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Estonia Country Report on Human Rights Practices for 1996 |

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ESTONIA

Estonia is a parliamentary democracy. With its statehood widely recognized as continuous for more than 70 years, Estonia regained its independence in 1991 after 50 years of Soviet occupation. The Constitution, adopted by referendum in 1992, established a 101-member unicameral legislature (State Assembly), a prime minister as Head of Government, and a president as Head of State. Free and fair indirect presidential elections took place in two rounds in August and September. A cabinet crisis was resolved in December.

The official conversion of the Soviet militia into the Estonian police preceded the reestablishment of the country's independence by about 6 months. Its conversion into a Western-type police force committed to procedures and safeguards appropriate to a democratic society is proceeding, with police leadership actively working to professionalize the force. The police, who are ethnically mixed, are subordinate to the Ministry of Internal Affairs. Corrections personnel are subordinate to the Ministry of Justice. The security service, called Security Police, is subordinate to the Interior Ministry but also reports to the Prime Minister. Police and corrections personnel continued to commit human rights abuses.

Estonia has a market economy. Reflecting the extent of its post-1992 reforms, Estonia signed a Europe Agreement with the European Union in 1995, which granted associate member status without a transition period. Services, especially financial and tourism, are growing in importance compared to historically more prominent light industry and food production. Privatization of small and medium firms is virtually complete, and privatization of large-scale enterprises is underway. The economy continues to grow steadily with gross domestic product (GDP) estimated to increase by about 3 percent in 1996. Although prices continue to rise, incomes are rising faster than the rate of inflation. Per capita GDP is about \$2,400 per year. Two-thirds of Estonian exports (textiles, food products, wood and timber products) are now directed to Western markets. Unemployment remained fairly low overall (unofficially about 8 percent) but was significantly higher in rural areas.

The Government generally respected the human rights of its citizens and the large noncitizen community, but problems remained in some areas. The major human rights abuses continued to be mistreatment of prisoners and detainees, and the use of excessive force by the police. Prison conditions are poor. The deadline for noncitizens to file for permanent residency expired in 1996, after being extended twice. An undetermined number of noncitizens have still not filed for residency. Problems remain in processing the applications for permanent residency of some 19,000 Russian military retirees and family members. Processing of applications for alien passports continued. There were complaints about the low rate of issuance which, however, picked up late in the year. The Government continued to issue temporary travel documents and to accept former Soviet internal passports as identity documents.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person Including Freedom from:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Such practices are prohibited by law. However, there continued to be credible reports that police used excessive force and verbal abuse during the arrest and questioning of suspects. Punishment cells ("kartsets") continued to be used, in contravention of international standards.

Two cases of hazing were prosecuted in the military; one perpetrator was punished; charges against another were dropped for lack of evidence. There were reports of more instances of recruit mistreatment.

Prison conditions remained poor. Overcrowding continued in the Tallinn Central Prison built in 1765. The Government continued measures to address poor prison conditions and to make prison staff more professional. The first group of professionally trained corrections officers graduated from the National Defense Academy in June. Following several widely reported prison escapes, the head of the Corrections Department resigned in August. By late September, 3 prisoners had been killed by other prisoners, in contrast to 1992 when there were 32 such killings. Opportunities to study or work in prison were limited.

The Government has drafted a multiyear plan to refurbish and restructure all the country's prisons and to close the Tallinn Central Prison, but it had not yet been implemented by year's end. Some suggestions to improve prison conditions made by Council of Europe (COE) representatives in 1993 have been implemented, but fulfillment of others is still hampered by lack of resources and high turnover among prison staff.

The Government permits human rights monitors to visit prisons.

d. Arbitrary Arrest, Detention, or Exile

The Constitution and laws forbid arbitrary arrest, detention, or exile, and the Government generally observes this prohibition. Under the Constitution, warrants issued by a court are required to make arrests. Detainees must be informed promptly of the grounds for the arrest and given immediate access to legal counsel. If a person cannot afford counsel, the State will provide one. A person may be held for 48 hours without formally being charged; further detention requires a court order. A person may be held in pretrial detention for 2 months; this may be extended up to a total of 12 months by court order. Police rarely violate these limits. At midyear 1,555 of the 4,406 persons held in prisons were awaiting trial.

e. Denial of Fair Public Trial

The Constitution establishes an independent judicial branch and the judiciary is independent in practice. It operates through a three-tier court system: rural and city courts; district courts; and the State Court (which functions as a supreme court). The district and state courts are also courts for

"constitutional supervision." At the rural and city levels, court decisions are made by a majority vote with a judge and two lay members sitting in judgment. All judges and lay judges must be citizens. The President nominates and the State Assembly confirms the Chief Justice of the State Court. The Chief Justice nominates State Court judges who are subject to confirmation by the State Assembly. He also nominates the district, city, and rural court judges who are then appointed by the President. Judges are appointed for life.

