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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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SUMMARY RECORD OF THE 42nd MEETING

Held at the Palais Wilson, Geneva,
on Wednesday, 20 November 2002, at 10 a.m.

Chairperson: Ms. BONOAN-DANDAN

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The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS (agenda item 6) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Initial report of Estonia (continued) (E/1990/5/Add.51; E/C.12/Q/EST/1; HRI/CORE/1/Add.50/Rev.1; HR/CESCR/NONE/2002/5)

1. At the invitation of the Chairperson, the members of the Estonian delegation resumed their places at the Committee table.
2. Mr. KULL (Estonia) said he hoped that the dialogue the Committee had entered into the previous day with his delegation would continue to be fruitful and help the Government bring its domestic legislation into line with the provisions of the Covenant. His delegation would endeavour to provide satisfactory answers to all of the Committee's questions.

Articles 6 to 9 of the Covenant (continued)

3. Ms. LILLEVÄLI (Estonia), replying to a question about the difference between the old Labour Protection Act and the new Occupational Health and Safety Act, said that the new Act took a much broader approach and paid greater attention to occupational health services, risk assessment and employers' obligations. The main difference, however, was that the new Act took into account all the European Union directives on health and safety at work. The Government was in the final stages of updating all labour legislation in conformity with those directives.
4. The Labour Inspectorate was responsible for supervising the observance of legal requirements in employment relations and working conditions. Labour inspectors were seen as consultants whose main aim was not to punish employers, but to help them comply with the new regulations. However, they did have the authority to impose fines and other penalties, if necessary. A decision had been made to ratify the International Labour Organization (ILO) Labour Inspection Convention (No. 81) and legal proceedings had been initiated for that purpose.
5. Ms. HION (Estonia) said that Parliament had passed the Trade Unions Act in June 2000 as part of its labour reforms. According to the Act, all persons had the right to establish trade unions freely and without prior permission and to join or not to join trade unions. Trade unions were independent of employers, State agencies and local governments and had the right to organize their own activities and management. The Constitution provided that all persons could freely belong to associations and unions of employers and employees that could uphold their rights by means that were not prohibited by law. The highest organ of a trade union was its general assembly, in which all members had a right to participate. There were two national trade union confederations. The Estonian Central Union of Trade Unions comprised 26 member unions and was a member of the International Confederation of Free Trade Unions. The Confederation of Estonian Employees' Union had 10 member unions. Both confederations were

members of the European Trade Union Confederation. The State had never interfered with the establishment of a trade union or with the membership of international trade union confederations.

6. Ms. LILLEVÄLI (Estonia) said that the child labour laws were in conformity with Council of the European Union Directive 94/33/EC on the protection of young people at work. Furthermore, in 2001, Estonia had ratified ILO Convention No. 182 on the Worst Forms of Child Labour. Pursuant to the Employment Contracts Act, a minor who had attained 15 years of age could be employed with the written consent of one parent or a guardian, if the work did not endanger the health, morality or education of the minor and was not prohibited to minors by law or by collective agreement. A minor aged between 13 and 15 could be employed during the school holidays with parental consent and with the approval of the local labour inspector for work set out in a list approved by the Government and mainly involving creative activities relating to culture or sport.

7. Mr. KOLOSOV, speaking on a point of order, said that the delegation should endeavour to provide information that was not contained in the report (E/1990/5/Add.51) or in the written replies (HR/CESCR/NONE/2002/5). The Committee was interested to learn not only about the legislation, but also about the real situation regarding child labour.

8. Ms. KALJURAND (Estonia) said that, although the questions asked by the Committee had often been partially answered in the report, the delegation was trying to provide new information and was at the Committee's disposal to answer any questions it might wish to ask. If the Committee was satisfied with a given answer, the delegation could go on to the next question.

9. The CHAIRPERSON said she agreed that, although some of the information provided by the delegation was contained in the report, most of the information was new. She requested the members of the Committee to refrain from asking questions that had already been raised in the report.

