes place in a class for pupils with special needs and if a pupil is acquiring basic education on the basis of a simplified curriculum or curriculum for pupils with moderate and severe learning disabilities.

979. For effective inclusion of pupils with special educational needs, the necessary support systems and services are implemented (e.g. e-learning, use of assistant teachers in classroom, social and pedagogical support service, learning support, psychological counselling, service of a speech therapist, opportunity to use sign language in classroom, etc).

980. Legislation has been made more flexible: the school year of pupils with more serious disabilities in basic school has been extended by up to three years; marking system has been made more flexible in order to ensure opportunities for acquiring basic education and for further study on secondary school level for pupils with mental disability.

981. Access of children from families with lower income to the compulsory general education system has not posed noticeable problems in Estonia. There are no statistics or surveys on this.

Table 76

**Distribution of pupils in daytime study according to language of instruction and gender, by school years**

<i>Number of pupils</i>	<i>1999/2000</i>	<i>2000/01</i>	<i>2001/02</i>	<i>2002/03</i>	<i>2003/04</i>	<i>2004/05</i>
Estonian as language of tuition	154 747	154 499	153 304	150 177	146 169	141 421
Russian as language of tuition	61 094	57 685	54 308	50 301	46 401	42 530
Girls	107 748	105 572	103 503	100 181	96 271	92 160
Boys	108 093	106 612	104 109	100 297	96 299	91 791

*Source:* Ministry of Education and Research, as at 10.09.2004.

982. Under the Basic and Upper Secondary Schools Act, parents are free to choose a school for their child who is of the age of compulsory school attendance if the chosen school has vacant places. The school must ensure an opportunity to study for each child in its service area who is subject to compulsory school attendance.

983. Until 2005, based on the language of instruction schools could restrict access for those pupils whose mother tongue or habitual language at home was different than the language of instruction at school. Since 2005, schools must guarantee an opportunity to study for all children in their service area regardless of the child's level of proficiency in the language of instruction of the school.

984. Under the Education Act and the Basic and Upper Secondary Schools Act, religious education at schools is non-confessional. Schools are required to provide religious education classes if at least 15 pupils in the relevant school level request it. Enrolment in religious education classes is voluntary. Educational institutions based on religious conviction may be established as private schools. Even in this case, private general education schools must arrange study in accordance with the national curriculum which creates equal opportunities for acquiring of education and progression in the education system.

985. In Estonia, education on different levels may be acquired in Estonian, Russian, English and Finnish.

986. On the pre-school level, 78.4% of educational institutions use Estonian as the working language, 13% use Russian, 0.2% English, and 8.4% of pre-school education institutions have both Estonian and Russian groups.



987. On the level of basic and secondary education, 83% of schools use Estonian as the language of instruction and 16.5% use Russian. Three schools use English as the language of instruction, two schools use Finnish and one school uses sign language.

988. Pupils studying in Russian make up approximately 21% of the total number of pupils. The number of pupils is declining constantly both in Estonian-speaking and Russian-speaking schools although the decline has been sharper in schools where Russian is used as language of instruction. The main reasons are emigration from Estonia after the regaining of independence, lower birth rate among non-ethnic Estonians until 2002, and enrolment of pupils whose mother tongue is other than Estonian in schools where Estonian is used as the language of instruction.

989. Estonia is gradually transferring to the use of Estonian as the language of instruction on upper secondary school level. The transfer will start from the first year of upper secondary school, i.e. from year 10. During the transition period, every year one new course is added to the list of compulsory courses to be taught in Estonian in year 10 of the upper secondary school level. Transfer on the upper secondary school level will be flexible and will reach the target of teaching 60% of all the subjects in Estonia. On the basic school level, schools with Russian as the language of instruction will be preserved.

