

Universal Periodic Review
(24th session, January-February 2016)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Estonia

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

<i>Title</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /reservations</i>	<i>Recognition of specific competences of treaty bodies</i>	<i>Reference to the rights within UNESCO's fields of competence</i>
Convention against Discrimination in Education (1960)	Not state party to this Convention	<i>Reservations to this Convention shall not be permitted</i>		Right to education
Convention on Technical and Vocational Education (1989)	Not state party to this Convention			Right to education
Convention concerning the Protection of the World Cultural and Natural Heritage (1972)	27/10/1995 Ratification		N/A	Right to take part in cultural life
Convention for the Safeguarding of the Intangible Cultural Heritage (2003)	27/01/2006 Approval		N/A	Right to take part in cultural life
Convention on the	18/12/2006		N/A	Right to take part in

Protection and Promotion of the Diversity of Cultural Expressions (2005)	Approval			cultural life
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II. Input to Part III. Implementation of international human rights obligations, taking into account applicable international humanitarian law to items F, J, K, and P

Right to education

1. NORMATIVE FRAMEWORK

1.1. Constitutional Framework:

1. According to **Article 37** of the Constitution of the Republic of Estonia of 1992¹ “everyone has the right to education. Education is compulsory for school-age children and [...] free of charge in state and local government general education schools. In order to make education accessible, the state and local governments shall maintain the requisite number of educational institutions. Other educational institutions, including private schools, may also be established and maintain pursuant to law.” This article also states that “parents shall have the final decision in the choice of education for their children.” It guarantees the right of everyone “to receive instruction in Estonian” and adds that “the language of instruction in national minority educational institutions is chosen by the educational institution”.

2. **Article 12** states that “everyone is equal before the law. No one shall be discriminated against on the basis of nationality, race, colour, sex, language, origin, religion, political or other opinion, property or social status, or on other grounds.”

1.2. Legislative Framework:

3. Legislation pertaining to education includes the following:

¹ <http://www.president.ee/en/republic-of-estonia/the-constitution/index.html>, <http://www.unesco.org/education/edurights/media/docs/1cfcf5e7b8198a15e8179155840f603de6db17d6.pdf>, Last accessed on 02/02/2015

4. “The **Education Act**, adopted on 23 March 1992,² regulates the school education system. According to this law, all children who turn 7 by 1 October of the current year are obliged to attend school until the completion of compulsory basic education (nine-year programme) or their 17th birthday whichever comes first. [...] Basic and secondary education is free for all students.”³ According to the § 4 (3) of the Education Act, “Estonia shall ensure that the Estonian language is taught in all public educational institutions and study groups where instruction is carried out in a language other than Estonian”.

5. The **Pre-school Childcare Institutions Act** (1999),⁴ was lastly amended in 2008. “In the spring of 2008, the Government of the Republic approved the national curriculum for preschool childcare institutions, which led to expanding the study of Estonian as a second language in preschool child care institutions, establishing measures related to cooperation with the parents in supporting children’s development and assessing children's development, for example their school readiness, etc. The national curriculum for preschool child care institutions entered into force on 1 September 2008.”⁵ “The draft of the national curriculum of preschool child care institutions brings about important changes in sections 9 (Estonian Language) and 16 (Study Programme) of the Preschool Child Care Institutions Act.”⁶

6. “The **Basic and Upper Secondary Schools Act**, enacted in 1993 and last amended in 2010, regulates the legal status and operating procedures of basic and upper secondary schools (*gymnasia*). The Act has been amended several times. The 2002 amendment concerned the language of instruction at the upper secondary level.”⁷ Since 2009 discussion have taken place about **the draft for the new Basic Schools and Upper Secondary Schools Act**, which “introduces significant changes to the organization of education. The draft establishes the principle of separating the upper secondary school level and basic school level in municipal schools, introduces the general principles of national curricula, prescribes teaching according to the International Baccalaureate curriculum, and considerably specifies the organization of study

