

Reference: C.N.113.2020.TREATIES-IV.4 (Depositary Notification)

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
NEW YORK, 16 DECEMBER 1966

ESTONIA: NOTIFICATION UNDER ARTICLE 4 (3)¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 20 March 2020.

(Original: English)

“No 15.2-4/125

The Permanent Mission of the Republic of Estonia to the United Nations in New York presents its compliments to the Secretary-General of the United Nations and pursuant to Article 4(1) of the International Covenant on Civil and Political Rights informs that Estonia exercises the right of derogation from its obligations under the International Covenant on Civil and Political Rights.

The Permanent Mission of the Republic of Estonia informs that following the announcement of the World Health Organization of 11 March 2020 that COVID-19 has been confirmed as pandemic, and taking into account the significant danger the spread of COVID-19 has posed to public health, on 12 March 2020, the Government of the Republic of Estonia declared emergency situation in the entire territory of the Republic of Estonia.

The declaration of emergency situation was necessary to combat the spread of the corona virus in Estonia in the most efficient manner. The state must be able to provide its citizens with clear and, if necessary, mandatory instructions to help limit the spread of the virus, which threatens the life of the nation. The emergency situation commenced on 12 March 2020, and, unless decreed otherwise by the Government, remains in force until 1 May 2020.

Among the measures adopted by the Government of Estonia, regular class-room studies in primary, basic, secondary and vocational schools as well as higher education establishments and universities have been suspended as of 16 March 2020 and switched over to remote and home studying. Also hobby education was suspended. All public gatherings are prohibited, museums, theatres and cinemas will be closed to visitors, all performances, concerts and conferences, as well as sports competitions are prohibited. Social welfare institutions, hospitals, and detention facilities will be subject to a visiting ban.

¹ The translated texts of the orders, ruling and recommendations of the Government of Estonia attached to the notification are on file with the Secretary-General and are available for consultation.

On 14 March 2020, additional movement restrictions for several Estonian islands were introduced. Only people who have a permanent residence on the islands were allowed to travel to the territories if they do not show symptoms of COVID-19. The people currently on the islands were allowed to return home. Restrictions were also imposed on spending leisure time. All sports halls, sports clubs, gyms, spas, swimming pools, water centres, day centres, and children's play rooms were ordered to be closed. Hotels and other accommodation providers were ordered to close their gyms, swimming pools, saunas and spas. The restriction did not apply to the provision of social and health care services.

On 15 March 2020, it was decided to restrict crossing of the Schengen internal and external border temporarily and reintroduce border controls in order to contain the spread of the coronavirus as of 17 March 2020. Only citizens of Estonia and holders of Estonian residency permit or right of residence could enter Estonia, as well as foreign citizens whose family member lives in Estonia. At the border control, travel documents and medical symptoms are checked. The requirement of a two-week quarantine for everyone entering the country has also been imposed.

Some of these measures may involve a derogation from certain obligations of Estonia under the International Covenant on Civil and Political Rights, and particular its Articles 9, 12, 14, 17, 21 and 22. The measures adopted by the Government are required by the exigencies of the situation and are not inconsistent with other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

The Permanent Mission of the Republic of Estonia attaches to this note the unofficial translations of the order No. 76 of Government of Estonia of 12 March 2020 'On the Declaration of Emergency Situation in the territory of Estonia' and subsequent orders Nos. 77 and 78 of 13 March 2020 and 15 March 2020 and ruling No. 15 'On the temporary reintroduction of border control and surveillance of internal borders' of 15 March 2020 issued by the Government of Estonia. Also translations of orders 26, 29, 30, 32, 34, 35 issued by the Prime Minister as the person in charge of emergency situation are appended as well as the recommendations of the Council for Administration of Courts on the administration of justice during the emergency situation, issued on 16 March 2020.

Pursuant to Article 4(3) of the International Covenant on Civil and Political Rights, Estonia hereby informs the other States Parties, through the intermediary of the Secretary-General of the United Nations, of the provisions from which Estonia has derogated and of the reasons by which it was actuated. A further communication will be made on the date on which Estonia terminates such derogation.

The Permanent Mission of the Republic of Estonia to the United Nations in New York avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest considerations.

New York, 20 March 2020"

27 March 2020

