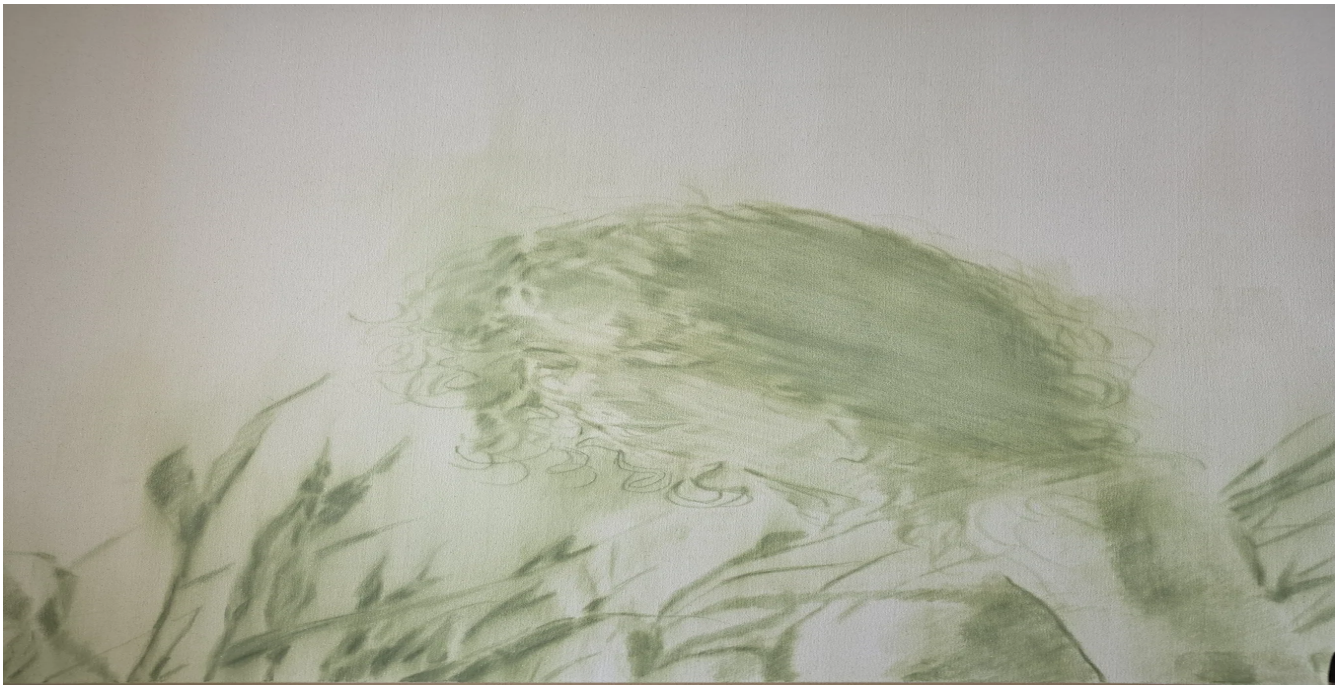
Rights of Persons with Disabilities



Marleen Suvi. Water, Greenery and a Beautiful Face I. Oil pastel and glitter on canvas, steel, stained glass. 2025 (fragment of the work)

One of the Chancellor’s tasks is to ensure that persons with disabilities can exercise their fundamental rights and freedoms on an equal basis with others.

During the reporting year, the Chancellor received 110 applications concerning violations of the rights of persons with disabilities. Most applications concerned issues in the fields of education and social protection, although complaints were also made about discrimination more broadly. In some cases, resolving such concerns falls outside the Chancellor’s mandate, in which case people are provided with general explanations.

Activities of the Advisory Committee for Persons with Disabilities

Employment Opportunities for Persons with Disabilities

The Advisory Committee for Persons with Disabilities, established by the Chancellor, met twice during the year. At its first meeting, the Committee discussed employment issues concerning persons with disabilities.