² <http://www.legaltext.ee/text/en/X70039K2.htm>,

<http://www.unesco.org/education/edurights/media/docs/bce637b753d5e72e603f2cc2b3c30f6a2cbc661e.pdf>, Last accessed on 02/02/2015

³ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 2,

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

⁴ <http://www.legaltext.ee/en/andmebaas/paraframe.asp?ua=1&loc=text&lk=et&sk=en&dok=X80001K2.htm&query=02&tyyp=X&ptyyp=AT&fr=no&pg=8>, Last accessed on 02/02/2015

⁵ Estonian ministry of Education and Research website page, Legislation, <http://www.hm.ee/index.php?1511069>, Last accessed on 02/02/2015

⁶ Estonian Ministry of Education and Research, *Education and Research in Estonia*, 2008, p. 24, www.hm.ee/index.php?popup=download&id=8022 -, Last accessed on 02/02/2015

⁷ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 2,

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

for pupils with special education needs. The definition of the concept of compulsory school attendance has been updated in the draft and the obligations of the pupil, the parent, the school and the rural municipality or city in guaranteeing the fulfilment of the compulsory school attendance have been established. The draft also includes provisions regarding participation in study and the availability of information regarding pupils' absences from study organized in school as well as provisions concerning the implementation of sanctions aimed at pupils. New provisions have been added for protecting people's mental and physical safety and solving emergency situations in schools. The obligation of local governments to participate in covering the operating costs of basic schools under the area of administration of other local governments if the pupils have the opportunity to study in their rural municipality or city of residence has been abolished."⁸ "In 2013, the Riigikogu adopted amendments to the **Basic Schools and Upper Secondary Schools Act**."⁹

7. **The Child protection Act** of 1992 (amended in 2004)¹⁰ recognize the right of every child to "general education in his or her national culture" (§ 9). According to § 14, "the child shall be protected from economic exploitation and from performing work which [...] may interfere with the child's education". Regarding compulsory school attendance, it refers to the Education Act (§ 22). § 39 specially concerns the right to education. It states, *inter alia*, that "every child has the right to an education which [...] develops respect for the child's native language, the Estonian national culture and other languages and cultures [and] prepares the child for responsible life in a free society in the spirit of tolerance, equality and respect for human rights."

8. "The **Adult Education Act**, adopted on 10 November 1993 and amended in 2004,¹¹ establishes legal guarantees for adults for their lifelong education and regulates issues related to vocational education, on-the-job training and open education."¹²

9. "The **Universities Act**, adopted on 12 January 1995 and amended in 2004,¹³ contains basic regulations concerning the universities, their management and organization, admission,

⁸ Estonian Ministry of Education and Research, Developments in Education policy, <http://www.hm.ee/index.php?1511067>, Last accessed on 02/02/2015

⁹ https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Estonia:Reforms_in_School_Education, Last accessed on 03/02/2015; Basic Schools and Upper Secondary Schools Act,

<https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/513012014002/consolide>, Last accessed on 03/02/2015

¹⁰ <http://www.unesco.org/education/edurights/media/docs/c35bea91b7515f0008e6fb8cc1f148baf92ccb7b.pdf>, Last accessed on 02/02/2015

¹¹ <http://www.legaltext.ee/en/andmebaas/tekst.asp?loc=text&dok=X70035K1&keel=en&pg=1&ptyyp=RT&tyyp=X&query=education>, <http://www.unesco.org/education/edurights/media/docs/1b910d5a1d12a7b9324733dc568f837b595ac816.pdf>, Last accessed on 02/02/2015

¹² IBE, World Data on Education, 7th ed., 2010/2011, Estonia, pp. 2-3,

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

graduation, and awarding of academic degrees. Since 2003/04, university programmes have been structured into a three-cycle scheme according to the Bologna process.”¹⁴

