



Statement by the Estonian Civil Society Organisations

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VÖRDSE
KOHTLEMISE
VÖRGUSTIK



INIMÕIGUSTE
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Discrimination

Recommendations:

Discrimination should be prohibited in all areas on all grounds. Add new protected grounds in the legislation based on Constitution §12 but also state of health, gender identity, gender expression and sex characteristics.

- The anti-discrimination legislation is insufficient and the implementation weak.
- Discrimination on the grounds of nationality (ethnicity), race or colour is prohibited in almost all areas of life, but based on religion or belief, age, disability or sexual orientation, it is prohibited only in the field of employment according to the Equal Treatment Act.
- Act offers no protection for these groups in areas such as the provision of housing, healthcare, social welfare, education, goods and services. Consequently, such discrimination cases don't qualify for advice and assistance from the Gender Equality and Equal Treatment Commissioner, and victims can't claim compensation for damage.

Hate Speech, Incitement to Hatred and Hate Crimes

Recommendations:

Properly criminalise hate speech and make hate motivation an aggravating circumstance when committing a crime. Open discussion about new prohibited grounds such as citizenship, gender identity, gender expressions and sex characteristics.

- Estonia's legal framework on hate speech remains inadequate. Section 151 of the Penal Code offers only limited protection, classifying hate speech as a misdemeanour and only when it leads to concrete harm, such as threats to life, health, or property.
- Therefore, the provision is rarely used.
- List of protected grounds is limited, citizenship, gender identity, gender expressions and sex characteristics should be added.
- There is currently no specific law that defines hate crimes.

Refugees and Asylum Seekers

Recommendation:

Refrain from invoking public order and security as grounds to discriminate against or exclude refugees from Ukraine, and ensure that all applications are assessed individually in line with human rights obligations.

- The concepts of public order and national security have become central in both international protection and residence permit procedures for Ukrainian citizens, at times overshadowing fundamental rights and legal principles. Estonia has refused to review residence permit applications from men of conscription age and required documents impossible to obtain. Similar requirements have since been applied in asylum proceedings, the impact of which remains unclear and warrants close monitoring.



Thank you!

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