



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Concluding observations on the combined second to fourth periodic reports of Estonia\*

#### I. Introduction

1. The Committee considered the combined second to fourth periodic reports of Estonia (CRC/C/EST/2-4) at its 2167th and 2169th meetings (see CRC/C/SR.2167 and 2169), held on 17 and 18 January 2017, and adopted the present concluding observations at its 2193rd meeting, held on 3 February 2017.

2. The Committee welcomes the submission of the combined second to fourth periodic reports of the State party and the written replies to the list of issues (CRC/C/EST/Q/2-4/Add.1), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the multisectoral delegation of the State party.

#### II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the progress achieved by the State party in various areas, including the ratification in 2014 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, as well as other legislative, institutional and policy measures relating to children's rights since the consideration of its previous report.

#### III. Main areas of concern and recommendations

##### A. General measures of implementation (arts. 4, 42 and 44 (6))

###### Legislation

4. The Committee welcomes the adoption of the new Child Protection Act, in force since 1 January 2016, as an important step for further enhancing children's rights policies and strategies in the State party. It is, however, concerned about the lack of measures to evaluate the Act, including through regular assessment of relevant by-laws and the development of impact assessments in relation to implementing regulations and by-laws. In

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\* Adopted by the Committee at its seventy-fourth session (16 January-3 February 2017).



particular, it is concerned about the failure to adequately regulate the obligations of local governments with regard to by-laws on establishing the position of child protection workers.

**5. The Committee recommends that the necessary regulations and budgetary allocations are made for the effective implementation of existing legislative measures, including the Child Protection Act. The Committee also recommends that the State party further regulate the obligations of local governments with regard to by-laws on establishing the position of child protection workers.**

#### **Comprehensive policies, strategy and coordination**

6. The Committee welcomes the various policies and programmes relating to children's rights that have been adopted since the consideration of the previous report, including the Strategy on children and families 2012-2020, and the establishment in 2016 of the Child Protection Council tasked with defining the goals of the national child protection policy and coordinating the actions needed to achieve those goals. The Committee is, however, concerned that the State party does not have a comprehensive cross-sectoral policy on children's rights to ensure that all State policies and programmes are compliant with the Convention.

**7. The Committee recommends that the State party:**

(a) **Strengthen the mandate of the Child Protection Council at the interministerial level to ensure that it has sufficient authority to coordinate all activities relating to the implementation of the Convention at cross-sectoral, national, regional and local levels and that the necessary human, technical and financial resources are available for its effective operation;**

(b) **Develop a comprehensive policy on children that encompasses all areas covered by the Convention and that ensures coordination and complementarity among government entities; and, on the basis of the policy, develop a strategy containing the elements for its application, supported by sufficient human, technical and financial resources.**

#### **Budgetary allocation**

8. The Committee remains concerned that legislation, strategies and policies are not linked to detailed resource allocation. The Committee is further concerned about:

(a) The continuing absence of a comprehensive State and municipal system to analyse and monitor budgetary allocations for implementing all the provisions of the Convention;

(b) The limited public participation in budgetary processes;

(c) The ongoing impact of structural adjustment and austerity measures on children's rights in the post-economic-crisis period.

**9. In the light of general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:**

(a) **Utilize a child-rights approach in the elaboration of State and municipal budgets, by implementing a tracking system for the allocation and use of resources for children in the budgets. The State party should also use the tracking system to assess how investments in any sector serve the best interests of the child and ensure that the impacts on children are measured;**

(b) **Ensure transparent and participatory budgeting through public dialogue, especially with children and non-governmental organizations (NGOs) working in the area of children's rights and proper accountability of the authorities at the municipal and State levels;**

(c) **Carry out impact assessments of austerity measures in areas that are directly and indirectly related to children's rights.**

### Data collection

10. The Committee welcomes the various measures taken to improve the collection, processing and publication of statistical data, particularly through the establishment of the STAR case management database. It is however concerned that:

- (a) Statistics on children relating to all areas of the Convention are not published annually along with regular statistics;
- (b) Mainstream statistics do not contain child-focused data;
- (c) Available data is held in several databases which are not integrated.