10. “The **Vocational Education Institutions Act**, adopted on 14 June 1995¹⁵ and last amended in 2009, determines the operation of vocational education institutions, the form and conditions for acquiring vocational education, the principles of school management, the financing of the schools and the use of school property, and the rights and obligations of the staff.”¹⁶

11. “The **Law on the Academy of Science** (1997) determines the status and the organization of the Academy of Science and the basic principles of co-operation between the Academy and universities. The **Law on the Organization of Research and Development Activities** (1997) defines this type of activities and determines the basic principles of organization and management of research and development activities.”¹⁷

12. “The **Private Schools Act** (1998, amended in 2004)¹⁸ contains improved principles concerning the management of private schools compared with the precedent law adopted on June 1993.”¹⁹ “The **Professional Education Institutions Act** (1998)²⁰ determines the status of applied higher education and the principles of management of applied higher education institutions. In June 2001, the Estonian Qualifications Authority was created in order to coordinate and organize the national qualifications system.”²¹

¹³ <http://www.legaltext.ee/en/andmebaas/tekst.asp?loc=text&dok=X60039K4&keel=en&pg=1&ptyyp=RT&tyyp=X&query=Universities+Act>,
<http://www.unesco.org/education/edurights/media/docs/9085065923f24b6a85124cd273400f900aff7061.pdf>, Last accessed on 02/02/2015

¹⁴ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

¹⁵ <http://www.legaltext.ee/text/en/X30017K7.htm>
<http://www.unesco.org/education/edurights/media/docs/7181f7710f82a1bd5c9fe58390e294401cc59377.pdf>, Last accessed on 02/02/2015

¹⁶ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

¹⁷ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

¹⁸ Private Schools Act, <http://www.legaltext.ee/text/en/X70034K3.htm> , Last accessed on 02/02/2015

¹⁹ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

²⁰ Institutions of Professional Higher Education Act,
<http://www.legaltext.ee/en/andmebaas/tekst.asp?loc=text&dok=X70010K2&keel=en&pg=1&ptyyp=RT&tyyp=X&q>
 uery=education, Last accessed on 02/02/2015

²¹ IBE, World Data on Education, 7th ed., 2010/2011, Estonia, p. 3,
http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Estonia.pdf, Last accessed on 02/02/2015

13. The **Gender Equality Act** of 7 April 2004²² promotes “gender equality of men and women as a fundamental human right and for the public good in all areas of social life”. It provides “the obligation of education and research institutions to promote gender equality of men and women” (Chapter 1, § 1). Regarding the promotion of gender equality in field of education and training, it states that “educational and research institutions and institutions engaged in the organisation of training shall 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 shall facilitate abolishment of the unequal treatment of men and women and promote equality” (Chapter 3, § 10).

1.3 Policy Framework:

i) General information

14. The National Reform Programme “Estonia 2020”, revised in the spring 2014, aims to increase “the productivity and employment in Estonia. The main focus in the coming years is on education and employment, with an emphasis on integration of long-term and young unemployed people in the labour market and on the development of their skills.”²³

15. On 8 July 2014, the Council of the European Union adopted several recommendations on the National Reform Programme 2014 of Estonia, including for instance the following: “To ensure the labour-market relevance of education and training systems, improve skills and qualification levels by expanding lifelong learning measures and systematically increasing participation in vocational education and training, including in apprenticeships. Further intensify prioritisation and specialisation in the research and innovation systems and enhance cooperation between businesses, higher education and research institutions to contribute to international competitiveness.”²⁴

16. Estonia covered by the Human Rights Watch survey²⁵ is classified as a Country with Implicit Restrictions on the Use of Schools.

