

**Shadow Report  
to combined fifth and sixth periodic reports  
of Estonia on the  
implementation of CEDAW**

**The 65<sup>th</sup> CEDAW Session**

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## Shadow report: Estonia

NGO shadow report submitted by:  
Estonian Women's Union (EWU)  
Women's Support and Information Centre (WSIC)  
Estonian Association of Business and Professional Women (BPW Estonia)  
Federation of Estonian Student Unions  
Contacts:  
Anu Laas, [anulaasile@gmail.com](mailto:anulaasile@gmail.com)  
Pille Tsopp-Pagan, [pille.tsopp-pagan@naistetugi.ee](mailto:pille.tsopp-pagan@naistetugi.ee)

This report summarises the main points related to gender issues that have taken place between 2007 and 2016. The report covers the broad areas of national legal framework, gender equality development and action plans, resources for equality bodies and access to justice. The report highlights the situation with tackling violence against women and the preparation process of ratification of Istanbul Convention. Attention to vulnerable groups of women (single mothers, older women, same-sex couples) is paid. Gender inequality problems are highlighted in some areas of life (women in political and economic decision-making, employment and entrepreneurship, education and skills and care for elderly).

### General Legal Framework

Estonia's previous fourth periodic report was submitted to the CEDAW Committee in 2005 and presented in 2007. The fifth and sixth periodic reports were submitted in March 2015 and is presented to the Committee in November 2016.<sup>1</sup> It is important to know that it is difficult for NGO-s to collect information directly from the Estonian Government regarding the situation because of many of the Government documents covering these topics are marked as 'classified'.<sup>2</sup>

During the 2006-2013 reporting period Estonia has achieved some progress in the field of promoting gender equality legislation, especially in 2009 with the introduction of equal treatment and anti-discrimination law. European legislation has acted as the main driver for these legal improvements. Despite this, the UN Convention provisions on the elimination of all forms of discrimination against women are still insufficiently known and applied by legislatures and judges.

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<sup>1</sup> Information for this report was collected from multiple sources, e.g. the document registry. The Ministry of Foreign Affairs began to prepare national Report in 2011, and the Ministry of Social Affairs asked for input to the Report from all ministries in 2012. The Ministry of Foreign Affairs also consulted all ministries in 2013. The fifth and sixth periodic reports were submitted to the CEDAW Committee in March 2015. Updates made to the CEDAW Committee August 2016.

<sup>2</sup> The Public Information Act regulates access to public information, <https://www.riigiteataja.ee/en/eli/518012016001/consolide>, accessed 10 October 2016.

### **Recommendations are as following:**

- The Government should report on progress on the legislative, judicial, administrative or other measures which have been adopted to apply the CEDAW requirements every four years
- Information dissemination and legal literacy training programmes about the Convention and the CEDAW Committee's general recommendations for women and non-governmental organisations should be done periodically
- Development of equality and equal treatment legislation; legal texts on unlawful grounds of identified discrimination should be harmonised
- There should be adequate resources available for the Office of the Gender Equality and Equal Treatment Commissioner and for the Gender Equality Council
- Training programmes for prosecutors, judges and lawyers on gender and the UN Conventions' application should be mandatory
- To make legal amendments, where violence against women and girls is defined as violation of human rights and a consequence of discrimination against women; where all forms of gender-based violence could be tackled
- Separate courts or judges for Domestic Violence cases should be nominated to ensure balanced, informed and fair trials
- There should be adequate resources available for NGO-s working with victims of Domestic Violence
- Awareness raising campaigns addressing issues of gender equality, violence against women and domestic violence should be in state budget and carried out annually
- Encouragement and empowerment of women for protecting their rights should be done regularly via public awareness campaigns. State owned media channels could be used for this as well
- An integrated strategy for gender equality is needed
- To introduce urgent special temporary measures such as quotas to increase women's participation in political, social and economic decision-making. This would help to speed up in transmission of equality in decision-making
- To avoid indirect discrimination through regulations, which exclude women's participation in leading positions. To implement Article 9(4) of the GEA.
- To promote pay transparency and to provide sex-segregated data by employers in the public and private sectors
- To promote gender equality in business and entrepreneurship
- To include gender aspect in entrepreneurship and innovation strategies
- Business support programs should consider the special needs of women
- To mainstream the gender topic in curricula and change teaching practices and behaviours
- Alimony and child maintenance payments should not be subject to income tax
- The minimum amount of child maintenance paid from the Child Maintenance Support Fund should not be not less than half of the minimum wage per child
- To implement measures for making dignified ageing reality
- To revise the concept of 'annual indexation of all pensions' according to annual social tax payments, where low income earners are at risk of retiring in poverty
- To implement the Registered Partnership Act (RPA), to adopt regulations