990. In 2007, one subject (Estonian literature) in Russian-language schools will be taught in Estonian. In the following years, civic instruction (2008), geography and music (2009) and Estonian history (2010) will be added to the list. The curriculum and organisation of education in schools where the language of instruction is other than Estonian must ensure by 2007 that all school leavers are proficient in Estonian to the extent that allows them to continue acquiring further education in Estonian.

991. There are 5200 pupils in Estonian-language schools whose mother tongue is different than the school's language of instruction. The majority of them are Russian mother tongue speakers. In Russian-language schools there are 640 pupils whose mother tongue is different than the school's language of instruction.

992. Since 1 September 2004, those basic school pupils whose mother tongue is different than the school's language of instruction have an opportunity to study their mother tongue as an elective subject within the national curriculum. Currently, only in one case a wish has been expressed to study the mother tongue: since 1 January 2005 Ukrainian has been taught in Sillamäe town.

993. The study of mother tongue and native culture among national minorities is also supported in Sunday schools operating under cultural societies of national minorities.

994. In 54.5% of vocational educational institutions there are groups where Russian is used as the language of instruction alongside the groups with Estonian as the language of instruction.

995. On the level of higher education, a decision on the language of instruction is made by a particular educational institution itself. In state-owned educational institutions in Estonia the language of instruction is mostly Estonian. On the level of higher education, no statistical data are collected based on the students' mother tongue. In 2006, 65% of pupils graduating from secondary schools where Russian was the language of instruction and 63% of pupils from secondary schools with Estonian as the language of instruction were enrolled in universities on student places financed through state-commissioned education.

996. On 1 January 2007, new minimum wage rates for teachers at municipal schools were established: 7800 kroons for junior teachers, 8260 kroons for teachers, 9440 kroons for senior teachers, 11400 kroons for teacher-methodologists. Together with additional remuneration the wage of teachers in Estonia is higher than the national average wage. In

2005, the average wage of teachers was 8632 kroons, while the national average was 8073 kroons.

997. Bonuses offered to young teachers and teachers in rural areas depend on local authorities. A local authority may, for example, decide to allocate resources from its budget to increase the wage fund for teachers, to offer a dwelling free of charge or attract young university graduates to go as teachers to peripheral areas by offering to repay the principal sum of their student loans for them.

998. International aid for supporting acquisition of Estonian has been applied for in order to create equal opportunities for all pupils in continuing their education. Knowledge of Estonian has been one of the most important problems in the case of persons whose mother tongue is not Estonian. Within the state integration programme, aid has been received from the EU, Norway, the US and Canada.

999. Other international resources have also been used for raising the quality of education, for development projects and training (e.g. aid from the EU Phare and EQUAL projects, the Nordic Council of Ministers). To create equal opportunities for pupils with special educational needs, there has been successful cooperation primarily with the Nordic countries (Danish-Estonian joint project "Integration of pupils with special needs in mainstream schools", joint project of Nordic and Baltic countries "School for all", Norwegian-Estonian training project "Pupils with special needs in mainstream schools"), but also with Great Britain, the Netherlands, and others. Estonia actively participates in the European Agency for Development in Special Needs Education, in the framework of which project work in relation to early recognition of children with special needs and the relevant intervention, assessment, individual curricula, transfer from one level of education to another etc is being carried out.

## **Article 15**

1000. Researchers can apply for funding from different financing instruments to carry out their projects. Funds are granted on the basis of competition, following quality indicators. The volume of total funding for research and development in Estonia has increased from 0.71% of the GDP in 2001 to 0.94% of the GDP in 2005. The productiveness of the research activities carried out in Estonia is illustrated by an almost 10% increase of printed publications in peer-reviewed editions by 10% annually (796 publications in 2004).

1001. Protection of intellectual property is guaranteed to researchers and engineers, providing them with the opportunity to apply scientific discoveries, inventions, etc in practice.

1002. The Estonian Patent Office issues protection documents, which in Estonia entail letters patents in the case of inventions and certificates in the cases of trademarks, utility models, industrial designs, integrated circuits and geographical indications.