The Constitution provides that court proceedings shall be public. Closed sessions may be held only for specific reasons, such as protection of state or business secrets, and in cases concerning minors. The Constitution further provides that defendants may present witnesses and evidence as well as confront and cross-examine prosecution witnesses. Defendants have access to prosecution evidence and enjoy a presumption of innocence.

Estonia continued to overhaul its criminal and civil procedural codes. An interim Criminal Code that went into effect in June 1992 basically revised the Soviet Criminal Code by eliminating, for example, political and economic crimes. The Code of Criminal Procedure was adopted in 1994. New codes in a variety of fields were being drafted at year's end. A multiyear plan is being compiled to replace present criminal codes with new penal codes.

There were no reports of political prisoners. In September former dissident Tiit Madisson was sentenced to 26 months in prison for attempting to organize an armed overthrow of the Government. The sentence is being appealed.

F. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law requires a search warrant for search and seizure of property. During the investigative stage, warrants are issued by the prosecutor upon a showing of probable cause. Once a case has gone to court, warrants are issued by the court. The Constitution provides for secrecy of the mail, telegrams, telephones, and other means of communication. Police must obtain a court order to intercept a person's communications. Illegally obtained evidence is not admissible in court. In a widely reported case, the police in the summer of 1995 destroyed a field of alleged opium poppies without a warrant. A criminal case was filed against the owner of the field for growing opium poppies; the owner asserted that he was growing oil poppies. The case was settled out of court with the owner receiving compensation. At year's end, security police and parliamentary investigations were continuing into the 1995 case involving then-Interior Minister Savisaar who was implicated in making unauthorized recordings of conversations.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Government generally respects constitutional provisions providing for freedom of speech and the press. The media routinely do probing and thorough investigative reporting. Foreign newspapers and magazines are widely available. Most newspaper, printing, and distribution facilities are now private companies. There are four major national Estonian language and two Russian language dailies.

State broadcast media, including one nationwide television (TV) channel, continue to receive large subsidies, and the State has assured that these subsidies will continue. There are several major independent television and radio stations. Several Russian language programs, mostly Estonian produced, are broadcast over state and private television channels. Russian state TV and Ostankino programs are widely available via cable.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for the right to assemble freely, but noncitizens are prohibited from joining political parties, although they may form social groups. Permits for all public gatherings must be obtained 3 weeks prior to the date of the gathering. The authorities have wide discretion to prohibit such gatherings on public safety grounds but seldom exercise it. There were no reports of government interference in mass gatherings or political rallies.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice.

The 1993 Law on Churches and Religious Organizations requires all religious organizations to have at least 12 members and to be registered with the Interior Ministry and the Board of Religion. Leaders of religious organizations must be citizens with at least 5 years' residence in Estonia.

The majority of Estonians are nominally Lutheran, but following deep-seated tradition there is wide tolerance of other denominations and religions. People of varying ethnic backgrounds profess Orthodoxy, including communities of Russian Old Believers who found refuge in Estonia in the 17th century. The Estonian Apostolic Orthodox Church (EAOC), independent since 1919, subordinate to Constantinople since 1923, and exiled under the Soviet occupation, reregistered under its 1935 statute in August 1993. Since then, a group of ethnic Estonian and Russian parishes preferring to remain under the authority of the Russian Orthodox Church structure imposed during the Soviet occupation has insisted that it should have claim to the EAOC name. This group has refused to register under any other name, although its refusal to register violates the law. During 1996 representatives of the Moscow and Constantinople Patriarchates formed a joint commission to resolve the question. The dispute, which centers on property issues, is the subject of ongoing discussions. The Government has taken a hands off approach to the issue but has assured parishes aligned with the Russian Orthodox Church that they may continue to worship unimpeded. Free worship has occurred in practice.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law permits free movement within the country, and it is honored in practice. It also provides for the right of foreign travel, emigration, and repatriation for citizens. There are no exit visas.