## **Reporting discrimination cases**

There have only been a limited number of court cases that have explored the important legal concepts and interpretations of direct and indirect discrimination, sexual harassment and equality law. To date, none of these have made reference to the Istanbul Convention. The majority of discrimination cases remain underreported. According to the Estonian Human Development Report 11.3 % of persons considers himself/herself to belong to a social group that is discriminated against.<sup>3</sup>

The Estonian Gender Equality and Equal Treatment Commissioner was established to monitor compliance with the Gender Equality Act (GEA) and the Equal Treatment Act (ETA). In this role, the Commissioner responds to claims of gender discrimination. However, by 2016, due to insufficient resources and the end of the Norway Grants project period, the Office has not been able to maintain capacity to produce a comprehensive annual report and data about gender discrimination claims.

The Chancellor of Justice resolves discrimination disputes between employers and employees. There is no one conciliation proceeding carried out due to rejection of the procedure. The Chancellor of Justice can initiate conciliation proceedings only on the basis of an application. Consent of both parties is needed for conciliation procedure. There should be serious reasons (low legal literacy skills, fear of victimisation, relations in a small society etc.) for employees to reject this procedure and start protection of own rights.

## **Concepts of discrimination**

The National legal framework has been developed in the past decade. The Gender Equality Act (GEA) was adopted in 2004 and amended in 2009. The Equal Treatment Act (ETA) was also adopted in 2009. Criticism of different aspects of the GEA and ETA have been made by researchers and the gender equality body for several years, but have not been addressed.<sup>4</sup> There are different grounds of unlawful discrimination specified in legal acts. The GEA prohibits discrimination on grounds of gender in all areas of life e.g. in connection with fulfilling parental obligations. The ETA covers discrimination based on religion or belief, age, disability and sexual orientation only in the area of employment. Discrimination based on racial or ethnic origin and colour is additionally covered in the area of services and social security. Gender identity is not included as a prohibited ground of discrimination. The Penal Code (PC) prohibits discrimination on the grounds of sexual orientation.

The Employment Contracts Act (ECA) stipulates employers' obligation to ensure the protection of employees against discrimination, to follow the principle of equal treatment and to promote equality. Real life and annual reports by the Gender Equality and Equal Treatment Commissioner, as well as statistics from the Labour Inspectorate shows that discrimination due to parental obligations and pregnancy is a serious issue in Estonia.

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<sup>3</sup> [http://www.kogu.ee/wp-content/uploads/2013/01/FINAL\\_EIA\\_2015\\_ENG.pdf](http://www.kogu.ee/wp-content/uploads/2013/01/FINAL_EIA_2015_ENG.pdf), 28, accessed 30 September 2016.

<sup>4</sup> ECRI Report on Estonia (2015), <https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Estonia/EST-CbC-V-2015-036-ENG.pdf>, accessed 28 September 2016.

## **Towards substantive gender equality**

The formal approach to equality in Estonia still does not specify that women and men are different but equal. The policies and institutional structure of the current government are not devoted to the promotion of gender equality and protecting women's rights. One symbolic example of this was the renaming of the Department of Gender Equality to the Equality Policies Department in 2014. It was the first time since 1996 that a structural unit for gender equality does not exist in the Ministry of Social Affairs. Gender mainstreaming is also not done due to missing commitment and resources and there are no gender equality specialists in the ministries. Inter-ministerial co-operation is fragmented, primarily taking place around specific projects and priority policies. For example, combating domestic violence and violence against women, including trafficking for sexual purposes, is a priority to the Estonian Government and thus subject to inter-ministerial co-operation.

