

Estonia

Apie

Gender issues began to receive attention in Estonia in the late 1990s, following the ratification of international conventions and preparation for accession to the European Union (EU). The legal framework for gender equality is enshrined in the Estonian Constitution, which states that everyone is equal before the law and no one shall be discriminated against on the grounds of sex. It is similarly protected in the Gender Equality Act that followed Estonia's accession to the EU in 2004, which defines equality of women and men as a fundamental human right and provides for gender equality to be mainstreamed into all areas of social life.

The first gender-mainstreaming initiative in Estonia took place in the early 2000s, organised by the Ministry of Social Affairs. The aim of the project was to improve understanding of gender equality and to use the dual-track approach to achieve equality and develop specific methods and tools (particularly gender impact assessment) to promote gender mainstreaming. In the following years, several EU-funded projects were developed, focusing on gender mainstreaming. These continue to be implemented. There is no system for regular reporting on gender equality initiatives and progress to the government and/or to representative elective bodies within the Estonian policy-making system, however.

A national gender equality plan and subsequent systemic approach are not yet in place in Estonia. Rather, the state has provided actions and plans that intend to regulate specific gender equality policies, for instance on the gender pay gap.

Legislative and policy framework

Article 12 of the Estonian Constitution states that everyone is equal before the law and no one may be discriminated against based on their nationality, race, skin colour, sex, language, origin, religion, political or other views, property or social status, or on other grounds. The Gender Equality Act has been in force since 2004 and was followed by the Equal Treatment Act in 2009. The latter has the broader aim of protecting people against discrimination on the grounds of nationality, race, colour, religion or other beliefs, age, disability or sexual orientation. It provides for the principles and promotion of equal treatment, defines the responsibilities for implementation, and the settlement of discrimination-related disputes.

The 2004 Gender Equality Act, on the other hand, aims to ensure the equal treatment of women and men specifically, by defining and prohibiting gender-based discrimination in both the public and private sector, obliging the state and local government authorities, educational and research institutions and employers to promote equality between women and men, while also providing the right to compensation.

Estonia has no national gender equality plan in place. Between 2012 and 2015, however, it had an action plan to reduce the gender pay gap, although this has yet to be renewed. Amendments to the Gender Equality Act that aimed to reduce the gender pay gap were approved by the government and discussed by the parliament in 2018. The reform strengthens employers' obligation to collect data disaggregated by gender, by defining the type of data and setting timeframes.

Systematic approaches to other gender equality-related topics are still lacking, however. To date, the state has provided actions and plans regulating specific gender equality policies, such as a Strategy for Preventing Violence 2015-2020, and a Strategy of Children and Families 2012-2020.

Family and work reconciliation issues are becoming increasingly significant in policy-making and public debates, although the main emphasis is leave and services to be provided to families (parental leave and childcare) rather than making work more flexible. Several policy documents mention flexible work but few initiatives have targeted increased flexibility or the need for employers to provide employees in general, or parents of small children, with more flexible working arrangements.

The Estonian Welfare Development Plan 2016–2023 acknowledges that the capacity of the state to systematically and efficiently reduce gender inequality at ministry or local level is both limited and uneven. The Plan has set a goal to build institutional capacity but sets neither indicators nor measurement frameworks to assess progress on institutional mechanisms. Similarly, the Estonian Gender Equality and Equal Treatment Commissioner publishes annual reports but these have yet to address progress on institutional mechanisms.

Finally, in its 2016 concluding recommendations on the implementation of the Convention on the Elimination of All Forms of Violence against Women (CEDAW), the Committee on the Elimination of Violence against Women[1] highlights that, since 2007, Estonia has introduced several legislative changes and has ratified or acceded to several international and regional instruments, all of which contribute to the improvement of gender equality in the country. However, several concerns are noted, including the lack of a national strategy for gender equality, heavy reliance on European and international funds for financing gender mainstreaming, the lack of gender impact assessment in legislative processes despite the 'Rules for Good Legislative Practice and Legislative Drafting'[2], and the overall lack of gender budgeting and mainstreaming.

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Structures

Government responsibilities

The Government of the Republic Act stipulates that the Ministry of Social Affairs is responsible for equal treatment and promotion of the equality of women and men, thus the Minister of Social Affairs has responsibility. Within the Ministry, the Department of Equality Policy is the government's gender equality body, responsible for implementing policies that promote fair treatment. Originally established in 1996 as the Gender Equality Bureau, it then became the Gender Equality Department in December 2003, with responsibility for developing gender mainstreaming processes and methodologies since 2005. A 2014 reorganisation saw the department become the Department of Equality Policy.

When the Gender Equality Act was enforced in 2004, the law mandated the establishment of a Gender Equality Council as an advisory body within the Ministry of Social Affairs. The Council was duly approved by the government and set up on 24 October 2013. The Council has 24 members, including the Gender Equality and Equal Treatment Commissioner and representatives of different NGOs working in the field of gender equality.

As an advisory body, the Gender Equality Council approves the general objectives of gender equality policy, advises the government on matters relating to strategies for the promotion of gender equality, and presents the government with its opinion on compliance of national programmes presented by the ministries (Article 9 of the Gender Equality Act sets out how the state and local authorities should promote gender equality).