In July 1993, Parliament enacted a Law on Aliens that defines an alien as a person who is not a citizen of Estonia, i.e., a citizen of another country or a stateless person. The majority of noncitizens are ethnic Russians. The law provided a 1-year period during which noncitizens who came to Estonia prior to July 1, 1990, and were permanent residents of the former Estonian Soviet Socialist Republic, could apply for temporary residence permits. They could also apply for permanent residence at the same time. Following delays and confusion in implementation as well as criticism by international human rights observers, the application deadline was extended by a year, until July 12, 1995. By that date the vast majority of aliens--327,737 of the estimated 370,000--had filed applications. The Government extended the registration period until April 30, 1996. An indeterminate number of noncitizens--estimates range from 20,000 to 50,000--still have not registered.

There were complaints about the slow pace with which the Government was processing residence applications for some 19,000 Russian military pensioners. The process was complicated by the lack

of Russian-provided passports in which to affix the permits. An estimated 35 percent of the first group of military pensioners missed the deadline to present their passports for residence permits. Technically, the Citizenship and Migration Board could move to have them deported. In fact, however, the Government is moving on a case-by-case basis to solve the outstanding issues. Late in the year, the Government decided to issue alien passports to those who could not or did not want to take out Russian citizenship.

No restrictions are placed on the right of noncitizens to foreign travel, emigration, or repatriation, although some noncitizens complain of delays in obtaining travel documents. The Government began issuing temporary travel documents valid for a single departure and reentry into the country to resident aliens in 1994. To accommodate entry visa requirements of other countries, the validity period of the document was extended in August 1994 from 6 months to 2 years. In late 1994, the Government began issuing alien passports. These are issued to resident aliens not in possession of any other valid travel document. Such aliens included: (1) persons who are designated as stateless; (2) foreign citizens who lack the opportunity to obtain travel documents of their country of origin or of another state; (3) persons who file for Estonian citizenship and pass the language examination if required; and (4) aliens who are permanently departing Estonia. The Government plans to expand the classes of noncitizens eligible for alien passports. It has already approved their issuance to noncitizens intending to study abroad and has agreed to issue them to former military personnel who cannot or do not want to take out Russian citizenship. By early December, the Government had received about 130,000 applications for alien passports; it had issued more than 65,000. Estonian officials admitted that the pace of issuance had been unsatisfactory initially, but picked up late in the year. The Citizenship and Migration Board planned to issue virtually all the documents by year's end.

The Government has deported a relatively small number of illegal aliens, usually those caught in criminal acts. By late September, 46 illegal aliens were held as internees, pending deportation or a court order granting them residence. After a large-scale escape from the internment prison, most internees were moved to a regular prison. In March 1995, the Government expelled Russian citizen and longtime resident of Estonia, Pyotr Rozhok, for repeated antistate activities. Rozhok was the representative of Vladimir Zhirinovsky's Russian Liberal Democratic Party in Estonia. He appealed the decision, after the case was adjourned in September, a hearing was held in October, and the court ruled that Rozhok's deportation had been procedurally flawed. The Citizenship and Migration Board did not appeal the decision, and Rozhok resides in Estonia.

The Government has no asylum law and does not accord refugee status or asylum. The representative of the United Nations High Commissioner for Refugees (UNHCR) in the Nordic and Baltic states continues to urge Estonia to develop and adopt legislation distinguishing between refugees, applicants for asylum, and illegal immigrants. In 1995 he distributed Estonian language copies of the UNHCR Handbook for Determining Refugee Status. Legislation that would bring Estonian law into conformance with the 1951 U.N. Protocol on the Status of Refugees and its 1967 Protocol has been presented to the Parliament. There were no reports of refugees being returned to areas where they would face persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens have the right to change their Government. In March 1995, free and fair elections to the second post-Soviet Parliament were held. Among the deputies are six ethnic Russians. Indirect presidential elections were held in August and September. When the Parliament failed to muster the required two-thirds majority to elect the President, an Electoral Assembly consisting of parliament members and representatives of local governments convened and reelected the incumbent, Lennart Meri.

