Promotion of Human Rights



Arne Maasik. Insight 7057. Sublimation print on polyester fabric. 2023 (fragment of the work)

The Chancellor’s promotional activities as the National Human Rights Institution (NHRI) are multifaceted. They include consultations with the Human Rights Advisory Council, institutions and civil society organisations working to protect human rights, and different groups in society more broadly. The Chancellor and her advisers raise awareness of human rights in schools and higher education institutions, at universities for older people and on the Higher National Defence Courses.

The Chancellor also helps to promote the rights of children and persons with disabilities, as well as the principles of gender equality and equal treatment. She also performs the functions of the national preventive mechanism for the prevention of torture and other cruel, inhuman or degrading treatment or punishment.

Advisory Committee on Human Rights

The Advisory Committee on Human Rights, established by the Chancellor, has been operating for eight years. Its main task is to advise the Chancellor on the protection and promotion of human rights. Members of the Committee are selected through a public competition every four years by a commission appointed by the Chancellor. The selection of members is guided by the principles of equal treatment, diversity and balance. Membership of the Committee is voluntary.

Since 2023, the second composition of the Committee has been in place. Its members represent different groups and fields in society, thereby enriching the knowledge and experience of the Chancellor and her advisers. Among the members are recognised experts in equal treatment, the rights of persons with disabilities, women’s rights, children’s rights, violence prevention, healthcare, gene technology, medical ethics, data protection, the environment and many other areas.

During the reporting year, the Committee met twice. The meeting on 2 December discussed the situation of the Russian-speaking population in Estonia. The discussion focused on how Russian-speaking residents of Estonia currently feel, what opportunities they have to obtain an education and how actively they participate in society. The Committee discussed progress in the transition to education in Estonian, the attitudes and concerns of residents of Ida-Viru County and the Russian-speaking population more broadly, and how to ensure that everyone living in Estonia is included in society. The discussion was informed by contributions from Jüri Nikolajev, Narva correspondent for Estonian Public Broadcasting, and Olga Selištševa, Director of Tallinn Tõnismäe State Gymnasium and Vabaduse School.

At its meeting on 12 May, the Committee discussed what makes public space and the living environment people-friendly and how public spaces can be designed and created for, and together with, people so that everyone can enjoy a good living environment. Jiri Tintera, currently City Architect of Tartu and formerly City Architect of Valga, gave an extended presentation to introduce the topic and contribute to the substantive discussion. As stated in the Estonian Human Development Report 2019/2020, public space is a living space that is enduring and diverse, accessible and safe. Social cohesion, the quality of the living environment and the health of democracy depend on it.

Cooperation with Human Rights Institutions and Organisations

The Chancellor regularly meets with other Estonian institutions and organisations responsible for the protection and promotion of human rights. For example, information is regularly exchanged and activities coordinated with the Gender Equality and Equal Treatment Commissioner and her Office. The exchange of experience with the Data Protection Inspectorate has also become a tradition, as has cooperation with the supervisory units of the Ministry of Education and Research and the Social Insurance Board.

At the annual human rights conference *Human Rights in a Multipolar World*, organised by the Estonian Institute of Human Rights, the Chancellor chaired a group discussion focusing on human rights in the digital age.

Together with the Estonian Human Rights Centre and the Estonian Chamber of Disabled People, the Chancellor participated in the United Nations Universal Periodic Review (UPR) process. The results of the review were presented at a meeting of the Advisory Committee on Human Rights and at the summer school of the Estonian Women's Studies and Resource Centre. In cooperation with the Estonian Union for Child Welfare, an overview of young people's experiences of participation in Estonia was prepared.

Human Rights Events and Presentations

On 29 October, the Office of the Chancellor of Justice hosted an international seminar on young people's attitudes towards gender roles. The discussion addressed the extent to which increasingly extreme views may pose a threat to gender equality and social cohesion. Participants included representatives of national human rights institutions, civil society, academia and public authorities from the Baltic and Nordic countries. They shared experiences and research findings and discussed how to prevent the spread of extremist views among young people.

The Chancellor spoke about the importance of an independent judiciary in protecting human rights at the annual plenary meeting of judges, and about access to justice and a fair trial at the Estonian Lawyers' Union conference *The Future of the Administration of Justice: Reforms, Risks and Regional Balance*.

Polarisation and artificial intelligence were the subjects of the Chancellor's address to the General Assembly of the Estonian Bar Association. She spoke about the preventive state and the Constitution at a conference on protecting banking secrecy and preventing money laundering, and about the protection of human rights in the age of large-scale data processing and artificial intelligence at the development day for the Ministry of the Interior's area of government, *Balancing Security, Laziness and Responsibility*. The Chancellor and her advisers have also spoken on similar topics to members of the Riigikogu, entrepreneurs, IT specialists, researchers, members of the Estonian Lawyers' Union, legislative lawyers and other officials. At a meeting with the Institute of the Estonian Language, participants discussed how to create a favourable and clear legal framework for developing Estonian-language artificial intelligence.