11. **In the light of its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee reiterates its previous recommendation (CRC/C/15/Add.196, para. 10 (a) and (b)) and further recommends that the State party:**

- (a) **Develop a comprehensive information system on all areas of the Convention;**
- (b) **Collect and publish adequate child-focused data in mainstream statistics;**
- (c) **Take into account the conceptual and methodological framework set out in the report of the Office of the United Nations High Commissioner for Human Rights entitled *Human rights indicators: a guide to measurement and implementation* (2012) when defining, collecting and disseminating statistical information.**

### Independent monitoring

12. The Committee welcomes the fact that, in 2011, the Chancellor of Justice was granted the competence of Ombudsperson for Children and that an Advisory Committee, including representatives of various youth organizations, was created to support these new functions. The Committee is, however, concerned that, while negotiations are under way to seek accreditation in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), the Ombudsperson for Children is not in full compliance with the Paris Principles and there is insufficient awareness among children about the individual complaint mechanism.

13. **In the light of its general comment No. 2 (2002) on the role of independent human rights institutions in the promotion and protection of the rights of the child, the Committee recommends that the State party:**

- (a) **Ensure the independence of the institution of the Ombudsperson for Children, including with regards to its funding, mandate and professional staff, so as to ensure full compliance with the Paris Principles;**
- (b) **Take steps to increase the visibility of the Ombudsman for Children as the principal institution supervising the rights of the child and explain in a child-friendly manner through relevant channels (including among the Russian-speaking population) the possibility for children to exercise their right of complaint;**
- (c) **Seek technical cooperation from, among others, the Office of the United Nations High Commissioner for Human Rights and United Nations Children's Fund (UNICEF) in this regard.**

### Dissemination, awareness-raising and training

14. The Committee welcomes the State party's support to NGOs in disseminating the contents of the Convention among children and adults and the training provided on the Convention, as well as the efforts made by the Ombudsman for Children in this regard. It is, however, concerned that the dissemination of the Convention is not systematic and that awareness within society about the Convention remains insufficient.

15. **The Committee recommends that the State party:**

- (a) **Strengthen its efforts to disseminate the Convention and provide regular training for all professional groups working for and with children, including judges;**
- (b) **Ensure that the Convention is available in a child-friendly version, in Estonian and Russian languages, and integrate education on the Convention in the school curricula, up to tertiary education;**
- (c) **Regularly promote the provisions of the Convention on radio, television and social and other media and conduct awareness-raising programmes, including campaigns.**

#### **Cooperation with civil society**

16. The Committee notes the information provided by the State party that non-profit associations are involved in the discussions on, decision-making and drafting of legislation on children's rights, in particular issues relating to parenting, education and adoption. It is nevertheless concerned that funding, notably for NGOs that are delivering services on behalf of the State, is mostly project based and unpredictable, which negatively impacts the sustainability of their activities.

17. **The Committee reiterates its previous recommendation (CRC/C/15/Add.196, para. 18) and further recommends that the State party establish an effective mechanism to systematically involve civil society and NGOs working in the field of children's rights in the development, implementation, monitoring and evaluation of laws, policies and programmes relating to children's rights.**

### **B. Definition of the child (art. 1)**

18. While noting that, overall, the number of child marriages is minimal (with five cases reportedly registered in 2015 and 2016). The Committee is, however, concerned that according to the Family Law, children aged 15 years and older can, in exceptional cases, be allowed to marry.

19. **The Committee recommends that the State party revise its legislation in order to ensure that the minimum age for marriage is 18 years for both girls and boys, and take all measures necessary to eliminate child marriage in line with the State party's obligations under the Convention.**

### **C. General principles (arts. 2, 3, 6 and 12)**

#### **Best interests of the child**

20. The Committee welcomes the inclusion of the principle of the best interests of the child in the 2016 Child Protection Act. It is however concerned that there is no best interests impact assessment of national legislation and local regional initiatives on children's rights and methodological guidance to assess the best interests of the child is limited.