10. Ms. HION (Estonia) said that there was no specific legal framework in Estonia for foreign workers. Foreign work permit-holders were covered by the same labour laws as all other workers and enjoyed the same rights with regard to wages, working hours, rest time and health insurance. Family members of foreign workers were also entitled to health insurance and social benefits.

11. Mr. WIMER ZAMBRANO said that he would like further information about the situation of illegal workers in Estonia. It would be interesting to know whether or not they faced legal persecution. Did trade union rights apply to legal and illegal workers alike?

12. Ms. KALJURAND (Estonia) said that, in terms of labour rights, no distinction was made between workers who had entered the country legally and those who had entered illegally. All employees had to have a labour contract because that was the only way the Government could guarantee workers' rights. The Government was therefore trying to ensure that more people had legal work contracts, regardless of how they had entered the country.

13. Mr. SADI said that he would like to know the State party's definition of the word "morality", since a minor could be employed as long as the work did not endanger, inter alia, his or her morality.

14. Mr. GRISSA said that, according to information provided by the United Nations Educational, Scientific and Cultural Organization (UNESCO), the net enrolment rate in primary education in 1996 had been 87 per cent for boys and 86 per cent girls. He would like to know why all children were not enrolled in school. Were the other children working?

15. Mr. KOLOSOV said that he would be interested to learn more about the cooperation project mentioned in paragraph 187 of the report, in which Sweden had helped to conduct a risk assessment for labour inspectors in the period 1997 to 1998 at a cost of EEK 177,500. What had the result of that project been and what was understood by the term "risk" in relation to labour inspectors?

16. The CHAIRPERSON requested the members of the Committee not to ask further questions until the delegation had answered those pending from the preceding meeting.

17. Mr. AAVIKSOO (Estonia) said that Estonia's rapid economic development had brought about certain social and economic constraints. The Government was therefore paying particular attention to groups which had been made vulnerable as a result of development. The Ministry of Social Affairs had prepared a national health policy document based on social and economic determinants such as social cohesion, education and equality, to be brought before Parliament in 2003. If adopted, it would form a baseline for future policies.

18. The postponement of the age of marriage and the decreasing birth rate were typical of developed countries. The abortion rate had decreased twofold over the previous decade because now, unlike in Soviet times, all forms of contraception were available. The statistics on children born out of wedlock did not reflect the real situation and indicated only the children born to single parents, and not those born to common-law partners, which was now a common and accepted practice. The number of children born to single mothers had remained stable over four decades and had even recently decreased among the younger generations. It was true that the opportunities available to single mothers continued to be limited. However, by law, both parents had an obligation to participate in raising their children and mothers could appeal to the courts if the father refused to pay maintenance. Nevertheless, the Government acknowledged the need to raise single parent allowances and to provide more child benefits and both issues were currently under consideration. School lunches were provided free of charge to all primary school children and efforts were being made to extend that service up to the ninth grade. Many local municipalities were supporting children and families in need by providing free or reduced cost transportation. All in all, the number of children in need was still high, but constantly decreasing.

19. Ms. HION (Estonia) said that, according to the Imprisonment Act, all prisoners under the age of 65 were obliged to work unless they suffered from health problems. Detainees in custody were under no obligation to work, although many detainees requested to do so, as that gave them an opportunity to leave their cells. The Estonian Prison Industry had been established in 2001 to

make the employment of prisoners more effective. The net turnover of the Industry had amounted to approximately EEK 5 million (\$300,000) in 2001. The general employment rate in prisons was about 40 per cent; a prison development strategy had been introduced to increase that rate to 70 per cent by 2005. Certain prisoners could work outside the prison premises. Replying to a question by Mr. Grissa, she said that prisoners were paid for their work. Any prisoners working outside the prisons had to have an employment contract and were subject to the normal labour laws.

20. Ms. LILLEVÄLI (Estonia), replying to a question about pay inequalities between men and women, said that there continued to be a distinction between men's jobs and women's jobs and women's jobs were lower paid. The Estonian Wages Act prohibited discrimination on grounds of gender, but, in reality, the employer paid the salary agreed on and, usually, women requested lower salaries. The Government, together with non-governmental organizations and the media, was endeavouring to raise the awareness of women and employers in that regard. Women could appeal to a labour dispute committee or to the courts if they felt that they were being discriminated against on grounds of sex, although no complaints had been lodged to date. One positive result would surely be enough to influence public opinion.