Local elections were held in late October. The Local Elections Law permits resident noncitizens to vote but not to run for office. About one-third of qualified noncitizens registered to vote in local elections, and the vast majority of these turned out to vote. The local elections were free and fair, although due to technical mishaps, some qualified voters were left off the rolls. In May the President rejected the draft of the local elections law that would have required language testing of those candidates who had not acquired an Estonian language education. Parliament agreed to drop this stipulation. All candidates must certify that they know Estonian sufficiently to be able to function in local government. Theoretically, elected council members can be removed from office for insufficient Estonian skills, but no such case has occurred. However, in late December the State Electoral Commission began hearings into a complaint filed by Sillamäe town council members against the council chairman who, the complaint alleged, could not speak Estonian.

The Citizenship Law enacted in February 1992 readopted the 1938 Citizenship Law. According to that law, anyone born after 1940 to a citizen parent is a citizen by birth. The parent does not have to be an ethnic Estonian. The Government estimates that under this provision some 80,000 persons not ethnically Estonian have obtained citizenship. The law included requirements for naturalization, such as a 2-year residency requirement, to be followed by a 1-year waiting period, as well as knowledge of the Estonian language.

In January 1995, Parliament adopted a new Citizenship Law, revising the 1992 law and combining into one statute provisions regarding citizenship that were scattered among several pieces of legislation. This law became effective in April 1995. It extended the residency requirement for naturalization from 2 to 5 years and added a requirement for knowledge of the Constitution and the Citizenship Law. Persons who had taken up legal residence in Estonia prior to July 1, 1990, are exempt from the 5-year legal residence and 1-year waiting period requirements. The law allows the Government to waive the language requirement but not the civic knowledge requirement for applicants who have Estonian language elementary or higher education, or who have performed valuable service to Estonia.

According to the latest law, the following classes of persons are ineligible for naturalization: those filing on the basis of false data or documents; those not abiding by the constitutional system or not fulfilling the laws; those who have acted against the State and its security; those who have committed crimes and been punished with a sentence of more than 1 year or who have been repeatedly brought to justice for felonies; those who work or have worked in the intelligence or security services of a foreign state; or those who have served as career soldiers in the armed forces of a foreign state, including those discharged into the reserves or retired. (The latter includes spouses who have come to Estonia in connection with the service member's assignment to a posting, the reserves, or retirement.) A provision of the law allows for the granting of citizenship to a foreign military retiree who has been married to a native citizen for 5 years.

Between 1992 and late October, some 85,300 persons had received citizenship. Some observers attribute this growing but still relatively low number to indecision over whether to apply for Estonian citizenship or citizenship of another country, such as Russia. By August Russian Embassy data showed that more than 110,000 persons had obtained Russian citizenship; however, the Embassy refused to supply the Government with a list. The Organization for Security and Cooperation in Europe (OSCE) Mission believes that the actual number of Russian citizens may be lower since the Embassy does not seem to keep records on those who die or depart Estonia.

The Citizenship Law was criticized by the Russian Foreign Ministry and by some in the local Russian community as discriminatory. Some Western observers also urged that there be some flexibility shown, especially regarding language requirements for the elderly. However, numerous international fact-finding organizations, including the Finnish Helsinki Committee and the Organization for Security and Cooperation in Europe (OSCE), confirm that the Citizenship Law

conforms to international standards.

Bureaucratic delays and the Estonian language requirement are also cited as disincentives for securing citizenship. The Government has established language training centers, but there is a lack of qualified teachers, financial resources, and training materials. Some allege that the examination process, which 75 to 90 percent pass, is arbitrary.

There are no legal impediments to women's participation in government or politics. However, women are underrepresented in government and politics. There are 12 women among the 101 members of Parliament. One of the presidential candidates was also a woman. Two female ministers assumed office after the cabinet reshuffle at the end of the year. There are six ethnic Russian deputies in Parliament.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not restrict the formation or functioning of human rights organizations. In response to allegations of poor treatment of ethnic minorities, the President established a Human Rights Institute, which first convened in 1992. The purpose of the Institute is to monitor human rights in Estonia and to provide information to the international community. It investigates reports of human rights violations, such as allegations of police abuse and inhuman treatment of detainees. In September the Institute established an information center in the heavily ethnic Russian town of Kohtla-Järve. In addition because of tensions surrounding the adoption of the Elections Law and the Aliens Law in 1993, the President established a round table composed of representatives of Parliament, the Union of Estonian Nationalities, and the Russian speaking population's Representative Assembly. An analogous but independent round table meets in the county of East Virumaa. In addition with initial funding from the Danish government, a nongovernmental legal information center in Tallinn provides free legal assistance to individuals--citizen and noncitizen alike--seeking advice on human rights-related issues.

