GUIDELINES FOR THE PREPARATION OF REPORTS BY MEMBER STATES ON THE APPLICATION OF THE 1960 CONVENTION AND RECOMMENDATION AGAINST DISCRIMINATION IN EDUCATION

1. Preliminary remarks

These Guidelines are intended to assist Member States in the preparation of the Reports on the implementation of the 1960 Convention against Discrimination in Education ("the Convention") as well as the 1960 Recommendation against Discrimination in Education ("the Recommendation").

The Convention and the Recommendation, adopted by UNESCO's General Conference in 1960, correspond to UNESCO's constitutional mandate to "advance the ideal of equality of educational opportunities without regard to race, sex or any distinctions, economic or social".

In light of the post-2015 development agenda, the monitoring of the implementation of the Convention and Recommendation is of crucial importance, in order to ensure an education for all and to counter persistent inequalities in access, participation and learning outcomes at all levels, particularly for the most vulnerable groups. National action aimed at making quality education accessible to all without discrimination needs to be emphasized. Concrete measures taken by Member States in accordance with their legal obligations under the Convention and the Recommendation contribute to this process.

2. Reporting obligations

Member States are expected to bear in mind the difference in the legal nature of the obligations under the Convention, as distinguished from those under the Recommendation. The **Convention has binding force**, and the States Parties must incorporate its provisions into the national Constitution or domestic law. **The Recommendation, non-binding in nature, has political and moral force**. It seeks to take into account the difficulties that certain States might experience, for various reasons and in particular on account of their federal structure, in ratifying the Convention. Barring differences in wording and in legal scope inherent to the nature of these two categories of instrument, the content of the Recommendation is identical to that of the Convention. Articles I to VII of the Convention and the Recommendation are identical in wording and contain similar provisions. Member States are expected to give effect to it in national legislation and education policies. In addition, the reporting obligation under the provisions of Article VII of the Convention and of the Recommendation is the same.

Article VIII of UNESCO's Constitution states that "Each Member State shall submit to the Organization, at such times and in such manner as shall be determined by the General Conference, reports on the laws, regulations and statistics relating to its educational, scientific and cultural institutions and activities, and on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4". Therefore, even if countries are not a State Party to the Convention, they need to submit a report on the implementation of the Recommendation.

The reporting should be as comprehensive as possible and the process needs to be participatory and conducted in cooperation between ministries of education and other ministries dealing with the right to education issues. Relevant information from NGOs having Education as their main field of activity should also be provided. The preparation of this report is a good opportunity for Member States to assess the implementation of the right to education in their country and create a dialogue with other actors involved in this field.

3. General indications

Even though some points are framed as questions, the document should be regarded more as a guide than as a questionnaire. Member States are encouraged to provide as much information as possible. In addition to a description of the constitutional, legislative and administrative and policy framework established for the implementation of the provisions guaranteed by the instruments, the information supplied by Member States should also demonstrate how laws and practices comply with the Convention and the Recommendations rights describing legal norms as well as the factual situation.

Member States which already reported to the Eighth Consultation (2011-2013) are invited to refer to it when appropriate. In case some of the information supplied for the national Education for All 2015 Review Report is relevant, Member States may reproduce or refer to it with precise **indication as to its retrieval**.

The reporting period for the Ninth Consultation on the implementation of the Convention and the Recommendation covers four years (2012-2015).

4. Modalities

The present Guidelines present two series of questions/remarks: (1) basic questions to be directly filled by Member States (States parties to the Convention and others) and (2) additional questions with support elements aimed at guiding the Members States to structure and detail their responses (including helpful remarks on how to respond efficiently to the questions raised) these elements are presented in italics. The aim is to simplify and shorten the Guidelines while providing necessary information in order to assist Member States in the preparation of responses.

I. Information on the legislative, judicial, administrative and other measures taken by the State at the national level

1. Ratification of the Convention

1.1 <u>If the Convention has not been ratified yet:</u>

- Does your country plan to ratify this instrument?

  Yes/No

- Please indicate the stage of ratification process reached by your country.

  – *Close to ratification*
  – *Under way*
  – ***Actively under preparation***
  – *Not considering ratification in the short, medium or long term*

- Please briefly explain which are the obstacles or difficulties encountered in completing the ratification process and the means of overcoming them.

  Describe:

  – *the obstacles, whether legal, institutional, political or practical*
  – *the means of overcoming them*
  – *the extent to which UNESCO can assist in completing the process*

1.2 If the 1962 Protocol instituting a Conciliation and Good Offices Commission to be responsible for seeking the settlement of any disputes which may arise between States Parties to the Convention against Discrimination in Education[1] is not ratified yet:

- Does your country plan to ratify this instrument?

  Yes/No

- Please indicate the stage of ratification process reached by your country.

  – *Close to ratification*
  – ***Under way***
  – *Actively under preparation*
  – *Not considering ratification in the short, medium or long term*

- Please explain which are the obstacles or difficulties encountered in completing the ratification process and the means of overcoming them.

  Describe:

  – *the obstacles, whether legal, institutional, political or practical*
  – *the means of overcoming them*
  – *the extent to which UNESCO can assist in completing the process*

2. Legal framework governing the protection of rights guaranteed in the Convention and the Recommendation in the national legal system

2.1 In case your country is a State Party to the Convention:

- Is the Convention directly applicable in your country's domestic law following its ratification?

  Yes/No

- If not, has it been incorporated into the national Constitution or domestic law so as to be directly applicable?