²² <http://www.legaltext.ee/text/en/X80041K1.htm>,
<http://www.unesco.org/education/edurights/media/docs/9d14f66fc0d8eee71bac8f7aea3bae8baa7cdbe3.pdf>, Last accessed on 02/02/2015

²³ National Reform Programme “Estonia 2020”,
http://ec.europa.eu/europe2020/pdf/csr2014/nrp2014_estonia_en.pdf, Last accessed on 03/02/2015

²⁴ Council of the European Union, Council Recommendation of 8 July 2014 on the National Reform Programme 2014 of Estonia and delivering a Council opinion on the Stability Programme of Estonia, 2014 (2014/C 247/06),
http://ec.europa.eu/europe2020/pdf/csr2014/csr2014_council_estonia_en.pdf, Last accessed on 03/02/2015

²⁵ Schools and Armed Conflict, Human Rights Watch, July 2011, p.57-59,
<http://www.hrw.org/sites/default/files/reports/crd0711webwcover.pdf>, Last accessed on 02/02/2015

ii) Inclusive education

17. Regarding the drop-out, Estonia states that “To support students, educational support services’ network has been developed (incl. special educational, psychological, social pedagogical and career counselling).”²⁶

iii) Quality education

18. The Estonian Research and Development and Innovation Strategy 2014-2020 – “Knowledge-based Estonia” aims “the development of RDI is to create favourable conditions for an increase in productivity and in the standard of living, for good-quality education and culture, and for the sustainable development of Estonia. This strategy establishes four main objectives for Estonia.

1. Research in Estonia is of a high level and diverse. [...]
2. Research and development (RD) functions in the interests of the Estonian society and economy. [...]
3. RD makes the structure of the economy more knowledge-intensive. [...]
4. Estonia is active and visible in international RDI cooperation. [...]

19. The Estonian Lifelong Learning Strategy 2020 aims “to provide all people in Estonia with learning opportunities that are tailored to their needs and capabilities throughout their whole lifespan, in order for them to maximize opportunities for dignified self-actualization within society, in their work as well as in their family life.”²⁸ “Five strategic goals have been established [...]:

- 1) Change in the approach to learning. Implementation of an approach to learning that supports each learner’s individual and social development, the acquisition of learning skills, creativity and entrepreneurship at all levels and in all types of education.
- 2) Competent and motivated teachers and school leadership. The assessments of teachers and headmasters including their salaries are consistent with the qualification requirements for the job and the work-related performance.
- 3) Concordance of lifelong learning opportunities with the needs of labour market. Lifelong learning opportunities and career services that are diverse, flexible and of good quality, resulting in an increase in the number of people with professional or vocational

²⁶ Mid-term report of Estonia on the implementation of the Universal Periodic Review recommendations, March 2014, p. 23, http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/EE/Estonia_Mid-Term.pdf, Last accessed on 03/02/2015

²⁷ Estonian Ministry of Education and Research, Estonian Research and Development and Innovation Strategy 2014-2020 – “Knowledge-based Estonia”, 2014, p. 3, https://www.hm.ee/sites/default/files/estonian_rdi_strategy_2014-2020.pdf, Last accessed on 03/02/2015

²⁸ The Estonian Lifelong Learning Strategy 2020, p. 3, https://www.hm.ee/sites/default/files/estonian_lifelong_strategy.pdf, Last accessed on 03/02/2015

qualifications in different age groups, and an increase in overall participation in lifelong learning across Estonia.

- 4) A digital focus in lifelong learning. Modern digital technology is used for learning and teaching effectively and efficiently. An improvement in the digital skills of the total population has been achieved and access to the new generation of digital infrastructure is ensured.
- 5) Equal opportunities and increased participation in lifelong learning. Equal opportunities for lifelong learning have been created for every individual.”²⁹

20. “A study and a career counselling programme is aimed at children and young people up to 26 years of age and is being implemented under the Estonian Lifelong Learning Strategy 2014-2020.”³⁰

iv) Curriculum

21. “Human rights as a topic are integrated into National Curriculum of Estonia. Both knowledge and competences about human rights are expected as a learning result”.³¹

v) Gender equality

22. “In December 2011 the Government of the Republic adopted new „Rules for Good Legislative Drafting and Technical Rules for Drafts of Legislative Acts“ which foresees an obligation of impact analysis of draft legislation. According to these rules also a social impact has to be analysed which should include an analysis of an impact of the planned regulation on gender relations. An accompanying methodology of impact assessment was adopted in December 2012 and is applied also in case of preparing strategic documents.