It has become customary for the Chancellor to give a lecture twice a year at the Estonian National Defence Course on the links between human rights protection and security, and to speak at the advanced digital government courses about technology and human rights. A Chancellor's adviser spoke to surveillance officers at the Police and Border Guard Board's surveillance training programme about the protection of fundamental rights in surveillance activities. Within Tallinn University's micro-degree programme on local governance, a Chancellor's adviser introduced local government leaders and officials to the work of the Chancellor, the rule of law and the protection of fundamental rights.

The Chancellor emphasised the value and dignity of every person and the importance of taking account of different needs and individual characteristics at the Astangu Vocational Rehabilitation Centre conference *We Care. Everyone on Board?*, at the *Ajakaja* concert celebrating togetherness, at Role Model Day, and at the Elering Leadership Club.

The Chancellor's advisers spoke about the rights of persons with disabilities and the Convention on the Rights of Persons with Disabilities to members of the Estonian Association of Social Work, at a forum of the Tallinn Chamber of Disabled People, at an inspiration day of the accessibility network, in a panel discussion at the launch of the picture dictionary *I May Have a Disability*, and at the art exhibition *White on White* featuring works by children with special needs.

The Chancellor considers it important to stay informed about life in different parts and communities of Estonia. During the reporting period, she met entrepreneurs in Saaremaa, gave a lecture at the University of the Third Age in Elva, and visited a joint lesson for school-

leavers in Kose. The situation of Estonia's Jewish community was discussed at a conference of the NOA – Networks Overcoming Antisemitism, where the NOA National Report Card on Estonia was presented. The Chancellor explained minority rights to an audience connected with the Estonian Defence Forces at the seminar *Mechanisms of Polarisation and the Construction of the "Enemy" in Society*.

Advisers from the Social Rights Department introduced the foundations of the fundamental right to education at the education innovation conference *A Supported Teacher Supports the Pupil*, and the principles of inclusive education at the Cities and Municipalities Days and at a webinar of the Estonian Association of Speech Therapists. Advisers from the Children's and Youth Rights Department were invited to several meetings discussing issues concerning children's rights (see the chapter "Children and Young People" for more information).

The Chancellor and her advisers are frequently invited to schools and universities to speak about the Chancellor's work in protecting human rights, or pupils and students visit the Office of the Chancellor of Justice. During the reporting year, there were nineteen such meetings.

Promoting Awareness of Human Rights

In addition to the Chancellor's website, the Chancellor's opinions are now also available in Riigi Teataja. They have been added to the consolidated texts of the relevant legislation and can be found through a dedicated button in the view of the relevant Act. More than 3,000 opinions of the Chancellor have been added to Riigi Teataja. Under the Riigikogu resolution *Approval of the Fundamentals of Legislative Policy until 2030*, important legal information will continue to be consolidated in Riigi Teataja.

Several new articles on gender radicalisation have been published on the Human Rights book blog, together with a list of books available in Estonian that help readers reflect on human rights. During the reporting year, Juridica published two articles by advisers to the Chancellor. Helen Ojamaa-Muru and her co-authors wrote "Processing of Location Data for Area-Based Public Emergency Alerts. What is the Legal Framework?", which deals with informing the public about threats arising from their living environment. Ksenia Žurakovskaja-Aru and her co-authors published an article entitled "The Significance of Prison Conditions in an Extradition Proceeding".

For the fourth consecutive year, several chapters of the Chancellor's annual report are also available in plain language (see the chapter "Rights of Persons with Disabilities").

International Reporting

The Chancellor's work is not limited to domestic issues in Estonia but is also closely linked to international cooperation. The protection of children's rights, the prevention of ill-treatment, the protection of the rights of persons with disabilities and the broader promotion of human rights are based on shared values and international agreements by which Estonia has undertaken to be bound. The Chancellor's role is therefore not only to monitor compliance with these principles in Estonia but also to provide international organisations with an overview of how Estonia is fulfilling its obligations.

During the reporting year, the Chancellor contributed to several international reports. Among other things, she submitted her views to the European Commission for its annual Rule of Law Report on the situation in the Member States of the European Union. The Chancellor also submitted her contribution to the European Network of National Human Rights Institutions (ENNHRI) report *State of the Rule of Law in the European Union*, which complements the European Commission's report on the same subject. The Chancellor also contributed to the European Commission's annual report on the application of the EU Charter of Fundamental Rights.

