

Estonian National Report on Follow-up to the World Summit for Children

A. Introduction and Background

Alignment of national legislation with the provisions of the Convention

The Republic of Estonia acceded to the UN Convention on the Rights of the Child by the resolution of the Supreme Council of the Republic of Estonia of 26 September 1991. Therefore Estonia has not participated in World Summit 1990-I.

B. Process Established for the End-decade Review

In the process of preparing of the current Report specialists from different departments of the Ministry of Social Affairs of Estonia have taken part. The text of the Estonian Report on the UN Convention on the Rights of the Child was used as well. The Report on the implementation of the UN Convention on the Rights of the Child was prepared by a Committee, half of members of which were the representatives of the NGOs.

C. Action at the National and International Levels

D. Specific Actions for Child Survival, Protection and Development

a) The letter of accession was deposited with the UN Secretary-General on 21 October 1991 and the Convention took effect in relation to Estonia on 20 November 1991. The text of the Convention on the Rights of the Child has been published in Part II of the *Riigi Teataja* (RT II 1996, 16, 56), which has a circulation of 2500 copies. The *Riigi Teataja* is an official gazette for the publication of Estonian laws and accompanying legislation. Part II of the *Riigi Teataja* is for the publication of international treaties and their Estonian translations. The legislation published in the *Riigi Teataja* can be accessed through the Internet.

In addition to the UN Convention on the Rights of the Child, Estonia intends in the near future to accede to other international conventions for the protection of the child – the Hague Convention on the Civil Aspects of International Child Abduction and the European Convention Concerning Custody and Restoration of Custody of Children. The latter was approved by the Government of Estonia on 2 May 2000. Accession to the Hague Convention on the Civil Aspects of International Child Abduction has been prepared and submitted to the Government of the Republic.

The Constitution of the Republic of Estonia (RT 1992, 26, 349) determines the status of norms of international law in the Estonian legal system. According to the Article 3 of the Constitution generally recognised principles and rules of international law are an inseparable part of the Estonian legal system. If Estonian laws or other legislation are in conflict with international treaties ratified by the Riigikogu, provisions of the relevant international treaty will apply according to the Article 123 of the Constitution.

In accordance with the Foreign Relations Act (RT I 1993, 72/73, 1020) the Government of the Republic is responsible for the fulfilment of international treaties. If an Estonian legal act contradicts an international treaty, the Government either submits a bill to the *Riigikogu* for amendments to the act or the Government amends other legal acts within its competence to comply with the treaty.

Accordingly, the UN Convention on the Rights of the Child is part of the Estonian legal system and is directly applicable in courts of law.

The Constitution was approved at the referendum in 1992.

Although the courts have not ascertained any violation of international human rights norms, the Supreme Court has in several judgements referred to international human rights agreements, for example the UN International Covenant of Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Estonian laws regulating the protection of children contain generally recognised principles and norms of international law. The rights of children are guaranteed by the provisions of the Constitution and other legislation.

According to the Constitution, the family, being fundamental to the preservation and growth of the nation and as the basis of the society is protected by the state. Parents have the right and the duty to raise and care for their children. The law provides for the protection of parents and children. Families with many children and disabled people are under the special care of the state and local authorities (Constitution, §§ 27, 28).

In 1992, the Child Protection Act was adopted (RT 1992, 28, 370). The Child Protection Act is based on the UN Convention on the Rights of the Child. According to the Act, persons below the age of 18 years are considered as children. The guiding principle in the protection of children is at all times and in all cases to place the child's interests first (Child Protection Act, §§ 1,2,3).

When new laws are passed, the principles of the Convention are taken into account.

According to the Child Protection Act, the protection of children is guaranteed through state and local government bodies and social institutions. On the national level, the protection of children is co-ordinated by the Ministry of Social Affairs (Child Protection Act, §§ 4, 5). In the Ministry of Social Affairs, the co-ordination of activities for the protection of children is within the competence of Deputy Secretary General for the social work, daily work for the protection of children is co-ordinated by the Welfare Department. The Ministry of Social Affairs co-operates with the Ministry of Education, the Police Board and other state agencies. On the regional level, national policies are implemented by county governments who co-ordinate activities for the protection of children pursued by local authorities. Co-ordinators of the work for the protection of children at the local government level are social workers at the social services departments. Local authorities, county governments, ministries and executive agencies all co-operate with the population.

An advantage of organising activities for the protection of children through local authorities is that they are better aware of the particular needs and interests of children and families. In addition to social workers, 109 child protection officials were employed by local authorities in 1999, 76 of them had special professional training (data of the Statistical Office). At the same time, many local authorities in Estonia are too small and they don't have sufficient resources. Of the 247 local government units in Estonia, 194 have less than 5000 inhabitants. One of the aims of the administrative reform planned in Estonia is to review the administrative territorial structure, the organisation of the functions of the state, regional and local levels and creating a financing system that corresponds to these functions. Among other things, the administrative reform should help to advance the activities of local authorities for the prevention and solving of problems regarding the protection of children.

In this situation, many local authorities have joined their efforts for providing different services and have consequently raised the quality and variety of services offered.

Supervision over the implementation of the rights of children is exercised by the Legal Chancellor, an official who is independent in his activities. According to the Legal Chancellor Act (RT I 1999, 29, 406), the Legal Chancellor exercises supervision over how the legislative and executive powers of the state as well as legislation of local authorities conform with the Constitution and laws of the Republic of Estonia; supervision over the activities of government agencies, including the guaranteeing of constitutional rights and freedoms (Legal Chancellor Act, §§ 1, 20). The Legal Chancellor has the right to appoint to office special advisors, including advisors to work specifically with the rights of children.

According to Article 19 of the Legal Chancellor everyone has the right to recourse to the Legal Chancellor to supervise the activities of state, including the guarantee of the constitutional rights and freedoms of persons. Thus, the Legal Chancellor also performs the tasks of an ombudsman. No petitions concerning directly the rights of children have been filed with the office of the Legal Chancellor.

A few more national programmes for the protection of children could be mentioned here – "Programme for the health of children and youth", "Prevention of offences by minors with legal, social and psychological means", "Development of child welfare". Projects for the protection of children have

also been carried out within the national welfare programmes like "Preventive work in the social sector", "Implementation of open care", "Reorganisation of state social welfare institutions", "Development of the system for the re-socialisation of people having committed offences" and "Creation of the system for assisting victims of crimes".

Many foreign countries and several international organisations have provided assistance for solving problems related to child protection. Within the European Union STOP programme, a project for the prevention of commercial sexual exploitation of children was financed. Several projects for the protection of the health of children and youth have been financed through the EU Phare programme. There has been close co-operation with the Swedish, Danish and Finnish ministries of justice.

Within the co-operation, projects for assisting children from families at risk have been financed. Several smaller foreign organisations have supported local projects within one local government unit, co-operating with Estonian non-governmental organisations or local authorities.

b) In 1995, the Government of the Republic approved the Estonian National Health Care policy. Health care is regulated by the State Health Insurance Act (RT I 1991, 23, 272; I 1999, 7, 113), Organisation of Health Care Act (RT I 1994, 10, 133; 1995, 57, 978; 1997, 86, 1462; 1999, 97, 860), Public Health Act (RT I 1995, 57, 987; 1999, 88, 804) and Medicines Act (RT I 1996, 3, 56; 1996, 49, 954; 1998, 36/37, 554).

Revised Acts of Organisation of Health Care and Medicines has been sent to the Parliament in spring 2001.

The Organisation of Health Care Act establishes that every person staying in the territory of the Republic of Estonia has the right to urgent medical aid. Urgent medical aid is aid in a situation where delaying the aid would directly endanger the person's life or health.

Based on the State Health Insurance Act, the health insurance costs of the following persons are covered: insured persons and family members under their maintenance; children up to 18 years of age; pupils and students enrolled in daytime study at educational institutions; parent, guardian or caretaker maintaining a disabled child up to 18 years of age or a child-aged disabled person; persons raising a child up to three years old; pregnant women.

With the Minister of Social Affairs regulation no. 33 of 29 July 1997 "Pre-birth diagnostics" the methodological guidelines for pre-birth diagnostics of hereditary diseases were approved.

With the Minister of Social Affairs regulation no. 4 of 16 January 1995, prophylactic examinations of children up to seven years old were approved. Prophylactic care is aimed at early detection of health disorders, early detection of deviations from the normal, vaccination, diverse counselling of parents. The frequency of prophylactic examinations is aligned with the vaccination calendar, the "Programme of immuno-prophylactic treatment for 1998-2000" was approved by the Government of the Republic regulation no. 170 of 8 December 1993. Vaccinations are made against tuberculosis, diphtheria, tetanus, whooping cough, poliomyelitis and measles according to the frequency and character set out in the vaccination calendar.

Changes in the organisation of health care (transfer to health insurance and trend to the development of primary level medical aid) have affected the traditional health service to mothers and children. Transfer to the system of family doctors gave some of the functions of paediatricians to family doctors and also cut the number of paediatricians. The primary health care is regulated by the Minister of Social Affairs regulation no. 4 of 28 January 1999 "Common principles for primary health care organisation by family doctors" (RTL 1999, 21, 231).

The Government approved the Estonian Health Project 2015 that is directed to the rearrangement of the health care system. The aim of the Project is the regulation of primary and special care, creation of the hospital network based on the analysis of needs, and raising the motivation of medical workers and quality assurance, to guarantee the satisfaction of the patients with provided health services. The Project is aimed also to secure an effective health care system and transparency of expenditures.

To achieve the objectives, it is foreseen in the framework of the Project to complete the family doctors reform, to optimise effectively the number of the operating hospitals and reprofile vacant hospital buildings and work out standards for social care establishments.

Based on the Minister of Social Affairs regulation no. 64 of 25 October 1999 "Approving the requirements of health protection, promotion of health, drawing up the timetable and providing of meals in pre-school child care institutions", pre-school child care institutions must have a health worker whose activities are mostly aimed at prevention of diseases and promotion of health, paying also attention to health-promoting activities at school.

