



Country Factsheet

DEPARTMENT FOR THE EXECUTION OF JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS
SERVICE DE L'EXÉCUTION DES ARRÊTS DE LA COUR EUROPÉENNE DES DROITS DE L'HOMME

Estonia

Last update: 15/03/2021

Membership to the Council of Europe	14 May 1993
Entry into force of the European Convention on Human Rights	16 April 1996
First case under supervision of execution	Slavgorodski (37043/97) Judgment final on 12 September 2000
Total number of cases transmitted for supervision since the entry into force of the Convention	55
Total number of cases closed by final resolution	53

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION*

No case under enhanced supervision. To see all pending cases → [click here](#).

* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).

SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> Conditions of detention

Improvement of the legislative and regulatory framework concerning the use of restraint measures (special measures) and pepper spray in prison in 2011.

Julin (16563/08+)
Judgment final on 29/08/2012

Final Resolution
CM/ResDH(2016)307

> Lawfulness of detention and related issues

Recognition of a right to compensation for persons unlawfully detained (e.g. for arrested persons not brought before an investigating judge within 48 hours) and for unlawful activities of a public authority when the European Court of Human Rights found a violation of the Convention.

Harkmann group (2192/03+)
Judgment final on 11/10/2006

Final Resolution
CM/ResDH(2010)158

Recognition of the right of suspects to request access to the case file before decisions on the lawfulness of custody and continued detention - change in the Code of Criminal Procedure in 2014.

Ovsjannikov (1346/12)
Judgment final on 20/05/2014

Final Resolution
CM/ResDH(2015)136

> Detention - Respect of private life

Adaptation of Tartu prison premises to guarantee privacy of prisoners during the conduct of body search.

Jaeger (1574/13)
Judgment final on 31/10/2014

Final Resolution
CM/ResDH(2015)120

> Access to a court

Legal obligation to include third parties in criminal proceedings affecting their rights and freedoms at any stage of the proceedings and widened protection of their rights since 2004.

Rummi (63362/09)
Judgment final on 15/04/2015

Final Resolution
CM/ResDH(2016)59

> Fairness of judicial proceedings – Minor's testimony

Courts can refuse a party's request to summon a minor to a hearing in cases related to sexual abuse or domestic violence; the testimony given by a minor during the pre-trial procedure can be allowed as evidence only on certain circumstances – Amendment to the Code of Criminal Procedure in 2011.

Vronchenko (59632/09)
Judgment final on 18/10/2013

Final Resolution
CM/ResDH(2016)309

> Fairness of misdemeanour proceedings

Since 2017, **in misdemeanour proceedings, counsels may request appeal hearings** to take place without the presence of the appellant.

Tolmachev (73748/13)
Judgment final on 09/10/2015

Final Resolution
CM/ResDH(2018)43

** This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV "Main achievements". As regards the period 1959-1998, see the overview provided by the European Court in its special publication "Survey : 40 years of activity", section IV "Effects of judgments and decisions" – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.

SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> No punishment without law

Improved legal certainty as a result of the repeal, in 2007, of a vague provision imposing criminal liability in case where certain acts had caused "significant damage to the State".

Liivik (12157/05)
Judgment final on 25/09/2009

Final Resolution
CM/ResDH(2010)157

> Disclosure of private information

Change of practice of the Estonian Internal Security Service (KAPO): The KAPO exercises its right of discretion prescribed under the Disclosure Act in accordance with the limits of the authorisation, the purpose of discretion and the general principles of justice, taking into account relevant facts and considering legitimate interests. Domestic courts have the obligation to verify the compliance of the KAPO with these limits and objectives in case of a new disclosure.

Sõro (22588/08)
Judgment final on 03/12/2015

Final Resolution
CM/ResDH(2017)152

> Freedom of expression and information

Amendment of the Imprisonment Act in 2019, enabling prisoners to access public legislation databases and registers of judicial decisions, the webpages of Parliament and the Chancellor of Justice.

