



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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29 August 2016

Excellency,

In our respective capacities as Chairperson of the Committee against Torture and Rapporteur of the Committee for Follow-up to Concluding Observations, we have the honor to refer to the follow-up to the examination of the fifth periodic report of Estonia, in accordance with the Guidelines for Follow-Up to Concluding Observations (CAT/C/55/3).

At the end of its 50th session, the Committee transmitted its concluding observations to your Permanent Mission. The Committee's concluding observations (CAT/C/EST/CO/5, para. 27) requested the State Party to provide within one year further information on the specific areas of concern identified in paragraphs 9, 11, 12 and 14 of the concluding observations.

On behalf of the Committee, allow us to express appreciation for your letter of 4 June 2014, providing your Government's response on the above-mentioned paragraphs (CAT/C/EST/CO/5/Add.1), and to make the following comments:

Fundamental procedural safeguards for persons deprived of their liberty (para. 9)

The Committee considers that the information provided does not respond fully to the recommendation, which for this reason cannot be assessed properly. In particular, the Committee is unable to assess how these safeguards are ensured in practice, including the right to a medical examination by an independent doctor. The State party is invited to provide additional information to the Committee regarding how it intends to guarantee that fundamental safeguards are effectively afforded to all persons deprived of their liberty (2/D).

Use of force (para. 11)

The Committee appreciates the information provided and considers that initial measures have been taken towards implementation of this recommendation, but that further action is still needed. While appreciating the statistics provided on investigations of complaints of abuse of power by officials, the Committee remains concerned at the lack of data on complaints and outcomes of proceedings after preliminary inspection, as well as at the lack of information about the punishment of perpetrators and the redress provided to victims. The State party is invited to provide updated information to the Committee about the measures taken to fully implement this recommendation (3/B2).

.../...

H.E. Mr. Andre Pung
Ambassador Extraordinary and Plenipotentiary
Permanent Representative of the Republic of Estonia
to the United Nations Office at Geneva
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Domestic violence (para. 12)

The Committee considers that the information provided does not fully address the recommendations contained in paragraph 12 of the concluding observations. As regards recommendation 12(a), the State party has taken initial steps and this recommendation is therefore considered as partially implemented, according to the information provided about the ongoing amendments to the Penal Code. However, no information has been provided regarding the remaining recommendations, which for this reason cannot be assessed properly. The State party is invited to inform the Committee about any additional steps taken in this respect (1/C).

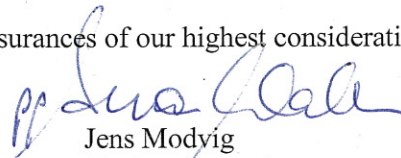
National Human Rights Institute (para. 14)

The Committee considers that this recommendation has not been implemented (3/C).

The Government of Estonia is encouraged to provide additional information, if available, which may further contribute to the Committee's analysis of the progress made regarding the specific issues of concern. This additional information may be provided in any subsequent report by the State party pursuant to the Committee's request in its concluding observations on the fifth periodic report of Estonia.

The Committee looks forward to a continued constructive dialogue with the authorities of Estonia on the implementation of the Convention.

Accept, Excellency, the assurances of our highest consideration.



Jens Modvig
Chairperson
Committee against Torture

Abdelwahab Hani
Rapporteur for Follow-up to Concluding Observations
Committee against Torture