On 4 June 1996, on the proposal of the Ministry of Social Affairs the Government of the Republic initiated a National Health Programme for Children and Youth until 2005. The aim of the programme is to handle in a complex manner the problems of health of children and youth and find solutions that would give the growing generation a possibility to become healthy and active members of the society. Within the framework of the Programme, projects for the prevention and development of school environment, school health, mental health, school meals, traumas and injuries were initiated.

In 1988, the first HIV-carrier was registered in Estonia, the first AIDS-disease was registered in 1992. By the end of 1998, there were 83 HIV-carriers and 21 with AIDS-disease. In 2000, the number of HIV-carriers increased to 390, 361 from them were drug-users from Ida-Virumaa. Youngest HIV carrier is 13 year old. From year 1988, there have been diagnosed 486 HIV-carriers, 6 of them had AIDS-disease. There are 445 HIV-carriers in Estonia in 2001.

The National Programme for Prevention of HIV/AIDS was initiated in 1992-1997.

The new Programme for Prevention of HIV/AIDS and other sexually transmitted diseases was confirmed by the Government for years 1998-2001. The aim of this programme is to decrease the number of HIV-infections and other sexually transmitted diseases. The target group of this programme is youth and vulnerable groups (injecting drug-users, prostitutes, homosexuals).

The programme provides additional training to school health teachers, medical personnel and in the Army. In the framework of the programme different campaigns have been carried out (marathon Stop-AIDS, Living for Tomorrow etc.)

One part of this programme is guaranteeing the adequate treatment to the AIDS-patients. The programme is leaded by AIDS-prevention Centre that created anonymous centres for HIV testing and counselling in larger population centres.

Estonia is well supplied with drinking water. There is a public water supply system in every city and town. Rural population uses low single wells, bore wells or shaft wells. Drinking water must conform to the requirements established by the Water Act. The conformity of the quality of drinking water to the standard must be checked by undertakings producing water from the public water supply. State supervision over the quality of water is carried out by the Health Protection Inspectorate. Handling of drinking water is regulated by the Water Act, drinking water standard and regulation of the Minister of Social Affairs by which the standard is made obligatory for water producers and supervisory bodies. During the last three years there have been no outbreaks of diseases in connection with water. Sanitary excreta disposal is regulated by the Public Health Act.

c) The subsistence minimum reflects the minimum amount of means that a person needs to maintain and restore his or her ability to work. The subsistence minimum should cover a person's basic needs (food, clothing, housing) and enable the person to make a minimum of other expenses. The cost of living comprises two parts: 1) minimum food basket with a calorific value 2400 kilocalories per day (24 hours), 2) primary manufactured goods and services, including housing. As about 50% of the subsistence minimum is made up of the cost of foodstuffs, the prices of which have even partly dropped in the recent time, the estimated subsistence minimum of one person per 30 days has been within 1100-1200 kroons in years 1997-1999 (1\$ = ca 17 kroons).

Estonian scientists have drawn up an indicator called poverty line, which was also included in the 1999 Estonian human development report. The poverty line was 1250 kroons in 1997, 1330 kroons in 1998 and 1360 kroons in 1999.

The coping line is based on minimum consumption costs and is the level established by the Government of the Republic for the payment of subsistence benefits. The amount of estimated coping

line is 500 kroons per an adult person living alone or per first member of a multiple-member family, and 400 kroons (coefficient 0.8) per every following member of the family regardless of their age. This is an amount of money which must remain to a person after the person has paid for the housing expenses to the extent of normative space of housing. In 1994, when subsistence benefits were paid for the first time, the limit was 280 kroons and, on the recommendation of the OECD, a lower coefficient was used for children under 14 years – coefficient 0.5 (140 kroons), 0.7 (196 kroons) for children over 14 years and for other family members. As expenses for children are high and the coping line is low, already since 1 July 1994 the consumption coefficients of children and other family members were equalised, which means a relatively higher valuation of children.

The basic document for “National strategy for alleviating poverty in Estonia” was completed in the first half of 1999.

Surveys have indicated that in the greatest risk of poverty are families with children having no working members, or families of single parents raising several children, and families with many children (three or more children) even if parents work. In a poor household, most of the income is used for food and, as a rule, there is no widespread under-nourishment in poor families although the food of many children is not sufficiently varied (the cost is close to the minimum food basket but benefits are provided in the form of school meals). The average expenses for food are below the cost of the minimum food basket in families of non-working parents with children. In general, the difference of expenses for food in rich and poor families is the smallest (less than two times) as compared to differences in other expenses.

In time, the amounts of child benefits have risen and several new types of benefits have been added. In the nineties (especially in 1994, 1998 and 2000), the benefits to families who are most at risk have grown most. A significant rise can be noted in the case of child care allowance, single parent allowance, allowance for the third child or further children, childbirth allowance, conscript's child allowance. Increase has been smaller in the case of first (one) child allowance.

According to the 1999 Food Act (RT I 1999, 30, 415), the food must be safe. The act regulates the basis of food processing, self-control and national monitoring of food safety.

Providing of meals in a pre-school child care institution is regulated by the Minister of Social Affairs regulation no. 64 of 25 October 1999 "Approving the requirements of health protection, promotion of health, drawing up the timetable and providing of meals in pre-school child care institutions". Food must be prepared from possibly fresh, unprocessed foodstuffs considering the "Estonian nutritional recommendations" approved by the Minister of Social Affairs regulation no. 62 of 14 December 1995.

Before conclusion of a labour contract and further on a regular basis, employees of a children's establishment must undergo a health check according to the Minister of Social Affairs regulation no. 44 of 23 December 1997 laying down the requirements for "The prevention of spread of infectious diseases".

School Meal Project within the “National health programme for children and youth until 2005” has worked out the basic nutrition education, which will be integrated to the regular school program. This Project provides training courses to the health teachers and to the personnel involved in school catering.

Programme for School Milk was initiated by the Ministry of Agriculture in 2000. The idea derives from the Organisation of Country Life and Agriculture Market Act (RT I 2000, 82, 526). Section 6 of this Act indicates subsidies to the school milk. The objectives of this program are to provide milk or other milk products to the children of elementary school at least twice in a week and to promote healthier eating habits among children.

d) Within the school curriculum, issues of human reproductive health are treated in years four, seven and ten. Health education is conducted by teachers of different subjects, medical workers and/or psychologists.

On the initiative of the Estonian Family Planning Union, 15 youth counselling centres have been created in larger population centres. They are available for adolescents seeking information regarding issues of sexual life, human relations and contraception. If necessary, a gynaecologist can be consulted.

On request, the counselling centres send specialists to schools to help teachers in providing sexual and health education. They also prepare and distribute materials to schools and other centres dealing with respective issues. Many schools organise classes of sexual education at county youth counselling centres.

All pregnant women from the 12th week of pregnancy, children and persons raising a child up to three years old (caretaker of the child) are insured in accordance with the Health Insurance Act. Pregnant women are guaranteed access to qualified medical care. In larger women's clinics psychologists and medical staff provide instruction to families both regarding pregnancy and expected birth giving.

On the basis of the Minister of Social Affairs regulation no. 89 of 22 December 1999 "The procedure for compensation from the state budget of sums paid for recesses to feed a child, additional rest days, extended and additional vacation", persons in the following categories are entitled to the following benefits: persons raising a child younger than 1.5 years to a benefit for recesses made to feed the child; parents of a disabled child to a benefit for an additional rest day; minors and disabled persons to a benefit for the days given as extension of the basic vacation exceeding 28 days, and a parent to a benefit for the days given as an extension of the leave to care for a child (the above benefits to persons raising a child have been available in Estonia for the last ten years).

In 1999, the programme of reproductive health for 2000-2009 was worked out. One of the aims of the programme is to achieve a constant decline of perinatal and infant mortality, and morbidity and mortality of mothers, bearing in mind that good reproductive health is a basis for the birth of expected children.

According to Child Protection Act the child has an equal right to receive assistance and care and to develop, regardless of his or her sex or ethnic origin, regardless of whether the child lives in a two parent family or single parent family, whether the child is adopted or under curatorship, whether the child is born in wedlock or out of wedlock, or whether the child is healthy, ill or disabled (Article 10).

According to statistics, 52% of children in 1998 were born out of wedlock whereas in 1980, this percentage was only 18.3%. The birth rate in Estonia in the 1990-s has been steadily declining. When Estonia was under Soviet rule, the number of abortions exceeded the number of births by almost 1.5 times. It is surprising that whilst the number of abortions has declined, the ratio between abortions and births has stayed about the same. This means that the decline in the number of abortions and births has been about the same.

During the last decade numerous changes have taken place in Estonia, which will probably have an influence on the abortion rate:

- the decline in the number of marriages and the growth in the number of consensual unions;
- the decline in the birth rate;
- the availability of birth control methods.

The ever-earlier beginning of sexual activity requires more information and adds risks. Reproductive health is determined by sexually transmitted diseases, abortion, and the level of health instruction, education, together with highly qualified counselling services. In all these areas major changes have taken place over the last decade. In the first half of the decade, illness caused by sexually transmitted diseases increased dramatically. The number of abortions per 1000 females at age specified, has indeed fallen (see Figure 9 below), but due to the constant fall in the birth-rate, the number of abortions was 1.5 times higher than live births in 1997.



In 1990, the ideal number of children for a family was three and the number considered reasonable was two. By 1996, these figures decreased, expressing the general attitude of ideally having two children. The number of parents preferring one child has increased substantially.