In the autumn, as part of the United Nations Universal Periodic Review, the Chancellor submitted a report on how Estonia has fulfilled its obligations arising from UN conventions. The Chancellor also submitted a report on Estonia's implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul Convention.

In the spring, the Chancellor submitted an opinion for a report of the UN Secretary-General on the role of Ombudsman institutions in the promotion and protection of human rights, good governance and the rule of law. The report is prepared pursuant to UN General Assembly Resolution 79/177 and assesses, among other things, the contribution of Ombudsman institutions to achieving the Sustainable Development Goals, particularly Goal 16.

The Chancellor also contributed to a number of thematic reports and surveys concerning, among other issues, the protection of national minorities, the situation of human rights institutions and human rights defenders, the use of European Union law in Ombudsman proceedings, human rights oversight of counter-terrorism measures, combating racism and intolerance, climate justice, and the coordination of international reporting at national level.

The Chancellor also responded to requests for information from various other international organisations, Ombudsman institutions in other countries and university students.

Tasks Related to European Union Law

European Union rules increasingly concern areas in which the protection of people's fundamental rights is particularly important, including equal treatment, the use of artificial intelligence, migration and asylum procedures, and the use of European Union funds. This has brought additional work for the Chancellor in the areas of supervision, international cooperation and the promotion of fundamental rights.

It is important that ombudsman institutions and national human rights institutions are consulted at an early stage and in a substantive manner when new tasks are being planned for them at European Union level or when they are expected to make a greater contribution than before. When new responsibilities are being designed, the independence and existing functions of these institutions must be taken into account so that additional work does not prevent them from fulfilling their core role. They must also be provided with the resources needed to perform any new tasks.

Independent Monitoring of Screening and Asylum Procedures

The Riigikogu supplemented § 1 of the Chancellor of Justice Act by providing that, from 12 June 2026, the Chancellor performs the independent monitoring functions provided for in Article 10 of Regulation (EU) 2024/1356 of the European Parliament and of the Council (the Screening Regulation) and Article 43(4) of Regulation (EU) 2024/1348 (the Asylum Procedure Regulation). The amendment is connected with the implementation of the European Union's migration and asylum rules and is intended to ensure respect for fundamental rights during screening and asylum border procedures. Additional resources have also been allocated to the Chancellor for performing the new task.

The Chancellor will monitor how screening and asylum procedures are carried out at the border. This will involve regular on-the-spot checks, including unannounced checks, examining documents and, where necessary, making recommendations for improving procedures.

The new task will also involve more international communication and reporting. Monitoring respect for fundamental rights in screening and asylum procedures is of interest to several European Union institutions and agencies, including the European Commission, the European Union Agency for Fundamental Rights (FRA), the European Union Agency for Asylum (EUAA) and the European Border and Coast Guard Agency (Frontex). It is also of interest to international organisations, such as the United Nations and the OSCE, which monitor matters relating to human rights, migration, asylum and the prevention of ill-treatment.

European Union Funds

In matters concerning European Union funds, the Chancellor helps to ensure that funding conditions and their implementation are lawful, understandable and respectful of people's fundamental rights. Article 9 of Regulation (EU) 2021/1060 of the European Parliament and of the Council requires Member States to respect fundamental rights and the Charter of Fundamental Rights of the European Union when implementing the funds. Annex III to the same Regulation also requires monitoring committees to be informed of operations supported by the funds that may be incompatible with the Charter or the UN Convention on the Rights of Persons with Disabilities, as well as of complaints concerning such incompatibility. The Chancellor regularly provides monitoring committees with information about violations identified and the recommendations made on that basis. Where a complaint has been submitted, the relevant issue is added to the agenda of the monitoring committee meeting.

For example, at the end of 2025 the Chancellor received a petition concerning an application for support to renovate an apartment building and install a lift. The Estonian Business and Innovation Agency (EIS) explained to the apartment association that the consent of all apartment owners was required for installing the lift. The Chancellor noted that the legislation governing the grant of support does not specify whether the consent of all apartment owners is required or whether a majority vote is sufficient. The apartment association must resolve that question in accordance with the Apartment Ownership and Apartment Associations Act. At the same time, before granting support, EIS is required to verify that the apartment association is entitled to apply for it, including whether a valid decision of the association has

been adopted. EIS must also ensure that there is no risk that subsequent disputes could prevent the support from being used for its intended purpose. If the decision does not meet the applicable requirements or is legally questionable, EIS may refuse to grant the support or recover support already granted.

At the beginning of 2026, the Chancellor was asked to assess whether EIS had acted in accordance with the principles of good administration. EIS had retrospectively amended the decision granting support to the applicant by adding an obligation to ensure that the assets necessary for achieving the objective of the project were retained and used for their intended purpose for at least three years after the final payment under the project (the durability requirement). As challenge proceedings were already under way, the Chancellor did not open proceedings on the petition but explained to the applicant the possibilities for challenging the EIS decision and the principles governing the application of the durability requirement.

