



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

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**Committee on the Elimination of Discrimination
against Women
Sixty-fifth session**

Summary record of the 1456th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 9 November 2016, at 3 p.m.

Chair: Ms. Hayashi

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined fifth and sixth periodic reports of Estonia (continued)
(CEDAW/C/EST/5-6; CEDAW/C/EST/Q/5-6 and Add.1)

1. *At the invitation of the Chair, the delegation of Estonia took places at the Committee table.*
2. **The Chair** invited the delegation of Estonia to continue with their replies to questions put by Committee members at the previous meeting (CEDAW/C/SR.1455).

Articles 10 to 14 (continued)

3. **Ms. Einman** (Estonia) said that, in order to tackle gender segregation in education, career days had been held for secondary school pupils with a view to providing them with first-hand information about occupations traditionally associated with the opposite gender. An awareness-raising campaign was also being conducted to encourage girls to study computer science. Training within schools had recently focused on raising gender awareness among head teachers, since they were best placed to bring about institutional change. However, the authorities acknowledged the need to continue to work with classroom teachers as well and had, to that end, made relevant training materials, research papers and guidelines available on a dedicated website for education and gender.
4. The draft amendment to the Gender Equality Act that would provide for the Labour Inspectorate to be tasked with monitoring compliance with equal pay requirements would be submitted to the Cabinet before the end of 2016; the amendment was expected to enter into force by June 2017. With regard to improving gender balance in leadership positions, current efforts were focused on raising awareness of the issues involved; subsequent measures would be aimed more specifically at increasing the number of women in such positions.
5. **Ms. Pakosta** (Estonia) said that but many excellent materials on gender equality were available for use in schools, they had mostly been prepared by NGOs rather than by the Ministry of Education. In terms of access to education, the limited availability of childcare services was problematic for women who wished to participate in lifelong learning activities. In her role as the Gender Equality and Equal Treatment Commissioner, she had received a number of complaints from women working in the university sector who were unable to pursue their careers on an equal footing with men because of constraints built into academic structures and because of practices that were of a universal nature, rather than specific to Estonia. She had received no complaints concerning Roma persons. The establishment of schools solely for speakers of Russian, which was not an official language, was in a sense a discriminatory measure because it undermined the principle of equal access to higher education.
6. **Mr. Kuuse** (Estonia) said that the Government was intending to make educational segregation a key priority for discussion in its forthcoming presidency of the Council of the European Union.
7. **Ms. Pakosta** (Estonia) said that, following the issuance in 2015 of guidelines on dealing with sexual harassment in the workplace, the Office of the Gender Equality and Equal Treatment Commissioner had received a number of complaints of such harassment. However, no cases had reached the courts to date; in the only instance in which there had been sufficient evidence to pursue the case further, the complainant had preferred to resolve the matter directly with the employer.

8. **Mr. Kuuse** (Estonia) said that, although the current pension system was gender equitable, reforms were required to ensure that it continued to be so in the long term. In particular, it was necessary to reduce the relative impact of wages on future pensions; other measures envisaged to ensure the sustainability of the system included the linking of the retirement age to life expectancy and steps to make the system more flexible. Furthermore, in 2017, a new supplementary benefits scheme would be introduced for pensioners who were single. Most such pensioners were women.

9. With regard to the reconciliation of work and family life, the Government was considering the possibility of extending the period during which parents were entitled to parental benefit from 18 months following the birth of their child to three years. Measures were also being considered with a view to providing more flexible parental leave arrangements that would enable parents to share the burden of child-rearing more equally. Regarding access to childcare, the Government was implementing a scheme, with financial support from the European Union, to create over 3,000 childcare and kindergarten places in urban areas, where availability was most limited.

10. **Ms. Sinisaar** (Estonia), replying to a question on migration, said that the back-and-forth mobility of Estonian citizens accounted for most of the country's external migration. The main destination country was Finland, which attracted a larger share of highly educated migrants, in particular women, than other countries. Although such migrants tended at first to work in jobs below their skills level, they eventually attained positions in the same category as the one that they had previously occupied in Estonia.

11. **Ms. Kanter** (Estonia) said that, under a green paper on alcohol policy approved by the Government in February 2014, a number of measures had been introduced targeting young people. An additional 10 million euros (€) had been allocated for the development of addiction treatment programmes over the next six years. Similarly, in line with a 2014 green paper on tobacco policy, campaigns had been conducted to raise awareness among school pupils of the risks associated with smoking.

