



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-ninth session

23 July-10 August 2007

### List of issues and questions with regard to the consideration of periodic reports

#### Estonia

1. The pre-session working group examined the fourth periodic report of Estonia (CEDAW/C/EST/4).

#### Constitution, laws and national machinery

2. Please provide information on the implementation of the Gender Equality Act and its impact on the promotion of gender equality.

3. The report states that, under the Gender Equality Act, “it is also not considered discriminatory to afford a different treatment of a person based on sex in hiring or enabling the person training necessary to be hired, if the person’s sex is a genuine and determining requirement due to the nature of the particular occupational activities concerned or due to the context in which they are carried out, provided that the objective of discrimination is legitimate and the requirement is proportionate”. The report refers to a similar provision in respect of education and training offers. Please provide examples of what is envisaged under these provisions and how they are implemented in practice.

4. Considering that there is no information that the provisions of the Convention have been directly applied by the courts, please provide information on the reasons that may explain this situation.

5. The report states that two new institutions — the Gender Equality Commissioner and Gender Equality Council — will be created under the Gender Equality Act. Please provide information on whether those institutions have been created and on their activities, staffing and resources.

6. Please provide information on the activities of the inter-ministerial committee to promote gender equality and the outcomes of those activities, as well as the



relationship of this body with the above-mentioned new institutions. Please also indicate the status of the basic document for gender equality policy, including whether it was adopted as well as the activities under the policy and their impact on the promotion of gender equality.

7. In its concluding comments of 2002, the Committee noted that the economic transition, from a centrally planned economy to a market economy, during the last decade had posed serious challenges to the effective implementation of the Convention, and that the restructuring processes had disproportionately affected women.<sup>1</sup> Please provide information on any continuing disproportionate impact on women of the country's current macroeconomic framework, and steps taken by the Government to mitigate, prevent or overcome such impact.

#### **Temporary special measures**

8. In its concluding comments of 2002, the Committee recommended that the State party introduce temporary special measures, in accordance with article 4, paragraph 1, of the Convention in, inter alia, the educational, employment and political fields.<sup>2</sup> In its general recommendation 25, the Committee emphasized that temporary special measures were part of a necessary strategy to accelerate the achievement of women's de facto equality and should be distinguished from permanent, general social policies to improve the situation of women and girls. The report states that the Gender Equality Act contains a number of special measures. Please provide further details on the types of such measures, the status of their implementation and the results achieved.

#### **Participation in political and public life, and decision-making**

9. Considering that the position of women in decision-making posts has not significantly changed since the last report, please provide further details about the measures undertaken or foreseen by the Government to improve women's participation in political and public life, particularly at senior levels, including in the Estonian Parliament, Government Ministries and local government, taking into account general recommendation 25 on article 4, paragraph 1, of the Convention and general recommendation 23 on women in public life.

#### **Violence against women**

10. As mentioned in the report, in its 2002 concluding comments, the Committee recommended the introduction of specific domestic violence legislation, which would provide for protection and exclusion orders and access to legal aid.<sup>3</sup> The report states that "there is no need for a separate law on domestic violence as the issue is regulated in the Penal Code which also provides for protection against domestic violence". Please elaborate on how the Penal Code provides for protection of women against domestic violence. Please also clarify whether, and under what circumstances, women victims of domestic violence are entitled to, or have access to legal aid.

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<sup>1</sup> *Official Records of the General Assembly, Fifty-seventh Session, Supplement No. 38 (A/57/38)*, para. 86.

<sup>2</sup> *Ibid.*, para. 94.

<sup>3</sup> *Ibid.*, para. 98.

11. The report states that “in 2004 the Prosecutor’s Office carried out proceedings of 292 criminal cases relating to family violence”. Please provide updated information on the number of cases of violence against women and also indicate the number of convictions and the average sentence imposed.

12. In its 2002 concluding comments, the Committee urged the State party to amend the Criminal Code in order to explicitly define the offence of rape as sexual intercourse without consent, and it also recommended the amendment of the law on statutory rape.<sup>4</sup> What steps have been taken in response to the Committee’s recommendations?

### **Trafficking**

13. Please provide information on the status of the draft national action plan against trafficking in human beings, including whether it was adopted and if so, the programmes implemented under the plan and their impact.

14. Please provide available data on the number of women and girls who are trafficked to, from and through Estonia.

15. Please provide updated information on the numbers of prosecutions and convictions of traffickers and also provide further information on the support and assistance programmes that are available for victims of trafficking.