The Chancellor was also asked whether it was lawful for reconstruction support for apartment buildings to be available only to apartment associations, meaning that apartment buildings in which no association had been established could not apply for support. The Chancellor found no violation in this case.

Charter of Fundamental Rights of the European Union

The Charter of Fundamental Rights of the European Union is an important basis for the Chancellor's work in constitutional review, Ombudsman proceedings and awareness-raising. Over the past twenty years, the Chancellor has referred to the Charter in 62 published opinions. Most often, the Charter has been relevant in Ombudsman proceedings concerning the protection of fundamental rights, including matters involving freedom of assembly, good administration and the prohibition of discrimination. The Chancellor has also relied on the Charter in constitutional review proceedings, including in opinions submitted to the Supreme Court concerning freedom of religion, the right to effective legal protection and elections to the European Parliament.

Raising awareness of the principles of the Charter is also important. The Office of the Chancellor of Justice has addressed Charter-related issues in academic publications, including the collection *Human Rights* prepared under the leadership of the Office, and in legal articles.

Cooperation with the Ministry of Justice and Digital Affairs, which is Estonia's contact point for the Charter of Fundamental Rights of the European Union, mainly involves the exchange of information. Compliance with the Charter when applying European Union law is primarily supervised by the courts, which means that case-law is also important in the Chancellor's work. Civil society, including the Estonian Human Rights Centre, also contributes to raising awareness.

European Union Artificial Intelligence Act

In the field of artificial intelligence and digital public services, the Chancellor's task is to ensure that new technologies serve people and do not undermine their fundamental rights. The Chancellor assesses the activities of public authorities from the perspective of legality, fundamental rights and freedoms, and good administration. The Chancellor has, for example, drawn attention to the transparency of machine-learning solutions and the need to protect people's privacy both when cameras are used in public spaces and when very high-resolution aerial photographs are made publicly available.

The Chancellor has not been designated as an authority under Article 77 of Regulation (EU) 2024/1689 of the European Parliament and of the Council (the Artificial Intelligence Act). Such a function would not be compatible with the Chancellor's independent constitutional role and could create a conflict of roles with the market surveillance authority whose activities are themselves subject to the Chancellor's oversight. Moreover, the Chancellor's existing mandate enables her to assess digital solutions used by public authorities more broadly than is provided for in Article 77 of the Artificial Intelligence Act.

Equal Treatment Directives

The Chancellor helps to protect the principle of equal treatment in Estonia by monitoring whether people are treated unjustifiably unequally. The Chancellor's independent and impartial constitutional role enables her to assess equal treatment issues both in constitutional review proceedings and when dealing with petitions. The Chancellor also resolves discrimination disputes between private persons through conciliation proceedings.

The Chancellor does not represent individuals in court or initiate strategic litigation, as envisaged for equality bodies by Council Directive (EU) 2024/1499 and Directive (EU) 2024/1500 of the European Parliament and of the Council. Within her mandate, however, she can help to ensure that the principles of equal treatment are better observed in the activities

of both public authorities and private persons. It is planned to confer the power to represent individuals in court and initiate strategic litigation on the Gender Equality and Equal Treatment Commissioner.

An overview of the Chancellor's activities in this field can be found in the chapter "Equal Treatment".

ENNHRI Regranting Programme

During the reporting year, the Office of the Chancellor of Justice participated in the European Network of National Human Rights Institutions (ENNHRI) Regranting Programme, which supports cooperation between national human rights institutions on important human rights issues.

The joint project of the Estonian, Latvian and Finnish human rights institutions focused on the radicalisation of gender views. The project included a study visit to Finland, where participants met representatives of the Finnish Human Rights Centre and Ombudsman institutions as well as researchers studying radicalisation; an international seminar was held in Tallinn; and articles on the subject were published on the Office of the Chancellor of Justice's Human Rights book blog.

The project provided an opportunity to examine the radicalisation of gender views in greater depth, particularly on social media. This is a global phenomenon involving major financial interests and transnational power struggles. Combating violence against women and extremism therefore requires cross-border and regional cooperation.

The radicalisation of gender views has structural causes and should be considered in the broader context of how we communicate with and show respect for one another. In public life — particularly in politics, education and the media — respectful and balanced communication can set an example.

Extremist attitudes reach young people particularly during adolescence, when they are most vulnerable because they are searching for their identity and the approval of others. Young people cannot be left to deal with this alone. They need support from parents and schools to believe in themselves and in their individuality. We need to listen to young people's questions and thoughts. A humane approach based on empathy, guidance and balanced communication is needed. This may help bridge the growing divide between the attitudes of boys and girls

towards gender equality.