The employment rate of persons with disabilities in Estonia is high (see Table 1) — more than one fifth of people assessed as having no work ability are also employed. Despite the high employment rate, unemployment is nevertheless higher among people with reduced work ability than among people with full work ability. This is not unique to Estonia. Figure 1 shows that elsewhere in the European Union, too, the unemployment rate among people with activity limitations is approximately twice as high as among people without activity limitations.

Table 1. **Employment indicators for persons aged 16–64 with full, no or partial work ability in 2024– 2025**

	People with full work ability		People with no or partial work ability		People with no work ability		People with partial work ability	
	2024	2025	2024	2025	2024	2025	2024	2025
Labour force	652,000	647,100	56,300	54,400	9,900	9,700	46,400	44,700
Employment rate (%)	80.1	80.0	51.6	49.7	22.1	23.2	69.4	65.9
Unemployment rate (%)	7.4	7.0	13.9	15.2	21.0	16.0	12.3	15.1

Source: Statistics Estonia

Estonia has several state-funded measures designed to help people with reduced work ability into employment. These include tax incentives and wage subsidies for employers. If an employer hires a person with reduced work ability, the state partially compensates the employer for social tax costs. According to the Estonian Unemployment Insurance Fund, in 2025 the state compensated social tax costs relating to more than 28,000 people with reduced work ability; 12,164 employers benefited from this measure.

Through the Estonian Unemployment Insurance Fund:

- 178 people started work with the support of a support person;
- 2,425 people received occupational rehabilitation services;
- 139 people received the supported employment service;
- workplaces were adapted for six people;
- 102 people were provided with a technical aid necessary for work.