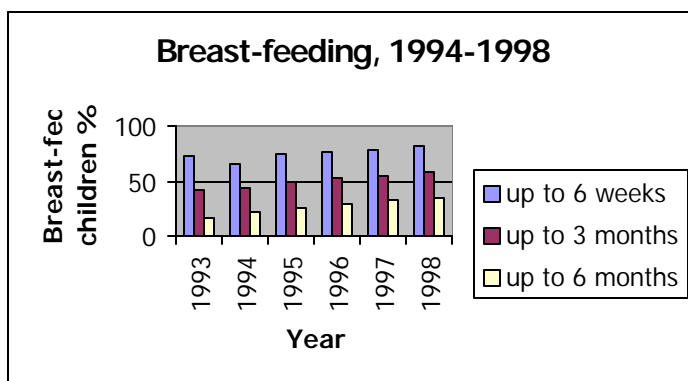
In 1994 in the framework of national social programs, two projects were prepared. “Our child” and “Home for every child” are helping families with problems by offering them counselling. “Baby-project” is meant for young families helping them to prepare for having children and changes in family.

Estonian Family Planning Union (EPPL) was established in 1994. One of the aims of EPPL is to develop sexual education in schools. EPPL has also started many projects and programs in this field, for example “Daphne” (dealing with the prevention of sexual violence), “Young for young’s” (lectures at schools about sexual education) and many national programs.

- The following are the main goals for the next years: to increase the number of births;
- to decline the number of abortions;
- to improve the welfare of children.

Reformation in the healthcare system began with the adoption of the Health Insurance Act in 1991 and the transition to an insurance-based system of medical care in 1992. Both the organisation and financing of medical services changed in connection with these reforms. The aim of restructuring medical services was to improve access to primary care by creating a system of family doctors and concentrating special medical services in centres with highly qualified personnel and high-tech machinery.

UNICEF specialists have provided Estonian paediatricians and nurses with the rationale in favour of breast-feeding and trained them as breast-feeding counsellors. As a result, paediatricians and nurses have promoted breast-feeding, which has clearly had an effect on Estonian women. In 1993, only 42% of three-month old babies and 15% of six-month old babies were breast-fed, but in 1998 these figures were 59% and 34%, respectively.



The vaccination against known contagious diseases has improved from year to year. The Government Regulation “The immunoprophylactic program for the years 1994 to 2000” required the immunisation of children in state hospitals and clinics to be provided free of charge. Also expenses for immunobiological preparations are covered by the state budget. According to the recommendation of the World Health Organisation, a vaccination calendar has been adopted.

Estonia took part in workshop run by Living for Tomorrow – a pilot action/research project of the Nordic Institute for Women’s studies and Gender Research (NIKK) in 2000. The project is responding to the worldwide, advancing HIV/AIDS epidemic that politicians, media and parents often neglect.

The Estonian paediatric program for 1998 to 2003, which was adopted at the 15th Congress of Estonian Paediatricians, lists the following goals for the improvement of children’s health care in years to come:

- To continually reduce mortality by improving primary medical care; providing counselling and monitoring socio-economically deprived families with infants; and further developing specialised medical science and technology;
- To provide counselling to adolescents in matters concerning family planning and safe sex, thereby reducing the number of abortions, which cause infertility and psychophysical traumas to women;
- To reduce the number of traumas amongst infants and young children;
- To promote breast-feeding of infants at least to the age of six months;
- To minimise the differences in the care of children from different social backgrounds so that all children are provided with opportunities to develop.

Several legal documents secure the rights of children and adolescents to be educated: the Constitution of the Republic of Estonia, the Education Act, the Basic and Upper Secondary Schools Act and the Pre-school Children’s Institution’ Act. The State maintains that all children living in Estonia should be taught in accordance with their abilities and special needs. The Ministry of Education provides education to all children according to their abilities, including children with special needs. Estonia supports the education of children with disabilities in special schools, created for that purpose.

The local municipalities are obligated to maintain the pre-school institutions and offer primary education. They finance schools to ensure every child the opportunity for an education near home.

In last few years, many new forms of education and care have emerged, including private kindergartens, children’s centres, groups to help children with special needs, cope and parental counselling sessions. Many schools also organise preparatory classes for 6 year-olds who have not been to kindergarten. About one tenth of 6- year old children join these groups.

The negative side is that there are no special educational programs for pregnant girls. But schools and local municipalities work together to help them to continue learning.

There are 89 hobby schools in Estonia attended by 10,200 children. These schools are supervised by the Ministry Education and receive most of their funding from municipal governments.

The co-operation between the Children’s Fund (established in 1988) and the Union for Child Welfare (established in 1989) - will also continue.

e) The Constitution of the Republic of Estonia recognises the family as being fundamental to the preservation and growth of the nation and as the basis of society. The family is protected by the state. Parents have the final decision in the choice of education for their children (Constitution, §§ 27, 37).

According to section 24 of the Child Protection Act, the natural environment for the development and growth of the child is the family.

According to the Family Act, a parent is the legal representative of the child. A parent may not exercise parental rights contrary to the interests of the child (§ 50).

According to the Child Protection Act, the parents or caregivers of a child are required to get to know and understand the child in order to competently support the child's development. For such purpose, they have the right to receive consultation free of charge from a social worker (§ 25).

Based on the Social Welfare Act, a person has the right to receive information about the social rights and the possibilities for the protection of legitimate interests, and receive assistance in solving concrete social problems.

According to the Pre-School Child Care Institutions Act, a parent or a person replacing the parent is free to choose the kindergarten or nursery for giving basic education to a child if there are vacancies at the particular child care institution. From 1 July 2002, a rural municipality or city government is required to guarantee all children living in its administrative territory a possibility to go to a kindergarten or nursery located within its jurisdiction. If parents wish to get advice about the issues of teaching and raising of children, educators at a child care institution are obliged to advise the parents of the children who attend the institution, and parents of children who do not attend the institution but whose permanent residence is within the particular service area (Pre-School Child Care Institutions Act, §§ 15, 20, 22).

The Basic and Upper Secondary Schools Act also establishes that parents may freely choose a school for a child subject to the obligation to attend school if there are vacant places at the school they wish the child to attend. A school is required to ensure study opportunity for each child subject to the obligation to attend school who resides in the catchment area of the school (Basic and Upper Secondary Schools Act, § 17).

According to the Constitution, parents have the duty to raise and care for their children. Spouses have equal rights. The family has the duty to care for its needy members (§ 27).

According to the Family Act, parents have equal rights and duties with respect to their children. A parent is required to protect the rights and interests of his or her child. A parent may not exercise parental rights contrary to the interests of the child (§ 50).

According to the Family Act, if parents live apart, they will agree with which parent a child will reside. In the absence of an agreement, a court will settle the dispute at the request of a parent. A parent living apart from a child has the right of access to the child. A parent with whom a child resides may not hinder the other parent's access to the child. If parents have not agreed in what manner the parent living apart participates in the raising of the child and has access to the child, a guardianship authority or, at the request of a parent, a court will settle the dispute (§§ 49, 50, 51, 52).

A parent is obliged to maintain his or her minor child and an adult child who needs assistance and is incapable of work.

According to the Family Act, the duty of maintenance also lies with grandparents and adult brother and sister whose financial situation permits to provide such maintenance (§§ 65, 67).

According to the Code of Enforcement Procedure (RT I 1993, 49, 693; 1997, 43/44, 723; 1998, 41/42, 625; 51, 756; 61, 981; 103, 1695; 1999, 18, 302; 27, 380; 95, 845), in the case of indebtedness of maintenance payments, the claim may be enforced against the debtor's property (§ 69). Intentional evasion by a parent of payment of alimony ordered to a child by a court is punishable through a criminal procedure (Criminal Code, § 121).

According to the Child Protection Act, single parent families and two parent families have an equal obligation to raise and care for their children (§ 26). According to the same law, families with children will receive protection and support from the state. Support of needy families is organised by rural municipality or city social services departments (§§ 24, 25).

According to the Social Welfare Act, for the administration of child welfare and the creation of an environment favourable for children's development, rural municipality governments and city governments will:

- support children and persons raising children, co-operating with family members, other persons and agencies concerned;
- develop and implement specific programmes and projects for the development and protection of children;
- if necessary, appoint support persons or support families for children or persons raising children;

According to the Constitution, everyone has the right to the inviolability of private and family life. State agencies, local authorities, and their officials may not interfere with the private or family life of any person, except in the cases and pursuant to procedure provided by law to protect health, morals, public order, or the rights and freedoms of others, to prevent a criminal offence, or to apprehend a criminal offender (§ 26).

According to the Child Protection Act, the natural environment for the development and growth of a child is the family (§ 24).

According to the Family Act, a parent is the legal representative of a child, and as a legal representative, the parent has the mandate of a guardian. A parent has the right to demand his or her child back from any person who has control of the child without legal basis (§ 50).

According to the Child Protection Act, the child and his or her parents must not be separated against their will except if such separation is in the best interests of the child, if the child is endangered and such separation is unavoidable, or if such separation is demanded by law or a judgement which has entered into force. The justification for the separation of the child is monitored by the social services departments (§ 27).

Removal of a child from a parent and deprivation of parental rights is regulated in Estonia by the Family Act. According to the Family Act, at the request of a parent, guardian or guardianship authority, a court may decide to remove a child from one or both parents without deprivation of parental rights if it is dangerous to leave the child with the parents. If leaving a child with a parent threatens the health or life of the child, a guardianship authority may remove the child from the parent prior to obtaining a court order. In such case the guardianship authority must file a claim with a court within ten days for removal of the child or for deprivation of parental rights. If upon removal of a child from a parent the child is left without parental care, a guardianship authority will arrange for care of the child. If the reasons for removal of a child cease to exist, a court may order return of the child at the request of a parent (§ 53). A child may also be removed from a step-parent or foster-parent (§ 57).

If a court has made a decision regarding the residence of a child and the child is not handed over voluntarily, according to the Code of Enforcement Procedure, the executor with the participation of a representative of the guardianship or educational institution will carry out an act of enforcement for handing over the child. If the obligated person hinders the execution of the judgement, the executor may propose to the court that the person be fined. If necessary, the executor may raise a question before a guardianship authority for the temporary placing of the child in a children's home (Code of Enforcement Procedure, § 68).