1003. Research, research education and innovation as well as a research oriented mindset and basic ethical values are promoted using all mass media options (science news and promotion websites on the Internet, the Estonian Research Information System ETIS, radio, television, written press, etc.).

1004. Support is provided for scientific societies and the Science Centre Foundation AHHA, the Tallinn Technology and Research Centre Foundation and other centres promoting research and science among the general public as well as technology and nature houses targeting the youth, scientific societies for students, the Gifted and Talented Development Centre of the University of Tartu, Tallinn University Student Academy, etc., as well as national and international Olympiads.

### Financing of culture

1005. Culture is mostly financed via the Ministry of Culture. In 2001, the budget of the Ministry amounted to 1 045.52 million Estonian kroons, including the Cultural Endowment Foundation (*Kultuurkapital*) funds in the amount of 86.15 million kroons and state investments in the amount of 151.71 million kroons. In 2002, the budget of the Ministry amounted to 1 321.1 million kroons (a 26.3% growth compared to the previous year), including the Cultural Endowment Foundation funds in the amount of 115.9 kroons and state investments in the amount of 258.2 million kroons. The expenditure of local authorities on culture was 770.5 million kroons in 2002, which amounted to 38.7% of the public sector expenditure on culture.

1006. In 2002, per capita expenditure on culture amounted to 1422 kroons (1.9% of the GDP).

1007. The budget of the Ministry of Culture amounted to 2 131.33 million kroons in 2006 (a growth of 103.8% compared to 2001), the share of Cultural Endowment Foundation was 275.45 million kroons and state investments amounted to 32 million kroons.

Table 77

#### Ministry of Culture budget across areas of responsibility 2001/2006

<i>Area</i>	<i>2001</i>	<i>Weight in the budget %</i>	<i>2006</i>	<i>Weight in the budget %</i>
Libraries	122.82	11.7	132.79	6.2
Museums	89.79	8.6	187.12	8.8
Theatres	144.85	13.9	222.58	10.4
Art	3.30	0.3	6.21	0.3
Music together with National Opera <i>Estonia</i>	119.82	11.5	242.42	11.4
Cinematography	24.35	2.3	57.90	2.7
Cultural Endowment Foundation	86.15	8.2	275.45	12.9
Publishing	13.60	1.3	18.32	0.9
Investments	151.71	14.5	361.32	17.0
Folk culture	8.42	0.8	32.13	1.5
Sports	65.56	6.3	158.97	7.5
Heritage protection	9.05	0.9	37.32	1.8
Media	176.20	16.9	337.68	15.8
Other (including Ministry of Culture operating and maintenance costs)	29.89	2.86	61.13	2.87
<b>Total</b>	<b>1 045.52</b>	<b>100.0</b>	<b>2 131.33</b>	<b>100.0</b>

### Consumption of culture across areas

#### *Museums*

1008. 209 museums were operating in Estonia on 1 January 2006 (182 in 2001), with 20% of them in state ownership, 50% in local government ownership, 25% in private ownership and 5% functioning as structural units of a legal person under public law. The number of museums has grown by 14% over these years and in 2005 a major construction project – the new KUMU building of the Art Museum of Estonia, was completed in Kadriorg (with 187,000 people visiting it in 2006). Over the same years, visits to museums increased from 1575 visits per 1000 inhabitants to 1761 visits (a growth of 11.8%). The number of

exhibitions was 1306 in 2001 and 1378 in 2005. In 2005 the museums were open during 226 days on average, with free admittance on ca 30% of the time. The collections of the museums contain ca 8.5 million items (7.1 million in 2001).

Table 78

**Museums, museum visits and exhibitions, 2001–2005**

	2001	2002	2003	2004	2005
Number of museums	182	190	200	209	209
Museum visits (per thousand inhabitants)	1 575	1 524	1 636	1 726	1 761
Number of exhibitions	1 306	1 291	1 417	1 392	1 378

Source: Statistics Estonia.