21. Ms. MALVET (Estonia) said that the State unemployment allowance was currently fixed at EEK 400 per month and was paid to registered jobseekers with an individual monthly income of less than that amount. The family income was not taken into account. In addition, unemployed persons were entitled to a subsistence benefit of EEK 500 per month for a single person, with EEK 400 for each additional family member. The situation would change in 2003 with the introduction of unemployment insurance payments.

22. Ms. LILLEVÄLI (Estonia), replying to a question about the right of civil servants to strike, said that the term "civil servant" covered a smaller group of people in Estonia than it did in many other countries. According to the law, only government officials, including local government officials, were considered to be civil servants and they were not allowed to strike. The Government was aware that such a provision was unjustifiable and was not in conformity with international standards. The Public Service Act was currently under discussion in Parliament and would reduce the number of civil servants to whom that restriction applied.

23. Ms. KALJURAND (Estonia) said that the Gender Equality Act was awaiting its second reading in Parliament and was not yet in force. The Gender Equality Council was therefore not yet in operation. However, that did not mean that anti-discrimination laws were not in force.

24. Ms. HION (Estonia) said that the reason there had been a delay in passing the Gender Equality Act was the heavy workload of Parliament and the lack of human resources to process the large number of draft laws pending consideration, particularly in the field of criminal and civil law. It was hoped that the Act would be adopted in the near future. In any case, both the Constitution and various other laws contained anti-gender discrimination clauses.

25. In reply to a question on the domestic remedies available to victims of gender discrimination, she said that cases could be brought before a labour dispute committee or referred to the Ombudsman. Regional offices of the Legal Chancellor had been opened, thus

making it easier for individuals to file complaints. The Constitution stated that individuals had the right to refer cases of gender discrimination to the courts and that all victims had the right to compensation for any material or non-material damages resulting from a violation of their rights. The State Liability Act had recently entered into force, providing protection to individuals from violations by public authorities and a basis for a compensation procedure. To date, no information was available about the cases brought before those bodies, perhaps due to a lack of public awareness. It was hoped that the number of complaints filed would increase. The media had paid a great deal of attention to the issue of gender equality, following the discussion of the Gender Equality Act in Parliament.

26. Ms. LILLEVÄLI (Estonia) said that the Government was also working on the question of men's rights. It had enacted legal measures to permit men to take their vacations at the same time as their children and to allow them to take time off, for example, at the birth of their children. In general, efforts were being made to provide men with more opportunities to spend time with their children.

27. Ms. KALJURAND (Estonia) said that the category of older women was considered to start with ages 45 to 50. The unemployed rate among older women had unfortunately increased from 32 per cent in 1999 to 37 per cent in 2001. The Government's National Employment Action Plan for 2000 contained a special chapter on employment for older women. In addition, a handbook had been prepared by the International Labour Organization on the employment of older women in Estonia, which was designed for the use of employers and women themselves. In the early 1990s, collective farms had been reorganized into private and small-scale enterprises. The ILO international programme called "More and Better Jobs for Women" had been launched in Estonia to promote work opportunities for older women and, inter alia, training in entrepreneurship skills.

28. Unemployment among ethnic women was more a function of region than of ethnicity. Some regions where ethnic groups predominated had much higher rates of unemployment than other regions.

29. In general, the labour market was more favourable for men than for women and for Estonians than for non-Estonians. The situation was not worsening; and, in fact, the situation of women had shown some improvement, in particular that of Russian women living in Estonia. After the transition, many highly specialized Russian women had lost their jobs and had had difficulty finding new positions. Currently, however, many big companies in Estonia had staffs almost entirely of non-Estonian women. The unemployment rate of Estonian women had been around 19 per cent in 1999; in 2000, it had dropped to about 18 per cent.