  This seeks information on whether the provisions of the Convention are guaranteed in a domestic legal instrument (Constitution, legislative text or other national provisions)

According to the Constitution of the Republic of Estonia Article 37 everyone has the right to education. Education for school-age children is compulsory to the extent specified by the law, and is free of charge in general schools established by the national government and by local authorities. In order to make education accessible, the national government and local authorities maintain a requisite number of educational institutions. Other educational institutions, including private schools, may also be established and maintained pursuant to the law. Parents have the deciding say in the choice of education for their children. Everyone has the right to be taught in Estonian. The language of teaching in national minority educational institutions is chosen by the educational institution. Article 12 provides that everyone is equal before the law. No one may be discriminated against on the basis of nationality, race, colour,

[1] The Protocol was adopted in 1962. For more information on this Commission: http://portal.unesco.org/en/ev.php-URL_ID=23762&URL_DO=DO_TOPIC&URL_SECTION=201.html

sex, language, origin, religion, political or other views, property or social status, or on other grounds. Incitement to ethnic, racial, religious or political hatred, violence or discrimination is prohibited and punishable by law. Incitement to hatred and violence between social classes or to discrimination against a social class is also prohibited and punishable by law.
https://www.riigiteataja.ee/en/eli/530102013003/consolide

- Please indicate whether the provisions of the Convention can be invoked before and given effect to by courts, tribunals and administrative authorities.

  Information should be given about the judicial, administrative and other competent authorities having jurisdiction with respect to the rights guaranteed by the Convention and the scope of such competence. If possible, illustrate on the basis of available case law and jurisprudence.

2.2 In case your country is not a State Party to the Convention:

- Have legislative measures been taken pursuant to the Recommendation?
- Please explain briefly the ways in which public policies and programmes correspond to its provisions.
- Information supplied should demonstrate how such norms and programmes comply with commitments under the Recommendation. If possible and when appropriate, describe legal norms, national education policy and programs as well as the factual situation.

Legislation: https://www.hm.ee/en/activities/legislative-drafting

http://www.vordoigusvolinik.ee/tolgitud-leht/?lang=en

2.3 For either the provisions of the Convention or the Recommendation, please list the principal national laws and regulations adopted in order to implement them.

For each of them indicate:

➔ *References*
➔ *Dates*
➔ *Aims*

The Report should cover texts adopted to combat, prohibit and eliminate gradually discrimination in education as rooted in the historical, cultural, economic and political conditions and to promote equal educational opportunities.

Please include sufficient quotations from or summaries of the relevant principal constitutional, legislative and other texts which guarantee and provide remedies in relation to the rights enshrined in the Convention and the Recommendation.

Please see the links under question 2.1 and 2.2.

II. Information on the implementation of the Convention or Recommendation (with reference to their provisions)

1. Non-discrimination in education

1.1 Is discrimination in education based notably on grounds specified in the Convention/Recommendation fully outlawed in your country?

Yes/No

1.2. Please explain which measures are adopted to:

- Eliminate discrimination within the meaning of the Convention/Recommendation?
- Prevent discrimination within the meaning of the Convention/Recommendation?

The description should include measures taken as regards:

– *Non-discrimination in the admission of pupils to educations institutions*
– *Non-differential treatment*
– *Treatment of foreign nationals resident in your country*

This should also include assistance granted by public educational authorities to educational institutions.

According to subsection 9 (1) of the Constitution of the Republic of Estonia, all persons staying in Estonia are equal before the law, and Article 12 of the Constitution provides for prohibition on discrimination. With the Equal Treatment Act (2008) Estonia has transposed into national law EU Directives 2000/78/EC and 2000/43/EC establishing a general framework of equal treatment. The objective of the Act is to ensure the protection of persons against discrimination on grounds of nationality (ethnic origin), race, colour, religion or other beliefs, age, disability or sexual orientation. The Act does not concern racial discrimination, which lies within the scope of application of the Gender Equality Act. Prohibition on discrimination and duty to promote equal treatment are included in the Employment Contracts Act (§ 3) and in the Public Service Act (§ 13). Also the Penal Code enshrines provisions related to discrimination, setting out criminal liability for certain violations. The most important relevant provisions of the Code deal with the prohibition on incitement of hatred and on violation of equality.

Additionally, according to the Education Act subsection 2 the fundamental principles of education are based on the recognition of universal and national values, freedom of the individual, religion and conscience. The objectives of education are to:
1) create favorable conditions for the development of the individual, the family and the Estonian nation, also for ethnic minorities, and economic, political and cultural life in Estonian society and also nature conservation, within the context of the global economy and global culture;
2) shape individuals who respect and abide by the law;
3) create opportunities for everyone to engage in lifelong learning.

Republic of Estonia Education Act:
https://www.riigiteataja.ee/en/eli/524042014002/consolide/current

2. Equal opportunities in education

2.1 Please explain what are the concrete actions taken by your government to guarantee equal access to all level of education in your country?

In this part, please include anti-discriminatory measures, financial incentives, fellowships, positive or affirmative action.

The right to acquire education is guaranteed by the Education Act, the Pre-school Child Care Institutions Act, the Basic Schools and Upper Secondary Schools Act, the Private Schools Act, the Vocational Educational Institutions Act, the Institutions of Professional Higher Education Act and the Universities Act.

Equal opportunities exist for acquiring basic, secondary, vocational and higher education as well as participating in hobby education. Under the Education Act, basic education (grades 1-9) is compulsory for school-age children. Obligation to attend school also applies to children of foreign citizens and people with undetermined citizenship residing in Estonia.

Under the Equal Treatment Act, upon determination of the content of instruction and organisation of instruction educational and research institutions and other agencies and persons organising training shall take account of the need to promote the principle of equal treatment.

In addition, the Equal Treatment Act prohibits discrimination of persons on the grounds of nationality (ethnic origin), race or colour in relation to education and access to vocational guidance, vocational training, advanced vocational training and retraining, including practical work experience. The Act also establishes prohibition of discrimination on the grounds of religion or other beliefs, age, disability or sexual orientation in relation to access to vocational guidance, vocational training, advanced vocational training and retraining, including practical work experience.