21. **In the light of its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party strengthen its efforts to ensure that this right is appropriately integrated and consistently interpreted and applied in all legislative, administrative and judicial proceedings and decisions, as well as in all policies, programmes and projects that are relevant to and have an impact on children. In this regard, the State party is encouraged to develop procedures and criteria to provide guidance to all relevant persons in authority for determining the best interest of the child in every area and for giving it due weight as a primary consideration.**

#### **Respect for the views of the child**

22. The Committee notes that the national legislation states that a child who is 10 years or older shall be heard in decisions which concern him or her and that the court may also

hear younger children. The Committee is, however, concerned that in practice there is often a tendency by judges to hear only children who are older than 10 years. While noting that children have the opportunity to express their views through participation in youth centres and youth councils, the Committee is concerned at reports that children in the State party frequently feel that their opinion has no influence at the national level.

**23. In the light of its general comment No. 12 (2009) on the right of the child to be heard, the Committee recommends that the State party:**

(a) **Take measures to ensure the effective implementation of legislation recognizing the right of every child to be heard, according to his or her level of maturity, in all settings;**

(b) **Develop toolkits for public consultation on national policy development to standardize such consultation at a high level of inclusiveness and participation, including consultation with children on issues that affect them;**

(c) **Conduct programmes and awareness-raising activities to promote the meaningful participation of all children within the family, community and schools, including within student council bodies, with particular attention to children in vulnerable situations.**

#### **D. Civil rights and freedoms (arts. 7, 8 and 13-17)**

##### **Birth registration, name and nationality**

24. The Committee welcomes the 2015 amendments to the Citizenship Law, which grant Estonian citizenship to children with undetermined citizenship born in the State party. It is, however, concerned that these amendments do not apply to children with undetermined citizenship in the age category of 15 to 18 years. The Committee is also concerned that less attention is paid to stateless children who have arrived in the country in a migratory context, in part because of the absence of a comprehensive procedure to determine if a person is stateless.

**25. Taking note of target 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration, the Committee urges the State party to:**

(a) **Fast track the naturalization of children with undetermined citizenship in the age category of 15 to 18 years;**

(b) **Establish a statelessness determination procedure to determine whether individuals who arrive in the State party in a migratory context are stateless;**

(c) **Further strengthen technical assistance from the Office of the United Nations High Commissioner for Refugees (UNHCR) and the United Nations Children's Fund (UNICEF), among others, for the implementation of these recommendations.**

#### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

##### **Corporal punishment**

26. The Committee commends the explicit prohibition of physical punishment of children as outlined in the 2016 Child Protection Act. It is, however, concerned that favourable attitudes towards corporal punishment are still dominant in Estonian society and that parents have insufficient knowledge of non-violent and positive forms of discipline.

**27. In the light of its general comment No. 8 (2006) on the right of children to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recommends that the State party monitor the implementation of the Child Protection Act in this regard and strengthen public**

**education campaigns to promote positive, non-violent and participatory forms of child-rearing and discipline in all settings.**

#### **Sexual exploitation and abuse**

28. The Committee welcomes the ratification, in 2016, of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (the Lanzarote Convention). It is, however, concerned that the prevalence of sexual abuse of children in Estonia is high, while the level of detection is low and the existence and accessibility of support services is insufficient.

29. **In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, the Committee recommends that the State party:**

(a) **Conduct awareness-raising activities to combat the stigmatization of child victims of sexual exploitation and abuse, and ensure accessible, confidential, child-friendly and effective reporting channels for such violations;**

(b) **Ensure the development of sufficient programmes and policies for the prevention, recovery and social reintegration of child victims throughout the State party.**

#### **Freedom of the child from all forms of violence**

30. The Committee is concerned that, despite projects and seminars conducted in cooperation with civil society organizations with the aim of reducing school violence, including the “Freedom from bullying” initiative, 22 per cent of schoolchildren in the State party have been victims of bullying and that many complaints of bullying continue to be received by the Chancellor of Justice office. The Committee is also concerned that the “Freedom from bullying” initiative faces implementation problems, including very limited effective supervision and low support from school management in some cases.