According to the Social Welfare Act, a child may be separated from his or her home and family for the provision of social services and other assistance only upon the concurrent presence of the following circumstances:

- deficiencies in the care and raising of the child endanger the child's life, health or development or if the child endangers his or her own life, health or development with his or her behaviour;
- other measures applied with respect to the family and child have not been sufficient or their use is not possible;
- separation of the child from the family is effected in the interests of the child (§ 25).

The subsequent residence, care and raising of a child separated from his or her home and family will be arranged by the rural municipality government or city government. If any of the circumstances upon which the child was separated from home and family ceases to exist, the child will be assisted in returning to his or her home and family (Social Welfare Act, § 25).

In hearing a dispute concerning a child, a guardianship authority or court will proceed from the interests of the child, considering the wishes of a child who is at least ten years of age. In hearing a dispute concerning a child, a court will, if necessary, involve a guardianship authority for the purpose of hearing its opinion in the proceeding (Family Act, §§ 50, 58, 59).

According to the Child Protection Act, if a child is separated from his or her parents, the opinions and wishes of the child will be heard and annexed to the documentation concerning the separation. The opinions of the child will be heard and documented by social services department (§ 27).

If parents living separately have disputes pertaining to a child or if a child is removed from a parent, the court will review the case at a hearing. Based on the Code of Civil Court Procedure (RT I 1998, 43-45, 666; 108/109, 1783; 1999, 16, 271; 31, 425), parties in proceedings have the right to participate at court hearings. The court may summon a party or his or her legal representative to a hearing, preliminary hearing or other act in proceedings if this is necessary for solving the case. If one of the parties fails to appear at a hearing in a case which may be settled with agreement of the parties according to the law, the court may, at the request of the party present, make a default judgement. If the party present does not request a default judgement, the court will not make a judgement (Code of Civil Court Procedure, §§ 64, 71, 198, 1999).

According to the Family Act, disputes concerning the place of residence of a child may be solved by agreement of the parties (§ 51). If in a case which according to the law cannot be settled with agreement of the parties, the plaintiff fails to appear at a hearing, then based on the Code of Civil Court Procedure the court will not review the action.

In the resolution of issues pertaining to social welfare, the opinion of the person will be considered, except in the cases set out in the law. In the resolution of issues pertaining to a child, the wishes of the parent or, if there is no parent, the foster-parent or guardian and the wishes of a child who is at least ten years of age will be considered. Upon separation of a child from his or her home and family, the wishes of a child who is less than ten years of age will also be considered if the maturity of the child so permits (Social Welfare Act, §§ 25, 31, 32).

The Convention requires that the States Parties respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's interests.

According to the Child Protection Act, a child who is separated from one or both parents has the right to maintain personal relations and contact with both parents and close relatives, except if such relations harm the child (§ 28).

A child whose parents reside in different states has the right to direct contacts and personal relations with both parents. For the purpose of family reunification, the child or his or her parents have the right to freely leave the Republic of Estonia or enter the Republic of Estonia pursuant to the established procedure (Child Protection Act, § 30).

According to the Family Act, a parent living apart from a child has the right of access to the child. A parent with whom a child resides may not hinder the other parent's access to the child. If parents have not agreed in what manner the parent living apart participates in the raising of a child and has access to the child, a guardianship authority or, at the request of a parent, a court will settle the dispute. A guardianship authority may permit a person who has been deprived of parental rights to visit with the child if this does not have a negative influence on the child (§§ 52, 55).

According to the Family Act, upon adoption of a child the personal and proprietary rights and duties of the child and the biological parent will cease to exist. Consequently, the biological parents will have no right of access to the child and neither the child nor the adoptive parents will have the obligation to

communicate with the parents and relatives nor to assist them. An adopted child has upon reaching the adult age the right to receive information concerning his or her parents from the transcript of the birth record containing information about his or her parents (§§ 86, 109, 114).

According to the Social Welfare Act, sisters and brothers originating from one family will be kept together upon separation from their home and family unless this is contrary to the interests of children. A rural municipality government or city government will, if necessary, provide assistance to a family from whom a child has been taken in order to help establish the prerequisite conditions for the child to return to the family (§ 25).

Upon placement of a child in care outside the administrative jurisdiction of a local government, the rural municipality government or city government will attend to the preservation of the child's connections with his or her former home-town, establish conditions for the child to return there, and help the child in his or her start in independent life (Social Welfare Act, § 25).

If a parent has committed an offence and is held in custody until conviction by a court of law, then, according to the Code of Criminal Procedure, he or she has the right of meetings, correspondence and other communication with his or her relatives with the permission of the preliminary investigator or the court who is conducting the proceedings in the criminal matter. If the person is convicted for committing an offence a judge or the chairman of a court will permit the close relatives of a person in custody to meet the person until the enforcement of the court judgement (Code of Criminal Procedure, §§ 75, 329).

According to the Code of Enforcement Procedure, imprisonment may not disrupt the socially positive contacts and relations of the person in imprisonment. The detainee has the right of meetings with family members, relatives and close people and the right of correspondence and telephone calls under the control of the administration. The prison administration will promote the detainee's communication with the family, relatives and other close people. A mother detained in a female prison and a child up to 3 years of age are given a possibility to live together (§§ 94, 111, 119).

According to the Social Welfare Act, a child who is separated from his or her home and family has the right to receive information about his or her origin, the reasons for separation, and issues pertaining to his or her future (§ 25).

Family reunification

Everyone has the right to leave Estonia. This right may be restricted in the cases and pursuant to procedure provided by law to ensure the administration of court or pre-trial procedure, or to execute a court judgement (Constitution, § 35).

No Estonian citizen may be expelled from Estonia or prevented from settling in Estonia. No Estonian citizen may be extradited to a foreign state, except under conditions prescribed by an international treaty and pursuant to procedure provided by such treaty and by law. Extradition will be decided by the Government of the Republic. Everyone who is under an extradition order has the right to contest the extradition in an Estonian court. Every Estonian has the right to settle in Estonia (Constitution, § 36).

According to section 30 of the Child protection Act, a child whose parents reside in different states has the right to direct contacts and personal relations with both parents. For the purpose of family reunification, the child or his or her parents have the right to freely leave the Republic of Estonia or enter the Republic of Estonia pursuant to the established procedure.

The version of the Aliens Act that was in force until 1 October 1999 did not foresee any priorities for granting a residence permit. The Citizenship and Migration Board followed the principles of the Convention for the Protection of Human Rights and Fundamental Freedoms and the Convention on the Rights of the Child in granting residence permits.

In connection with the amendment to the Aliens Act, which entered into force on 1 October 1999, the term of reviewing applications for residence permit was changed. According to the above law, granting of a residence permit is refused if the immigration quota for the year in which the application was filed

is exhausted. The law also gave the Minister of Internal Affairs the right to establish with a regulation, within the limits of the annual immigration quota, the distribution of the immigration quota according to the reason for application for residence permit and the basis of granting a residence permit and also establish an annual schedule for the distribution of the quota.

The Citizenship and Migration Board reviewed and made a decision concerning 3647 applications for residence permit submitted in 1998 and until 1 November 1999, of which 1625 applications had been submitted applying for family reunification, of them 1250 applications had been submitted by persons in whose case granting of residence permit was subject to the fulfilment of the immigration quota.

The priorities for granting residence permits for the first half of 2000 were established with the Minister of Internal Affairs regulation no. 7 of 3 March 2000. Until entering into force of the above regulation, the Citizenship and Migration Board made a decision on granting of residence permit during a year from the date when the procedure for reviewing the application for residence permit was begun in the Citizenship and Migration Board, which is mainly according to the sequence of submitting of applications.

With an amendment to the Aliens Act (RT I 2000, 33, 197), section 6 of the Aliens Act was supplemented with clause 2¹, which establishes that the following persons are not subject to immigration quota: spouse of an Estonian citizen who is applying for a residence permit based on section 12, subsection 2 of the law if the spouses have a common child under 15 years of age or if the woman's pregnancy has lasted for more than 12 weeks; child under 15 years old of an Estonian citizen to whom a residence permit is applied for based on section 12, subsection 2, clause 3 of the law (i.e. for residing with a close relative who is permanently residing in Estonia).

Securing the maintenance for a child

According to the Family Act, a parent is required to maintain his or her minor child and a child who has become an adult but who needs assistance and is incapacitated for work. If a child attends basic school, secondary school or vocational school and continues to study there upon becoming an adult, a parent is required to maintain the child during his or her studies (§ 60).

If the parents are for any reason unable to provide maintenance to their child, grandparents or the child's adult sisters and brothers are required to maintain the child. Grandparents whose financial situation so permits are required to maintain their minor grandchild or their adult grandchild who needs assistance and is incapacitated for work if the grandchild does not have parents, a spouse or a child who has become an adult or if it is not possible to obtain maintenance from these persons (Family Act, § 65). An adult brother or sister whose financial situation so permits is required to maintain his or her minor brothers and sisters if they do not have parents or grandparents or if it is not possible to obtain maintenance from these persons (Family Act, § 67).

If parents live apart and they are unable to agree in what manner the parent living apart participates in the raising of a child and has access to the child, a guardianship authority or, at the request of a parent, a court will settle the dispute (Family Act, § 52, subsection 2). If a parent fails to perform the duty to provide maintenance to a child, a court will, at the request of the other parent, guardian or guardianship authority, order support for the child to be paid to the parent who submitted the claim or to the guardian or person in whose interests the guardianship authority submitted the claim. Support for a child will be specified as a monthly support payment based on the financial situation of each parent and the needs of the child (Family Act, § 61, subsections 1 and 2).

