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Excellency,

In my capacity as Rapporteur for follow-up on Concluding Observations of the United Nations Committee against Torture, I refer to the examination of the fourth periodic report of Estonia (CAT/C/80/Add.1) by this Committee, at its 39th session, from 5 to 23 November 2007. At the end of that session, the Committee's Concluding Observations (CAT/C/EST/CO/4) were transmitted to your Permanent Mission. In paragraph 30 of those Concluding Observations, the Committee asked, pursuant to its rules of procedures, that Estonia provide, within one year (by November 2008) further information regarding areas of particular concern identified by the Committee in paragraph 10, 16, 20, 22 and 23 (see extracts annexed).

The Committee has adopted a follow-up procedure to pursue issues that are serious, that can be accomplished by the State party in a one year period, and that are protective.

The information sought by the Committee has not been provided yet, although more than one year has elapsed from the transmittal of the Committee's Concluding Observations. Accordingly, I would be grateful for clarification as to the current status of your Government's responses on the matters, and as to when the information requested will be forthcoming. Upon receipt of this information, the Committee will be able to assess whether further action is needed.

The Committee looks forward to pursuing the constructive dialogue it has started with the authorities of Estonia on the implementation of the Convention. In this context, the Committee seeks to receive your response to this enquiry.

Accept, Excellency, the assurances of my highest consideration.

A handwritten signature in dark ink, appearing to read 'Felice D. Gaer'.

Felice D. Gaer

Rapporteur for Follow-up on Concluding Observations
Committee against Torture

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**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Conclusions and recommendations of the Committee against Torture

(Extracts for follow-up)

ESTONIA (CAT/C/EST/CO/4)

(...)

Administrative detention

10. The Committee is concerned about the possibility of “administrative detention in jail” and “administrative arrest” (paras. 89 and 215 of the State party report) and about the complete absence of information on such detention in the report as well as from the delegation, especially regarding the competent authority and the applicable legal safeguards (art. 2).

The State party should provide the Committee with detailed information on such “administrative detention” and insure that the fundamental legal safeguards also apply in such cases.

(...)

Inter-prisoner violence

16. The Committee is concerned about inter-prisoner violence, especially with regard to the incidents that occurred in Murru prison in 2006 where two prisoners were killed, as well as with the insufficient measures taken to prevent and investigate such violence (arts. 12 and 13).

The State party should promptly, thoroughly and impartially investigate all deaths in detention and all violence amongst prisoners, including any cases involving possible negligence on the part of law enforcement personnel, and bring the responsible to justice, in order to fulfill its obligations under article 12 of the Convention.

(...)

Trafficking in persons

20. While welcoming awareness-raising and prevention campaigns and programmes (including the EQUAL EU cooperation project) as well as the National Plan of Action on trafficking in human beings, the Committee remains concerned

about this persistent phenomenon and the absence of specific legislative measures to prevent, combat and punish human trafficking (art. 16).

The State party should reinforce its legislation and adopt other effective measures in order to adequately prevent, combat and punish human trafficking, especially that of women and children, and should promptly investigate, prosecute and punish all perpetrators of such crimes.

The State party should provide the Committee with statistical data on the incidence of trafficking as well as the objectives and results of the implemented measures, including investigations, prosecutions and convictions.

The State party should also adopt specific training and sensitization programmes for law enforcement personnel on human trafficking.

(...)

Stateless persons

22. The Committee notes the concerns and recommendations of the Committee on the Elimination of Racial Discrimination, the Human Rights Committee and the Committee on the Rights of the Child. While welcoming the reduction of statelessness in the State party, the Committee remains concerned at the fact that approximately 33 per cent of the prison population is composed of stateless persons, while they represent approximately 8 per cent of the overall population of the State party (art. 16).

The State party should adopt all adequate legal and practical measures to simplify and facilitate the naturalization and integration of stateless persons and non-citizens.

The State party should also adopt the necessary measures to guarantee that stateless persons and non-citizens are informed of their rights in a language they understand and have access to the fundamental legal safeguards from the moment they are deprived of their liberty, without any discrimination.

The Committee reiterates its previous recommendation (CAT/C/CR/29/5, para. 6 (h) and (i)) that the State party should also address the causes and consequences of the disproportionate presence of stateless persons in the prison population and adopt the necessary measures to prevent this phenomenon.

The State party should further consider ratifying the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness.

(...)

Brutality and excessive use of force by law enforcement personnel

23. While welcoming the establishment of a complaints hotline operated by a non-governmental organization, the Committee remains concerned at allegations of brutality and excessive use of force by law enforcement personnel, especially with

regard to the disturbances that occurred in Tallinn in April 2007, well documented by a detailed compilation of complaints (art. 16).

The State party should promptly, thoroughly and impartially investigate all acts of brutality and excessive use of force by law enforcement personnel and bring the perpetrators to justice.

The State party should also reinforce its training programmes for law enforcement personnel, especially for all special police forces, and encourage the State party to adopt the draft code of ethics for the police.

(...)

30. The Committee requests the State party to provide, within one year, information on its response to the recommendations in paragraphs 10, 16, 20, 22 and 23 above.