Under the Gender Equality Act, educational and research institutions and institutions engaged in the organisation of training shall ensure equal treatment for men and women upon vocational guidance, acquisition of education, professional and vocational development and re-training. The curricula, study material used and research conducted shall facilitate abolishing unequal treatment of men and women and promote equality.

2.2 Please indicate how strategies and programmes are being implemented with a view to ensuring, in your country, equality of educational opportunities (in terms of access, participation and completion).

Particular emphasis should be placed on gender equality and on the improvement of the legal and social status of women.

Estonian Lifelong Learning Strategy 2020 (Eesti elukestva õppe strateegia 2020) adopted in 2014 guides the most important developments in the area of education https://www.hm.ee/sites/default/files/estonian_lifelong_strategy.pdf

Among basic values of the strategy are gender equality, openness, tolerance and sustainable development. It is the basis on which the government will make its decisions for educational funding and for supporting the achievement of necessary changes: 1. Change in the approach to learning; 2. Competent and motivated teachers and school leadership; 3. Concordance of

lifelong learning opportunities with the needs of labour market; 4. A digital focus in lifelong learning; 5. Equal opportunities and increased participation in lifelong learning. Equal opportunities for lifelong learning have been created for every individual.

For the implementation of the Estonian Lifelong Learning Strategy 2020 the Study and Career Counselling Programme has been prepared. As children and youth have different abilities, needs and interests many of them need counselling and support at different stages of their lives in order to unlock their potential and, in many instances, overcome challenges in their education path. There is a growing number of children in kindergartens and schools who need help from support specialists to a various extent in order to achieve the goals of the curriculum. The goal of study counselling is to better understand everyone's individual needs and provide support to students with special needs for participating in learning that corresponds to their abilities.
Career services support informed career choices and the ability to match one's skills and interests with existing learning and work opportunities. It is a pre-condition of finding a suitable profession and applying oneself in the labour market in an optimal manner.
Counselling and support of students carried out in a timely manner decreases the number of people who cut their education path short and the number of school drop-outs and creates conditions for an increased share of students at higher levels of education.
The goal of the programme is to ensure the uniform availability of education support services throughout the country; to support youth by providing high-quality counselling services, helping them receive education corresponding to their abilities and the needs of the society; and to prepare them for participation in the labour market.
The planned cost of the programme until 2020 is 58.5 million Euros. The amount of financing is adjusted annually during the discussion of the national budget strategy and national budget.
Activities:

1) **Providing study counselling and career services to youth** (the 1.5-26 age group)

   Since 1 September 2014 in all the counties of Estonia **Rajaleidja counselling centres** have become available, where:

   - **Career services are provided free of charge** (career information and counselling) to youth. The purpose is to provide individual career services to each student at least once before they enter every new level of education or the labour market. Schools are also supported in carrying out career support courses.
   - **Study counselling services are provided free of charge** (special pedagogical, logopedic, psychological and social pedagogical counselling) to children and youth. On average, 7,500 cases are addressed annually.
     The work of **counselling commissions** is organised that give recommendations to educational institutions and parents regarding the organisation of studies for children with special needs and the implementation of support measures.
   - **Small rural municipalities** (less than 350 students) **are supported by providing the services of a first-level special pedagogue and psychologist**. These services are intended for schools that lack a support specialist – the manager of the school can buy the service from the centre at a discount.

2) **Ensuring the quality of counselling services and the development of services**

- In co-operation with universities, the system of initial training for specialists and curricula are being developed, basic and in-service education for support specialists is carried out.
- Support services standards will be updated and brought into conformity with the needs of society.
- A client management system will be developed and administrated that enables monitoring of the provision of services in the given moment of time and collection of statistics.
- Methodological, instruction and information materials will be prepared and distributed for specialists and clients.
- Studies and surveys will be carried out to assess the current situation and the impact of the services and to receive inputs for the development of the services.
- We participate in the work of international counselling networks (ELGPN; Euroguidance; NICE; EmployID).

3) Ensuring the availability of relevant information about the labour market and learning opportunities, raising awareness among the population

- The **Rajaleidja portal** will be developed, updated and maintained – information about the labour market (especially growing sectors) and learning opportunities will be collected and shared; the database of professions will be updated and expanded.
- **Regional joint and career events** will be organised in co-operation with businessmen, schools and other institutions that deal with youth.

National Reform Programme "Estonia 2020" (Konkurentsivõime kava "Eesti 2020") was adopted in 2011, updated 2016.
https://riigikantselei.ee/en/supporting-government/national-reform-programme-estonia-2020

This is a reform programme that describes the objectives established to improve competitiveness and activities needed to achieve these objectives.
The two central objectives of "Estonia 2020" are increasing the productivity and employment in Estonia. The main focus in the coming years is on education and employment and the main objectives include integrating long-term and young unemployed people (the so called NEET youth - not in education, employment or training) in the labour market and developing their skills. In addition to the preceding objectives, the programme includes 15 further objectives that are divided into four fields one of them being educated population and cohesive society.

Other initiatives to put the principles in practice are the following:

- The concept of inclusive education will be updated;
- Improvement of learning conditions for children with special needs continues;
- Concept of multicultural education will be developed;
- Support to teaching Estonian as a second language and foreign language learning continues;
- Free school lunch in basic schools and upper secondary schools;
- Teaching materials are guaranteed to all pupils;
- **Kindergartens and childcare facilities will be governed by a single piece of legislation**

By the end of year 2016, the Ministry will submit a draft legislation for approval, under which early childhood education and childcare will form a uniformly regulated single system covering childcare facilities and kindergartens, irrespective of the form of ownership. According to the

draft legislation, the care and education of children of pre-school age will be comprehensive: as children get older the share of early childhood education increases and that of childcare decreases. According to the draft legislation, local governments are required to provide – either through municipal facilities or private sector facilities – equal opportunities for all children between the ages of 18 months and 7 years to attend childcare facilities and have access to early childhood education if their parents so wish. All children should have access to early childhood education in kindergartens starting from the age of three.