In September 2017, the Minister of Social Affairs convened a Council of Equal Opportunities. Made up of social scientists, the Council analyses the impact of policies and reforms on societal inequalities. It also monitors the situation and dynamics of equal opportunities and advises in the process of policy-making. The Council publishes an annual report on equal opportunities[3]. According to Directive No. 93 of 7 September 2017 of the Minister of Social Affairs, the Council has six members, a Head of Council and two representatives from the Ministry of Social Affairs. The Council adopts a general approach to inequalities, as the Directive does not specify the social inequalities to be addressed. The Council meets four times a year and no time limit has been set for its work.

Independent gender equality body

The Gender Equality and Equal Treatment Commissioner (initially the Gender Equality Commissioner as established in 2005) is an independent gender equality body responsible for monitoring compliance of legislation and policies with the Gender Equality Act and with the Equal Treatment Act. In recent years, however, the lack of earmarked resources does not allow for it to function properly as an equal treatment body.

In March 2015, the Commissioner established the Gender Equality and Equal Treatment Competence Centre for the use of Cohesion Policy Funding. The aim of the Centre is to consult and train the institutions responsible for EU structural funds. The Centre has two employees tasked with supporting ministries to use EU structural funds to better achieve gender equality, ensure that specific interventions are targeted at people with disabilities, and make sure that all social groups are treated equally. In addition to consulting, the Centre provides information and training in collaboration with the Ministry of Finance. The Centre is funded through EU financial resources. As of October 2019, the Centre is being transferred under the Ministry of Social Affairs as part of the equality policies department.

Parliamentary bodies

In October 2017, the parliament's Women's Association was formed. Here, members of the parliament can draw attention to specific issues and support or protect the interests of different groups. The Women's Association consists of 10 members of parliament, all women. The association aims to tackle the gender pay gap, gender-based violence, domestic violence and inequality between women and men in decision-making. In addition to seeking solutions to these issues, they also intend to monitor the inclusion of a gender perspective in [all new legislative acts](#).

There is no system for regular reporting on gender equality initiatives and progress to the government and/or to representative elective bodies within the Estonian policy-making system.

Methods and tools

Note: the methods and tools listed under this section were the focus of EIGE's 2018-2019 assessment. If certain methods and tools are not mentioned in this section, this does not necessarily mean that they are not used at all by Estonia.

Gender budgeting

No new developments on gender budgeting/auditing in Estonia have taken place since completing the project 'Mainstreaming a gender perspective into the state budget' in April 2012. That project was launched by the Ministry of Social Affairs and the Gender Equality and Equal Treatment Commissioner and saw the publication of a tailored gender budgeting handbook[4]. Currently, gender budgeting is not used in Estonia anymore.

Training and awareness raising

The EU-funded Gender Equality and Equal Treatment Competence Centre for the Use of Cohesion Policy Funding provides information and training in collaboration with the Ministry of Finance. Training projects include considering the cross-cutting issue of equal opportunities when utilising EU subsidies, managing the impact of project activities on ensuring equal opportunities, training on gender equality for career counsellors, and a workshop on 'Breaking Stereotypes and Bias'.

During 2013–2016, the Ministry of Social Affairs coordinated the programme 'Mainstreaming Gender Equality and Promoting Work-Life Balance', funded by the Norwegian/European Economic Area (EEA). The total amount provided was EUR 2,000,000. Activities included developing a new concept for gathering and analysing gender pay gap statistics, promoting gender equality through empowerment and mainstreaming, promoting gender equality through the creation and/or implementation of systemic structures that raise awareness of the importance of gender equality among various target groups and stakeholders, promoting balance between work, private, and family life by enabling the reconciliation of work and private life, and enhancing the capacity of [networks and organisations](#) active in the field of gender equality.

Handbooks were also published to help policy makers to better mainstream gender equality during the preparation, monitoring and assessment of development plans, strategies and programmes[5], as well as to instruct public sector managers on how to mainstream gender equality into their organisations' work processes and the development of public services[6].

Gender statistics

The Estonian statistical system is regulated by the Official Statistics Act, which does not, however, stipulate any requirements to collect and produce sex-disaggregated data within Statistics Estonia. Although no specific unit is charged with promoting the production of sex-disaggregated data within Statistics Estonia, the individual microdata collected allow for sex-specific aggregated statistics, a considerable proportion of the key indicators are calculated and disseminated across sex, and special reports on gender equality have been produced.

An EEA financial mechanisms grant was provided to the Gender Equality and Equal Treatment Commissioner to promote gender equality through empowerment and mainstreaming. The grant was used to develop a model for measuring equality in society (among other things). The model measured and compared the overall situation, individual well-being and accessibility of services and opportunities that allow people from different social groups (defined by gender, age, ethnicity, disability and sexuality) to fully participate in social life. It was the first time that such a large range of indicators was gathered through statistical databases and surveys and then analysed.

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Good practices

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Endnotes

[1] Committee on the Elimination of Discrimination against Women (2016). [Concluding observations. CEDAW/C/EST/CO/5-6](#).

[2] Government Regulation: [Rules for Good Legislative Practice and Legislative Drafting](#). In force as of January 2012.

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[5] Pehk, L. (2014). [Soolõime käsiraamat](#). .

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