In the context of repeated Russian allegations of human rights violations among the noncitizen population, both the OSCE mission in Estonia and the OSCE High Commissioner on National Minorities have declared that they could not find a pattern of human rights violations or abuses in Estonia. Although the Government previously had expressed concern about what it termed biased reporting by the OSCE mission, government relations with the mission were cordial.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on race, sex, religion, disability, language, social status or for any other reason. The Government reports that no court cases charging discrimination have been filed.

Women

Violence against women, including spousal abuse, was the subject of increasing discussion and media coverage. According to women's groups and law enforcement officials, family violence is not pervasive. Rape and attempted rape occur relatively infrequently. In the first 11 months, there were 93 reported rapes and attempted rapes, compared with 97 for the same period in 1995. However, studies show that 40 percent of crime in Estonia goes unreported, including domestic violence. Even when the police are called, the abused spouse often declines to press charges.

Discussion of the role and situation of women has been extensive, especially in the wake of the

Fourth World Conference on Women held in Beijing in 1995, as well as former Social Affairs Minister Siiri Oviir's run for the presidency. Women possess the same legal rights as men and are legally entitled to equal pay for equal work. Nevertheless, although women's average educational level was higher than men's, their average pay was lower, and the trend did not seem to be improving. There continue to be female- and male-dominated professions. Most women carry major household responsibilities in addition to comprising slightly more than one-half of the work force.

Children

The Government's strong commitment to education is evidenced by the high priority it gives to building and refurbishing schools. The Government provides free medical care for children and subsidizes school meals. In 1992 the Government adopted a Law on Child Protection patterned after the U.N. Convention on the Rights of the Child.

There is no societal pattern of child abuse, but a 1995 research project conducted by the nongovernmental Estonian Union for Child Welfare on children and violence at home found that a significant proportion of children had experienced at least occasional violence at home, in schools, or in youth gangs. A 1996 poll reports that 3 percent of surveyed children had been sexually molested. Finnish press reports alleged large-scale child prostitution in Estonia, the Government called these reports exaggerated but admitted that underage prostitution occurs.

People with Disabilities

While the Constitution contains provisions to protect disabled persons against discrimination, and both the State and some private organizations provide them with financial assistance, little has been done to enable disabled people to participate normally in public life. There is no public access law, but some effort to accommodate the disabled is evident in the inclusion of ramps at curbs on new urban sidewalk construction. Public transportation firms have acquired some vehicles that are accessible to the disabled, as have some taxi companies.

National/Racial/Ethnic Minorities

The OSCE mission in Estonia, established in 1993, continued to promote stability, dialog, and understanding among communities in Estonia. In addition the President's Round Table, also established in 1993, which is composed of members of Parliament, representatives of the Union of Estonian Nationalities, and the Representative Assembly of the Russian Community, continued to work toward finding practical solutions to problems of noncitizens, as did the analogous but independent round table that met in the northeastern part of the country (see Section 4).

The Law on Cultural Autonomy for citizens belonging to minority groups was adopted by Parliament and went into effect in 1993. There is a tradition of protection for cultural autonomy going back to a 1925 law. Some noncitizens termed the law discriminatory, since it restricts cultural autonomy only to citizens. The Government replied that noncitizens can fully participate in ethnic organizations and that the law includes subsidies for cultural organizations.

Ethnic Russians total approximately 29 percent, and nonethnic Estonians as a whole some 37 percent, of the population of slightly less than 1.5 million. During the years of Estonia's forced annexation by the Soviet Union, large numbers of non-Estonians, predominantly ethnic Russians, were encouraged to migrate to Estonia to work as laborers and administrators. They and their descendants now make up approximately one-third of the total population, about 40 percent of them were born in Estonia. About 8 percent of the population of the pre-1940 Republic was ethnic Russian.