- **The Government will provide more support to hobby education and extracurricula activities of young people**

Amendments to the Youth Work Act have been prepared to create an opportunity to provide funding to local governments for hobby education and extracurricular activities of youth. The aim of additional funding is to make hobby education and activities more accessible to youth aged between 7 and 19 and to provide more diverse participation opportunities.
Government funding will supplement the contribution by local governments. Local governments will continue to be responsible for organising and supporting hobby education. Local governments are expected to offer hobby education in at least three areas: culture, sports and SET.
The Government will provide more support to hobby education starting from next September. For this purpose, the National Budgetary Strategy 2017–2020 has set aside 6 million euros in 2017 and 15 million euros per year starting from 2018.

2.3 Please describe the actions planned and taken in your country to ensure inclusion of all learners in learning process.

Here please describe measures taken for instance to give special consideration to gender equity and equality in education including addressing gender-based violence, and the educational needs of the poor, economically and socially marginalized and other vulnerable groups, including people with disabilities.

Studies are conducted in Estonian preschool childcare institutions, general education schools and vocational schools under uniform national curricula, on the basis of which schools compile their own curricula. The values deemed important in the national curricula derive from the ethical principles specified in the Constitution of the Republic of Estonia, the Universal Declaration of Human Rights, the Convention on the Rights of the Child and the basic documents of the European Union. General human values (honesty, compassion, respect for life, justice, human dignity, respect for self and others) are enshrined as core values, as are social values (liberty, democracy, respect for mother tongue and culture, patriotism, cultural diversity, tolerance, environmental sustainability, rule of law, solidarity, responsibility and gender equality). As the education system is based on the constitution and constitutional values of Estonia education shall be directed to the full development of the student but also to the socialisation and shaping a peaceful, inclusive, open, tolerant and democratic society.

The Estonian Lifelong Learning Strategy 2020 sets policy targets for inclusive education, whereas the development of inclusive competence-based national curriculum, the inclusion of national minorities, teacher education, and educational counselling are set as sub-goals:
1) Creating flexible opportunities for pre-school education;
2) Creating quality opportunities for upper-secondary education;
3) Guaranteeing access to good quality vocational education and higher education that addresses the needs of the labour market;
4) Guaranteeing support services for those who participate in lifelong learning;

5)Creating opportunities for people with lower competitiveness to participate in learning;
6) Implementing support schemes for university, vocational and general upper-secondary students;
7) Assisting graduates of non-Estonian language basic schools.

In 2016, the Estonian Ministry of Education and Research will also start updating the concept of inclusive education, taking into account the needs of the Estonian education system and international trends. The aim is to agree, in cooperation with stakeholders, on actions supporting the implementation of the principles of inclusive education in general and vocational education. According to the concept of inclusive education, students with special educational needs should form an integral part of the student body of a mainstream school, be included in the learning process to the best of their abilities and provided adequate support to succeed both academically and socially. The inclusion of students with special educational needs means ensuring the relevant learning environment, support systems as well as teaching adapted to their individual needs and abilities. The Government will continue to run 18 special schools for children with special educational schools and to improve the learning conditions there. This will be done by involving European funds for which specific conditions have been established.

One of the goals of the School Network Programme that has been prepared for the implementation of the Estonian Lifelong Learning Strategy 2020 is to modernize special education schools.

Existing special education schools will be renovated and if necessary, school places are created for students with special education needs in regions where there is a demand for such places. To guarantee inclusion of students with special education needs in regular schools, local governments will receive financing for the acquisition of small-scale solutions in their school buildings. Eligible projects are lifts, ramps, required IT solutions and other things that enable the participation of children with special needs in school work.

3. Progress made with respect to implementing the right to education

3.1 Universal primary education

- Please provide information on the progress made with respect to ensuring universal access to primary education.

- Please provide details on the availability of **compulsory** and **free of charge** primary education in your country:

  ➔ *Is primary education available free of charge to all? **Yes**/No*
  ➔ *If so, please list the laws and policies that ensure this universal free availability of primary education.*
  ➔ *If not, does your government intend to ensure free primary education? Yes/No*
  ➔ *If so, how?*

All persons residing in Estonia have the right and obligation to acquire basic education (grades 1-9) of education. Basic education is free of charge at municipal and state owned schools. A child is at the age of compulsory school attendance if he or she is seven years old by the 1st of

October of the current year. The obligation to attend schools lasts until basic education is acquired or until a student attains 17 years of age.
https://www.hm.ee/en/activities/pre-school-basic-and-secondary-education

Basic Schools and Upper Secondary Schools Act:
https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/521062016007/consolide

- Is primary education compulsory in your country?

  Yes/No

  ➔ *If not, please provide details on its implementation and indicate the current period of compulsory education*
  ➔ *Indicate whether your country has adopted and reviewed legislation so that minimum ages for the end of compulsory education, for marriage and for entry into employment are coherent and aligned.*

  In this part, details should be provided on the difficulties experimented by your government in the realization of universal access to free and compulsory primary education.

3.2 Secondary education

- Please provide information on the general availability and accessibility to all of secondary education, including technical and vocational secondary education and training in your country.

  Please provide details on the difficulties experienced by your government to guarantee gender parity in terms of accessibility to technical and vocational secondary education and training

- Is it available free of charge?