In September 2011, Estonian Parliament adopted a decision with a proposal to the Government to prepare an action plan to reduce gender pay gap in Estonia. The action plan was prepared by the Ministry of Social Affairs and the plan and the topic of gender pay gap was discussed at the cabinet meeting of the Government in July 2012. The action plan was approved and in autumn 2012 introduced to the Parliament. The approved action plan is based on the assumption pointed out also in the gender pay gap study of 2010 that there is not one specific reason behind the gender pay gap in Estonia but its causes are diverse. The activities are mostly

²⁹ The Estonian Lifelong Learning Strategy 2020, pp. 4-5,
https://www.hm.ee/sites/default/files/estonian_lifelong_strategy.pdf, Last accessed on 03/02/2015

³⁰
https://webgate.ec.europa.eu/fpfis/mwikis/eurydice/index.php/Estonia:Reforms_related_to_Transversal_Skills_and_Employability, Last accessed on 03/02/2015

³¹ Mid-term report of Estonia on the implementation of the Universal Periodic Review recommendations, March 2014, p. 23, http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/EE/Estonia_Mid-Term.pdf, Last accessed on 03/02/2015

implemented with the financial support from the Estonian European Social Fund programme “Promoting Gender Equality 2011-2013” and the gender equality and work-life balance programme financed from the Norwegian Financial Mechanism 2009-2014, executed in 2013-2015.

The Ministry of Social Affairs is currently implementing the Estonian European Social Fund programme “Promoting Gender Equality 2011-2013”. [...]

The Ministry of Social Affairs is co-ordinating implementation of a gender equality and work-life balance programme financed from the Norwegian Financial Mechanism 2009-2014, being carried out in 2013-2015. [...].”³²

vi) Other (as appropriate)

23. “The Development Plan of the Estonian Language 2011–2017 (DPEL) is a strategic basic document of the language domain, which together with its implementation plan, supporting legal and organizational measures and funding is to ensure the functioning of the Estonian language as the state language in all spheres of life and the teaching, research, development, and protection of the Estonian language and, thus, the preservation of the Estonian language throughout times. [...].

The main objective of the Development Plan of the Estonian Language is to provide a uniform strategic basis and uniform aims for the sustainable development of all the domains of the Estonian language in 2011–2017. The development plan serves as a basis and guide in the development of the legal basis of the language domain, planning of more important activities, and decision-making.”³³

2. COOPERATION:

24. Estonia is **not party** to the 1960 UNESCO Convention against Discrimination in Education. **On the occasion of the Eighth Consultation, Estonia announced that domestic procedures will be started to accede to the Convention.**

25. Estonia **reported** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Recommendation against Discrimination in Education within the framework of the:

- **Sixth Consultation** of Member States (covering the period 1994-1999),
- **Eighth Consultation** of Member States (covering the period 2006-2011).

³² Mid-term report of Estonia on the implementation of the Universal Periodic Review recommendations, March 2014, pp. 10-12, http://lib.ohchr.org/HRBodies/UPR/Documents/Session10/EE/Estonia_Mid-Term.pdf, Last accessed on 03/02/2015

³³ Estonian Language Foundation, Development Plan of the Estonian Language 2011-2017, 2011, p. 8, https://www.hm.ee/sites/default/files/eestikeelearengukavainglise.indd_.pdf, Last accessed on 03/02/2015

26. However, Estonia did not report to UNESCO within the framework of the **Seventh Consultation** of Member States (covering the period 2000-2005).

27. Estonia **reported** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the **Fourth Consultation** of Member States (covering the period 2005-2008). However, Estonia **did not report** to UNESCO within the framework of the **Fifth Consultation** of Member States (covering the period 2009-2012).