30. Ms. LILLEVÄLI (Estonia) said that, several years previously, the Government had determined that collective agreements would add flexibility to labour relations and had taken measures to promote such agreements. Members of unions and non-union employees could take part in such agreements, which were published in a national registry. In addition, a project was under way to strengthen employee and employer associations.

31. Mr. RAIM (Estonia) said that, in 1998, 97 per cent of children between the ages of 8 and 14 had been enrolled in school. Newer data from the Estonian Statistical Office indicated that 97 per cent of children aged 14, 93 per cent of children aged 15 and 16 and 88 per cent of children aged 17 were enrolled in school. Compulsory education ended at age 17, explaining the significant decrease in enrolment between ages 16 and 17. The percentage of children not attending school included street children, disabled children and children studying abroad. The Estonian Ministry of Education was taking measures to reduce that figure.

32. Ms. MALVET (Estonia) said that Estonia had no clear definition of “street children” and therefore no precise statistics. If the term meant children without a home or family, there were between 100 and 200. If it meant children who spent their time in the street even though they had a home and family, there were perhaps 500. If, on the other hand, it included all children in danger of turning to the streets, the figure was closer to 5,000. At the time of the publication of the report, that number had been set at 2,000; experts had since indicated that they had underestimated. Parents and caretakers had a right to assistance and counselling, which was voluntary. Counselling was available in schools for children, parents, teachers and administrators; there were also counselling centres in all counties and in medical centres, hospitals and social welfare institutions, including shelters; parents who sought help could find it. In general, children remained in the streets until new school or family environments were found for them. In 2001, around 2,300 children had been in foster homes and around 1,800 in child care facilities.

33. Ms. LILLEVÄLI (Estonia) said that the Estonian National ILO Council, which was composed of representatives of employee and employer organizations and Government officials, determined whether or not Estonia should become a party to the various ILO Conventions. Estonia had ratified 31 International Labour Standards, including six Core Conventions, No. 29, on Forced Labour; No. 87, on Freedom of Association and Protection of the Right to Organize; No. 98, on the Right to Organize and Collective Bargaining; No. 100, on Equal Remuneration; No. 105, on the Abolition of Forced Labour; and No. 182 on the Worst Forms of Child Labour.

34. The Government had its list of priorities and examined the situation in Estonia to determine whether to ratify a particular standard. It wished to be certain that it would be able to implement any standard that it ratified. Estonia had decided to ratify Conventions No. 111 and No. 138, but only after Parliament had adopted a new employment contract act. Since, on the other hand, Estonian law covered the matters addressed in Conventions Nos. 102, 117 and 118, the National ILO Council had decided not to ratify those standards as yet. In all cases, it was that Council which made the relevant decisions.

35. Ms. KALJURAND (Estonia) said that her delegation would provide current statistical data subsequently, in writing.

36. Ms. LILLEVÄLI (Estonia) said, by way of clarification, that the notion of morality was broader than simply sexual morals.

37. In the view of the Estonian Government, labour conditions could not be improved without analysing risk. New legislation had been enacted, requiring employers to develop risk analyses; labour inspectors were expected to assist employers in that process. Where problems arose, labour inspectors requested employers to formulate plans for improvement and to set timelines for such improvement; if the timelines were not met, the labour inspectors could impose fines. That system had been modelled on the Swedish one; and a team of Swedish experts had been brought in to provide training to Estonian employers.

38. Mr. TEXIER said that his question whether the minimum wage was sufficient to allow workers to live a normal life had not been answered.

39. Mr. MARTYNOV said that, although the report indicated that the right to participate in trade unions was not restricted to citizens, the written replies stated that citizens had the right freely to establish and to be members of trade unions. Clarifications would be welcome.

40. Since the unemployment allowance was apparently much less than the estimated minimum monthly cost of living, he wondered how an unemployed single person could survive, not to mention an unemployed person with a family.

41. Lastly, he would like to know whether disabled persons who found work were entitled to continue receiving their disability pensions, either all or in part.

42. Ms. LILLEVÄLI (Estonia) said that the minimum wage was currently EEK 1,850, which, although not high, was sufficient for survival.