31. **The Committee recommends that the State party take steps to evaluate the success of its anti-bullying programmes and enhance the measures taken to combat all forms of bullying and harassment, such as building the capacity of teachers, school personnel and students to accept diversity at school, improve their conflict-resolution skills and ensure the participation of children in initiatives aimed at reducing bullying.**

### **F. Family environment and alternative care (arts. 5, 9-11, 18 (1) and (2), 20-21, 25 and 27 (4))**

#### **Family environment**

32. The Committee is concerned at the insufficient number of child protection workers in the State party. It is also concerned that, for issues relating to custody and right of access, no counselling or conciliation services are offered in an organized and uniform manner by national courts or at a rate affordable for all. The Committee shares the concern expressed by the Committee on the Elimination of Discrimination against Women that women in de facto unions and their children may be deprived of adequate protection of their economic rights in case of separation and that the deficiency in the enforcement of child support payments leads to a high default rate by men who do not make their payments (see CEDAW/C/EST/CO/5-6, paras. 38-39).

33. **The Committee recommends that the State party ensure 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 organized and uniform manner by the national courts and 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 such legal protection to women in de facto unions and their children and that it adopt more stringent measures for the enforcement of child support orders.**

### **Family reunification**

34. The Committee is concerned that the Aliens Act does not establish a legal basis for a foreigner to apply for a residence permit if he or she has a minor child living in Estonia on the basis of a residence permit or a child who is an Estonian citizen living in Estonia.

**35. The Committee recommends that the State party amend the Aliens Act to provide for a legal basis for foreigners to apply for a residence permit on the basis of his or her child living in Estonia with a residence permit or as a citizen.**

### **Children deprived of a family environment**

36. Although the Committee welcomes the progress made by the State party in considerably reducing the number of children living in institutional care through its deinstitutionalization process, it remains concerned that:

(a) Institutionalization of children separated from their families remains quite common and foster care has recently decreased;

(b) Local governments do not sufficiently assume their duties as guardianship authorities in substitute home services, funding is often insufficient and service standards are inadequate and the limit of six children per family, as required by legislation, is not respected in two thirds of substitute homes;

(c) At least one fifth of the children placed in shelters owing to separation from their families are reportedly under 3 years of age, shelters are insufficiently regulated, with the ratio of children to employees being too high, and there is an absence of legislation establishing the maximum limit;

(d) Foster care, including decisions regarding suitability, is not adequately regulated at the national level and training provided to foster parents is insufficient;

(e) The legislation does not regulate the preparation for withdrawal from substitute care nor follow-up care after the withdrawal, including the duties of substitute care providers, local authorities and the State.

**37. Drawing the State party's attention to the Guidelines for the Alternative Care of Children (General Assembly resolution 64/142, annex), the Committee recommends that the State party:**

(a) **Support and facilitate family-based care for children, wherever possible and strengthen the alternative care system, 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 stays, especially children under the age of 3 years;**

(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;**

(c) **Ensure periodic review of the placement of children in foster care and institutions, adequate regulation of foster care and training for foster parents, and regularly and adequately monitor the quality of such care;**

(d) **Establish a standard for shelter service, including the ratio of children to employees;**

(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 residing in such centres to the greatest extent possible;**

(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 years, to ensure the successful transition of adolescents to an independent life and to improve their social and life skills, and provide them with the skills necessary to enable them to pursue a profession.**

**G. Disability, basic health and welfare (arts. 6, 18 (3), 23, 24, 26, 27 (1)-(3) and 33)**

**Children with disabilities**

38. While welcoming the ratification by the State party of the Convention on the Rights of Persons with Disabilities, in 2012, the Committee is seriously concerned about the insufficient protection against discrimination for children with disabilities, particularly:

(a) The continued limited physical accessibility of public institutions and the inability of State-funded rehabilitation services to satisfy the existing demand, resulting in children not receiving the required treatment;

(b) Unequal accessibility and quality of social welfare services for children across all regions, inadequate coordination among State services and the absence of a comprehensive approach to the needs of children with disabilities and their families;

(c) The insufficient allowance and services provided to children with severe or profound disabilities and their families;

(d) Inability of local authorities to guarantee all children with disabilities a place in a kindergarten and school in their place of residence;

(e) Limited access to education for children with disabilities and the fact that teachers do not receive sufficient support to teach children with disabilities;

(f) Children with intellectual and psychosocial disabilities being placed in reform schools along with young offenders and children with behavioural problems.