28. Estonia **did not report** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the **First Consultation** of Member States (1993). However, Estonia **did report** to UNESCO within the framework of the **Second Consultation** of Member States (2011).

29. Estonia is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

30. The Constitution of Estonia guarantees freedom of expression under paragraph 45. Censorship is explicitly forbidden.³⁴

31. The Penal code regards defamation as a criminal offense by making a difference between offending individuals on the one hand and national symbols, state authority, and persons enjoying international immunity on the other hand³⁵. The defamation of the latter can lead to fines and prison terms of up to three years for natural persons. Defamation against individuals is covered by paragraphs 131, 134, 1046 and 1047 of the Law of Obligations Act and is punished by fines only.³⁶

³⁴ See the Estonian Constitution on the president's website: <http://www.president.ee/en/republic-of-estonia/the-constitution/index.html#II>.

³⁵ See Division 4, paragraphs 249-305 of the Estonian penal code on the national legal database <https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/522012015002/consolide>.

³⁶ See the Law of Obligations Act on the national legal database: <https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/516092014001/consolide>.

32. There is no encompassing media law, but several laws concerning individual aspects, such as the Public Information Act³⁷ from 2001, the Media Services Act from 2010³⁸ for audio-visual media and radio services, or the Act on Electronic Communications from 2004.³⁹ The broadcasting media is regulated by the Ministry of Culture.⁴⁰

2. MEDIA SELF-REGULATION

33. Self-regulatory mechanisms of the media exist through an entity such as the Estonian Press Council tasked to self-regulate print media.⁴¹ The Estonian Newspaper Association⁴² has agreed a Code of Press Ethics in 1997. The Estonian Union of Journalists is the largest professional association of journalists in the country.⁴³

3. SAFETY OF JOURNALISTS

34. UNESCO recorded no killings of journalists in Estonia so far. Journalists operate in a safe environment.

III. RECOMMENDATIONS

35. Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)

36. In the Report of the Working Group on the Universal Periodic Review of March 28th 2011, various recommendations were made to Estonia.

37. The recommendations formulated during the interactive dialogue and listed below have been examined by and enjoy the support of Estonia.

³⁷ See the Public Information Act on the national legal database:
<https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/522122014002/consolide>.

³⁸ See the Media Services Act on the national legal database:
<https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/509072014004/consolide>.

³⁹ See the Electronic Communications Act on the national legal database:
<https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/523012015010/consolide>.

⁴⁰ See its official website : <http://www.kul.ee/en>.

⁴¹ See the website of the Press Council: http://www.asn.org.ee/english/in_general.html

⁴² The Eesti Ajalehtede Liit: http://www.eall.ee/index_eng.html.

⁴³ The Eesti Ajakirjanike Liit: <http://www.eal.ee/>

- i. **77.31. Develop policies and programmes to provide women with equal opportunities in the labour market, education and political and public representation, and take all necessary measures to guarantee the effective implementation of gender equality legislation, including by providing the Commissioner for Gender Equality and Equal Treatment with adequate resources (Netherlands);**
- ii. **77.46. Develop public awareness and education programs that advance tolerance on the grounds of sexual orientation and gender identity (Netherlands);**
- iii. **77.49. Bring an end to segregation of Roma children in the field of education (Denmark);**
- iv. **77.63. Build on current efforts to address domestic and sexual violence by promoting training and public-awareness programmes, supporting the establishment of shelters for victims, and ensuring full implementation of judicial mechanisms that allow adequate investigations and punishment of perpetrators (Canada);**
- v. **77.79. Continue to adopt measures to effectively reduce the drop-out rate of students so as to ensure comprehensive realization of the right to education (China);**
- vi. **77.80. Take new measures to continue to reinforce human rights education and training (Republic of Moldova);**
- vii. **77.81. Continue the implementation of bilingual education with adequate resources (Latvia);**
- viii. **77.87. Pay special attention to the rights of Roma children to education, and implement the relevant policy instruments to ensure their enjoyment of the rights as enshrined in the Estonian Constitution (Finland);**