Unemployment Rate by Activity Limitation

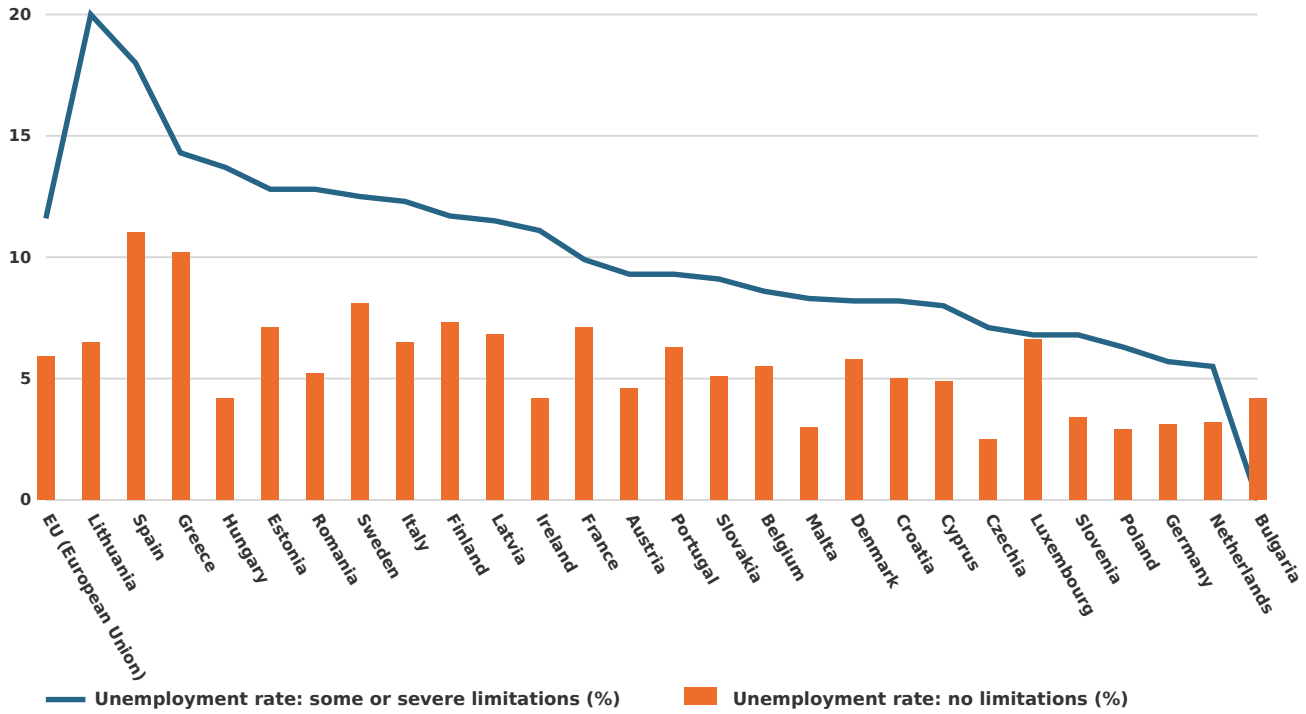


Figure 1. **Unemployment rate among people aged 15–64 with and without activity limitations, by country, 2024 (%).** The unemployment rate indicates the proportion of the economically active population, or labour force, who are unemployed. *Source: Eurostat*

Despite the relatively high employment rate, persons with disabilities still find it difficult to find work. The Committee therefore formulated proposals on how employment could be increased further. It was suggested that employees themselves could be more open about their particular needs and explain to employers what support they require.

A good employer wants to provide a pleasant working environment and does not want to harm the health of any employee. Employers may, however, find it difficult that there are so many different support services, as well as numerous state and local government authorities providing them, making it hard to obtain a clear overview. Employees may face the same problem: they may not know what assistance is available to help them find work more easily or request reasonable accommodation at work.

Although social problems are generally considered to be the responsibility of the state, they can also be addressed through business. After all, the most important thing is not to pay a person a benefit but to give them an opportunity to earn their own living. Sometimes it is enough for an employer to make reasonable accommodation at the workplace, which need not be particularly expensive. Flexibility on the part of both employer and employee can also make a substantial difference. For example, a factory in Kiviõli, where 30 per cent of the employees have health impairments, made a deliberate decision several decades ago to employ people with reduced work ability because labour was scarce in the region. In doing so, the company created a competitive advantage for itself. Other businesses could take a similar approach.

Committee members also described several other ways of encouraging employers to offer jobs to people with particular needs. For example, larger Estonian companies also follow the ESG model — environmental, social and governance standards that emphasise environmental responsibility, social justice, and transparent and responsible governance. Although environmental protection and climate change mitigation receive considerable attention in public debate, a sustainable and safe working environment and diversity in the workplace are equally important. In this context, so-called social enterprises also have a role in other countries, although there are not many of them in Estonia.

Consumer choices can also help increase employment opportunities for people with particular needs. Just as some consumers value climate-neutral or organic products, others consider it important that goods or services comply with fair trade principles — for example, that they have been produced by people with particular needs. Persons with disabilities themselves are also likely to notice employers that have invested in the employment of people with particular needs.

Several larger European countries have introduced requirements concerning the proportion of persons with disabilities that employers must employ. In Germany, public- and private-sector employers with at least 20 employees must fill 5 per cent of positions with persons with severe disabilities. In France, companies with more than 20 employees must employ people with disabilities in at least 6 per cent of their positions. If they fail to do so, they must make a financial contribution. Italy has a similar system.

Although such quotas may appear attractive, applying them in Estonia would be difficult or almost impossible because 95 per cent of Estonia’s 156,000 companies are small businesses with no more than ten employees. At the same time, according to the Estonian Association of Small and Medium Enterprises (EVEA), these small businesses employ nearly 80 per cent of all employees. As noted above, Estonia already has a high employment rate, which means that introducing a quota might not bring about a substantive change.

Persons with Disabilities in the Age of Artificial Intelligence

At its second meeting, the Advisory Committee for Persons with Disabilities discussed what persons with disabilities stand to gain and lose from the increasingly widespread use of artificial intelligence. A Chancellor’s adviser gave a detailed overview of what should be borne in mind when using AI to protect human rights. It is important to recognise that the use of AI can interfere with fundamental rights particularly intensely, because AI is capable of considerably more than a human being. Its ability to systematise and collect information and create profiles sets it apart from other technologies. At the same time, the operation of artificial intelligence is not sufficiently transparent.