A corrective approach in State equality policies is a necessary precursor for achieving substantial equality. There is a need for a gender equality strategy that recognises gender differences and affirms equality between women and men. Today, due to Estonia's fragmented policy, gender equality and empowerment of women is seen only as a 'problem' of the Ministry of Social Affairs. Despite having serious gender inequalities and gaps, the Gender Inequality Index (GII), which reflects gender-based inequalities in reproductive health, empowerment, and economic activity, ranked Estonia 33rd out of 155 countries in 2014.

According to the EIGE Gender Equality Index (GEI) domains of time and power are particularly challenging for many countries, including Estonia. Women's over-representation in unpaid caring and domestic activities remains prevalent, as does men's over-representation in all areas of decision-making.<sup>5</sup> GEI for Estonia in domain of time highlights the unequal division of unpaid work between women and men in the private sphere, which remains the greatest barrier to gender equality. Estonia is also lagging behind in the domain of political and economic power. The good news is that on 3 October 2016, the Parliament elected the country's first female President.

## **Gender equality goals in the social sphere**

The most important recent development has been preparation (2014-2016) and adoption (30 June 2016<sup>6</sup>) of a new strategy – the Welfare Development Plan (WDP) 2016-2023.<sup>7</sup> The purpose of this plan is to create a strategic approach, developing measures and activities that support the independent coping of people, create equal opportunities to participate in society and the labour market and promote gender equality in all fields of life. The Ministry of Social Affairs has the position that gender equality issues could be integrated into the strategy.

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<sup>5</sup> EIGE (2015), Gender Equality Index 2015, <http://eige.europa.eu/sites/default/files/documents/MH0215178ENN.pdf>, 28-31; <http://eige.europa.eu/gender-statistics/gender-equality-index/2012/country/EE>, accessed 29 September 2016. The Gender Equality Index (GEI) is built around six core domains - work, money, knowledge, time, power and health – and two satellite domains: violence against women and intersecting inequalities. GEI provides a score of how well Member States perform together with how successful they are at closing gender gaps. This score lies between 1 and 100, where 100 represents the best situation.

<sup>6</sup> <https://www.riigiteataja.ee/akt/305072016018>, accessed 29 September 2016.

<sup>7</sup> Available in Estonian at: <https://www.sm.ee/et/heaolu-arengukava-2016-2023>, accessed 30 September 2016.

The strategy points out challenges in connection with gender inequalities (gender pay gap, care obligations, poverty, employment rate, gender segregation in the labour market, power and decision making etc.) and it is already called the 'gender equality strategy' by the Government officials. Unfortunately, the strategy has a narrow vision, focusing only on social issues while delegating responsibility for other elements such as the economy and education to other ministries. This is very troubling because other ministries do not address gender issues whatsoever as described later in this report.<sup>8</sup> Furthermore, the implementation plan of the WDP for 2016-2020 includes only some awareness raising activities to reach employers.

The Gender Equality and Equal Treatment Commissioner have opposed the draft strategy in spring 2015. The main arguments against the draft WDP were that gender could not be seen only as a part of the (social) care and health issues. Instead there is the need to prepare a separate strategy document on gender (mainstreaming). The Commissioner's opinion was not taken into account. The Commissioner had a long list of proposals to the proposed strategy in autumn 2015.<sup>9</sup> Numerous NGOs have expressed the same position in the consultation process. The Gender Equality Council has pointed out the need for stable funding for the WDP 2016-2023.<sup>10</sup>

Ignoring the opinions of the gender equality body, organisations, and gender experts could be attributed to patriarchal political power and party policy influence. The Gender Equality Act (GEA) entered into force in 2004. The concept of gender mainstreaming is expressed in Articles 9-11 of the GEA. Without data collection and analysis it is impossible to promote gender equality in the workplace and society. From this perspective it could be said that GEA has not been implemented for a decade. For example, Article 11(2) of GEA stipulates that employers should collect sex-disaggregated staff data according to a procedure established by the state. Unfortunately, such regulation was not issued in the period between 2004-2015. Estonia has the highest gender pay gap among the EU Member States, but instead of promoting pay transparency, there is still discussed a need to ensure pay confidentiality and protection of private life. As a result, many use this to question the legitimacy of the issue.