*Libraries*

1009. At the end of 2006, there were 1104 libraries in Estonia (1183 in 2001), including 554 public libraries, 474 school libraries, 70 specialised and research libraries. The public National Library of Estonia also functions as the research and development centre for the libraries network. New and modern library buildings have been constructed in different regions and the majority of the existing buildings have been renovated.

1010. A national project for installing Internet connections to libraries was started in 2000 and by today all libraries offer a free Internet service. The state budget includes stable funding for the purchasing of publications for libraries (about half a million copies annually).

1011. The number of library users has dropped slightly (2001 – 437 833; 2006 – 419 575), and so has the number of borrowings (13 300 700; 10 618 800), but the number of visits has remained stable (2001 – 6 299 400; 2006 – 6 249 700). The reason behind the decline may be the fact that all readers have unlimited access to the collections of research libraries, as well as the widespread availability of the Internet, unlimited access to library databases, changes in the principles of gathering statistical data on libraries and the decline in the general population (in 2001 the population of Estonia was 1,366,959, in 2006 it was 1,344,684).

*Theatres*

1012. Estonian professional theatre celebrated its centenary in 2006. In addition to 9 national and 2 city theatres, numerous private theatres emerged in Estonia over the past decade, with about ten of them reporting regularly on their activities and receiving state support.

1013. An opera and ballet theatre exist both in Tallinn (*Estonia*) and in Tartu (*Vanemuine*).

1014. The number of people visiting theatres fluctuated between one million and 800 thousand between 2001 and 2006, but state support to theatres continued to increase (50% over five years). The majority of theatre buildings in Estonia have recently been repaired and renovated (the Russian Drama Theatre, Rakvere Theatre and Estonia Theatre were renovated in 2006).

Table 79

**Operating indicators for theatres 2001–2006**

	2001	2002	2003	2004	2005	2006
Number of theatres						

	2001	2002	2003	2004	2005	2006
National theatres	9	9	9	9	9	9
City theatres	2	2	2	2	2	2
Small private theatres	10	9	9	10	11	14
Number of seats in halls	7 990	7 942	8 083	8 103	8 860	8 600
Number of performances	4 869	4 969	4 506	3 859	4 237	4 623
Number of productions	385	363	354	315	352	378
Number of new productions	152	139	139	115	155	160
Visits, in thousands	997.3	1 002.2	1 058.0	902.3	821.9	866.0
Visits per performance	204	202	235	234	194	187
Visits per thousand inhabitants	730.9	737.6	781.4	668.8	532.3	644.0
Revenue, thousand kroons						
State budget	177 660.9	202 305.3	236 990.1	246 525.1	268 161.7	281 695.7
Local government budget	4 405.7	9 721.0	8 488.5	6 672.9	9 110.5	18 473.1
Revenue from ticket sales	57 731.8	71 736.8	83 601.9	86 934.6	72 224.8	95 718.9

#### *Cinema and film production*

1015. From 2001, state support to cinematography started to increase. Three full-scale feature films were produced, a new cinema was constructed (a multiplex with 11 screens in Tallinn), a cinema bus was touring rural areas in an attempt to alleviate the situation caused by the small number of rural cinemas. In 2003, the national programme "Cinema Returns" was launched, having by today provided support for renovation of cinemas in the amount of 11.3 million kroons (24 cinemas have received support).

1016. In 2001, 1.3 million visits to cinemas took place (an increase of 21% compared to the previous year), a total of 196 foreign feature films were screened in cinemas (of which 84% originated from the USA) and the cinema visits amounted to 96 visits per 100 inhabitants. 24.35 million kroons from the state budget were assigned to cinematography.

1017. In 2006, 1.58 million visits to the cinema took place. A total of 210 feature films were screened in cinemas, of which three quarters originated from the USA. Both the import of European films as well as the proportion of Russian films have grown.