It is important that, when AI-based solutions are developed and used in future, the needs and expertise of persons with disabilities are taken into account from the development stage onwards. This reduces the risk that such solutions will discriminate against them or violate their rights.

Decisions made with the assistance of AI must also be carefully scrutinised in Estonia, as there have been several cautionary examples elsewhere in the world. Some countries have relied too heavily on AI in public-sector decision-making, resulting in discrimination and even incorrect decisions. Human beings must not be excluded from such decision-making.

At the same time, persons with disabilities have much to gain from the use of AI, as it can help compensate for disability-related needs. Persons with disabilities should therefore be taught how to use AI to improve their AI literacy. AI can help complete some tasks more quickly or even better, but each person must decide for themselves how and why to use it.

Access to Premises and Services

During the reporting year, people once again contacted the Chancellor about problems caused by lack of accessibility.

For example, one bank discontinued a service that a person had previously used to pay bills. The bank offered the person the option of carrying out banking transactions at a bank branch instead, although this service is considerably more expensive.

In her reply, the Chancellor explained what inexpensive and simpler services banks offer. She also drew the attention of the Estonian Banking Association to the fact that every bank employee has a responsibility to offer customers the banking service best suited to them. A bank must explain the least expensive and most convenient way for a person to pay their bills. The Chancellor also asked banks to remind their employees to take customers' particular needs into account when communicating with them. This can help prevent exclusion and discrimination simply because a customer is unaware of less expensive banking services.

The Chancellor was also contacted with a complaint that, under the house rules of a cinema chain, a visitor was not allowed to enter the auditorium with an assistance dog. The dog had to be left in a separate room. A Chancellor's adviser explained to the service provider why an assistance dog must always remain close to the person who needs it: the dog's role is to provide continuous medical monitoring or ensure the person's safety.

Following the Chancellor's letter, the cinema amended its house rules so that, in exceptional cases, an assistance dog may also be taken into the auditorium if a separate place can be found for it.

People who need an assistance dog because of their disability should be able to take the dog with them wherever they need it. Discrimination on grounds of disability is incompatible with both the Constitution and the Convention on the Rights of Persons with Disabilities. The same principle is also enshrined in the Charter of Fundamental Rights of the European Union.

The Convention on the Rights of Persons with Disabilities clearly provides that persons with disabilities must have access to facilities and services on an equal basis with others (Article 9). Persons with disabilities must also have access, among other things, to performances, museums, libraries and tourism services.

Information must also be accessible. In this connection, the Chancellor was asked to assess whether Estonian Public Broadcasting (ERR) provides a sufficient amount of programming with sign language interpretation.

The Chancellor explained that, under the Media Services Act, audiovisual media service providers must gradually make their services accessible to persons with disabilities by using subtitles, sign language translation, descriptive translation, separate audio channels, teletext and other additional services. The Riigikogu has thus provided by law that television programme services are to be made accessible gradually.

This provision is also consistent with the requirement in the Convention on the Rights of Persons with Disabilities (Article 4(2)) that states take measures with a view to progressively achieving the full realisation of the economic, social and cultural rights of persons with disabilities. A regulation of the Minister of Culture lays down accessibility requirements for ERR television programme services, including requirements concerning the volume of programmes provided with sign language translation, as well as the deadlines for complying with those requirements. Over the past five years, the amount of programming with sign language translation on ERR television has increased considerably and, according to ERR’s plans, will continue to increase.

A Tallinn resident contacted the Chancellor because they were frustrated by parking violations that had continued for years outside their apartment building in Õismäe. The Chancellor wrote to the Mayor of Tallinn that the city should consider solutions for bringing car owners who ignore parking rules into compliance while also providing them with lawful opportunities to park their vehicles.

The problem is not simply that there is insufficient space for vehicles in apartment-building areas. Improperly parked vehicles also prevent pedestrians, including pedestrians with disabilities, from getting around. The situation becomes particularly difficult in winter, when snowbanks further reduce the space available for movement.