43. Mr. LUMI (Estonia) said that that EEK 1,850, or around \$120, was certainly enough for a normal life.

44. Ms. HION (Estonia) said that the information contained in the replies had been taken from the previous Trade Union Act. Under the current legislation, all persons living in Estonia could form and belong to trade unions.

45. Ms. KALJURAND (Estonia) said that disabled persons received their pensions whether or not they worked.

46. Ms. MALVET (Estonia) said that an unemployment allowance was paid to all persons registered as unemployed and who had a monthly income of less than EEK 400; the family situation of such persons was also taken into account. In calculating the applicable benefit, the cost of housing was also taken into account.

47. Mr. MARTYNOV said that, according to the International Confederation of Free Trade Unions, collective bargaining agreements were virtually non-existent in Estonia. Was that true and, if so, why?

48. Ms. LILLEVÄLI (Estonia) said that that had been true a number of years previously; at present, there were between 50 and 100 collective agreements listed in the State registry.

Articles 10 to 12 of the Covenant

49. Mr. RIEDEL said that the report provided much useful information, such as the fact that a National Health Programme for Children and Young People had been created. And yet, in order for the Committee to assess progress in the area of health care, it needed goals, actions and results, disaggregated on a yearly basis in order to show trends over time.

50. Paragraph 619 of the report, which discussed drinking water, demonstrated that the State party was aware of environmental health hazards. Although it did provide a year-by-year analysis, there were no figures on accessibility of water to poor, vulnerable and marginalized populations. Similarly, although some gender-specific data had been supplied on the provision of health care, no comparative or disaggregated data had been offered.

51. The Government should set goals to achieve by the time of the next periodic report, using the suggestions contained in paragraphs 57 and 58 of the Committee's General Comment No. 14 on the highest attainable standard of health.

52. Paragraph 676 of the report, which referred to international cooperation projects, showed how a country in transition had successfully made use of technical cooperation from specialized agencies and donor countries and could serve as a model for other countries in similar positions.

53. The reply to question 26 of the list of issues mentioned the Estonian Environment Strategy and the Estonian Environmental Action Plan 2001-2003, which set out 10 interesting goals. The Government should provide relevant figures and describe the obstacles it was experiencing in achieving those goals.

54. He would also like detailed figures on the incidence of tuberculosis, HIV/AIDS and other sexually transmitted diseases, on a year by year basis. The Government was part way through national programmes to reduce sexually transmitted diseases and tuberculosis; information on interim results would be welcome.

55. Mr. ATANGANA said that the written reply to question 19 of the list of issues indicated that the Government was drafting an action plan to prevent violence against women. However, sources indicated that such cases were often not reported as a result of social pressure. It would be useful to know what measures Estonia had considered in connection with social values.

56. Mr. PILLAY, referring to the implementation of article 11 of the Covenant, asked how high the poverty level was and whether it had increased or decreased. According to the report (para. 494), Estonia was cooperating on a project with the United Nations Development Programme (UNDP) to produce a method for determining the poverty line, but that indicator had yet to be adopted. He wondered whether the minimum wage in Estonia, which stood at the equivalent of US\$ 120 per month, was sufficient for a decent living, as the delegation had contended because, according to UNDP, 37 per cent of the working population in Estonia was below the poverty line, earning US\$ 4 daily or exactly US\$ 120 per month. What was the Government doing to alleviate such poverty? Estonia's reply to question 23 suggested that persons who earned a minimum wage did not necessarily qualify for subsistence benefits; they

were eligible only if their wages were below the subsistence line, which was lower than the poverty line. He asked whether Estonia was aware of the statement on poverty the Committee had made in May 2001.

57. With regard to housing, only 10 per cent of the housing stock was owned by State or local government, whereas 90 per cent was in private hands. In those conditions, how could the 37 per cent of the working population whose wages were below the poverty line afford decent housing? Was there a government programme to build housing for the poor? There seemed to be a contradiction between paragraph 523, which stated that local government authorities were required to provide housing for persons or families who were unable or incapable of securing housing for themselves or their families and to create, if necessary, the opportunity to lease social housing or to use a shelter, and paragraph 586, which admitted that local governments had limited possibilities to provide housing for low-income families, tenants living in restituted houses or for setting up social apartments. It was not clear to him how Estonia intended to remedy that situation.