  Yes/No

  ➔ *If so, please describe the extent to which it is.*

  Please also provide details on the difficulties experienced by your government in the realization of universal access to free secondary education. Please provide quantitative and descriptive information on these difficulties and on the progress realized.

Secondary education as well as vocational secondary education are available free of charge. Please see the links provided in section 3.1.

The School Network Programme of the Estonian Lifelong Learning Strategy 2020 puts the main emphasis on the reorganisation of the general education school network to bring the school network in line with demographic changes and ensure the uniform availability of high-quality education everywhere in Estonia. The programme supports the creation of upper secondary schools without basic school grades and state upper secondary schools with such organisation of studies that prepares students for studies in higher education institutions or vocational schools. State upper secondary schools without basic school grades increase local

government capacity to focus on offering high-quality basic education. The separation of basic school and upper secondary school creates for young people an equal opportunity to consider an upper secondary school or vocational school for the continuation of studies. To a lesser extent the programme also supports the modernisation of infrastructure of vocational schools; the network of vocational schools has been reorganised and the learning environment has been modernised during the previous Structural Funds periods.

The planned cost of the programme until 2020 is 231 million Euro. The amount of financing is adjusted annually during the discussion of the national budget strategy and national budget.

Goals:

1) All capable youth can get a high-quality upper secondary education with a broad selection of choices in an upper secondary school available at least in their home county centre.
2) Basic schools that are close to student homes operate in renovated energy-efficient buildings.
3) Renovated school buildings are available for children with serious educational special needs in areas where the need in such school places is the greatest.
4) Conditions are created in municipal schools to include children with less serious special needs in a regular learning process.

Activities:

1) **Establishment of state upper secondary schools in county centres and regional centres**

- According to the Basic Schools and Upper Secondary Schools Act, a state upper secondary school must be opened by 2020 in the centre of each county. State upper secondary schools will be established in local government units where the school network reorganisation programme has been agreed upon – which local government schools will continue operating and in what format, and what the role of the state upper secondary school will be in such local government unit or region. In addition, the impact of the established school upon the region, its sustainability and economic expediency will be taken into account.
- With the support from the European Regional Development Fund (ERF) the buildings of state upper secondary schools will be renovated or constructed – €110 million has been allocated for this purpose.

2) **Renovation or re-purposing of buildings used by strong basic schools**

- The overview prepared by the Ministry of Education and Research shows that municipal schools, on average, have 17 square meters of floor area per student (without dormitories and sport facilities). The experience of successfully operating basic schools shows that the optimal size of floor area is 10-11 square meters per student.
- Depending on the project and local government programme, a school may find a new public function for the unused part of its building (e.g., as a kindergarten or library) or such unused part can be demolished; it is even possible to demolish the entire depreciated school building and build a new one.
- A condition for providing financing is the achievement of clear economy through the decrease of the floor area and renovation of the school building. The local government must co-finance works with the minimal contribution of 15% of the total costs.
- An application for financing can be submitted by local governments that made a decision to renovate their school network in 2011 or later. The expected total amount of the programme is €109 million.

3) **Modernisation of SEN schools and 4) Inclusion of SEN students in regular schools** (please see detailed description under section 2.3).

Vocational Educational Institutions Act:
https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/515012016003/consolide

3.3 Higher education

- Please explain to what extent access to higher education, based upon individual capacity, including technical and vocational education and training, is realized in your country.

- Please describe the efforts made by your government to ensure that there is no discrimination on the ground prohibited by the Convention to enter and complete higher education.

  Please provide information on the financial costs to receive education in higher public or private Education institutions. Please include explanations about both public and private institutions. Please also provide quantitative and descriptive information on the difficulties experienced by your government as regards access to higher education and on the progress realized.

In Estonia the admission to universities are mostly merit based. A higher education institution may introduce further admission requirements, which may differ between universities. Those can be minimum scores of national exams, entrance examination or secondary education final grades, etc.

The access requirement on the first cycle of higher education is secondary education (general secondary education or vocational secondary education) or a corresponding foreign qualification (https://www.hm.ee/sites/default/files/higher_education_system_2013.pdf).

Since 2012/2013 academic year, higher education is free of charge in Estonia for those studying full-time and in Estonian language (https://www.hm.ee/en/activities/higher-education).

Estonia has implemented measures to simplify access to higher education to every groups in society to ensure that every capable person could study in university. For example, need-based student support system was introduced at 2013/2014. Students from less privileged families can apply for study allowance (75€-220€ per month) when studying full time. Plus, grant for students with special needs (disability) are implemented. The amount of the grant (60€-500€ per month) depends on the type of the disability. Also some special cases are introduced like students with moderate, severe or profound disability, are entitled to complete the curriculum during the period of academic leave. Also counseling service is able for everyone, including students with special needs, in higher education.

In addition, Estonia has implemented doctoral allowance, result-based grants, specialty grants, and grants for young people raised in a substitute home or family with a purpose of supporting students (https://www.hm.ee/sites/default/files/oppetoetused_stipendiumid_2016_eng_0.pdf).

Students are also able to apply for a study loan. A study loan is a state-guaranteed long-term loan to students who are Estonian citizens or are staying in Estonia on the basis of a long-term residence permit or permanent right of residence. The maximum rate for study loan secured by the state per applicant per academic year will be established by the Government of the Republic of Estonia annually by 1 July. A loan may be applied for at any time during the academic year, from mid-September to 1st of June and it is available from all major commercial banks.

The eligibility criteria and conditions are regulated by the Study Allowances and Study Loans Act:
https://www.riigiteataja.ee/en/eli/ee/515112013011/consolide/current

Universities Act: https://www.riigiteataja.ee/en/eli/521032014002/consolide

3.4 Adult education and lifelong learning

- What efforts has your government made to establish a system of continuing education on the basis of individual capacity?