Deprivation of parental rights does not release a parent from the duty to provide maintenance for a child. If a child has been placed in a child care institution and a parent fails to perform the duty to provide maintenance to a child in a child care institution, a court will, at the request of the child care institution or a guardianship authority, order support from the parent for the child to be paid to the child care institution where the child resides (Family Act, §§ 55, 62).

In welfare institutions in Estonia there are only a few children who receive payments of maintenance from their parents. As discussion of a claim and obtaining a solution through courts is a time-consuming process, child care institutions often do not go to court for reclaiming maintenance to a

child. An orphan or child deprived of parental care has the right to full maintenance by the state (Child Protection Act, § 15).

According to section 13 of the State Pension Insurance Act (RT I 1998, 64, 1009), in the case of death of a parent and if a parent is declared missing pursuant to established procedure, his or her minor children will be granted a survivor's pension regardless of whether they were maintained by the provider or not.

The survivor's pension is paid to the child until the child attains 18 years of age, or up to 24 years of age if the child is enrolled in a daytime or full-time study.

As at 1 January 2000, there were 14 007 minors (764 of them were orphans, 7105 were male and 6902 female) and 5454 students aged 18-24 in Estonia whose one or both parents were dead and who had been granted a survivor's pension.

A child deprived of the family.

Section 62 of the Child Protection Act establishes that temporary assistance, support and protection will be provided to the child by shelters (safe houses). According to the Child Protection Act, the director of a shelter is required to notify the social services departments and police department at the place of residence of the child of any child who enters the shelter.

A shelter provides assistance and protection to children in need, regardless of their place of residence, state of health, nationality and other characteristics. A child may go to a shelter on his or her own initiative if he or she has left home, a foster-parent or a child care institution due to problems relevant for the child. Any adult whom a child approaches for assistance may also bring the child to a shelter.

In a shelter a child deprived of parental care or a child in danger will be provided care, medical aid, and rehabilitation appropriate for the child's age and condition. Together with the local authority at the place of residence of the child, the children are guaranteed the protection of their rights and interests.

According to the Child Protection Act, an orphan or child deprived of parental care has the right to full maintenance by the state (§ 15). Since 1999, an orphan and child deprived of parental care is guaranteed full maintenance by the state regardless of the form of maintenance provided to such a child (children's home, residential educational institution, care in a family). A children's home is an institution meant as a substitute home for orphans who have been deprived of parental care. Residential educational institution (school-home) is an institution meant to provide dwelling, development and teaching to school-aged disabled children. Special boarding schools are schools for children with physical, speech, mind and mental disabilities. Currently there are still children in Estonia whose home is a special boarding school but in the future these children should also live in a children's home if necessary (if no substitute family is found for them) from where they would attend different schools according to necessity.

A child is placed in a children's home or for care in a family (Social Welfare Act, § 15) if the child is an orphan or has been deprived of parental care and no guardian has been found for the child or the child has not been adopted. Based on the Social Welfare Act, children whose ability to cope cannot be guaranteed by the provision of other social services or assistance are sent to a children's home (Social Welfare Act, § 16). If possible, care in a family is preferred for placement of a child. Such care will not give the foster family the right or obligation of a legal representative. The number of children placed in foster families rose in 1999 when in addition to child benefits the state began to make payments to cover costs of maintenance of a child in a foster family.

When placing a child in a children's home, the wish of a child who is at least 10 years of age has to be considered. The wish of a child who is less than 10 years of age also has to be considered if the child's maturity so permits (Social Welfare Act, §§ 31, 32).

Russian-speaking children are placed in a children's home where the home language is Russian (i.e. the staff is Russian-speaking), thus guaranteeing the child his or her inherent language environment and cultural continuity.

Upon placement of a child in a children's home, documents are sent with the child containing information on the child's family, location of relatives and their financial situation, information on the child, his or her health and education. The file also has to contain documents pertaining to the inherited property of the child and its administrator, and information on other income of the child (pension and other financial income of the child). Sisters and brothers originating from one family will be kept together upon separation from their home and family unless this is contrary to the interests of the children. A child who is separated from his or her home and family has the right to receive information about his or her origin, the reasons for separation, and issues pertaining to his or her future (Social Welfare Act, § 25).

Children's homes have transferred to organisation of life similar to a family. Children in a children's home live in groups or families. One family consists of 8-10 children. A child who has arrived in a children's home is placed in a family suitable for him or her. In the placement of a child, a child's age, state of health, relations with other children, etc. is taken into account. Brothers and sisters normally live in the same family. The plans of a family are discussed together with the children of the family. Director or deputy director of a children's home advises a family and monitors its activities. The highest authority in a children's home is the board of trustees formed by the owner of the institution (Social Welfare Act, § 17).

Upon placement of a child in a children's home it is presumed that the child will stay in the children's home only temporarily. Local government of the child's place of residence is required to seek a guardian or an adoptive parent for the child and should attend to the preservation of the child's relations with his or her former home-city. The rural municipality or city government may also find a foster family for the child. A rural municipality government or city government will, if necessary, provide assistance to a family from whom a child has been taken in order to help establish the prerequisite conditions for the child to return to the family (Social Welfare Act, § 25, subsection 6). Since 1999, the funds prescribed by the State Budget Act are also allocated to cover the expenses of maintenance of orphans and children deprived of parental care who have been given to families for care (foster families). In 1998, 119 children returned to their parents from children's homes, 52 were adopted, 6 were given under guardianship and 4 were given to families for care (data of the department of statistics and analysis of the Ministry of Social Affairs).

Street children are children under 18 years of age who for a shorter or longer period live in the street environment. They wander aimlessly from place to place, their pals and social relations are in the streets. Officially the address of these children may be the address of their parents' home but in reality they have few if any contacts with the adults, parents, school, child protection institutions and social services departments who have the responsibility and duties for these children.

Based on a round table discussion convened in 1998 by the Minister of Social Affairs, involving child protection workers of local authorities and county governments and representatives of different ministries and non-governmental organisations, there are about 10 children in Estonia without home or family and who live their life in the streets, 500 children who constantly wander in the streets but who have a home and parents and 3000-4000 children who are in danger of falling to a situation where they would go to the street.

A concrete step for improving the situation of street children was taken in Estonia at the beginning of summer 1998 when project competition "Street children/ children in the street" was announced. The competition called upon different non-governmental organisations active in the field and also day centres of local governments to submit projects related to the subject of street children. Financiers and launchers of the programme were Open Estonia Foundation, King Bedouin Foundation and also the World Bank. Total cost of the programme was 2.5 million Estonian kroons. The duration of the programme was two years and during the programme financial support was provided to different non-profit associations and welfare institutions. The programme also included joint training offering necessary skills and knowledge to project leaders for a better implementation of their ideas.

As a result of a roundtable on the topic of street children organised by the Open Estonia Foundation in 1999 the estimated situation is as follows: there are about 4000-5000 children in the streets in Estonia. The number seems high because it includes also children who are evading obligation to attend school and children deprived of parental care. Speaking about "street children" as children who have no home

and who live "in the streets", the number would be approximately 100-200. More problematic regions are Tallinn, Tartu, and Ida-Virumaa (in the latter case, more exactly the city of Narva).

Adoption.

According to the Family Act, adoption may take place only in the interests of the child. Adoption is carried out according to the procedure set out in the Family Act and in conformity with the principles of the Child Protection Act (Child Protection Act, § 66) and in accordance with the requirements of the Code of Civil Court Procedure.

Chapter 10 of the Family Act establishes the content, deciding, giving of consent and cancellation of adoption, and sets out the conditions of inter-country adoption.

Adoption is decided by a court on the basis of the application of a person wishing to adopt. In deciding an adoption, the court will include a guardianship authority in the proceeding for the purpose of hearing its opinion in order to guarantee the best interests of the child. A guardianship authority will, at the request of a court, collect and prepare the information necessary for deciding an adoption (Family Act, § 76).

In September 1995, the Minister of Social Affairs approved the guidelines for adoption which is an advisory document used by child protection workers in counties when arranging adoption and by judges when deciding adoption. The guidelines regulate the procedure and rules for adoption.

According to the Code of Civil Court Procedure, adoption is decided by county or city court as a first instance court.

The court reviews the matter with the participation of the applicant (adoptive parent), other interested persons (child's legal representative) and an executive power of state or local government (guardianship authority). Application is filed with the court at the child's place of residence.

Court order ascertaining the fact of adoption must be registered at a vital statistics office, the order is a basis for making changes in the birth record and subsequently issuing a birth certificate of the child.

Adoption approved by a court order cannot be challenged through a procedure outside the court, adoption order cannot be voided, invalidation can only be requested by a person whose legal rights the adoption decision violated.

Adoption creates the rights and duties of parent and child between an adoptive parent and an adopted child. Adoption is for an unspecified term and cannot be conditional (Family Act, § 73).

According to the Child Protection Act, inter-country adoption can take place if sufficient care to the child cannot be provided in Estonia. It means if no adoptive parents, guardian, or possibility of care in a family or elsewhere is found for the child in Estonia.

According to the Family Act, adoption to another country can take place only with the consent of the Minister of Social Affairs (§ 82).

Preparing further amendments to legislation, there is a trend to conclude co-operation agreements with organisations arranging international adoption. The agreements would set out the activities and responsibility of the parties in arranging adoption and would guarantee the conformity with international agreements.

f), g) Economic exploitation and child labour.

No one may be compelled to perform work or service against his or her free will, except service in the Defence Forces or alternative service, work to prevent the spread of an infectious disease, work in the case of a natural disaster or a catastrophe, and work which a convict must perform on the basis of and pursuant to procedure established by law (Constitution, § 29).

According to section 14 of the Child Protection Act, the child will be protected from economic exploitation and from performing work which is hazardous, beyond the child's capabilities, harmful to the child's development or may interfere with the child's education.

A child who has completed basic education, who does not wish or is unable to continue studying, may be admitted to employment pursuant to law. Admitting to employment of a child without basic education or a child without parental care is decided by employment offices together with the social services departments in accordance with the law. Schools are required to inform social services departments of all children who discontinue acquiring of basic education.