### **Lack of resources for gender equality promotion**

Compared with previous years, there has been a serious decline in 2016 to the work of the Gender Equality and Equal Treatment Commissioner. This is due to poor budget allocated to the Office of the Commissioner, ending of the Norway Grants project, and influence of party policies on appointment of the Commissioner in 2015.

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<sup>8</sup> For example, among five challenges in education strategy only one takes gender aspect into account and this is connected with school dropouts, where boys dominate. There is not a word about gender and women in the Estonian Entrepreneurship and Growth Strategy 2014-2020.

<sup>9</sup> Available in Estonian at: [http://www.vordoigusvolinik.ee/wp-content/uploads/2016/01/Ettepanekute-edastamine-heaolu-arengukavasse\\_5.11.15.pdf](http://www.vordoigusvolinik.ee/wp-content/uploads/2016/01/Ettepanekute-edastamine-heaolu-arengukavasse_5.11.15.pdf), accessed 28 September 2016.

<sup>10</sup> Para 16 from the 'Replies of Estonia to the list of issues' of 18 July 2016; <http://sm.ee/et/uudised/soolise-vordoiguslikkuse-noukogu-esitas-erakondadele-ettepanekuid>. In September 2016, the Council has got new Chairperson and the draft of amending the Regulation of the Council.

The promotion of gender equality has been weak in 2016, due to limited foreign funding and the under-resourced Office of the Gender Equality and Equal Treatment Commissioner.<sup>11</sup> It is for this reason that much hope is placed on the new Norway Grants programme period. However, Estonian authorities should allocate sufficient financial and human resources to the Gender Equality and Equal Treatment Commissioner so that it can comply with the terms laid down in law. This will become even more important as the planned amendments of the Equal Treatment Act (ETA) will bring more duties to the Commissioner. In January 2016, the Commissioner has pointed out an urgent need to employ three more people (two lawyers and an Office manager). The Commissioner could appoint assistants, but cannot exceed the budget.<sup>12</sup>

### **Access to legal advice and fair justice**

Prejudices and stereotyping might affect the ability to receive a fair trial and should be avoided. In 2015, media coverage was also connected with prejudices and gender stereotypes, which might lead to unfair judgments. Judges have access to training, but gender issues are not taught.<sup>13</sup> The training needs and results of the assessment of the effect of the training are taken into account when preparing training programs. Judges do not see the importance of understanding gender concepts in criminal and civil proceedings, but observations of court sessions; interviews with applicants and analysis of available judgments indicates that sexism and double standards often occur. Gender training for representatives of legal professions was offered in the framework of the Norway Grants program, but there should be such gender training on more sustainable basis.

### **Violence against women and girls and the legislation**

Estonia has made efforts to research, awareness raising, systematic approach and capacity building in the field of gender-based violence (GBV). In policy documents and activities terms such as 'family violence (FV)', 'domestic violence (DV)', 'violence against women (VAW)' and 'interpersonal violence (IPV)' are used. National level large-scale projects were carried out, but there is lack of sustainable development.

As mentioned previously, there is no separate law on DV or VAW, which would require legal amendments. In 2014, the Penal Code (PC) was amended and Article 121 to address several elements of domestic violence (it is physical abuse causing damage to the health of another person and physical abuse which causes pain, committed in a close relationship or relationship of subordination and/or committed repeatedly). These amendments entered into force on 1 January 2015 (Articles 121(2)(2) and 121(2)(3) of the PC). This does not include other forms of DV such as psychological and economic abuse making it nearly impossible to press charges or convict an abuser in these situations.

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<sup>11</sup> The capacity building project of the Office of the Gender Equality and Equal Treatment Commissioner funded by the Norway Grants program was finished in April 2016. Project based personnel has left the Office.

<sup>12</sup> Budget is described in the Answers of the State Party of 18 July 2016..

<sup>13</sup> <http://www.nc.ee/?id=1445&light=access>, accessed 28 September 2016.

There are problems with some other Articles in the Penal Code, for example, the term 'sexual intercourse' is used instead of "forced physical conduct" when referring to rape. In Estonian case law a rape is seen narrowly - should be accompanied with pain, physical abuse and/or health damage and threat. Crime statistics is made according to Articles of the Penal Code.<sup>14</sup> But in crime statistics rape case is taken into account, when Article 141 of the PC is applied.