  ➔ *Please specify efforts made as regards education for persons who have not received or completed the whole period of their primary education.*

In Estonia, adult education is divided into formal education, informal work-related training and retraining and popular adult education: https://www.hm.ee/en/activities/adult-education

Starting from academic year 2016/2017, the providers of continuing education and training have an obligation to maintain a website to provide constantly updated information on their activities: curricula, learning conditions and training providers. From March onwards, they are also required to make their performance indicators available to all interested parties. Such information enables prospective learners and entities commissioning training to make the best informed choice. For learners to be able to claim reimbursement of income tax paid on education, to be granted study leave or to receive support from the public sector, the provider of the continuing education and training must be registered in the Estonian Education Information System (EHIS).

The Ministry of Education and Research encourages adults to return to education – the aim is to bring adults who have dropped out of basic or upper secondary school back to school and to give them an opportunity to complete their education. The projects, which received a total of more than 2.6 million euros, offer training on learning skills and additional or bridge courses on different subjects to adults returning to education; student counselling and individual guidance also play an important role. Since the objective is to make learning as flexible as possible, e-learning options and childcare services are also available.

- What are the concrete measures implemented to ensure equitable access to continuing education?

  ➔ *Please specify measures (including financial assistance) that ensure that the basic learning needs of all young people and adults are met through:*

  – *elimination of illiteracy*
  – *equitable access to appropriate learning and life-skills programmes.*

The Ministry of Education and Research has prepared a new order for state-commissioned adult education and training to provide free trainings to more than 6,500 people across Estonia. It includes 506 free courses provided by vocational schools and institutions of professional higher education providing vocational training.

The participation rates of adults in lifelong learning has started to increase; however, people with lower education continue to be passive when it comes to professional development. The programmes are targeted at those adults whose employability and success on the labour market

will be significantly increased by the knowledge and skills acquired on the courses. Some 34,300 adults will be able to improve their professional skills on free courses between 2016 and 2018.

The literacy rate in Estonia is nearly 100%.

3.5 Quality education

- Please provide information on the measures taken by your country to ensure equivalence in all educational institutions in:

  – the standards of education
  – the conditions relating to the quality of the education provided (e.g. infrastructure, teacher/learner ratios, teaching and learning materials)
  – the provisions to ensure that children learn in a safe environment free from violence or harassment, including school-related gender-based violence (at, around, and on the way to school).

  Please, to provide such quality assessment, take into account all public educational institutions of the same level. Please include information on policies, protocols or codes of conduct.

For each level of education (pre-school, basic, secondary and higher education), the state establishes requirements, called national standards of education. These are set out in national curricula which determine general objectives of the respective educational level, required content, estimated length of study period, required knowledge, skills and experience. The organisation and conduct of inspection for formal education is regulated by the Pre-School Childcare Institutions Act, the Basic Schools and Upper Secondary Schools Act, the Vocational Education Institutions Act, the Private Schools Act, the Universities Act and the Institutions of Professional Higher Education Act. The main objective of the inspection is to contribute to acquiring quality education and to ensure the efficiency and lawfulness of education and schooling activities. In Estonia there is no independent inspectorate, thus no complex, full-scale inspection is conducted. The Ministry of Education and Research establishes the priorities of inspection for each school year and according to that the county governors carry out thematic inspections (the sample includes approx. 10% of educational institutions. The Ministry carries out inspection in individual matters, for example, when an educational institution has applied for an education licence or in case of problems (complaints). In 2006, the Ministry of Education and Research established a mandatory requirement for internal evaluation in pre-primary institutions, general education institutions and vocational schools as well as changed the organisation of state inspection: the role of internal evaluation has increased and the role of the state inspection has decreased. The information received is used for the dissemination of the best practice in educational institutions; for the training of managers and teachers of educational institutions; for the introduction of necessary changes to legislation; and for making decisions concerning education policy. Additionally, we the ministry would like to go over from thematic inspection to risk based inspection – it means to inspect schools only when there are problems. https://www.hm.ee/en/activities/external-evaluation

In vocational education and higher education the development of principles and procedures of external evaluation is the task of the Estonian Quality Agency for Higher and Vocational Education: http://ekka.archimedes.ee/en/

National curriculum for basic schools:
https://www.riigiteataja.ee/en/eli/ee/VV/reg/524092014014/consolide

National curriculum for upper secondary schools:
https://www.riigiteataja.ee/en/eli/ee/VV/reg/524092014009/consolide

Occupational qualification standards in vocational education:
http://www.kutsekoda.ee/en/kutsesysteem/tutvustus/kutsestandardid_eng
(additionally also vocational education standard and national vocational curricula act as standards)

Standard on Higher Education:
https://www.riigiteataja.ee/en/eli/ee/VV/reg/524092014013/consolide

3.6 Teaching profession

- Please describe the conditions of teaching staff at all levels in your country.

  Please include information on teachers' average salaries (for each level of education) as compared to the salaries of (other) civil servants with equivalent qualification, and on how this ratio developed overtime.

- Please explain briefly the measures your country takes to improve the living and teaching conditions of teaching staff.

- Please explain briefly the measures your country takes regarding the training for the teaching profession.

- Have there been instances of discrimination as regards the training for the teaching profession in your country?

  Yes/**No**

  ➔ If so, please detail the response your government gave to this situation.

The teacher is seen as the creator of links and designer of values and attitudes and the role of the teacher is to support the development of every student. The profession of the teacher and it´s value, teachers´ professional development and worthy pay are the priorities of Estonian teacher policy during 2014-2020. To implement the Estonian Lifelong Learning Strategy 2020 the program "Competent and motivated teachers and school leadership" has been launched.

