

UN CRC	Accession Date	Care-Related Concluding Observations
	21 Oct 1991	<p data-bbox="902 336 1122 360">CRC/C/EST/CO/2-4</p> <p data-bbox="902 397 1021 421">3 Feb 2017</p> <p data-bbox="902 458 2096 517">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fEST%2fCO%2f2-4&Lang=en</p> <p data-bbox="1339 528 1576 563" style="text-align: center;">Country Report</p> <p data-bbox="804 571 1861 600">E. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))</p> <p data-bbox="804 635 1039 663">Family environment</p> <p data-bbox="804 699 2096 919">32. The Committee is concerned at the insufficient number of child protection workers in the State party. The Committee is also concerned that for issues related to custody and right of access, counselling and conciliation services are neither offered in an organised and uniform manner by national courts nor are they offered at a rate affordable for all. The Committee, further shares the concern expressed by the Committee on the Elimination of Discrimination against Women (CEDAW/C/EST/CO/5-6, Paras. 38-39) that women in defacto unions, as well as their children, may be deprived of adequate protection of their economic rights in cases of separation and at the limitations faced in the enforcement of child support payments that leads to high rates of men who default on their payments.</p> <p data-bbox="804 954 2096 1142">33. The Committee recommends that the State party ensures that all municipalities have a sufficient number of child protection workers and that for custody and right of access disputes counselling and conciliation services are offered in an organised and uniform manner by national courts, at a rate affordable for all. The Committee also recommends that the State party review its current legal regime governing marriage and family relations with a view to extending the existing legal protection to women living in de facto unions and their children and that more stringent measures for enforcement of child support orders be adopted.</p> <p data-bbox="804 1177 1039 1206">Family reunification</p> <p data-bbox="804 1241 2096 1334">34. The Committee is concerned that the Aliens Act does not establish a legal basis to apply for a residence permit for a foreigner who has a minor child living in Estonia on the basis of a residence permit or if the child is an Estonian citizen living in Estonia.</p>

		<p>35. The Committee recommends that the State party amends the Aliens Act to provide for a legal basis to apply for a residence permit if a person’s child is living in Estonia with a residence permit or as a citizen.</p> <p>Children deprived of a family environment</p> <p>36. While the Committee welcomes the progress made through the State party’s deinstitutionalization process in considerably reducing the number of children living in institutional care, it remains concerned that:</p> <p>(a) Institutionalisation of children separated from their families remains quite common and foster care has recently decreased;</p> <p>(b) Local governments insufficiently assume their duties as the guardianship authorities in substitute home services. Funding is often insufficient and service standards are inadequate. The limit of 6 children per family as required by legislation is not respected in two thirds of substitute homes;</p> <p>(c) At least one-fifth of the children placed in shelters due to separation from their families are reportedly under the age of three, while these shelters are insufficiently regulated, with ratio of children to employees being too high in the absence of legislation establishing the allowed maximum;</p> <p>(d) Foster care, including decisions regarding suitability, is not adequately regulated at the national level and training provided to foster parents is insufficient;</p> <p>(e) The legislation does not regulate the preparation for withdrawal from substitute care and the follow-up care after the withdrawal, including the related duties of the providers of substitute care, local authorities and the State.</p> <p>37. Drawing the State party’s attention to the Guidelines for the Alternative Care of Children (see General Assembly resolution 64/142, annex), the Committee recommends that the State party:</p> <p>(a) Support and facilitate family-based care for children wherever possible and strengthen the system alternative care, including foster care, kinship and custody arrangements for children who cannot stay with their families, with a view to further reducing the institutionalization of children, including for short term stay, especially of children under the age of three;</p> <p>(b) Establish a substitute home service standard and financing model that meets the primary needs of the child and guarantee compliance with the requirements concerning the ratio of children to employees at all substitute homes;</p>
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		<p>(c) Ensure periodic review of the placement of children in foster care and institutions as well as adequate regulation of foster care and training for foster parents and regularly and adequately monitor the quality of such care;</p> <p>(d) Establish a standard for the shelter service, including a requirement of the ratio of children and employees;</p> <p>(e) Ensure that adequate human, technical and financial resources are allocated to alternative care centres and relevant child protection services, in order to facilitate the rehabilitation and social reintegration of children resident therein to the greatest extent possible;</p> <p>(f) Regulate by law follow-up support for young people leaving alternative care (including foster care, kinship and custody arrangements) and provide the support necessary, until the age of 25, to ensure the successful transition of adolescents to an independent life, to improve their social and life skills and provide them with the necessary skills to help them adopt a profession.</p> <p>H. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)</p> <p>Asylum-seeking and refugee children</p> <p>46. The Committee is concerned that:</p> <p>(a) There are reports suggesting that the detention of asylum-seeking or refugee children is increasing;</p> <p>(b) Access to free legal representation for asylum seeking children is not a requirement within the national asylum procedure.</p> <p>47. The Committee urges the State party to:</p> <p>(a) Amend the Act on Granting International Protection to Aliens to prohibit the detention of refugee and asylum-seeking children and adopt alternatives to detention that allow children to remain with family members and/or guardians in non-custodial, community-based contexts, consistent with their best interests, and with children's rights to liberty and family life;</p>
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		(b) Ensure that unaccompanied children are assigned a free and qualified lawyer immediately upon their arrival at the border and ensure that best interests assessment and/or best interest determination procedures are carried out at all stages of the national asylum procedure.
OPSC to CRC	Ratification Date	Care-Related Concluding Observations
	3 Aug 2004	
OPAC to CRC	Ratification Date	Care-Related Concluding Observations
	12 Feb 2014	
ICCPR	Accession Date	Care-Related Concluding Observations
	21 Oct 1991	
ICESCR	Accession Date	Care-Related Concluding Observations
	21 Oct 1991	
CEDAW	Ratification Date	Care-Related Concluding Observations
	21 Oct 1991	
CRPD	Ratification Date	Care-Related Concluding Observations
	30 May 2012	
UPR	Date of Consideration	Link to Page
	19 Jan 2016	http://www.ohchr.org/EN/HRBodies/UPR/Pages/EESession24.aspx

Hague Intercountry Adoption	Accession Date	Link to Country Profile
	13 V 1998	https://www.hcch.net/en/states/hcch-members/details1/?sid=34

Acronyms and Abbreviations:

CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child/Committee on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OPAC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict
OPSC to CRC	Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography
UN	United Nations
UPR	Universal Periodic Review