38. The recommendations below did not enjoy the support of Estonia.

- i. 80.19. Ensure the right of national minorities living in territories of compact residences to receive services from the State and municipality in their mother tongue, accede to the UNESCO Convention against Discrimination in Education, reconsider the decision on the closure of gymnasiums that have less than 120 pupils (Russian Federation);

39. Analysis:

Estonia adopted various strategic plans to further implement the right to education, such as the Estonian Research and Development and Innovation Strategy 2014-2020 and the Estonian Lifelong Learning 2020. Efforts can be noted regarding the dropout measures. Estonia also made efforts to further promote gender equality adopting an action plan to reduce gender pay gap. However, no specific additional measures have been taken to specifically ensure gender equality in education. Furthermore, Estonia did not adopt specific programmes to further address the issue of discrimination against Roma population in education.

40. Specific Recommendations:

1. Estonia should be strongly encouraged to ratify the UNESCO Convention against Discrimination in Education, as announced on the occasion of the 8th Consultation on the implementation of the Convention and Recommendation against Discrimination in Education.
2. Estonia should be strongly encouraged to further submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
3. Estonia could be encouraged to further promote gender equality in education.
4. Estonia could be encouraged to further adopt specific programme on inclusion in education, especially on the inclusion of students from Roma population.

Cultural rights

41. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), the Convention for the Safeguarding of the Intangible Cultural Heritage (2003)⁴⁴ and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005),⁴⁵ Estonia is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the

⁴⁴ See UNESCO 2014. Estonia Periodic Report on the 2003 Convention for the Safeguarding of the Intangible Cultural Heritage: <http://www.unesco.org/culture/ich/doc/download.php?versionID=33207>

⁴⁵ See UNESCO. 2012. Estonia Periodic Report on the 2005 Convention on the Promotion and Protection of the Diversity of Cultural Expressions. https://fr.unesco.org/creativity/sites/creativity/files/periodic_report/Estonia_Report_OwnFormat_EN_2012_0.pdf

Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Estonia is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of opinion and expression

42. Estonia is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.⁴⁶

Freedom of scientific research and the right to benefit from scientific progress and its applications

43. **Estonia**, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974. The 1974 Recommendation on the Status of Scientific Researchers sets forth the principles and norms of conducting scientific research and experimental development and applying its results and technological innovations in the best interests of pursuing scientific truth and contributing to the enhancement of their fellow citizens' well-being and the benefit of mankind and peace. The Recommendation also provides the guidelines for formulating and executing adequate science and technology policies, based on these principles and designed to avoid the possible dangers and fully realize and exploit the positive prospects inherent in such scientific discoveries, technological developments and applications. **Estonia** did not submit its 2011-2012 report on the implementation of the 1974 Recommendation. In providing its report in 2015-2017 on this matter, **Estonia** is kindly invited to pay a particular attention to the legal provisions and regulatory frameworks which ensure that scientific researchers have the responsibility and the right to work in the spirit of the principles enshrined in the 1974 Recommendation, such as: i) intellectual freedom to pursue, expound and defend the scientific truth as they see it, and autonomy and freedom of research, and academic freedom to openly communicate on research

⁴⁶ See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.

results, hypotheses and opinions in the best interests of accuracy and objectivity of scientific results; ii) participation of scientific researchers in definition of the aims and objectives of the programmes in which they are engaged and to the determination of the methods to be adopted which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; iii) freedom of expression relating to the human, social or ecological value of certain projects and in the last resort withdraw from those projects if their conscience so dictates ; iv) freedom of movement, in particular for participation in international scientific and technological gatherings for furtherance of international peace, cooperation and understanding; v) guarantees of non-discrimination in application of rights to satisfactory and safe working conditions and avoidance of hardship; to access to educational facilities, occupational mobility, career development, participation in public life, and vi) right of association, etc.