The prevention of violence against women and support to victims of violence face several challenges. In cities and bigger towns, services are more easily accessible than other parts of the country. There is also the issue that prejudices prevail in society that justify violence and/or blame the victims. The collection of statistics and research on violence must also be improved.

In 2016, there have been long-lasting negotiations taking place between Ministry of Social Affairs, Social Insurance Board and NGOs to find the best wording for specifically supporting female victims of domestic violence.<sup>15</sup> It is important to ensure that violence against women as the term is correctly defined and all actual victims are going to get the help they need. This time-consuming negotiation process may affect funding of women's shelters in 2017.

An amendment regarding the regulation of face coverings is not only unnecessary but dangerous as it may cause secondary victimization of women who wear this. Because this amendment affects only women, we consider it gender-based discrimination. Women from in this group who have problems with DV will be forced to stay indoors and will be unable to seek help. The issue should be addressed differently, by communicating with the target group.

### **Towards ratification of the Istanbul Convention**

Estonia signed the IC in 2014. Tackling domestic violence is one of the stated priority issues on the governmental level. One of the challenges for ratification of the Convention is the slow approval process amongst different governmental institutions. In 2016, legal amendments to the Victim Support Act (VSA) are in work, so there could be expected a more precise understanding of victim support services, more systematic structures and relevant training for specialists. The amendment of the VSA provides for the first time in a legal act a description of women's shelters activities as a service, thus providing more sustainability and more secure financing for organisations providing such services in the future.

It is positive that unlike previously used project-based funding, there has been direct funding from Ministry of Social Affairs for the years 2015-2016 towards NGOs that are working with female victims of DV and their children. One negative however, is that

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<sup>14</sup> Sexual intercourse or physical conduct of another act of sexual nature with a person against his or her will by using force or taking advantage of a situation in which the person is not capable of initiating resistance or comprehending the situation is punishable by one to five years' imprisonment (Article 141(1) of the PC, entry into force 23.12.2013).

<sup>15</sup> Initial wording of amendments to the Victim Support Act (VSA) there was neither gender perspective for victims nor clearly defined specialist services. Gender perspective was disputed as unequal to other gender, therefore against equality. We find the termination crucial as women suffer un-proportionally more from DV than men do (90-92% of victims are women, based on various surveys).

although funding has been the same in both years, in 2016 there are two more shelters/support locations than in the previous year, which means less resources per organization. At the moment of creation of this report it is known that under new legislation (previously described VSA) the overall funding will be decreased by 11 % in comparison with amounts distributed during 2015-2016. Considering the fact that NGOs and the state are actively working on distributing information about available help for victims of DV to victims themselves and possible bystanders who can guide them in seeking help, funding should increase not decrease. If workload increases, then so should financial support.

### **Awareness raising campaigns and media**

Campaigns are carried out infrequently and funded by different projects run by the state and by activists of several NGOs. As gender equality and women's rights is an important issue in society, there should be targeted campaigns annually to improve gender equality and reduce stereotypes in society.

The Association of Estonian Business and Professional Women of Estonia (BPW Estonia) has organised the Equal Pay Day campaign and lectures for many years. Campaigns are project based and mainly using voluntary work by organisers.

Although the importance of awareness raising is described in the 'Strategy for Preventing Violence 2015-2020', there is no funding allocated for years 2016 and 2017 for awareness raising campaigns. That is *not good*, considering the fact that public opinion polls from 2014 show that the majority of people (54 %) still find that victim of DV have caused such a treatment by herself.<sup>16</sup> Representation of women in media often reinforces gender stereotypes and sexism.

### **Women in power and decision-making**

For the 2010-2014 period, the share of female legislators, senior officials, and managers is 36%. The number of MPs has increased slowly and women in the Parliament hold 25% of seats in 2016. The first female president, Ms. Kersti Kaljulaid, was elected on 3 October 2016.

The possibility of introducing 'striped' candidate lists (alternating female and male candidates) in election processes and a voluntary quota system for promoting democracy within parties has been debated in recent years.<sup>17</sup> So far with no success.