12. Although patient satisfaction surveys indicated that waiting times were indeed thought to be too long, data from the Estonian Health Insurance Fund showed that waiting times for appointments with family doctors did not exceed the maximum allowed limit of six weeks. While some people in rural areas and older persons might experience difficulties in gaining access to or using online health-care services, it was important to bear in mind that more traditional alternatives continued to be available. The standard reimbursement rate for contraceptives was 50 per cent and abortion services were legal, accessible and safe.

13. **Mr. Kuuse** (Estonia) said that emergency health care was available to all residents in Estonia, regardless of their insurance status.

14. **Mr. Bruun** said that the delegation should provide an answer as to whether the legislation on sexual harassment in the workplace was adequate, noting that the Gender Equality Act cited harassment as a form of discrimination but did not set out the rules that applied in that regard. How was the burden of proof applied in sexual harassment cases?

15. **Ms. Hofmeister** said that she would be interested to learn where exactly safe abortions were performed. She would also be grateful for information on the composition of the governmental HIV/AIDS committee and its success in coordinating efforts regarding the delivery of treatment for patients.

16. **Ms. Pakosta** (Estonia) said that a general statement in the anti-discrimination legislation allowed for individuals to file complaints of discrimination in the workplace and provided for compensation to be paid to successful claimants in the amount of €10,000. In August 2015, the Office of the Gender Equality and Equal Treatment Commissioner had prepared an instruction on how people could use the law to protect their rights. The dearth

of sexual harassment cases stemmed from a lack of evidence rather than any shortcomings in the legal framework, which, in her view, was satisfactory. The burden of proof was the same as for all discrimination cases; namely, if it was one person's word against another's, then evidence was needed to bring a case to court.

17. **Mr. Kuuse** (Estonia) said that abortions were performed in hospitals. The delegation did not have an answer to the question on the governmental HIV/AIDS committee but would provide a written response in the 48 hours following the meeting.

18. **Ms. Pomeranzi**, recalling that the delegation had mentioned the 2016-2023 Welfare Development Plan as the overall strategy for social protection in Estonia, said that she would like to know how the Government mainstreamed gender equality issues and whether it was taking specific measures to meet the needs of women living below the poverty line. Moreover, given the threat of job losses as a result of State reforms designed to merge public services and reduce the overall number of civil servants, she said that she would like to know whether the Government had carried out a gender impact assessment of those reforms, especially in rural areas. She was also concerned that the Welfare Development Plan included gender equality in the section on welfare services, which was another matter entirely, and that in the operational programme for the period 2016-2020 only €2.4 million had been allocated to gender equality activities, out of a total of nearly €12 billion. She would be grateful if the delegation could confirm the accuracy of those figures, describe the gender equality activities that were funded from that budget, and state whether the budget included support for the implementation of gender equality activities by NGOs and civil society stakeholders.

19. Regarding the proposed Child Maintenance Support Fund, she said that she wished to know whether the amount disbursed per child was in line with the country's minimum required child maintenance payment, given that insufficient amounts might create a new form of poverty among women heads of household. Lastly, on the topic of women's economic empowerment, she said that the entrepreneurial and growth strategy of Estonia was somewhat gender blind in that women faced a number of barriers in accessing the gender-neutral start-up support scheme. The delegation should indicate whether the Government envisaged the introduction temporary special measures to address that issue as part of its gender equality strategy, considering the alarmingly small number of women in entrepreneurial positions in comparison with other European countries.

20. **Ms. Acosta Vargas**, recalling that rural areas were still home to 30 per cent of the population of Estonia, said that, while progress had been made in rural women's access to social protection, the Committee had received reports that women's organizations had been excluded from agricultural policymaking processes. She would, therefore, like to know whether women's organizations had been included in the Estonian Rural Development Plan 2014-2020, how the Plan was likely to affect the situation of rural women, and what the impact had been of programmes such as LEADER, co-financed by the European Agricultural Fund for Rural Development, in terms of women's employment. Considering that women accounted for only 24 per cent of beneficiaries of agricultural subsidies, the State party should say whether it had any plans to expand resources for rural women. The Committee also wished to learn whether rural women had extensive access to the Internet and whether they received training in information and communications technologies. Statistics should, furthermore, be provided on the number of women involved in the management of agricultural businesses and on the number of men and women that had availed themselves of the replacement service for agricultural producers in need of a vacation, maternity leave or time off for illness.