58. As to forced evictions, he asked how compensation was set for persons occupying housing and land which had been appropriated during the Soviet occupation and which were to be restituted. Was it decided by the courts? Did it reflect the market value of the property? Paragraph 545 implied that most persons evicted as a result of court rulings were not provided with alternative housing. He asked whether they at least received some compensation. He drew the delegation's attention to the Committee's General Comment No. 7 on forced evictions, which stressed that State parties must see to it that all individuals concerned had a right to adequate compensation (para. 13), that there must be appropriate procedural protection and due process (para. 15), that eviction should not result in individuals being rendered homeless or vulnerable to the violation of other human rights (para. 16) and that, where those affected were unable to provide for themselves, the State party must take all appropriate measures to the maximum of its available resources to ensure that adequate alternative housing, resettlement or access to productive land was made available (para. 16). What was Estonia's position on such forced evictions?

59. Ms. BARAHONA RIERA asked whether it was planned to amend the Criminal Code to define family violence and marital rape as criminal offences. She also wished to know what provision was made for elderly persons whose pensions did not cover their rent.

60. Mr. MALINVERNI, referring to Estonia's reply to question 22 of the list of issues, which stated that the unemployment insurance benefit during the first 100 days of unemployment was 50 per cent of previous wages and 40 per cent thereafter, asked whether that was sufficient for persons whose wages had been very low. The reply referred to subsistence benefits for such cases and he wondered whether such benefits continued to be paid under the new legislation that had entered into force on 1 January 2002.

61. With regard to the problem of housing, he inquired whether everyone who requested rent subsidies received them. He requested the delegation to provide figures on the actual number of homeless persons in Estonia.

62. Mr. CEAUSU, referring to the implementation of article 10 of the Covenant, asked what the Estonian authorities were doing to help street children. Was there any arrangement for placing them in orphanages? On article 12, he noted that, according to the country reply to question 25 of the list of issues, only one fifth of the 2002 budget was allocated for primary referral to treatment centres for drug abuse. That was not sufficient. He was surprised that the national alcohol policy was under the Ministry of Agriculture, and not the Ministry of Health. What had been the mid-term results of the 1997-2007 alcohol and drug prevention programme and why did the programme not combat tobacco abuse as well? He also wondered when legislation would be introduced prohibiting advertising for alcohol and tobacco. With regard to the reply to question 26 of the list of issues, he asked what specific measures had been adopted, such as legal provisions and norms for employers and consumers, with a view to achieving the objectives of Estonia's environment strategy. Were penalties imposed for violations?

63. He asked about the situation in health-care centres in rural areas. Were there dispensaries, clinics, private medical practices and hospitals? He enquired how doctors' fees and the cost of medicine and hospitalization were covered for poor persons in rural settings.

64. Mr. SADI asked how successful efforts had been to combat family violence. Could the delegation confirm the Committee's information that marital rape was not an offence in Estonia? He also wished to know how the problem of prostitution was regulated. Was it true that abortion was still the main form of birth control? He also asked how Estonia had been dealing with its severe environmental pollution problem and why there was a fluctuation in life expectancy.

65. The Committee had information that there might be as many as 10,000 street children in Estonia, which among other things, meant that they were effectively deprived of their right to education. He asked what measures had been taken to deal with the problem.

66. Mr. GRISSA said that he was astonished to read in paragraph 7 of Estonia's core document (HRI/CORE/1/Add.50/Rev.1) that poisoning was one of the main causes of death. Was that due to industrial poisoning or were people poisoning each other?

67. Mr. KOLOSOV said that, as in many countries in transition, Estonia's legislation was good, but its implementation left much to be desired. To cite one example, Mr. Martynov had asked whether non-Estonians could form trade unions and had been told that they could, but no information had been provided on how many such trade unions had been formed, if any, and how many members they had.