However, the position of women in economic decision-making is even worse. Representation of women in supervisory boards of listed companies was 7.2% in 2014, and in state owned companies 18,2%. Women in state owned company

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<sup>16</sup> [https://valitsus.ee/sites/default/files/content-editors/arengukavad/vagivalla\\_ennetamise\\_strateegia\\_2015-2020\\_kodulehele.pdf](https://valitsus.ee/sites/default/files/content-editors/arengukavad/vagivalla_ennetamise_strateegia_2015-2020_kodulehele.pdf) page 6, target 17

<sup>17</sup> *Eestimaa naiste VI kongressi manifest* (Manifesto of Estonian Women's VI Congress). <http://naised.net/2014/03/25/manifesto-of-estonian-vi-womens-congress/> 1 October 2016; Statement by the Gender Equality and Equal Treatment Commissioner in the media that women's position in the electoral lists should be fairer, <http://uudised.err.ee/v/eesti/abe532df-60a8-4cf6-8060-0736282c8be9>, accessed 1 October 2016.

management boards was 7.9% in 2015. Women in Nasdaq OMX Tallinn management boards (13 companies listed in 2015) was 15.2% and in supervisory boards 7.8%.

The opinions of high officials of Estonia during the EU Quota-consultation process in 2011 has indicated that Estonia does not support regulating recruitment and diversity of supervisory boards' composition at the EU level. The dominant opinion was that companies must be able to determine which specific skills the members of their supervisory boards should have and how diverse the composition should be.

Women have also different opinions in connection with using gender quotas for listed and state owned company boardroom elections. Against quotas are women who are afraid to be 'a quota woman'. There are many women, who state that reserved seat quotas are needed as temporary special measure for advancement of women in economic decision-making.<sup>18</sup>

Women have higher educational attainment compared with men<sup>19</sup>, but structural inequalities and glass ceilings are serious obstacles for being selected to high position in company management and advisory boards. There is needed not only encouragement, but also practical training.

## **Entrepreneurship**

There is a need for gender sensitive enterprise policy. Institutions of higher education have business management courses. NGOs have carried out entrepreneurship training for women on project basis, but there are no sustainable programs funded by the state.

Enterprise Estonia has carried out mentoring programs for women for several years, but today there is no program for promoting women in business. The start-up support program expects growth in personnel and equity of firms receiving assistance, but studies on female entrepreneurship shows that women often make their own companies to combine work and family so they are not seeking growth and thus are not ready to employ more people. Reconciling work and family is still a challenge for women, especially in rural areas with inadequate access to technical infrastructure and transport. Unpaid work remains higher among women compared with men.

Job creation by women for themselves might be higher if support programs considered the special needs of women. As a result, there is no regional policy, no start-up program for women, no micro-credit program and no gender equality strategy for the economic advancement of women. This is an obstacle to using female talent in business.

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<sup>18</sup> Soolise võrdõiguslikkuse monitoring 2013, [https://www.sm.ee/sites/default/files/content-editors/Ministeerium\\_kontaktid/Uuringu\\_ja\\_analuusid/Sotsiaalvaldkond/sooline\\_vo\\_monitooring\\_2013\\_veeb.pdf](https://www.sm.ee/sites/default/files/content-editors/Ministeerium_kontaktid/Uuringu_ja_analuusid/Sotsiaalvaldkond/sooline_vo_monitooring_2013_veeb.pdf), accessed 3 October 2016.

<sup>19</sup> [www.stat.ee](http://www.stat.ee); [http://www.praxis.ee/wp-content/uploads/2016/04/Project\\_Summary\\_ENG.pdf](http://www.praxis.ee/wp-content/uploads/2016/04/Project_Summary_ENG.pdf), accessed 9 October 2016.

A study on female entrepreneurship in Estonia was carried out in the framework of the EU project 'Women entrepreneurs in Europe' in 2014.<sup>20</sup> In 2012, around 29% of all entrepreneurs in Estonia were women and the majority of these women entrepreneurs (72%) were operating solo.

It is important that EU directives pay attention to the social security of self-employed people. A share of self-employed women out of total employed women was 5.7% in 2014 (12.4 % men are self-employed out of all employed men).<sup>21</sup>

## **Equal pay**

Estonia has the widest gender pay gap in Europe (27% in 2015) and one of the largest in the world (Statistics Estonia). Although the State acknowledges the problem, it has not been effectively tackled.