The employment offices are required to keep a register of children who are neither working nor studying and to inform the social services departments of such children. The social services departments are required to assist children who do not study or work in arranging for their education and employment (Child Protection Act §§ 14, 43, 44).

According to the Labour Contracts Act (RT I 1992, 15/16, 241; 1993, 10, 150; 1993, 26, 441; 1995, 14, 170; 16, 228; 1996, 3, 57; 40, 773; 45, 850; 49, 953; 1997, 5/6, 32; 1998, 111, 1829; 1999, 16, 276; 60, 616; 2000, 25, 144), an employee may be a natural person who has attained 18 years of age, who is with active legal capacity or with limited active legal capacity. By law, a higher age limit may be established for certain categories of workers.

In exceptional cases, employees may be minors who are at least 13 years of age. For entering into a labour law relationship, a minor who is 15 years old must have the consent of at least one parent or caretaker, a minor who is between 13 to 15 years of age in addition also the consent of the labour inspector of their place of residence on the condition that the work does not endanger the minor's health, morals or acquiring of education and the work is not prohibited for minors by a collective agreement or by law.

The labour inspector of the location of a parent, guardian, caretaker or employer of a minor may demand that an employment contract with a minor be terminated if the work endangers minor's health, morals or acquiring of education.

When admitting a minor to employment, no probationary period may be used to ascertain the employee's suitability for performing the work or to ascertain the employee's state of health, abilities, communication skills and professional skills. It is also prohibited to send a minor on a business trip, i.e. send a minor to perform work outside the location of work set out in the labour contract (Labour Contracts Act, § 51).

It is prohibited to hire and employ minors for heavy work, work which poses a health hazard or has dangerous working conditions, underground work, or work which endangers the morality of minors (Labour Contracts Act, § 36).

The general normative working time in Estonia may not exceed eight hours a day and forty hours a week. A reduced working time has been established for minors in accordance with section 10 of the Working and Rest Time Act (RT I 1994, 2, 12). The reduced working time may not exceed:

- 20 hours a week for employees who are 13-14 years of age;
- 25 hours a week for employees who are 15-16 years of age;
- 30 hours a week for employees who are 17 years of age.

Section 14 of the Working and Rest Time Act prohibits requiring a minor to work overtime and work at night, i.e. work from 10 p.m. until 6 a.m. According to section 12, upon the recording of total working time, the duration of working time of employees who are 13–14 years of age may not exceed five hours per day, the duration of working time of employees who are 15–16 years of age may not exceed six hours per day and the duration of working time of employees who are 17 years of age may not exceed seven hours per day.

Minors enjoy equal rights with adults in employment relationships and disputes, and they have benefits prescribed by law, administrative legislation and collective agreements (Labour Contracts Act, § 12).

The procedure for settling of labour disputes is established by law. If a minor has concluded a labour contract by violating the law, then in accordance with section 125, subsection 1 of the Labour Contracts Act, a labour dispute resolution body will declare the labour contract invalid. A labour contract is declared invalid if: both parties were minors; labour contract was entered into in the capacity of employer by a minor – on the basis of an action by one parent or the guardian of such minor; labour contract was entered into in the capacity of employee by a minor of thirteen to eighteen years of age without the consent of one parent, a guardian, caretaker or the labour inspector; commencement of employment would endanger the health, morals or education of the minor - on the basis of an action by one parent, guardian or the labour inspector.

The Government of the Republic with its regulation no. 214 of 22 July 1992 has approved "The list of heavy works, works hazardous to the health or hazardous working conditions and works where employment of minors is prohibited".

It is prohibited to employ minors for works for which medical checks prior to employment and regular medical checks during the employment are required; works requiring manual displacement of loads for one third of the working time; works involving inflammable and explosive substances; works requiring contact with dangerous animals; works related to production, storage, transport and sale of alcoholic beverages; underground work; etc.

With the Government of the Republic regulation no. 214 of 22 July 1992 "The list of works endangering the morals of minors, where employment of minors is prohibited" was approved. According to it, the following works are prohibited: works involving slaughter or destruction and processing of live animals and birds; works related to exploiting and promoting of sex, violence, gambling; works where a minor is in contact with alcohol, narcotic, toxic and psychotropic substances.

The list of works where minors who are 13-15 years of age are allowed to work was approved by the Government of the Republic regulation no. 214 of 22 July 1992. Minors who are 13-15 years of age may be employed for the following works: picking of berries and fruit; selling of small-sized and cheap goods; putting up posters on billboards; working as a messenger; picking of herbs; weeding of plants; cleaning of vegetables; manual knitting of nets; watering works; stamping of objects or manual gluing of labels, etc.

According to section 28, subsection 2, clause 3 of the Occupational Health and Safety Act, a legal person will bear administrative liability for not observing the restrictions on the employment of minors or disabled persons. A fine up to 50 000 kroons may be imposed. Supervision over compliance with the requirements of legislation is exercised by the National Labour Inspectorate (§ 26). The Labour Inspectorate will monitor compliance with provisions of labour law with respect to children. There is no economic exploitation of children and forced child labour in Estonia. The Ministry of Social Affairs has asked the Labour Inspectorate to check the conditions of work of child artists (performers) in the first quarter of 2000.

Information about employment of children can only be obtained from labour surveys. Surveys in the first quarter of 1995 and in 1999 indicated that employees aged 16-17 make up 0.2% of the total number of employees. Thus it may be stated on the basis of the surveys that employment of children is at a very low level in Estonia and no exploitation of children has been noted. There is no national statistical data on it.

Drug, tobacco and alcohol abuse among young people.

Although, there is no accurate survey in Estonia regarding level of consumption of alcohol and narcotic drugs and the level of damage deriving therefrom, it can be asserted that the death of approximately 1500 persons each year is related to the consumption of alcohol. There are many more of those who suffer from serious mental and conduct disorders related to alcohol consumption. Furthermore, 40% of traffic accidents, two-thirds of violence-related criminal offences, acts of hooliganism and stolen vehicles, and 80% of juvenile violent criminal offences are directly attributable to alcohol.

Based on section 31 of the Alcohol Act (RT I 1999, 24, 359: 58, 610), it is prohibited to sell alcohol to a person less than 18 years of age. In the case of doubt, the seller is required to ask the buyer present an

ID and refuse from selling alcohol if no ID is presented. Persons under 18 years of age may not trade in alcohol. Violation of the requirements of the law will entail criminal or administrative liability.

Inducing minors to consume alcoholic beverages, use narcotic drugs or psychotropic substances or to engage in non-medical use of medicinal products or other narcotic substances results in a criminal liability and punishment (Criminal Code, § 202).

Alcohol Excise Act (RT I 1995, 87, 1539; 1996, 45, 852; 87, 1544; 1997, 35, 540; 1998, 103, 1700; 2000, 25, 142) and Narcotic and Psychotropic Substances Act (RT I 1997, 52, 834) have been confirmed by the Parliament.

"The Programme for Prevention of Alcoholism and Drug Addiction for 1997-2007" was approved by the Government of the Republic of Estonia in November 1997. The programme was prepared following the UN model programme in co-operation between the Ministry of Social Affairs, Ministry of Education, and Ministry of Internal Affairs, several scientific and medical institutions and the Estonian Association of Psychiatrists.

The programme is mostly aimed at reducing the damage from the consumption of alcohol and drugs and developing an alcohol and drug policy which guarantees co-ordinated preventive activity on international, national and local level based on international conventions, national programmes and other national documents. The sub-goals of the programme are creation of a national information system for assessing alcohol and drug consumption and the damage arising from it, as well as better information to the society about harmful effects of the consumption of alcohol and drugs, and improve preventive work with children and youth, more effective treatment for addicts and better availability of the treatment, and restraining of the rise of alcohol and drug-related legal offences.

Based on section 17 of the Tobacco Act (RT I 2000, 59, 379), it is prohibited to sell tobacco to a person less than 18 years of age. In the case of doubt, the seller is required to ask the buyer present an ID and refuse from selling tobacco if no ID is presented. Persons under 18 years of age may not trade in tobacco. Selling tobacco is prohibited in the public places as schools, hospitals, sport centres etc. It is not allowed to smoke for children under 16 and it is prohibited to give tobacco products to the children in any way. Based on section 18 of the Tobacco Act, it is prohibited to smoke in health care facilities, schools, child care facilities, municipal institutions, cultural and sport centres, facilities for production and service and in public transportation.

Since 1995, funds from the medical insurance budget are allocated for the financing of health promotion projects. One of them was the project "Tobacco-free". The aim of the project was to cut consumption of tobacco and reduce taking up smoking. In the implementation of the project there are three goals: activities to prevent taking up smoking by young people, helping smokers to give up tobacco, spreading awareness of passive smoking. There have been other health promotion projects to combat drug, tobacco and alcohol abuse among young people in the national and local level.

d), h) The problems concerning children in armed conflicts have not occurred in Estonia.

f), j)

With the Minister of Education regulation no. 33 of 2 June 1999 "Approving the procedure for acceptance to and exclusion from a special kindergarten (special group), sanatorium-school, special school (special class) for children with deviations", the conditions for admittance of children with special needs to relevant educational institutions was established. A child is admitted to a special kindergarten (special group) and a pupil to a sanatorium-school and to a special school for children with deviations on the basis of the decision of a counselling committee and written application of a parent or guardian. Adjustment groups at special kindergartens admit children with physical, speech, mind or mental impairments and children with psychological problems or autistic children.

Groups for children with physical impairments admit children with diseases of central and peripheral nervous system; diseases of the joints or arthropathies; diseases of the back or dorsopathies; diseases of the bone or cartilage; diseases of the soft tissue; congenital malformations, deformations, chromosome anomalies, or pathology of support and movement apparatus caused by a trauma.