1018. There has been a sharp increase in the viewing of domestic films (11 films in 2006) with their market share reaching 9.17% in 2006 (5.12% in 2005). Eight full-scale feature films were produced in Estonia in 2006 and visits to the cinema amounted to 117 visits per 100 inhabitants. Cinematography received 57.90 million kroons from the state budget in 2006 (an increase of 137.8% compared to 2001).

#### *Music*

1019. The State Concert Institute *Eesti Kontsert*, the Estonian National Symphony Orchestra *ERSO* and the Estonian Philharmonic Chamber Choir as well as the Estonian National Opera *Estonia* are funded from the state budget. In 2001, the budget of the Ministry of culture included support to music in the amount of 119.82 million kroons.

1020. By 2006, the volume of support had doubled, reaching 242.42 million kroons.

1021. Starting from 2004 the budget has included a separate support programme for private concert organisers, with the objective of supporting primarily the concert activities outside Tallinn.

1022. *Eesti Kontsert* organised 1074 concerts for an audience of 214 013 in 2004 in Estonia and 1128 concerts for an audience of 242 928 in 2005. The concerts cover different genres of music ranging from symphonic and chamber music to jazz and world music. *Eesti Kontsert* has also created new opportunities for listeners to enjoy music – in 2002 a new and modern concert building in Pärnu and in 2005 a concert building in Jõhvi in Ida-Viru County were completed.

#### *Folk culture*

1023. Folk culture includes traditional culture and artistic recreational activities based on national traditions, the study, preservation and recording of national and local cultural traditions, public folk culture events and the related activities of societies, training and refresher courses.

1024. Approximately 1200 choirs, 800 folk dance groups, 230 brass and folk music orchestras, 250 amateur theatres, 150 handicraft societies, including over 30 ethnic minority (mainly Russian and Ukrainian) choirs, approximately 20 dance groups and 3 Russian folk instrument orchestras, pursue their activities in the area of folk culture. Approximately 60 000 people, including about 6000 from the minorities, regularly participate in the activities of these hobby groups.

1025. These groups are led by 550 choir conductors, 120 orchestra conductors and 550 leaders of dance groups.

1026. The Ministry of Culture supports the tradition of the song and dance festival included in the UNESCO list of cultural heritage. For this purpose the Ministry has set up the largest programme in the folk culture area, i.e. the national support system for choirs, dance groups and orchestras.

1027. 8.42 million kroons from the state budget were used for financing folk culture in 2001. By 2006, the amount had increased almost four-fold and reached 32.13 million kroons.

#### **Culture consumption**

1028. The Ministry of Culture has commissioned two nationwide surveys on culture consumption (2003 and 2006) from *Saar Poll*, a social and market research company.

1029. The studies provide grounds for claiming that one of the most important factors influencing culture consumption is education – the higher the person's level of education, the more actively they consume culture. Also the higher the person's income, the more they consume culture: Only reading of books and visits to the library are not dependent on the person's income. As a rule, women are more active than men, the only exceptions are sports and cinema visits, in which men and women engage to an almost equal extent.

1030. Culture consumption also depends, to a large extent, on the person's age and place of residence. Young people are significantly more active than older people, the most enthusiastic are 15- to 19-year-olds. Urban inhabitants are generally more active culture consumers (as the services are more easily available), but rural inhabitants are more active library visitors.

1031. Compared to ethnic non-Estonians, ethnic Estonians go more often to the theatre, visit museums and libraries, whilst ethnic non-Estonians go more often to the cinema, read more books and buy more art. There are no differences between Estonians and non-Estonians when it comes to the buying of books, visiting art exhibitions and concerts and engaging in sports.