In Estonia most employment occurs through individual employment agreements (due to the poor unionisation rate). Furthermore, non-disclosure of remuneration, privacy and data protection rules are strict. Job applicants' poor knowledge about wage levels, gender stereotypes and segregation in the labour market all contribute to a persistent gender wage gap.

State institutions and local governments should make their officials' salaries public once a year. There is a legal debate whether publicly accessible pay data should be based on organisation structure (jobs and positions, impersonal) or whether there should be pay data by person. There is also a discussion about the administrative burden to employers to present payroll data. Statistics Estonia requires wage data from all enterprises with 50 or more employees, state and municipal institutions and organisations. Private sector enterprises with 19 to 49 employees are asked for wage data randomly and annual statistics on wages and salaries is made public each October. Annual reports on civil service are available on the website of the Ministry of Finance.<sup>22</sup> Unfortunately, gender-segregated data is missing. Pay transparency measures are thus inadequate.

Still there is a perception of men as the main family providers; this old concept is sometimes used to justify men's higher salaries. The gender pay gap is seen as a political problem caused by pressure from EC and other international organisations. However, awareness has increased among officials dealing with gender inequalities and the gender pay gap in Estonia.

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<sup>20</sup>Project was carried out by DG Enterprise and Industry of the European Commission, [http://www.praxis.ee/wp-content/uploads/2015/04/Statistical-Data-on-Women-Entrepreneurs-in-Europe\\_Estonia.pdf](http://www.praxis.ee/wp-content/uploads/2015/04/Statistical-Data-on-Women-Entrepreneurs-in-Europe_Estonia.pdf), accessed 30 October 2016.

<sup>21</sup> World Bank (2016). World Development Indicators. <https://openknowledge.worldbank.org/bitstream/handle/10986/23969/9781464806834.pdf?sequence=2&isAllowed=y>, accessed 1 October 2016.

<sup>22</sup> Public Service Annual Report 2015 (in Estonian only), prepared by the Public Administration and Public Service Department, [http://www.avalikteenistus.ee/public/Avaliku\\_teenistuse\\_aruanne\\_2015\\_koond.pdf](http://www.avalikteenistus.ee/public/Avaliku_teenistuse_aruanne_2015_koond.pdf); Wage survey of the State Institutions and Agencies (in Estonian only), <http://www.fin.ee/palgakorraldus>, accessed 29 September 2016.

## Women in academy

Women outperform men in education but there is still glass ceiling for attaining higher positions in academia. In 2014, the proportion of women among doctoral studies' graduates was 53% and among master's studies' graduates was 69%, they only represent 26% of professors and 13% of chief scientists in 2015. Furthermore, only two members of the Estonian Academy of Sciences there are women (2.6%).

The Federation of Estonian Student Unions, member of the European Students Union (ESU), has pointed out the problem of unequal treatment of women and men in academia in their political platform. There is a need for promoting gender equality and reducing gender gaps in education. There is stressed the importance of developing career opportunities for women and men. The Students Union has a representative in the national Gender Equality Council, an advisory body at the Government. The Students' Union has a position that there should be an independent equality body comprised of academic personnel, lawyers and students to discuss discrimination cases.

## Vulnerable group: Single mothers

According to the Estonian Human Development Report the greatest losers of the economic crisis (2008-2010) were households with minor children, single parents and single working-age people.<sup>23</sup> One in four Estonian children lives in single-parent families.<sup>24</sup> A large number of these children do not actually receive maintenance allowance from the non-custodial parent. For this to occur, a claim to court for the payment of alimony should be filed. If required by the court, the non-custodial parent should make alimony payments that are at least half of the minimum wage.

In case of failure to pay alimony, state support can be claimed once.<sup>25</sup> If this occurs, the bailiff should be contacted with reference to the court decision. On the basis of the Bailiffs Act, the bailiff is entitled to collect a fee for collecting the alimony. Due to the payment of this fee the amount of money paid to the woman as alimony gets reduced. Each year there are thousands of debtors who do not pay court ordered child support. In March 2016, there were about 8000 debtors and the total amount of all unpaid alimony was near 16 million Euros.