68. With regard to the implementation of article 11 of the Covenant, he stressed that whatever had been illegally confiscated should be returned. But social justice must apply to all, without any discrimination, and that included persons living in housing that had previously been confiscated. Paragraph 562 of the report stated that many tenants of restituted houses were not granted a loan because of insufficient income. What happened with such persons? How was that problem being addressed? Where did such persons currently live?

69. According to paragraph 544 of the report, there had been 214 beds in 14 shelters in 1998 which had been used by approximately 1,700 homeless persons during the year, of whom 78 per cent had been minors, i.e. children. He asked for more recent figures. Were there any plans to find a more permanent home for such children?

70. Ms. KALJURAND (Estonia) thanked Mr. Riedel for his constructive comments on the report. His remarks would be taken into account when the next periodic report was prepared.

71. Mr. AAVIKSOO (Estonia) said that there were five national public health programmes, for which the 2002 State budget had allocated EEK 40 million: the alcohol and drug abuse prevention programme, the HIV/AIDS prevention programme, the tuberculosis prevention programme, children and youth programmes and the public health programme for research and development. Youth and children were given priority in most of those programmes. The goal of the National Programme for Children and Youth was to ensure a proper environment for children. The easiest way for the Programme to reach children was in schools and kindergartens. The Programme targeted persons working in child-care facilities, providing them with training materials. Estonia had joined a World Health Organization (WHO) campaign for healthy schools and healthy kindergartens. Some 30 schools already took part and many more were preparing to do so. There had also been a campaign to combat smoking at school. Activities to promote children's health would soon involve schools in all 15 counties of Estonia.

72. Estonia's Environmental Health Action Plan had been evaluated earlier in the year; the group of experts undertaking the study had found that its aims should have been better defined. Encompassing 10 areas and 229 different activities, the Plan was the collective effort of seven ministries, all local municipalities, non-governmental organizations (NGOs) and the private sector. Of those 229 activities, 69 per cent had been completed or were in the process of implementation, 17 per cent had been postponed, just 1 per cent had been discontinued for a variety of reasons and data were not available on 13 per cent. The next report would contain more information on the ongoing process of revising the Plan and setting benchmarks.

73. Drinking water was deemed a priority subject by the Health Protection Inspectorate and Environmental Health Inspectorate and was one which the group of experts had mentioned, together with ambient air, in their final report as the spheres in which the most progress had been achieved. As far as was known, no serious complaints about public water supplies had been received. The two inspectorates examined all water sources and services at least once a year. Details of their work and findings would be given in the next periodic report.

74. In 2001, a survey had been conducted which included an analysis of health service provision according to sex and socio-economic group. The findings seemed to be in line with those of other countries, including a preponderance of women in the use of health-care services and pharmaceuticals. The study had revealed no regional disparities. Further studies would be carried out on behalf of the Central Health Insurance Fund with a view to obtaining more precise data for future planning.

75. The incidence of tuberculosis had increased since 1992 to a high point of 44 cases per 1,000 persons in 1998; since then the level had remained virtually constant. Thanks to fruitful cooperation with WHO and other Baltic States, it had been possible to fund a screening

and treatment programme covering the entire population, including provision of medication at affordable prices. With regard to sexually transmitted diseases, the number of recorded syphilis cases had been highest in 1997 and of gonorrhoea in 1994, but the figures had been falling since then. The incidence remained high in comparison with the Nordic countries, for example, but venereal disease had been much more prevalent in Estonia in the Soviet era.

76. A further government programme was reproductive health. According to the Health Insurance Act, the State must provide funds for health promotion and disease prevention. An annual average of 2 per cent of the total State budget had been so allocated, the current allocation being EEK 60 million, or some US\$ 4 million. The programme, which focused mainly on youth, had shown encouraging results, including a reduction in abortions, which, in 2001, had been lower than the rate of live births for the first time. Recorded cases of HIV/AIDS, which had shown an increase in 2000, had fallen to an average of 77 new cases per month in 2002. Most new cases related to the 15 to 25-year age group, some 90 per cent being intravenous drug users. Treatment and counselling services were available, as well as training and awareness programmes, and focused mainly on young people; cooperation with the Ministry of Education was ensured in order to disseminate information as part of the curricula. The overall budget for such measures was EEK 8.85 million, some EEK 5 million being allocated to treatment and EEK 3.85 million to prevention. The Government spent a further EEK 2 million on preventive measures and Tallinn and other main municipalities, where most new cases occurred, had developed action plans and provided funding, thus reflecting the serious attention given to the problem.