Some noncitizens, especially Russians, continued to allege job, salary, and housing discrimination because of Estonian language requirements. Russian government officials and parliamentarians echoed these charges in a variety of forums. The law makes no distinction on the basis of lack of citizenship concerning business or property ownership other than for land. A 1996 law on land ownership further liberalized land ownership by foreigners, such ownership is now restricted only in certain strategic areas. All legal residents of Estonia may participate equally in the privatization of state-owned housing.

Estonian language requirements for those employed in the civil service went into effect in 1993. The new Law on Public Service as originally passed required state employees to be proficient in Estonian by the end of 1995. In December 1995, Parliament amended the Law on Public Service to allow noncitizen local and national government employees without adequate Estonian to continue working until February 1, 1997. No noncitizens were to be hired after January 1, 1996. This amendment reflected the Government's awareness that in some sectors, the number of employees with inadequate Estonian remained high. Two railroad employees were dismissed for claiming adequate command of Estonian on the basis of fraudulent certificates. The employees filed suit: one was ordered reinstated and the other's case was pending at year's end.

The language office liberally grants extensions to persons who can explain their failure to meet their requisite competence level in 4 years. Estonian language training is available but, some claim, too costly. Some Russian representatives have asked for free language training. They also charge that the language requirement for citizenship is too difficult, and there has been talk of making the language requirement less rigorous. The examination fee for either language test—for employment or citizenship—is 15 percent of the monthly minimum wage, although it is waived for the unemployed.

Legislation and a government decision provide that in districts where more than one-half of the population speak a language other than Estonian, the inhabitants are entitled to receive official information in that language. Moreover, the local government may conduct business in that language. In practice city governments of predominantly Russian speaking communities conduct most internal business in Russian.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right to form and join a union or employee association. The Central Organization of Estonian Trade Unions (EAKL) came into being as a wholly voluntary and purely Estonian organization in 1990 to replace the Estonian branch of the official Soviet labor confederation, the All-Union Central Council of Trade Unions (AUCCTU). The EAKL has 120,000 members. Another trade union, The Organization of Employee Unions (TALO), split from the EAKL in 1993 and has 50,000 members. About one-third of the country's labor force belongs to one of the two labor federations.

The right to strike is legal, and unions are independent of the Government and political parties. The Constitution and statutes prohibit retribution against strikers. There was a 1-day strike by employees of cultural institutions. Some worker demonstrations occurred to protest low salaries, poor working conditions, or public and private sector enterprise layoff plans.

Unions may join federations freely and affiliate internationally.

b. The Right to Organize and Bargain Collectively

While Estonian workers now have the legally acquired right to bargain collectively, collective bargaining is still in its infancy. According to EAKL leaders, few collective bargaining agreements have been concluded between management and workers of a specific enterprise. The EAKL has, however, concluded framework agreements with producer associations, which provide the basis for specific labor agreements, including the setting of the minimum wage. The EAKL was also involved with developing Estonia's new Labor Code covering employment contracts, vacation, and occupational safety. The Labor Code prohibits antiunion discrimination, and employees have the right to go to court to enforce their rights. In 1993 laws covering collective bargaining, collective dispute resolution, and shop stewards were enacted.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Constitution prohibits forced or compulsory labor. The Labor Inspections Office effectively enforces this prohibition.

d. Minimum Age for Employment of Children

The statutory minimum for employment is 16 years of age. Minors 13 to 15 years of age may work with written permission of a parent or guardian and the local labor inspector, if working is not dangerous to the minor's health or considered immoral, does not interfere with studies, and if the type of work is included on a government-prepared list. Government authorities effectively enforce minimum age laws through inspections.

e. Acceptable Conditions of Work

The Government, after consultations with the EAKL and the Central Producers Union, sets the minimum wage. The monthly minimum wage is \$62 (680 Estonian crowns). The minimum wage is not sufficient to provide a worker and family with a decent standard of living. About 3 percent of the work force receive the minimum wage. The average monthly wage in the second quarter was about \$250.

The standard workweek is 40 hours, and there is a mandatory 24-hour rest period. According to EAKL sources, legal occupational health and safety standards are satisfactory, but they are extremely difficult to achieve in practice. The National Labor Inspection Board is responsible for enforcement of these standards, but it has not been very effective to date. In addition the labor unions have occupational health and safety experts who assist workers into bringing employers in compliance with legal standards. Workers have the right to remove themselves from dangerous work situations without jeopardy to continued employment.

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