Adjustment groups admit children with pronunciation and phonation disorders (voice disorders, disorders of speech rhythm and tempo, dyslalia, rhinolalia, dysarthria, anarthria); systemic speech

disorder (alalia, aphasia); secondary speech disorders (due to a mild hearing impairment, psychological problems without mental retardation) or mixed specific development problems.

Development groups for vision-impaired children admit children whose vision impairment hinders their acquiring of pre-school education in an ordinary or adjustment group and who have a central visual acuity 0-0.05; central visual acuity of a better seeing eye with correction 0.05-0.3; central scotoma and concentric narrowing of visual field up to 30° or damage of different visual functions.

Groups for hearing-impaired children admit children with a hearing impairment in a central speech area (at a frequency of 500-4000 Hz) 50-100 dB, which hinders acquiring of pre-school education in an ordinary group; children who have gone deaf in later age and whose speech has partly preserved but whose hearing impairment hinders them acquiring of pre-school education in an ordinary group; deaf children whose hearing impairment is 100-110 dB or more or hearing-impaired children with a mild mental impairment or vision impairment. Six-year-old hearing-impaired children may be admitted to preparatory groups at relevant schools.

Development groups admit children with various degrees of mental retardation. In the case of a combined impairment, a child is sent to a special kindergarten (special group) which to the most extent promotes his or her development, or a separate group may be formed. Groups for children with combined impairments admit children who are blind-deaf; who have a hearing impairment accompanied by mental retardation; who have a vision impairment accompanied by mental retardation, or a physical impairment with mental retardation.

Sanatorium-schools for children with severely progressing somatic diseases admit children with severely progressing somatic diseases or with chronic somatic diseases in a period of decompensation or in a state of acuteness. Schools (special classes) for children with physical disabilities admit pupils who have diseases of central and peripheral nervous system; diseases of the joints or arthropathies; diseases of the back or dorsopathies; diseases of the bone or cartilage; diseases of the soft tissue; congenital malformations, deformations, chromosome anomalies, or pathology of support and movement apparatus caused by a trauma. Schools (special classes) for children with psychological disorders admit children with organic psychological disorders (organic asthenia, mild disorders of cognitive functions, post-trauma brain-damage syndrome); affective disorders (depression); neurotic, stress-related and somatoform disorders (anxiety disorders, severe stress reactions and accommodation problems, other neurotic disorders); disorders of physiological functions (eating disorders); disorders of psychological development (asperger syndrome); behavioural and emotional life disorders (hyperkinetic disorders, mixed behavioural and emotional life disorders, emotional life disorders characteristic of a child) or epilepsy.

Schools (special classes) for speech impaired children admit pupils with normal hearing who have no primary damage of intellectual ability, who have alalia, aphasia; rhinolalia in a degree which causes secondary underspeech; dysarthria; stuttering which hinders attending an ordinary school; mild hearing decline which causes secondary underspeech or defects of written speech; dysgraphia, dyslexia. Schools (special classes) for hearing-impaired children admit pupils with hearing impairments in central speech area (at a frequency of 500-4000 Hz) 50-100 dB and with impairment-related underspeech which hinders studying at an ordinary school; pupils who have gone deaf in pre-school age or school age and whose speech is partly of fully preserved but whose hearing impairment hinders their studying at an ordinary school; deaf pupils; pupils with sensory alalia or with a combined impairment (hearing impairment is accompanied by mental retardation).

Schools (special classes) for vision-impaired children admit pupils with a visual acuity of a better seeing eye 0-0.05 (blind); with a visual acuity of a better seeing eye with correction 0.05-0.3; with a central scotoma and concentric narrowing of visual field up to 30° or damage of visual functions which requires use of special methodology of teaching. Adjustment classes admit pupils with specific disorders of studying skills; mixed specific development disorders; specific development disorders of motor functions; pervasive development disorders; hyperkinetic disorders; mild organic psychological disorders or severe emotional life and communication disorders.

Support schools (support classes) admit pupils with mild mental retardation or mild mental retardation with pervasive development disorders.

Coping schools (coping classes) admit pupils with moderate mental retardation or moderate mental retardation with pervasive development disorders.

Care schools (care classes) admit pupils with severe or deep mental retardation, or severe or deep mental retardation with pervasive development disorders.

Pupils with combined disabilities are referred to a special school (special class) which to the best extent promotes their development, or a separate class is formed. Classes for pupils with combined disabilities admit pupils who are blind-deaf; who have a hearing impairment with accompanying mental retardation; who have a vision impairment with accompanying mental retardation, or who have a physical impairment with accompanying mental retardation.

The Minister of Social Affairs regulation no. 41 of 27 May 1999 "Approving the Conditions and procedure for granting applications for postponement of fulfilment of obligation to attend school" establishes the conditions for postponing the fulfilment of obligation to attend school based on the state of health of a child. Obligation to attend school may be postponed for the following reasons: acute illness, becoming acute of a chronic disease, or a severe trauma which has required long-term treatment (exceeding six weeks) in the last year before entering school; development disorders of speech and language (based on an examination by a speech therapist); neurotic disorders; mixed specific development disorders; pervasive development disorders; hyperkinetic disorders; mixed behavioural and emotional life disorders; communication disorders or neurotic disorders. Fulfilment of obligation to attend school is postponed only if during that period the parent will provide a necessary environment for the child's development and rehabilitation and a possibility to continue acquiring of pre-school education until entering school.

The Health Care Organisation Act was passed on 18 January 1994 and the Act lays down the legal status of health care institutions and the bases of financing the health care system. The function of health care is to protect and strengthen people's health, prevent and successfully diagnose and treat diseases, disabilities, injuries and poisonings. Medical care is defined as activities of doctors with higher medical education for the protection of human health, prolongation of the length of life and improvement of the quality of life. Doctors may practice medicine only in accordance with their particular professional qualification. Everyone is entitled to receive an overview of examination of one's state of health from a doctor.

With the Minister of Social Affairs regulation no. 23 of 6 June 1997 "Assessment of quality of medical care" a permanent expert committee on the quality of medical care was formed. Its tasks are to organise control of medical care in medical institutions, regardless of the form of ownership of the medical institution; organise and co-ordinate medical audit; review the results of medical audit and make expert decisions; define standards of quality of medical care and submit them to the Minister for approval; make proposals for solving quality-related disputes between sick funds and medical institutions; at the request of a patient, medical insurance board of the sick fund, or insurance organisation or department of health of the Ministry of Social Affairs organise giving expert assessment of quality-related disputes between a medical institution and patient.

The Social Welfare Act lays down payment of social benefits and provision of social welfare services to a person or family in order to prevent, remove or alleviate the person's or family's coping problems. Persons whose monthly income is below the subsistence level established by the Government of the Republic based on the minimum consumption expenditure are entitled to subsistence benefits. Local authorities are required to provide housing to a person or family who are unable to provide it for themselves or their families, and if necessary create a possibility to rent a communal flat or use a shelter.

Standard of living.

"The fundamental principles of child and family policy" have been drawn up and put to public debate. The principles fix the priorities that have to be followed when drafting legislation and passing economic policy and budgetary decisions. They also fix the levels of application of child and family policy, pointing out first of all the possibilities and duties of the state. After the approval of the principles, a concrete action programme arising from them will be prepared. The general aim of the state child and family policy is to guarantee well-being of families with children at least on the average

level of the state, but concrete indicators are yet to be worked out. In Estonia, there is no one particular officially established standard of living; for assessing the people's standard of living such indicators as estimated subsistence minimum, poverty line, coping line are used.

In a poor household, most of the income is used for food and, as a rule, there is no widespread under-nourishment in poor families although the food of many children is not sufficiently varied (the cost is close to the minimum food basket but benefits are provided in the form of school meals). The average expenses for food are below the cost of the minimum food basket in families of non-working parents with children. In general, the difference of expenses for food in rich and poor families is the smallest (less than two times) as compared to differences in other expenses. Expenses for clothing, education, transport and the like are several times smaller in the case of children with non-working parents or also children with a single working parent than compared to other children of their age – as a result, primary social needs of children in those families are not met. Many families with children buy their clothes at second-hand clothing shops, at the beginning of the 90s they received clothing also as humanitarian aid. A population survey revealed that schooling of school-age and adult children is starting to exhaust the ability to pay of many parents, not only in paid private schools but also in ordinary public schools.

Social insurance.

The state supports families with children financially from the state budget by the payment of family benefits, disabled child pension (beginning from 2000 disabled child allowance), survivor pension, subsistence benefit to low-income families, and other similar benefits. The current system of benefits has been operative (except pensions) and has been improved throughout the last ten years.

According to the Family Benefits Act (until 2000 Child Benefits Act), families with children are entitled to state family benefits for partial compensation of expenses related to care, rearing and education of a child. Supporting of all children, including compensation of price rises, was begun in 1990. The child benefits system in its present form, with a few exceptions, has been effective since 1992. Family benefits are financed from the state budget through the national social insurance system.

The payment of family benefits does not depend on the family's income, place of residence, a person's sex or ethnic origin; the allowances are paid to all families, except foreigners who have a temporary residence permit for a term less than 5 years, unless otherwise provided in an international agreement (there are relevant international agreements with Finland, Latvia, Lithuania and Ukraine). If the child's parents do not maintain the child, the allowance is paid to a step-parent or foster-parent. Child benefits are paid until a child attains 16 years of age, if the child continues studying then until attaining 19 years of age. Although expenses for a child grow along with the child's age, benefits are paid according to the principle that as a child grows possibilities for both parents to be employed increase.