The Deputy Mayor of Tallinn replied that the city has a long-term plan for its parking policy, which also provides for the construction of parking garages. Under the *Tallinn 2035* development strategy, residents of apartment buildings in Mustamäe, Lasnamäe and Õismäe will, where possible, park their cars in parking garages located on the outer edges of the neighbourhoods. This is intended to make parking more convenient, improve access to apartment buildings and enhance the living environment for city residents more generally.

Social Security and Social Welfare

Organisation of Social Transport

A city resident contacted the Chancellor with concerns about their child with a disability attending school. Tallinn City Transport AS required the child always to be accompanied by an escort (support person) on the bus. The company imposed this condition after the child's behaviour had put the bus driver in a dangerous situation. Eventually, the city found an escort for the young person, but for four months the mother had to go to the school every day to meet the child so that they could travel home together by bus.

In the Chancellor's assessment, the Tallinn Welfare and Health Care Department had not acted lawfully because, for almost four months, it had failed to arrange an escort for the child as it had undertaken to do.

The Chancellor found that such a situation must not be allowed to arise. Although the city is aware that, when social transport services are provided, some passengers may behave unpredictably or dangerously, the Department had no action plan for resolving such situations quickly. It merely imposed a condition on the passenger whose behaviour had caused the dangerous situation that they must in future be accompanied by an escort. Finding an escort takes time, but a child has both the right and the obligation to attend school every day. The Chancellor asked the Department to consider what should be done in future if the behaviour of a child with a disability endangers the bus driver or another passenger.

Although the situation described above was resolved and the child was once again able to attend school, all city and rural municipality governments responsible for organising education and social transport should also consider how to deal with situations in which the usual social transport arrangements do not work.

In autumn 2025, the Estonian Chamber of Disabled People contacted the Chancellor with concerns that children with particular needs are not always guaranteed their constitutional right to education. Over the years, the Chancellor has repeatedly been informed of cases in which a pupil has been left without necessary assistance because no support person could be found or transport had not been arranged. The social transport case described above also shows that a city government, one of whose responsibilities is to organise education within its territory, is not always able to ensure that every pupil can attend school and study every day.

Under the Social Welfare Act, a person whose disability prevents them from using a personal vehicle or public transport may apply for and use a means of transport suited to their needs in order to travel to work or an educational institution or to use public services.

The Chancellor wrote to the Social Affairs Committee of the Riigikogu and asked why the law does not require social transport services to be organised for persons with disabilities for journeys other than those to work, an educational institution or public services. During the reporting year, the Chancellor was informed of a case in which a local authority refused to arrange social transport for a person with a disability because the person wished to travel home from a leisure activity on a weekday evening.

Charging a Fee for Domestic Service

The Chancellor also received a complaint concerning the City of Tartu’s decision to begin charging a fee for domestic service, which had previously been provided free of charge. The person considered that the fee charged for domestic service — the so-called co-payment — might be unaffordable for some people in need of assistance, causing them to give up the service and be left without help.

The Chancellor explained that the law allows the City of Tartu to establish and charge a fee for domestic service. It is true, however, that paying the fee must not be beyond a person’s means or prevent them from receiving the service. This principle follows from the Social Welfare Act.

The City of Tartu assured the Chancellor that, in such circumstances, the amount of the fee may be reduced or the person may be exempted from paying it, and that this has repeatedly been done. According to Tartu City Government, the city supplemented its website and the information letter for recipients of domestic service with explanations about reducing the fee

or granting an exemption from payment. The Chancellor thanked the City of Tartu for seeking a solution.

Mandatory Funded Pension for a Person with Reduced Work Ability

The state has introduced a social tax concession for employers who employ a person with reduced work ability. Under the concession, the state pays social tax on behalf of the employer on the employee's remuneration up to the amount of the minimum wage. A person who contacted the Chancellor was dissatisfied that the state allocated the entire pension insurance component of the social tax paid in this way — 20 per cent — to the first pension pillar, without making a contribution to the second pension pillar. The person considered that this resulted in unequal treatment of people with reduced work ability because the social tax paid by the state on their behalf did not increase their mandatory funded pension, or second-pillar pension, but only their state old-age pension, or first-pillar pension.