### **Protection of the cultural rights of people with special needs and of the elderly**

1032. A great deal of attention has recently been paid in Estonia to creating possibilities for the active participation of disabled people in the cultural and sports scene. Possibilities for wheelchair access are foreseen in new and renovated cultural institutions and sports facilities. The number of people engaging in sports for the disabled is growing. Estonian disabled athletes have won numerous medals from the Paralympics games (5 at the 2000 Sydney Games, 1 in Athens in 2004, 5 at the 2005 Deaflympics).

1033. From 2004 the Estonian Library for the Blind is within the area of competence of the Ministry of Culture as a branch of the Estonian Deposit Library, serving visually impaired people all over Estonia. It offers both books in Braille as well as literature on audio media (tapes and CD records) in both Estonian and Russian.

1034. *Eesti Televisioon* (Estonian Television) also broadcasts news programmes in sign language and it is possible to view the popular programme *Pealtnägija* with Estonian subtitles. *Eesti Televisioon* also produces a designated programme *Puutepunkt*, dealing with the issues of disabled people.

1035. On a weekly basis *Eesti Televisioon* broadcasts *Prillitoos*, a TV programme to the elderly about the elderly, offering information on social welfare, pensions, healthcare, advice on nutrition and exercise, as well as overviews of hobby and society activities of the elderly. *Raadio 4*, an *Eesti Raadio* programme broadcast in Russian, transmits *Teine hingamine*, *east sõltumata*, a radio programme for the elderly.

1036. The majority of performing institutions offer discounted tickets to the elderly for certain days of the week and certain hours of the day in order to improve the availability of culture services to them.

### **Preserving the cultural identity of national minorities**

1037. Estonia provides financial support to the activities of all national minority communities targeted at preserving and popularising their culture and facilitating cultural relations with their countries of origin via their cultural societies and events. Up until 2003 the funding was offered from the budget of the Ministry of culture, but starting from 2004 it is provided via the Office of the Minister for Population and Ethnic Affairs. The respective sum has increased continuously, amounting to 2.5 million kroons in 2003 and 3.2 million kroons in 2006. Additionally, the cultural activities of national minorities receive support from local governments, the City of Tallinn and the Integration Foundation (founded in year 2000). The Foundation supported project applications of national minorities' cultural societies with 700 000 in 2006. The Ministry of Education and Research provided an equal amount to national minorities' Sunday schools.

1038. Public broadcasting organisations *Eesti Raadio* (Estonian Radio) and *Eesti Televisioon* (Estonian Television) have to meet the need for information of the population, including the national minorities.

1039. *Raadio 4* is the radio station of *Eesti Raadio* targeted at Estonia's national minorities. *Raadio 4* broadcasts in Russian 24/7, and also transmits regular programmes for other national minorities (Ukrainians, Belarusians, Armenians and the Jewish people). It also broadcasts a programme called *Hõbeniit*, popularising the cultural heritage, customs, folk music and activities of cultural societies of the peoples living in Estonia.

1040. *Eesti Televisioon* broadcasts a news programme *Aktuaalne kaamera* in Russian on a daily basis as well as other programmes in Russian.

**The role of media on the culture scene**

1041. 313 magazines and 138 newspapers were published in 2005. 90% of the newspapers are weeklies. 9 dailies in Estonian and 4 in Russian are published. Since 2004, cultural publications (in total 2 newspapers and 15 magazines, incl. 2 in Russian) are mostly published by Foundation *Kultuurileht*, some magazines are published with the support of Foundation *Eesti Kultuurkapital* and the Ministry of Culture.

1042. Two public broadcasting organisations (*Eesti Raadio* and *Eesti Televisioon*) are active in Estonia. *Eesti Raadio* has four radio stations, one of which transmits classical music. Public radio and television are funded from the state budget, 176.2 million kroons were allocated to broadcasting in 2001 and 322.3 million kroons in 2006 (a growth of 82.9%).