With the latest amendment to the law that entered into force from 1 January 2000, the following state benefits are available to families:

- one-time childbirth allowance (3750 kroons to the first child, 3000 kroons to every next child);
- monthly child allowance (150 kroons for the first child, 225 for the second and 300 for the third or any further child);
- monthly single parent's child allowance (300 kroons) if there is no entry on father in the child's birth record or if the entry was made based on a statement by mother;
- monthly conscript's child allowance (750 kroons) to the child whose father has been conscripted to serve in the defence forces;
- foster care allowance to a child who is deprived of parental care, who is under guardianship or has been taken to a family for care (300 kroons per month, in addition local authorities will pay the costs for the child's maintenance);
- one-time child's school allowance at the beginning of the school year (450 kroons);
- start in independent life allowance to an orphan or a child without parental care who has lived in a children's home (5000 kroons);
- child care allowance to families with children up to three years old (600 kroons monthly for every child up to three years old) (previously a maintenance allowance only to a parent who was on a leave to care for a child or to a non-working parent), if there are children between three to eight years in the same family, additional 300 kroons monthly is paid for each child in that age;

The state recognises raising of an infant as work and pays social tax for the parent receiving a child care allowance, except for a working parent in a family with three or more children if there are no children under three years old in the. Hence, the parent is insured with medical insurance and the time used for raising the child is included in the length of service used for the calculation of pension.

In time, the amounts of child benefits have risen and several new types of benefits have been added. In the nineties (especially in 1994, 1998 and 2000), the benefits to families who are most at risk have grown most. A significant rise can be noted in the case of child care allowance, single parent allowance, allowance for the third child or further children, childbirth allowance, conscript's child allowance. Increase has been smaller in the case of first (one) child allowance.

Child benefits are essentially aimed at less secured families although no income is taken into account when granting a benefit. Although the basic sum of child benefits, which is the sum of the allowance to the first child, is not big – approximately 10\$ – a person may receive several allowances per one child (except childbirth allowance and child allowance).

In 1999, according to two types of benefits, average 283 kroons was paid per one child (inclusive of a parent's maintenance support). If there are two children under three years old and one child between three to eight years old in a family, as from 1 January 2000 a parent receives 1.2 minimum wages tax-exempt as a child care allowance (the minimum wage from 1 January 2000 is 1400 kroons, tax exempt income is 800 kroons a month) and the family receives total 2175 kroons a month from the state in the form of family benefits. This is a bit less than estimated subsistence minimum for two persons and covers the average monthly expenses of 1.1 persons. Based on the expenses for food in an average family, the benefit covers monthly food expenses of 3.5 persons. In 20% of the families with children in the smallest income range, the child allowance makes up about 20% of the income.

In 1994, 585 million kroons was used for the payment of child benefits, in 1999 the sum was 1146 million and in the budget for 2000 appropriations of 1338 million have been made for this purpose. In the same time (6-year period), the number of children has dropped by 10%. Family benefits make up 4.7% of the budget for 2000 (together with the budget for compulsory pension insurance and medical insurance). In 1999, child benefits make up 1.5% of the GDP.

In order to avoid cutting of child benefits in connection with the possible cutting of the state budget or because of tensions in the state budget, the Family Benefits Act stipulates that the rates of child benefits and child care allowances to be approved in the next year's state budget may not be smaller than the currently applicable rates. Since 1999, surplus of allocations from the state budget for family benefits in the current year may not be used for any other expenses (which was possible in previous years) but the surplus is paid out as a single additional support to families with four or more children.

Purpose-oriented allocations are made from the state budget to support funds in rural municipality and county budgets. In 1999, 40 million kroons of these allocations were earmarked for transport support to pupils at municipal schools, 30 million for additional school allowances (mainly for school meals) and 10 million for pupils attending art and music schools. Allocations from the state budget were also made through the Estonian Regional Foundation under the Ministry of Internal Affairs for investments to regional programmes aimed at children, families, elderly people, disabled people – in 1999 the amount of allocations was 19 million kroons and 23.3 million in 2000.

Various state social benefits are paid to low-income families and families with special needs; the largest of these benefits is the subsistence benefit. Subsistence benefits are granted and paid on a monthly basis by rural municipality or city governments from the funds earmarked for this purpose in the state budget in accordance with the conditions established by the Government of the Republic. Persons (families) residing in the territory of Estonia whose monthly income is less than the minimum coping line established by the Government of the Republic are entitled to subsistence benefits. Application and granting of subsistence benefits is based on the monthly income of family members that remains after the deduction of expenses for the normative space of housing. Accordingly, after the payment of housing expenses, a three-member family should have 1300 kroons left for other expenses. If the sum is less or if the persons are unable to pay for the housing either, the difference will be paid by the state.

About 70-80 thousand families have received subsistence benefits for a period of one month, several months, or all 12 months a year, which is 11-13% of all families, while about 1.5-2% of families have received the subsistence benefit throughout the year. Although social benefits are aimed at short-term operative extraordinary compensation of the resources of the people who have dropped below poverty line, there are some families who receive the benefits on a regular basis. Average 560 kroons a month were paid in 1999 to a family receiving a benefit. Of the recipients of benefits for securing the minimum coping line, families with a child (children) make up more than a half, and among benefit recipients the number of families with three or more children is two-fold compared to the average in the structure of families, and also the number of single parent families is significantly higher. In connection with a faster rise of pensions, the proportion of pensioners among benefit recipients has dropped while the proportion of families with children has risen.

Benefits are paid on the same basis everywhere, but due to differences in wage and unemployment levels the average amount of a benefit per one person per year varies more than twice in different counties (in 1999 in Võrumaa 465, in Tallinn 203 and in average in the country 212 kroons). The differences are even bigger between single rural municipalities and cities. Thus, social benefits are strongly aimed at poorer areas and in rural areas first of all at families with many children (while in rural areas families with children are larger) and in cities at unemployed persons.

Part of the funds allocated from the state budget for subsistence benefits can be paid outside the minimum coping line as single benefits to less secured people and families and people with special needs. In 1999, 59 thousand families (10% of all families) received this additional benefit and the proportion of families with children is higher in the case of this benefit. Most of the money has been used for partial compensation of school meals and purchase of study materials.

In addition, one-time state benefits are paid to persons in specific target groups or risk groups and to less secured families (compensation of transport cost to disabled people, including disabled children, telephone allowance to families with specific social needs having four or more under-age children, etc.). Local authorities also support families with children from their budgets by subsidising school meals and child care. On the state level, providing of direct or indirect support to low-income families was started in 1994. In recent years, 335-425 million kroons a year have been spent for this purpose. In the budget for 2000, social benefits make up 1.1%.

Supporting of families has helped to achieve that the rise of income of low-income families or in families who have no income at all besides benefits and allowances, is at the same level as the rise of income of other families. The ratio of incomes of 20% of high-income and 20% of low-income households has declined from 7.8 times in 1994 to 5.4 times in 1998. Poverty has somewhat dropped. If in 1996 36% lived below the above-defined poverty line (using the coefficient 0.8 beginning from the second family member) where some households have difficulties with meeting their physiological needs and others with meeting their social and cultural needs, in 1999 24% of all households lived below that line (respectively 38% and 30% of people).

Housing.

The most comprehensive overview of the housing conditions of different families is provided by the 1994 survey "Housing conditions in Estonia". The survey reveals clearly that families with more children live in more stringent conditions than families with fewer children. The data also reveal the small flexibility of the housing market. Older families would rather like to have a smaller and cheaper housing and young families with children would like to have a larger one.

According to household surveys, in 1996-1999 housing expenses made up 17-18% of the expenditure of families. Housing expenses vary regionally. For example, expenses of a four-member family in Tallinn and in rural areas differ more than two-fold. This is first of all due to different housing conveniences but also the different price of distant heating in various regions.

A comparison of different family types reveals that an increase of the number of children does not result in increase of housing expenses in a family. It is also revealed that the number of rooms per housing does not significantly depend on the number of members per household. This indicates, on the one hand, a smaller payment ability of larger families and, on the other hand, the small flexibility of the

housing market. When a household has children, they do not improve their living conditions but, on the contrary, opt not to improve their living conditions (apparently due to redistribution of expenses). It may be assumed that although the majority of families are able to cover their current housing expenses they are unable to invest into improving their housing situation (renovate, buy a new housing, etc.) and bring it in line with the actual needs of the family. Poorer families (first and foremost families in the first and second income deciles) are unable to pay for their current housing expenses (permanently unemployed, families with many children) and need housing support, communal housing, etc. Only maximum 15-20% of the population may be considered as solvent, these are families in the two last income deciles (ninth income decile where the net monthly income per family member was 3233 kroons in 1999, tenth income decile 5850 kroons). Presumably only these families are able to bear full economic responsibility for their housing, being also able to make necessary investments for improving the condition of their housing.

In 2000, a housing loan for young families was introduced. A family or single parent raising at least one child under seven years old is eligible to apply for the loan. Self-financing requirement is lower for this loan – 10-20% depending on the location and on whether the housing is in a new building or in recurrent use. In the case of an ordinary housing loan, the self-financing requirement is at least 34%. The state also guarantees part of the loan. The maximum amount of the loan is one million kroons, which can be borrowed for up to 20 and in some cases for up to 30 years. According to the estimates of banks, the state is able to guarantee loans on these conditions to 1200 young families a year. It is also important to emphasise that there are huge regional disparities on the housing market.

E.

Estonia has still some problems with implementations of laws, especially in certain areas, where further efforts have to be made.

F. Future Actions

Estonia is currently working out following documents to provide better and protected life for children:

- National Action Plan for the Children at Risk
- National Strategy for the Child Protection
- Audit for Child Welfare Institutions
- Development Strategy on Child Welfare.

Summary

Child welfare and child protection has developed a lot during last 10 years since Estonia became independent. UN Convention on the Rights of the Child as well as a number of other international conventions have been ratified. Respective national legislation including Child Protection Act, Family Act and Social Welfare Act has been elaborated and come into force. It is possible to study social work as a subject in two universities and in several other schools. Child protection specialists are hired in local municipalities and their obligation is to work with child issues. Estonia has a system of residential care and a well working system of fostering for children without parental care. The authorities co-operate closely and effectively with NGO-s.