39. **In the light of its general comment No. 9 (2006) on the rights of children with disabilities, the Committee urges the State party to adopt a human rights-based approach to disability, set up a comprehensive strategy for the inclusion of children with disabilities and:**

(a) **Amend the Equal Protection Act to provide a clear basis for protection against discrimination based on disability, including in the social and educational sectors and in the provision of services;**

(b) **Strengthen measures to remove physical barriers so as to enable effective access for children with disabilities to schools and other institutions and services;**

(c) **Establish a database on children with disabilities that is necessary for the development of appropriate policies and programmes for children with disabilities;**

(d) **Take immediate measures to ensure that all children with disabilities have access to health care, including early detection and intervention programmes;**

(e) **Set up comprehensive measures to develop inclusive education and ensure that inclusive education is given priority over the placement of children in specialized institutions and classes;**

(f) **Train and assign specialized teachers and professionals (including mental health specialists) in integrated classes so as to provide individual support and all due attention to children with learning difficulties;**

(g) **Conduct awareness-raising campaigns for government officials, the public and families with a view to combating the stigmatization of and prejudice against children with disabilities and promote a positive image of such children;**

(h) **Take measures to ensure that children with mental disabilities are not placed in reform schools along with young offenders and children with behavioural problems.**

(i) **Provide adequate support payments and services for all children with disabilities including those with severe or profound disabilities, up to the age of 18 years, and increase awareness about these services, including in the Russian language.**

### **Mental health**

40. The Committee is concerned that, in 2014, the suicide rate in the age group of 15 to 19 years reportedly rose twofold compared to 2013 and 2012. While noting the information provided during the constructive dialogue in relation to the measures being taken to address the issue, the Committee is concerned that prevention activities are not properly coordinated between the various authorities involved and their focus is more on the consequences than on prevention. The Committee is also concerned that despite the various initiatives taken by the State party to increase the accessibility of mental health services in Estonia, primary level psychological assistance remains insufficient owing to the shortage of child psychiatrists.

**41. The Committee recommends that the State party strengthen its efforts to prevent adolescent suicides, including by increasing available psychological counselling services and social workers in schools and communities and ensuring that all professionals working with children are adequately trained to identify and address early suicidal tendencies and mental health problems. The Committee also recommends that the State party further strengthen the accessibility and quality of mental health services for children throughout the State party, including by providing sufficient child psychiatrists in addition to other suitably trained and experienced mental health staff.**

### **Adolescent health**

42. The Committee notes as positive the various initiatives that have been developed to tackle alcohol and drug abuse, however, it is concerned that:

- (a) Instances of drug abuse among children and adolescents are on the increase;
- (b) The absence of State regulation of rehabilitation institutions for children with addiction problems has led to reported cases of restriction of movement of the children receiving treatment.

**43. In the light of its general comment No. 4 (2003) on adolescent health, the Committee recommends that the State party:**

- (a) **Address the incidence of drug use by children and adolescents by, inter alia, providing children and adolescents with accurate and objective information as well as life skills education on preventing substance abuse (including tobacco and alcohol), and develop accessible and youth-friendly drug dependence treatment and harm reduction services;**
- (b) **Adopt regulations concerning the organization of rehabilitation institutions for children and the activities carried out in them, including in relation to the restriction of freedom of movement and other fundamental rights of children.**

## **H. Education, leisure and cultural activities (arts. 28, 29, 30 and 31)**

### **Education, including vocational training and guidance**

44. The Committee is concerned about:

- (a) The drop-out rate which, while decreasing, remains relatively high, especially among boys;
- (b) Discrimination faced by children belonging to ethnic minorities and children with disabilities in accessing education and the continued insufficient integration of such children;
- (c) The language policy in secondary education, which often prevents Russian-speaking students from acquiring mastery in core subjects that are taught only in Estonian;
- (d) The limited availability of preschool education and the absence of uniform regulation thereof.

