

## **Statement by the Chancellor of Justice of the Republic of Estonia (NHRI) for the UPR Pre-session on the Republic of Estonia**

February 2026

Thank you for your interest in the statement by the Chancellor of Justice for the UPR of Estonia.

### **1. Presentation of the organisation / Slide 1**

The Chancellor of Justice is the Estonian National Human Rights Institution with an A-status accreditation. Mandate of the institution includes constitutional review, ombudsman proceedings, National Preventive Mechanism under OPCAT, National Monitoring Mechanism under the CRPD, ombudsman for children and other. The Chancellor of Justice is an independent constitutional institution appointed to office by the Parliament.

The Chancellor of Justice submitted a report to the UPR for the second time. Ministry of Foreign Affairs sent to the Chancellor and other stakeholders also the draft of the national report and held a consultative meeting. The Chancellor's office commented only those sections that concerned the Chancellor. Some but not all suggestions are reflected in the national report.

In general, the human rights situation in Estonia is good. However, there is room for improvement, especially on some issues. Present statement will focus on the right to privacy, the rights of the child, and the right to health.

### **2. Right to privacy / Slide 2**

Petitions submitted to the Chancellor of Justice and reports in the media have revealed that the use of surveillance devices and access to data systems by state authorities do not always have a proper legal basis. Sometimes the law is then amended afterwards so that it corresponds to actual administrative practice. This seems to be a problem that deepens year after year.

For instance, the state had for years used automatic mass vehicle tracking and recording, but the legal basis for it was adopted only last year. Another example was how authorities gained access to banking secrecy, including account statements, through a state-run register before establishing proper regulation.

The Chancellor of Justice has emphasised that surveillance technologies and state-run databases, which may impact fundamental rights, must be subject to prior constitutional analysis weighing the advantages and risks, and then grounded in law adopted by the Parliament.

These issues were not addressed in the recommendations during the previous cycle of UPR.

Recommendations:

- *Ensure that all surveillance measures and state data-processing systems are strictly regulated by law, in line with the principles of legality, necessity, and proportionality.*
- *Strengthen oversight mechanisms and transparency concerning access to personal data.*
- *Guarantee that individuals are informed about and able to challenge unlawful data collection.*

### **3. Rights of the child / Slide 3**

On the rights of the child, we address four issues. First, educational inequality is emerging in relation to regional differences (between larger cities and rural areas) and children's socio-economic background (by more affluent families concentrating in certain schools, children of disadvantaged families in others). Second, child protection work across local authorities is of varying quality. Third, state supervision over social services and education needs to be more effective. Fourth, policymaking and legislative decision-making should be more child inclusive, just as child participation in schools, municipalities and civil society is already more accepted.

Implementing the CRC in its entirety, providing inclusive education and enhancing the child protection system more specifically were among the recommendations of the previous UPR cycle. However, more focused recommendations may contribute to further improvements.

Recommendations:

- *Mitigate rising educational inequalities related to pupils' socio-economic background and regional differences.*
- *Take necessary action to guarantee that the help of professional child protection workers, preventive programs, good quality services and assistance are available to all families regardless of a child's place of residence.*
- *Strengthen State supervision of local authorities, schools, kindergartens and other childcare institutions.*
- *Take action to ensure the child's right to participate in all decisions concerning them, including in national decision-making.*

### **4. Right to health / Slide 4**

Another issue of concern is long waiting lists for medical treatment and healthcare providers being far from those in need. Estonia has among the highest level of unmet medical needs in European Union: 11 percent compared to EU average of 3-4%.

Extended waiting lists pose particular challenges to timely psychiatric care. This creates a situation where access to psychiatric care services depends on a person's ability to pay for it, which deepens social and health inequality. Services are not always accessible to people living in more remote areas, as providers are typically located in larger urban centres.

There were a few recommendations related to health care, including mental health care, in the previous UPR cycle. Mental health aid has since been in focus of state authorities, for example significant action plans have been adopted, but the access problems persist.

Recommendation:

- *Ensure access to public health care, including mental health care, in a reasonable timeframe and distance for the patient.*

In addition to the issues mentioned in the present statement, the Chancellor of Justice's report for the UPR touched upon equal treatment legislation, right to social security, rights of persons with disabilities, preventing and combatting gender-based violence. We encourage you to acquaint with the full report of the Chancellor of Justice.