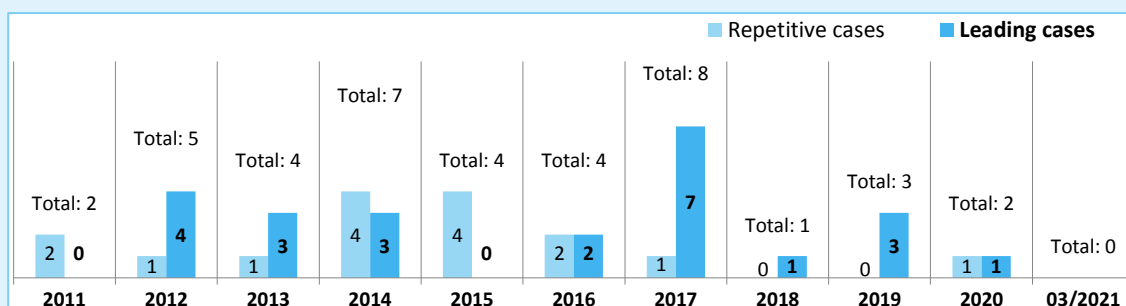
Kalda (1574/13)
Judgment final on 06/06/2016

Final Resolution
CM/ResDH(2019)109

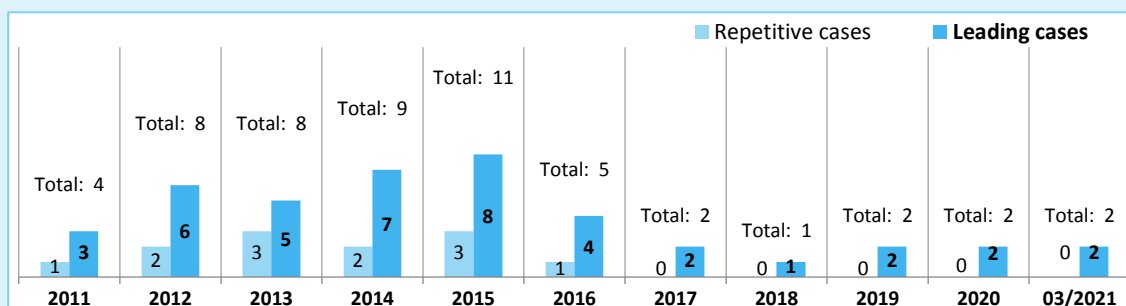
STATISTICS***

New cases

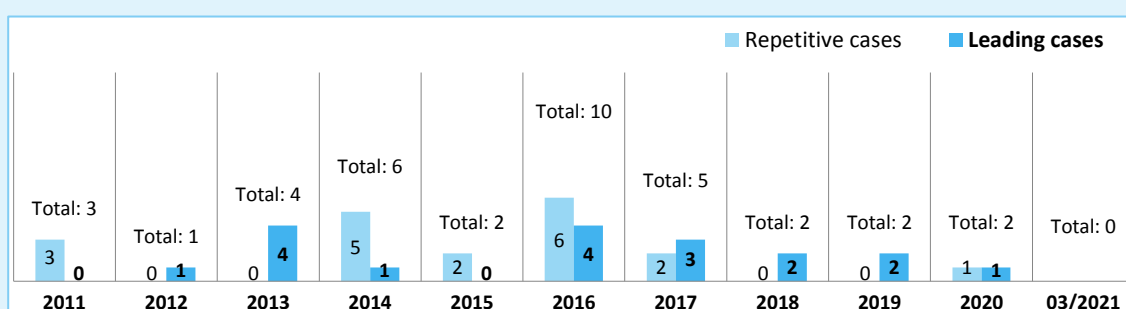
(judgments transmitted for supervision of their execution during the year)



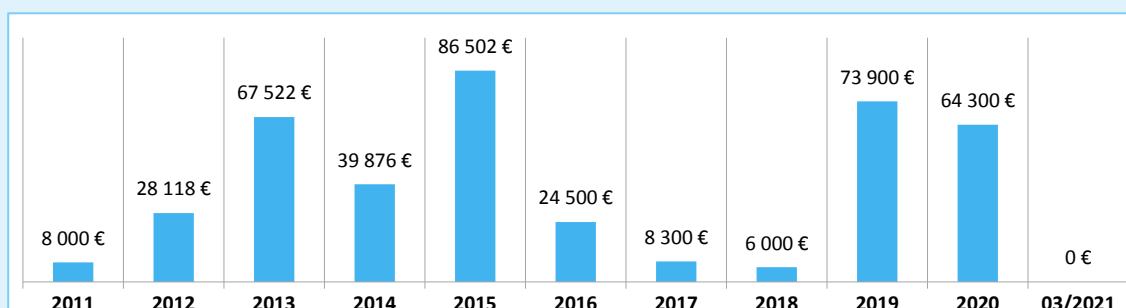
Pending cases



Cases closed by final resolution



Just satisfaction awarded by the European Court



*** Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.