The goal of the programme is to bring the support and assessment of the development of teachers and school leaders into conformity with the modern approach to learning and increase the attractiveness of their positions.
Nowadays a teacher is not a source of information but a person who creates links and shapes values. The task of a teacher is to develop critical and creative thinking, analytical skills, proactive approach and teamwork as well as written and verbal communication skills in his/her

students. In-service education and assessment of teachers and school leaders must support the development of such competencies. To ensure successful succession planning for teachers, the prestige and status of the position must be raised. The profession must become an attractive choice for capable youth as well as for people with work experience in other areas.
Both teachers and school leaders must have an opportunity to assess the level of their skills, receive feedback about their performance and development needs, and receive payment corresponding to their contribution and job performance.
The planned cost of the programme until 2020 is approximately 30 million Euros; teacher salaries are added to this amount. The amount of financing is adjusted annually during the discussion of the national budget strategy and national budget.

Activities of the programme:

1) The design of in-service education system for teachers and school leadership

- A fragmented in-service education for teachers and school leaders will be replaced with a central systematic and high-quality in-service education based upon the education policy and research. The organisation of in-service education and personnel development will be consolidated into one foundation of the Ministry of Education and Research instead of several such foundations. (Except in-service education offered by HITSA.)
- Quality requirements for education providers will be updated to ensure the quality of in-service education.
- Joint research and development projects of schools and universities will be initiated and organised to implement an updated approach to learning.
- Digital technology will be used in learning and teaching in a more expedient and efficient way (see the Digital Focus Programme), co-operation and joint learning formats between school teams will be promoted.
- Centres of competence for teacher education are developed at universities responsible for teacher education. Competencies of teaching staff will be developed (also at the international level) so that teaching at higher education institutions will also be based on the changed approach to learning.
- Teacher education institutions will develop the curricula of initial and in-service education for teachers closely integrated with practical work and create more flexible opportunities for teachers to acquire a second speciality.
- Opportunities will be created to become a teacher through alternative learning paths and work experience.
- Organisation of practice within the framework of teacher education will be promoted together with partner schools.

2) Raising the attractiveness of, and rewarding, the profession of teacher and school leader

- The average salary of a teacher will be raised to the level equal to the average salary of a specialist with higher education in Estonia.
- To bring the salaries into conformity with work efforts and performance, the basic principles of work performance evaluation and pay will be developed for teachers.
- Competency requirements for school leadership will be modernised and a work and development feedback system (assessment system) will be created for them that will also be supported by an e-solution.
- Information systems supporting the effectiveness of in-service education for teachers and school leaders will be created; the systems will enable teachers to assess their training needs and find suitable training.
- A succession programme for school leaders will be launched with the selection of best candidates on a competitive basis.

- Programmes raising the prestige of the teaching profession will be created to make the teaching profession a serious option for youth and those who consider a change of profession.

Teachers' salaries have increased more than 40% over the last 5 years: the average gross monthly salary of a municipal school teacher has increased from just under €800 in 2011 to €1,135 in 2015. The growth has been more rapid than the Estonian average: while in 2011 the average pay for a teacher was 95% of the national average, in 2015 it was 107%. Increasing teachers' pay continues to be a national strategic objective. By 2020 the aim is to achieve that the average salary of teachers is equal to or higher than the average salary of an employed higher education graduate, i.e. 120% of the average national wage.

Training and development activities: https://www.hm.ee/en/activities/teacher-policy/training-and-development-activities

3.7 Respect for human rights and fundamental freedoms

- Please briefly report on national efforts made for directing education to:
  - the full development of the human personality
  - the strengthening of respect for human rights and fundamental freedoms.

  Here the information should demonstrate how education promotes understanding, respect and further progress towards gender equality (for example, through the introduction of human rights education in curricula).

In August 2014, the Government approved amendments to the national curricula of basic and upper secondary schools which inter alia enhanced the promotion of gender equality at these school levels, including in tuition of social subjects, career planning, technology and handicraft.

According to a Regulation of the Minister of Education and Research, study literature must be based on the core values established in the national curriculum, whereas it must take into account the principle of multiculturalism and avoid stereotypes that incite gender based, nation based, religious, cultural or racial prejudice.

Pursuant to the Estonian Basic Schools and Upper Secondary Schools Act, human rights are core values of general education. Schools shall build up a school culture respecting democratic and human rights values. Within the learning process, human rights are connected with the core competences (for example value and cultural competence; social and civic competence; self-awareness competence; communication competence) described in the general part of the national curricula. Human rights education in connection with value education, media literacy and critical thinking is set as a target to be developed in the General Education Programme 2016-2019 (part of the Estonian Lifelong Learning Strategy 2020). According to the Programme, a concept and strategy of human rights education in Estonian education system will be developed by 2017.

As an accompanying material for the implementation of the national curricula, descriptions of study process have been worked out in Estonia. These descriptions are there for every subject and the aim of these is to show how to integrate and teach about cross-curricular topics, develop

core competencies and integrate different subjects. The descriptions of study process are currently being complemented with the topics of human rights and gender equality.

3.8 Private education and religious and moral education

- Please provide brief information on the regulatory framework relating to the establishment or maintenance of private educational institutions

  In the context of rapid privatization of education, the information should also indicate how the Government is regulating private education providers and is ensuring compliance with minimum standards of education. The information should also demonstrate how your government guarantees that the development of private education does not generate discriminations and to what extent private schools offer a relevant alternative in your country.

- Please briefly describe the education policy framework for minimum educational standards as regards the rights of the parents/legal guardian for providing religious and moral education for their children.

In order to make education accessible, the national government and local authorities maintain a requisite number of educational institutions. Other educational institutions, including private schools, may also be established and maintained pursuant to the law. As of academic year 2015/2016 there were 47 private schools (8,8%) with 6 458 pupils (4,4%) in Estonia, among of them 9 Christian Private School with 1 082 pupils (among of them 1 Catholic Private School with 427 pupils).