21. On rural housing, the Committee would be interested to learn whether the Government intended to continue its programme of housing maintenance subsidies and whether all rural homes had access to running water and sewerage services. It would also

appreciate updated statistics on rural women's access to essential public services, including transport, justice, education, health care and childcare.

22. Lastly, she said that, despite the existence of a legislative framework that recognized the rights of lesbian, bisexual, transgender and intersex women, members of that community still faced harassment, exclusion and hate crime. What measures had the State party taken to address prejudice and prevent such offences, and what penalties were applied?

23. **Mr. Kuuse** (Estonia) said that the State budget was planned in line with the policy areas covered by the Welfare Development Plan. The social insurance pillar of the Plan was the most financially solid, since it incorporated billions of dollars spent on pensions. While it was not advisable to compare spending on gender equality activities with the sums earmarked for pension payments, the Government admitted that gender equality objectives deserved greater budgetary funding and investment. It was satisfying that the Welfare Development Plan was addressing the issue of separate indicators for women and men and that it was designed to provide for a system to monitor actions on the equal treatment of women and men.

24. Developments to combat poverty included a single pension benefit scheme that would mostly benefit older women. Child benefits had risen significantly in the previous year, so that fewer families were at risk of poverty. The basic income level had been brought into line with the cost of the food basket and stood at €130 per month for individual family members after accommodation costs. The benefits system had helped to reduce poverty risk for families and was working well.

25. Payments disbursed from the Child Maintenance Support Fund amounted to half the national minimum monthly wage. The Government invested €10 million per annum in that scheme, which represented an attempt by the State to provide women and children with the necessary means to improve their daily lives and did not release parties required to pay child maintenance from their obligations. The State had an array of measures at its disposal to motivate those individuals to pay, such as the withdrawal of hunting and driving licences. With regard to the partners in gender equality measures, the Government faced constant funding issues but was able to make annual funds available through the Gambling Tax Council, allowing for the implementation of several gender-equality projects.

26. **Ms. Kanter** (Estonia) said that the Ministry of Social Affairs recognized the need for different partners to carry out activities and achieve results, as well as for greater funding for civil society. The main cooperation partners included other ministries, the Office of the Gender Equality and Equal Treatment Commissioner and civil society organizations.

27. **Ms. Einman** (Estonia) said she agreed that the work of the Ministry of Agriculture had been to some extent gender-blind and recalled that a course had been held in 2015 to help the Ministry enhance the gender mainstreaming aspect of its policies. Rural women were able to participate as social partners in the planning and implementation of rural development policy and had had such an opportunity in the framework of the Estonian Rural Development Plan 2007-2013. In relation to the question of Internet access, a campaign had been carried out in 2010 to raise awareness of government information portals.

28. **Ms. Sinisaar** (Estonia) said that there were plenty of statistics on people living in rural areas. For example, the unemployment figures for 2015 showed that women living in rural areas reported lower rates of unemployment than women in urban settlements. In relation to poverty indicators, women generally presented higher rates of relative poverty, although the figures for absolute poverty had decreased in recent years, including for rural women. The employment gap between women and men living in rural settlements had narrowed since 2015, thanks to women's increased participation in the tertiary sector. The

most recent edition of the Household Budget Survey had revealed that Internet use and coverage of running water services in rural areas had increased by 5 and 4 percentage points respectively.

29. **Mr. Kuuse** (Estonia) said that access to services was becoming more problematic as the rural population declined, with smaller municipalities sometimes having to shoulder a heavier delivery burden. Under a regional reform initiative that would take effect in 2018 local municipalities would now have a minimum of 5,000 inhabitants, which was considered practical for the purposes of service provision. Decisions were pending in respect of funding increases for transport and support for economic development and job creation, which were key elements in the Government's policy of empowering people in rural areas, particularly women.

30. The country's small size meant that country dwellers did not have to travel long distances for any public services that were not provided in their area. Rural areas were not as isolated as they could seem. Information about the outcome of activities organized as part of the local development strategy known as LEADER would be provided in writing.