1043. Pursuant to the Broadcasting Act the tasks of *Eesti Raadio* and *Eesti Televisioon* are to:

- Advance and promote Estonian national culture, and record, preserve and introduce its greatest achievements
- Present the greatest achievements of world culture to the public
- Create and transmit multifaceted and balanced programme services at high journalistic, artistic and technical levels
- Satisfy the information needs of the population, including minorities
- Create primarily informational, cultural, educational and entertainment programmes

1044. The Ministry of Culture has issued 29 broadcasting licences (12 local, 16 regional and 1 international) for transmitting radio programmes, 4 broadcasting licences (1 local, 3 regional) for transmitting television programmes and 7 broadcasting licences for the cable network. The consolidation of radio stations into groups has continued: 17 broadcasting organisations were active in 2005, transmitting a total of 32 programmes (19 and 31 in 2004 respectively). The relative weight of programmes in Russian was 24% of the total volume in 2005.

**Heritage protection**

1045. The following development plans and programming documents, serving the purpose of preserving, developing and spreading the cultural heritage, have been developed in the Ministry of Culture:

- Programming document “The Estonian Manor School: Preserving the Cultural Setting of Manor Schools and Developing them into a Contemporary Learning Environment 2002–2012”
- Programming document “Preservation and Development of Places of Worship 2003–2013”
- Programming document “The National Cultural Programme for *Setumaa* Region 2006–2009”
- Area development plan 2007–2010 “Rural Architecture and Landscape. Study and Preservation”
- The Digital Cultural Heritage Development Plan 2007–2010
- Development Plan “Estonia’s Natural Places of Worship” (2008–2012)

1046. The Estonian Heritage Conservation Society receives support from the budget of the Ministry of Culture since 2005. The Estonian Heritage Conservation Society is a



nationwide non-profit organisation with about a thousand active members and the main task of attaching value to the cultural heritage in the eyes of the entire population and involving all people interested in heritage conservation. The Ministry of Culture also supports the Information Centre for Sustainable Renovation, which is active in collecting and mediating information related to buildings of cultural and environmental value as well as training that supports preservation activities.

1047. Opportunities for additional funding of cultural heritage preservation have been sought actively. In addition to programmes directly targeting monuments, the cultural heritage has received support from domestic regional programmes (via the Ministry of Internal Affairs), European Union structural funds and the Norway and EEA financing mechanism.

1048. The national register of cultural monuments is accessible to all interested parties on the Internet. A web-based map application of immovable monuments was completed in 2003.

1049. Starting from 2004 the Heritage Conservation Society has engaged in systematic information and advisory activities, publishing instructional materials intended for free circulation. The main focus of attention is on matters related to preserving the construction heritage.

1050. An agreement between the Republic of Estonia and the United States of America on the protection and preservation of certain cultural properties was concluded in 2003. A joint cultural heritage committee was formed for the purpose of the agreement, with its first project being the instalment of Holocaust monuments.

1051. In 2004 the Republic of Estonia joined the First and Second Protocol of the 1954 Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict. A joint committee has been formed under the auspices of the Ministry of Culture with the task of domestic application of the above protocols and coordination of the related activities.

#### **Creative freedom and freedom to perform, and copyright**

1052. The Constitution guarantees creative freedom and the freedom to perform in Estonia. The state facilitates creative activities by supporting creative persons, assisting in developing the environment necessary for creative work and the legislative basis.

1053. The Copyright Act was adopted in 1992. The objective of the Act is to ensure the consistent development of culture and protection of cultural achievements and to create favourable conditions for authors, performers, producers of phonograms and broadcasting organisations for the creation and use of cultural works.

1054. The Copyright Act provides for the protection of copyright of authors in respect of the results of their creative activity. It also defines the range of persons who may acquire rights to literary, artistic or scientific works created by an author, regulates the rights of performers, producers of phonograms and broadcasting organisations (related rights). The moral rights and economic rights of the author (including the right to receive income from the use of the author's work) constitute the content of copyright.

1055. Estonia has joined all significant international agreements on intellectual property and has fully aligned its intellectual property legislation with the European Union law.