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FLASH REPORT

Country:	Estonia
Title:	Effective protection for victims of domestic violence after COVID-19 emergency period
Date:	8 July 2020
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Update of flash report:	Estonia - Victim protection regarding intimate partner violence (PDF 132 kB)
<u>Context</u>	
Issue at stake:	Protection of victims of violence against women during and after state of emergency
Grounds of discrimination:	Gender
Field of application:	Violence against women
Source:	Policy development
Applicable law:	Article 141.1. of the Code of Criminal Procedure; Division 2 of the Social Welfare Act

Content

Policy development: The Estonian Government declared a state of emergency due to the COVID-19 pandemic on 12 March 2020. The emergency situation ended on 17 May 2020. On 19 May 2020, the guidelines for local governments and social service providers was issued by the Ministry of Social Affairs.

The guidelines stress that in cases of domestic violence, local governments must pay attention to ensuring accommodation for people who have used violence against their family members, who have got an emergency barring order and who do not have alternative accommodation. Even during the state of emergency the police applied restrictions, if necessary, prohibiting the perpetrator from (temporarily or for a longer period of time) contacting the victims or staying at their place of residence. The aim of this activity is to ensure the protection of victims of intimate partner violence, *inter alia*, by enabling them to remain in their homes in order to avoid further suffering.

In order to prevent the possible infection of other people, it is important that local governments consider the possibilities of accommodating violent COVID-19 positive people. The police has the option of taking the abusive person (including COVID-19 positives) to a detention center for a short period (up to 48 hours), but then their accommodation (no transport required) should be provided by the local government. Local governments should share information to the police about institutions that organize such accommodation (including outside working hours).

It is important that people and families who have experienced violence are monitored and supported by local government's social and child protection workers. Physical isolation and limited contact with relatives and friends can increase the risk of domestic violence.

Key points of analysis: The Pärnu Pilot Project was carried out from December 2017 until 31 March 2018. The purpose of the Project was to provide the best and most effective protection to the victim, to end violence, and to find ways to remove the offender from the house for 48 hours. A victim can feel safe for 48 hours and dedicate some time to decision-making. Support services are also available to the victim. The results of the Pärnu Pilot Project were analysed and it was decided to implement the Project on a national level. The guidelines for local governments and service providers in organizing social work and child protection after the emergency situation issued in May 2020 is a sign of an active implementation of the Pärnu project.

Article 141.1 of the Code of Criminal Procedure about temporary restraining orders was amended in May 2020. Namely, in urgent cases, the protection order may be established by an order of a prosecutor's office and regardless of the consent of the victim. In such a case, the prosecutor's office shall inform a court of the establishment of the protection order within two working days and the court decides, taking into consideration the consent of the victim, on the admissibility of the protection order.

Internet link source: Ministry of Social Affairs (2020), 'Sotsiaalministeeriumi juhised kohalikule omavalitsusele ja teenuseosutajatele sotsiaaltöö ja lastekaitsetöö korraldamisel eriolukorra järgselt' ('Guidelines for local governments and service providers in organizing social work and child protection after the emergency situation'), 19 May 2020. Available in Estonian at:
https://www.sotsiaalkindlustusamet.ee/sites/default/files/content-editors/COVID_eriolukorra_materjalid/kov_ja_teenuseosutajate_juhised_19_mai_2020.pdf.