31. **Ms. Pakosta** (Estonia) said that there were no statistics on hate crimes committed against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons. The Office of the Gender Equality and Equal Treatment Commissioner had received no complaints of any such crimes. In late 2015, the Office had produced a brochure on LGBTI persons and the workplace, and in 2016 an in-depth study funded by the Norway Grants organization had looked into the situation of LGBTI persons in Estonia and not found any evidence of hate crimes being perpetrated against them.

32. **Ms. Acosta Vargas** said that she wished to know, as she had noted earlier, how many women were involved in the management of agricultural businesses.

33. **Ms. Pakosta** (Estonia) said that the agricultural sector was one of the two sectors in Estonia where there was no gender pay gap.

34. **Mr. Kuuse** (Estonia) said that the answer to the question about the number of women managing agricultural concerns would be provided in writing.

Articles 15 and 16

35. **Ms. Halperin-Kaddari** asked why the legislation regulating the implementation of the Registered Partnership Act had not been adopted. She wondered whether couples were aware of the implications of the matrimonial property regime that they opted for when they entered into marriage. It would be interesting to know, for example, whether, under the joint property regime — the default regime — a woman who had not worked outside the home would be entitled, on the dissolution of her marriage, to an equal share of any increased income earned by her husband in part as a result of her decision to lead a traditional life. In addition, she wished to know whether there was a mechanism to prevent fathers from seeking custody or shared custody of their children for the sole purpose of reducing any child support payments that they might be ordered to make.

36. **Mr. Kuuse** (Estonia) said that there had simply not been the political will to ensure the full implementation of the Registered Partnership Act. The courts oversaw the disposition of joint marital property in the event of a divorce. He was unaware of any case in which they had found that a woman who had stayed at home to raise children was not entitled to an equal share of any joint marital property. The country's banks, which Estonians turned to for loans to buy property, were required to give their clients a thorough explanation of the implications of the purchase of real estate. Fathers were increasingly seeking custody of their children, which was viewed as a positive development. That trend did not seem to be driven by a desire to avoid having to pay child support.

37. **Ms. Pakosta** (Estonia) said that the Office of the Gender Equality and Equal Treatment Commissioner had received complaints from fathers who alleged that they had been treated unfairly by the social services. Investigations of those complaints had shown that disputes were sometimes resolved in favour of mothers on the strength of little other than received ideas about women and motherhood. Custody disputes were complex and, although it was true that some fathers sought shared custody of their children in order to reduce their child support payments, many others turned to the courts out of a genuine desire to be directly involved in their children's upbringing.

38. **Mr. Kuuse** (Estonia) said that many of the issues raised by Committee members were being actively debated in Estonia, with considerable input from all sectors of Estonian society. There were occasional problems, but the country's courts and other oversight bodies were capable of addressing them.

39. **Ms. Halperin-Kaddari** asked whether the Estonian authorities would consider setting up a mechanism to ensure that shared custody arrangements were respected, since it seemed that fathers sometimes sought shared custody of their children only to return them to the custody of their mother once their child support payments had been reduced. She would welcome information on the economic rights of persons living in de facto unions.

40. **Mr. Kuuse** (Estonia) said that people in de facto unions could enter into notarized agreements setting out their responsibilities and rights. Whether such people availed themselves of that opportunity was another issue. The full implementation of the Registered Partnership Act should ensure that any remaining gaps in the legal protections for the rights of cohabiting partners were filled.

41. **Ms. Pakosta** (Estonia) said that in January 2016, a group of specialists had been set up to review the most complex cases involving social protection and related issues. The Office of the Gender Equality and Equal Treatment Commissioner worked closely with those specialists to resolve the complaints of discriminatory treatment submitted to it by mothers or fathers. The law ensured that even in the event of an opportunistic suit being filed for child custody, the economic well-being of the mother and her children would not be affected. The main problem with custody disputes was how long they took to make their way through the courts.

42. **Mr. Kuuse** (Estonia) said that policymakers in Estonia welcomed the increasing efforts being made to monitor the effectiveness of the country's social welfare policies. In connection with the advancement of women, they were aware that addressing specific instances of discrimination alone was insufficient. It was also necessary to redesign institutional structures and re-examine old habits and beliefs.

The discussion covered in the summary record ended at 4.35 p.m.