### **Stereotypes and education**

16. The report discusses the strong gender prejudices that are prevalent in Estonia and also refers to the Committee’s 2002 concluding comments, where the Committee urged the State party to design and implement comprehensive programmes in the educational system and to encourage the media to promote cultural changes regarding the roles and tasks attributed to women and men.<sup>5</sup> The report states that Estonia has yet to fully implement that recommendation but the problem has been acknowledged. Please indicate the reasons for this delay as well as the intentions of the State party to take comprehensive action in follow up to the Committee’s recommendation, including a timeline.

17. Table 10.2 indicates that in 2003/04, there were 76 women professors out of a total of 467. Please provide updated data, and indicate what measures are being taken to increase the number of women professors among academic staff and the anticipated short- and medium-term impact of those measures.

18. The report states that on the basis of a study on gender roles in school textbooks, “it appeared that textbooks of different topics and of different levels that construct and support stereotypical gender roles, do not reflect equally the experiences of men and women and do not teach contemporary ideology of human rights and the distribution of roles between men and women”. What measures have been taken in response to this assessment, and is there a timeline for expected results?

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<sup>4</sup> Ibid., paras. 98 and 100.

<sup>5</sup> Ibid., para. 96.

**Employment**

19. The report indicates that both Estonian women and men share the view that there is a clear distinction between the so-called men's and women's jobs. The report further indicates that horizontal and vertical gender segregation has not declined since the submission of the previous report. Please elaborate further on the efforts being made to address this situation.

20. In its 2002 concluding comments, the Committee recommended additional wage increases in female-dominated sectors of public employment to decrease the wage differential in comparison with male-dominated sectors.<sup>6</sup> Please provide information on the steps being taken to implement the Committee's recommendation.

21. The report includes information that a social involvement action plan has been developed in Estonia which aims to reduce poverty and refers to some specific measures taken. Considering the concern expressed by the Committee in its concluding comments of 2002, please provide information about any further measures to respond to its recommendations. The response should discuss in particular the situation of certain groups of women, such as women heads of households, those with small children, as well as women who are not legally married but live in long-term relationships.

**Health**

22. The report states that one of the results of the project, "reproductive health counselling of young people and the prevention of sexually transmitted diseases 2002-2006", was the decrease of abortions by 25 per cent and the decrease by 10 per cent of the number of first-time pregnancies and sexually transmitted diseases among 15-19 year olds. Please indicate whether this project will continue after 2006. Please also provide updated information on the rate of abortion, early pregnancies and sexually transmitted diseases among the 15-19 year old age group.

23. The report states that the Estonian Family Planning Union and various NGOs promote the use of modern high-quality methods of contraception and act with the aim of making contraceptives available for the public at large. Please indicate what measures the State party is implementing to ensure that there is wide access, including by poor women, to family planning information, as well as to contraceptives, and trends over time.

24. The report states that the percentage of HIV-positive women has increased in recent years. It also states that prevention work against HIV/AIDS is based on the national development plan for the prevention of HIV/AIDS 2002-2006. Please indicate whether this plan has been updated and how it integrates a gender perspective and also provide information on the impact of the plan on women's awareness of the risks of HIV/AIDS and their infection rate. Please also provide information on the availability and affordability of antiretroviral medication and psychosocial services for women living with HIV/AIDS and their children.

25. In its 2002 concluding comments, the Committee recommended that structures be established aimed at addressing the mental health problems faced by women as

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<sup>6</sup> Ibid., para. 108.

well as those areas where negative developments have occurred.<sup>7</sup> Please provide information on the steps being taken to implement the Committee's recommendation, and results achieved.

#### **Rural women**

26. In its 2002 concluding comments, the Committee recommended that the State party monitor existing programmes and develop comprehensive policies and programmes aimed at the economic empowerment of rural women.<sup>8</sup> Please elaborate further on the steps being taken to implement this recommendation, including results achieved and provide information on whether the Estonian regional development strategy includes a gender dimension.

#### **Marriage and family relations**

27. The report states that "a minor between 15 and 18 years of age may marry". Please provide further information on when such a marriage is considered to be "in the interest of a minor". Please also provide updated statistical data on marriages between minors after 2002, disaggregated by sex.

#### **Optional Protocol and amendment to article 20, paragraph 1**

28. Please indicate any progress made towards ratification of accession to the Optional Protocol to the Convention and acceptance of the amendment to article 20, paragraph 1, of the Convention.

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<sup>7</sup> Ibid., para. 112.

<sup>8</sup> Ibid., para. 114.