



## European network of legal experts in gender equality and non-discrimination

### NEWS REPORT

**Country:** Estonia  
**Title:** Office of the Gender Equality and Equal Treatment Commissioner under-resourced  
**Date:** 27 September 2016  
**Expert:** Anu Laas  
**Context**  
**Issue at stake:** Backlash in the work of promotion of gender equality  
**Ground of discrimination:** Sex  
**Source:** National equality body  
**Field:** Other  
**Applicable law:** The Gender Equality Act (GEA) and the Equal Treatment Act (ETA)

### Content

**Policy development:** The impartial equality body, the Office of the Gender Equality and Equal Treatment Commissioner, must publish an annual activity report of the previous year by 31 May of the following year.<sup>1</sup> In 2016, the Annual Report 2015 was published online and offered little information compared to previous annual reports.<sup>2</sup> This is due to the unspecified form of annual reports and poor human resources for preparing annual reports at the Office. Financial resources provided to the Commissioner from the State budget were: EUR 62 351 in 2013, EUR 75 691 in 2014, EUR 162 525 EUR in 2015 and EUR 160 825 in 2016.<sup>3</sup>

The Gender Equality Act (GEA) stipulates that the Ministry of Social Affairs is responsible for analysing equality law and publishing reports on implementation of the principle of equal treatment of men and women. The Equal Treatment Act (ETA) specifies the duties and competences of the Gender Equality and Equal Treatment Commissioner, who is also expected to publish reports on implementation of the principle of gender equality and equal treatment and to take measures to promote this principle.<sup>4</sup> In 2015, the Commissioner received 209 applications and discrimination claims. The Commissioner should give a reaction to all applications and provide an opinion. Due to increased awareness of equal treatment and non-discrimination among people, higher number of claims could be expected in the future.

**Key points of analysis:** In 2016, there has been a serious backlash compared with previous years in the work of the Gender Equality and Equal Treatment Commissioner. In

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<sup>1</sup> Article 12 of the Government of Republic Regulation No. 71 of 21 June 2010 on the Gender Equality and Equal Treatment Commissioner and the Office of the Gender Equality and Equal Treatment Commissioner, <https://www.riigiteataja.ee/akt/13327659>, accessed 24 August 2016.

<sup>2</sup> <http://www.vordoigusvolinik.ee/wp-content/uploads/2016/08/2015-aastaruanne-Riigikogu-PSK.pdf>, accessed 24 August 2016.

<sup>3</sup> From 2015, additional resources were allocated from the state budget for the Commissioner to start preparations for fulfilling duties of the independent monitoring mechanism of the UN Convention on the Rights of Persons with Disabilities (CRPD).

<sup>4</sup> Article 16 of the Equal Treatment Act (ETA), RT I, 06.07.2012, 22, <https://www.riigiteataja.ee/en/eli/530102013066/consolide>, accessed 24 August 2016.

2013-2016 the Norway Grants program supported the Office of the Commissioner.<sup>5</sup> This is due to a poor State budget being allocated to the Office of the Commissioner and the influence of party policies on the appointment of the Commissioner in 2015. The promotion of gender equality has mainly relied on foreign funding. The State budget has stayed modest for gender equality bodies and for the Equality Policies Department at the Ministry of Social Affairs. At the same time, the workload has increased. There are no resources in the Ministries for gender experts for assisting decision makers for gender mainstreaming.

In August 2016, the Office of the Gender Equality and Equal Treatment Commissioner had 3.25 positions (the Commissioner, two advisors and one project coordinator).<sup>6</sup> In the Office premises, there are two persons from the Gender Equality Competence Centre funded by the Cohesion Fund who consult and train officials, and provide support on issues of non-discrimination and gender mainstreaming.

**Internet link source:** Equal Treatment Act (ETA), RT I, 06.07.2012, 22, <https://www.riigiteataja.ee/en/eli/530102013066/consolide>, accessed 24 August 2016. Gender Equality Act (GEA), RT I, 07.07.2015, 11, <https://www.riigiteataja.ee/en/eli/521012016001/consolide>, accessed 24 August 2016. Government of Republic Regulation No. 71 of 21 June 2010 on the Gender Equality and Equal Treatment Commissioner and the Office of the Gender Equality and Equal Treatment Commissioner, <https://www.riigiteataja.ee/akt/13327659>, accessed 24 August 2016.

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<sup>5</sup> Mainstreaming Gender Equality and Promoting Work-Life Balance EUR 2000 000, project end on 30 April 2016, <http://eeagrants.org/project-portal/project/EE09-0001>, accessed 26 September 2016.

<sup>6</sup> 2.25 positions is calculated as FTE (full-time equivalent).