A Chancellor's adviser discussed the matter with officials of the Ministry of Finance, and the Ministry was prepared to propose an amendment to the Social Tax Act. On 3 December 2025, the Riigikogu adopted the Act on Amendments to the Social Welfare Act and Other Acts, which ensured equal treatment of employees with reduced work ability in the accrual of pension rights. The amendment to the Social Tax Act entered into force on 1 January 2026.

Obligation of a Person with No Work Ability to Repay a Study Loan

The Study Allowances and Study Loans Act provides that if a borrower is established to have no work ability after taking out a study loan, the state assumes performance of the borrower's obligations.

The Chancellor was contacted by a person whose study loan repayment obligation the Social Insurance Board had refused to assume. In making its decision, the Board relied on the person's state of health as established almost ten years earlier. At that time, the person had been assessed as having 80 per cent incapacity for work. When the person took out the study loan in 2023, however, they had been established to have partial work ability.

A Chancellor's adviser asked the Social Insurance Board and the Ministry of Social Affairs why the decision was not based on the person's work ability at the time when the study loan was taken out. As a result of the discussions, the Social Insurance Board changed its administrative practice. Since June 2026, when deciding whether to assume a loan obligation,

the Board has based its decision on the person’s work ability at the time the study loan was taken out.

Impact of Changing the Lower Age Limit for Working Age on Benefits for Children with Disabilities

The Riigikogu amended the Social Benefits for Disabled Persons Act so that children with disabilities who have turned 16 will no longer be regarded as persons of working age. The Chancellor was contacted by a parent who wanted these legislative amendments to enter into force earlier and also apply to their child.

The amendments to the Work Ability Allowance Act will enter into force on 1 February 2027. They provide that 16–18-year-olds who acquire the right to receive work ability allowance before that date will continue to receive the allowance afterwards.

Assessment of the work ability of a child subject to compulsory education does not mean that the child must start working to receive work ability allowance. The law imposes no such obligation. By paying work ability allowance to young people who turn 16 before 1 February 2027, the state supports their ability to cope. There are therefore no grounds for considering subsections 27(12) and (13) of the Work Ability Allowance Act, which enter into force on 1 February 2027, unconstitutional.

Amendments to the Social Benefits for Disabled Persons Act will also enter into force on 1 February 2027. Under the amendments, disabled child allowance will continue to be paid to young people who turn 16 on or after 1 February 2027. Young people who turn 16 before that date will receive disability allowance for a person of working age, which is considerably lower than disabled child allowance. However, if a child turning 16 may also be entitled to work ability allowance, which is substantially higher than disabled child allowance, their income will not be lower as a result of receiving disability allowance for a person of working age. On the contrary, recipients of both work ability allowance and disability allowance for a person of working age are in a better position than young people who, from 1 February 2027, will receive only disabled child allowance from the state.

The amendments entering into force on 1 February may also result in some young people under the age of 18 receiving disability allowance for a person of working age but not work ability allowance. Such cases are unlikely to be widespread, however, and the Chancellor

therefore considered it reasonable to assess the situation if and when such a case arises.

Organisation of Guardianship

The Chancellor submitted an opinion on planned legislative amendments concerning the restriction of active legal capacity and the appointment of a guardian. The amendments are planned to be made to the Family Law Act, the Code of Civil Procedure and the General Part of the Civil Code Act.

The Chancellor noted that reforming the guardianship system is in keeping with the spirit of the Convention on the Rights of Persons with Disabilities. There is a need to discuss what protection some adults with mental disorders require and how that protection should be provided. It is important to protect those who genuinely need protection. The Chancellor also drew attention to the provisions of the UN Convention on the Rights of Persons with Disabilities and the comments of the Committee monitoring its implementation.