Private Schools Act:

https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/521062016008/consolide

3.9 Rights of national minorities

- What are the rights given to national minorities to carry out their own educational activities protected?

- As regards the educational standards in educational institutions run by minorities, please describe the legal and policy framework existing in your country.

  Please cover the language facilities, notably the use of teaching of languages in education policy.

According to subsection 21 (2) of the Basic Schools and Upper Secondary Schools Act, in municipal basic schools (grades 1–9) the language of instruction may be any language on the basis of a decision of the council of the rural municipality or city government relying on a proposal of the board of trustees of the school. In a state basic school, the language of instruction may be any language on the basis of a decision of the Minister of Education and Research. The said Act defines the language of instruction to be the language in which more than 60% of studies are pursued. The owner of the school decides the language of instruction

considering the needs of the region and available resources — available teachers, possibilities for acquiring means of instruction, etc. In basic schools it is possible to study in Estonian, Russian, English and Finnish. In ca 81% of general education schools the language of instruction is Estonian, in 14% it is Russian, 4% of schools have departments where the language of instruction is Estonian or Russian, and the language of instruction in the rest (1%) is English or Finnish. The cultural and language-based needs arising from the ethnic origin of the school's student body can be regulated in the school curriculum on the basis of the Basic Schools and Upper Secondary Schools Act. As an alternative to language study groups, national minorities also organise language and cultural studies at hobby schools which receive systematic support from the Ministry of Education and Research. Pupils who have stayed in Estonia for less than three years are deemed within the education system to be new immigrant pupils.

The Government has expressed its clear opinion that it considers supporting the studies of different languages, including the languages of the national minorities living in Estonia, a priority. On 13 March 2009 the Minister of Education and Research adopted a decree approving the Strategy for Foreign Languages in Estonia for 2009–2015. An objective of the strategy was to promote linguistic diversity in Estonia and thereby establish better possibilities for Estonian inhabitants to effectively participate in economic, social and political life both in Estonia and abroad.

In academic year 2016/2017 we expect to complete the development of the concept of a multicultural school, describing different types of multicultural schools. The concept is prepared as guidance material to schools and teachers working with children of different cultural backgrounds. A multicultural school should pay particular attention to creating an inclusive learning environment, culturally aware organisation of teaching, inclusion of the local community, and non-formal learning. An increasing number of Estonian schools have students of different cultural backgrounds. There are about 400 children of new migrants or returnees in Estonian schools plus children of refugees and also exchange students. Nowadays, teaching children of different cultural backgrounds is a reality, for which each school and teacher should be prepared. Five schools will adopt the concept in academic year 2016/2017 they will describe their cultural specifics, take stock of the existing competences and identify those which need further improvement. If necessary, training, guidance and other types of support will be provided to piloting schools by the Ministry of Education and Research and Foundation Innove. The experience gathered during the pilot year will be used to develop the best practice for multicultural schools.

Starting from academic year 2017/2018 the Government is planning to support Estonian as a second language and foreign language learning by vocational and university students in order to improve their career opportunities and mobility on the labour market. In order to improve the performance of people with insufficient state language skills on the labour market, they will be provided with language practicing and traineeship opportunities in regions where the need for this is greatest.
More than 200 kindergarten and general education teachers in Ida-Viru County (dominantly Russian speaking area in Estonia) will be provided free Estonian language courses at levels B2 and C1 to prepare them for the required qualification tests.
Support will be given to cooperation projects of different educational institutions concerning the state language and foreign languages in order to improve language skills, support integration and promote educational choices.

III. Methods used to draw the attention of the various authorities in the country to the instruments and to remove the obstacles encountered

1. Challenges and obstacles – Please provide information on

1.1 The difficulties and obstacles encountered in the process of implementing the key provisions of the Convention/Recommendation.

1.2 The main issues that need to be addressed for promoting further the implementation of equality of educational opportunities in your country.

1.3 Brief assessment of the effectiveness of the methods introduced to remove obstacles encountered.

The Report should provide concrete elements on the difficulties and obstacles (including legal and practical) encountered.

N/N.

2. Awareness-raising

2.1 Briefly describe activities carried out to:

- draw the attention of the various authorities of the country to the Convention/Recommendation
- raise public awareness of the principles of non-discrimination and equality of educational opportunities enshrined in the Convention and the Recommendation, and their national or local dissemination, in particular to non-governmental organizations.

  This should include their translation into national and, where necessary, local languages.

2.2 Please specify activities undertaken or supported by the National Commission with a view of

- promoting the Convention/Recommendation
- fostering debate on critical issues, in relation to the rights enshrined in the instruments

  UNESCO governing bodies have underlined the need for awareness-raising. Given the importance of normative action at the national level, the Convention must be given wide dissemination, with the support of National Commissions.

The institution of the Gender Equality and Equal Treatment Commissioner has been created in Estonia in order to help people protect their rights and to avoid any form of discrimination. The Commissioner stands up for women and men having equal rights and opportunities in all aspects of public life. The Commissioner also endeavors to ensure that people in various minority groups are not treated unequally. The task of the Commissioner is also to draw attention to any inequalities that may be present in society and to their causes. The Gender

Equality Act and the Equal Treatment Act obligate among others also educational institutions to promote equal treatment more widely and they must organize the study and teaching according to the equal treatment principles.

Web page of the Gender Equality and Equal Treatment Commissioner:
www.vordoigusvolinik.ee

Also there are several organizations and initiatives in Estonia created to develop the school culture: UNESCO Associated Schools Network, Kindergartens and schools free of bullying, network of Human Rights Friendly Schools, Bullying Free School (KiVa Anti-Bullying Program) etc.