77. Ms. HION (Estonia) said that Estonia was amply supplied with drinking water, from public supply in the towns to wells in rural areas. All supplies for consumption were regularly checked under the auspices of the Health Protection Inspectorate, the standards and conditions being set by the Water Act and regulations of the Ministry of Social Affairs. There had been no recorded cases of water-related ailments in recent years.

78. The concept of family violence was fairly new to Estonian society, but public awareness of the problem had grown considerably in recent years. A number of studies and awareness-raising projects had been formulated, but were too recent for their application to be evaluated. There was no specific reference to domestic violence in Estonian criminal law, but both the old and revised Criminal Codes contained provisions which were applicable to it and had been successfully invoked in one court case to reject a defence based on recognizing the use of physical force as traditional family behaviour. The new Criminal Code not only defined rape more clearly, but dealt with aggravated circumstances such as victims under 14 years of age belonging to the same family or otherwise dependent on or under the influence of the perpetrator.

79. Mr. KULL (Estonia) said that, although an income equivalent to only US\$ 4 per day might seem to indicate poverty, earnings were in fact substantially above that amount, but figures had been distorted in the past by statistics based on employers' declarations of employees' earnings, which, for tax evasion purposes, had been considerably lower than the amounts actually paid. As a result of a clampdown by the authorities, however, instead of an average monthly income declared at EEK 1,800, the average amount currently recorded was

between EEK 5,000 and EEK 6,000. Although many individuals had an income as low as EEK 2,000, they were usually part of a family whose other members contributed to household income. Perhaps 7 to 10 per cent of society still had to rely on a minimum income, however; the Government recognized that such a percentage could not be tolerated and was trying to improve the situation.

80. Mr. LUMI (Estonia) said it was recognized that unemployment compensation rates, currently around EEK 400, did not provide much for those already on low income, but a subsistence benefit was also available. In any case, the minimum wage was constantly rising. The main thrust of policy was to encourage fresh employment opportunities through training and other measures rather than to discourage job-seeking.

81. Ms. KALJURAND (Estonia) said that the provision of housing and other services for the elderly was a major government concern. Home-care services, including those of doctors and social workers, were provided free to the elderly, who were also targeted under the Open Care programme, which included data collection and monitoring. Government services and local authorities continued to take steps to protect the living standards of older people.

82. Ms. HION (Estonia) said that expert studies had shown that private ownership of housing had become widespread, whereas little accommodation had been privately owned 10 years previously. In that regard, the restoration to private ownership of previously nationalized property was governed by legal stipulations. For the most part, previous owners were entitled to have their property restituted and any tenants were given the opportunity to purchase. Tenants unable or unwilling to purchase, however, were protected by law against automatic eviction; they were entitled to continue and even extend leases and could be evicted only following a ruling by the courts, which normally acted in favour of sitting tenants, especially when young families and low incomes were factors. Eviction would also be deferred if, for example, no social housing or other alternative accommodation was immediately available. Special schemes had been developed for borrowing money on concessional terms and conditions.

83. Ms. MALVET (Estonia) said that public building programmes, hitherto small, were expanding. For example, in Tallinn, the municipality intended to build 5,000 units, a large number of them for social housing, during the next few years. Building programmes gave particular attention to the needs of the elderly. The right to housing was upheld in the courts, which had, in at least one case, overruled the eviction of a family by a municipal authority as unlawful. During the current year, a study of social exclusion was being prepared under European Union auspices for the purpose of establishing new mechanisms to provide adequate housing for all social groups.

The meeting rose at 1 p.m.