45. **The Committee recommends that the State party:**
- (a) **Strengthen measures to address drop-out rates, especially among boys;**
  - (b) **Ensure that children belonging to linguistic and ethnic minorities and children with disabilities have adequate access to education, including instruction in or on their mother tongue and inclusive education, respectively;**
  - (c) **Encourage the inclusion of non-Estonian-speaking children in kindergartens;**
  - (d) **Allocate sufficient resources on the new national integration plan, to provide different forms of communication opportunities in the Estonian-speaking environment for students in Russian-speaking schools, such as student exchanges, language camps, hobby activities, among others;**
  - (e) **Review the language policy to facilitate the transition of Russian-speaking students by allowing them to first acquire sufficient knowledge of Estonian before being required to learn core subjects;**
  - (f) **Strengthen the system of quality preschool education and increase availability and affordability of preschool education, including for children from marginalized families.**

**I. Special protection measures (arts. 22, 30, 32-33, 35-36, 37 (b)-(d), 38, 39 and 40)**

**Asylum-seeking and refugee children**

46. The Committee is concerned that:
- (a) There are reports suggesting that the detention of asylum-seeking or refugee children is increasing;
  - (b) Access to free legal representation for asylum-seeking children is not a requirement within the national asylum procedure.
47. **The Committee urges the State party to:**
- (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 so as to allow children to remain with family members and/or guardians in non-custodial, community-based contexts, consistent with their best interests and with their rights to liberty and family life;**
  - (b) **Ensure that unaccompanied children are assigned a free and qualified lawyer immediately upon their arrival at the border and ensure that a best interests assessment and/or best interest determination procedures are carried out at all stages of the national asylum procedure.**

**Administration of juvenile justice**

48. The Committee commends the efforts being made to reform the juvenile justice system, particularly in relation to restorative justice. However, it is concerned that:
- (a) The Juvenile Sanctions Act does not currently support the principle of restorative justice since sanctions tend to have a punitive connotation;
  - (b) Convicted juvenile offenders are often detained in a separate department of the adult Viru prison where, according to reports, there have been cases of inter-prisoner violence among juvenile offenders and instances of prolonged periods of solitary confinement for disciplinary purposes;
  - (c) Section 6<sup>1</sup>(4) of the Juvenile Sanctions Act guaranteeing privacy and confidentiality of correspondence and messages is often violated in practice;

(d) Children do not receive sufficient support and protection when participating in criminal or civil proceedings;

(e) The presence of a lawyer is not mandatory during police questioning of juveniles detained on suspicion of having committed a misdemeanour.

49. **In the light of its general comment No. 10 (2007) on children's rights in juvenile justice, the Committee urges the State party to bring its juvenile justice system fully into line with the Convention and other relevant standards. In particular, the Committee urges the State party to:**

(a) **Ensure that Section 6<sup>1</sup>(4) of the Juvenile Sanctions Act guaranteeing privacy and confidentiality of correspondence and messages is effectively upheld in all relevant institutions.**

(b) **Implement, as soon as possible, its proposals to promote alternative measures to detention, such as diversion, probation, mediation, counselling or community service, wherever possible, and ensure that detention is used as a last resort and for the shortest possible period of time and that it is reviewed on a regular basis with a view to withdrawing it;**

(c) **Ensure that detention conditions are compliant with international standards, including with regard to access to education and health services;**

(d) **In cases where detention is unavoidable, ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage of the procedure and throughout the legal proceedings.**

**Follow-up to the Committee's previous concluding observations and recommendations on the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography**

50. The Committee notes the detailed information provided in follow-up to its concluding observations of 2010 on the State party's initial report under the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography (CRC/C/OPSC/EST/CO/1). It is, however, concerned that many of the recommendations have not been fully implemented.

51. **The Committee reiterates its recommendation on data collection (para. 6), national plan of action (para. 12), dissemination and training (para. 17), measures to prevent offences under the Optional Protocol (paras. 26 and 28), existing criminal or penal laws and regulations (paras. 30, 32 and 33), legal aspects of adoption (para. 35), and protection of the rights of child victims (para. 40).**

**J. Ratification of the Optional Protocol to the Convention on a communications procedure**

52. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, ratify the Optional Protocol to the Convention on a communications procedure.

**K. Ratification of international human rights instruments**

53. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instruments to which it is not yet a party, namely, the International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

**L. Cooperation with regional bodies**

54. The Committee recommends that the State party cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.

**IV. Implementation and reporting**

**A. Follow-up and dissemination**

55. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined second to fourth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

**B. Next report**

56. The Committee invites the State party to submit its combined fifth to seventh periodic reports by 19 November 2022 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (see General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.

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