Establishment of the Child Maintenance Support Fund by the State has been debated for many years. It was finally approved by the Parliament in May 2016 and gets into action from 2017.

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<sup>23</sup> Estonian Human Development Report 2014/2015, [http://www.kogu.ee/wp-content/uploads/2013/01/FINAL\\_EIA\\_2015\\_ENG.pdf](http://www.kogu.ee/wp-content/uploads/2013/01/FINAL_EIA_2015_ENG.pdf), accessed 28 September 2016.

<sup>24</sup> About 55665 children under 18 lived in the single parent families (42000) in 2011. Sotsiaalministeerium (2015). Peretoetuste, teenuste ja vanemapuhkuste roheline raamat (The green book of family benefits and services), [https://www.sm.ee/sites/default/files/content-editors/Lapsed\\_ja\\_pered/Perehuvitised/peretoetuste\\_teenuste\\_ja\\_vanemapuhkuste\\_roheline\\_raamat\\_2015.pdf](https://www.sm.ee/sites/default/files/content-editors/Lapsed_ja_pered/Perehuvitised/peretoetuste_teenuste_ja_vanemapuhkuste_roheline_raamat_2015.pdf), accessed 29 September 2016.

<sup>25</sup> Maintenance allowance is a short-term (90 days) benefit paid by the state (Social Insurance Board) to children whose parents are not meeting their obligation to provide for them.

## **Vulnerable group: Older women**

National pensions are ensured to all eligible residents of Estonia, incapacity-for-work and widows/widowers. Pension rates are based on former income earned which helps to reproduce income inequalities in pensions. However, Bettio and Sansonetti (2015: 37) have stated that the pension gap in Estonia is the lowest among the Member States despite the high gender pay gap. This is a misleading conclusion that does not reflect the hidden threat.

Actually, it is expected also that it will rise to become the largest gender pension gap in Estonia due to pension reform in 1998. Since 1999, old age pension rights are acquired only on the basis of social tax paid (annual indexation).<sup>26</sup> Until 1999, pension rights were determined on the basis of the length of employment service. For persons who entered the labour market in 1999 or later, the older-age pension depends directly on the basis of earnings and social tax paid (33 % of wages). It is thus likely that the post-1999 group of women will get lower pensions compared to men due to the persistent and high pay gap (30 %).

There is also a problem with poor elder care services and inaccessible nursing/retirement homes due to high price. Low pensions<sup>27</sup> do not cover even half of the monthly payments, which makes it impossible to cover the price by the retired person herself/himself. This means that older women should ask their relatives for financial support, which is humiliating and often not feasible. Considering that women live nine years longer than men in Estonia<sup>28</sup>, this is a problem that affects women much more.

There is a need for dignified ageing and the provision of affordable quality care services in connection with home care for elderly people, taking into account the particular needs of older women and men. In 2017, retired people living alone will receive an annual support sum of EUR 115.<sup>29</sup>

## **Vulnerable group: Same-sex couples**

The Registered Partnership Act (RPA) was adopted on 9 October 2014. The RPA entered into effect on 1 January 2016. The RPA is a step closer towards a more tolerant and socially inclusive society. Unfortunately, the RPA is not fully implemented. For effective implementation several regulations were expected to pass in the Parliament, but the Parliament rejected draft acts in 2015 and there has not been any positive news in 2016.

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<sup>26</sup> The index depends with equal weights (50%-50%) on the increase of social tax revenues and the increase of consumer price index. Current indexation formula requires that the pensions be annually increased by the sum of half of the social tax increase and half of inflation.  
[http://ec.europa.eu/economy\\_finance/publications/publication7036\\_en.pdf](http://ec.europa.eu/economy_finance/publications/publication7036_en.pdf), accessed 30 September 2016.

<sup>27</sup> On 1 April 2016, the average monthly retirement pension amounts to EUR 375,  
<http://www.sotsiaalkindlustusamet.ee/news/>, accessed 9 October 2016.

<sup>28</sup> <https://statistikaamet.wordpress.com/tag/oodatav-eluiga/>, accessed 9 October 2016.

<sup>29</sup> <https://valitsus.ee/en/news/government-approves-state-budget-2017>, accessed 3 October 2016.