

ESTONIA 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Estonia is a multi-party, constitutional democracy with a unicameral parliament, a prime minister as head of government, and a president as head of state. The prime minister and cabinet generally represent the party or coalition of parties with a majority of seats in parliament. Parliamentary elections held in 2011 and municipal elections held on October 20 were generally free and fair. Authorities maintained effective control over the security forces. Security forces did not commit human rights abuses.

There continued to be reports of trafficking, primarily of women for sexual exploitation and men and women for forced labor elsewhere in the EU. A large number of residents were noncitizens, and their rate of naturalization remained low. Conditions in some detention centers remained poor.

Other human rights problems reported during the year included allegations that police at times used excessive force when arresting suspects; domestic violence and inequality in women's salaries; incidents of child abuse; and inadequate access to public services by persons with disabilities, especially in rural areas.

The government took steps to punish officials who committed abuses, and there were no reports of impunity.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports that the government or its agents committed arbitrary or unlawful killings. The prosecutor's office leads investigations and prosecutes cases in court. The Police and Border Guard Board and the Security Police Board investigate civilian cases. The military police investigate defense force cases.

b. Disappearance

There were no reports of politically motivated disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such practices, but there were reports that police used excessive physical force and verbal abuse during the arrest and questioning of some suspects. In 2012 the government convicted six police officers of excessive force during the arrest or questioning of detainees.

Prison and Detention Center Conditions

In the course of inspection visits to a number of institutions, the legal chancellor (the country's ombudsman) found a number of deficiencies in prison and detention center conditions, particularly in detention centers where officials held detainees for short periods. Among them were deficiencies in the availability of medical care and fire safety in several facilities. The continuing use of a Soviet-era prison in Tallinn for a large number of prisoners remained a problem, although the government was in the process of phasing out this facility. In this institution recreational facilities were few and in poor condition. The legal chancellor reported that inmates did not have sufficient access to legal documentation in prisons and detention centers and there was a shortage of telephones they could use to contact family members.

Physical Conditions: The country's prisons held 3,245 persons on September 2, including 2,478 convicted prisoners and 767 pretrial detainees. Combined, the design capacity of the prisons was 3,535 inmates. Women made up 5 percent of prisoners. There were 40 detainees under the age of 18. The government made efforts to reduce the number of prisoners, including through use of electronic monitoring, parole, probationary sentences, and community work instead of incarceration. In 2012 the legal chancellor made several visits to police detention centers and noted deficient living conditions in several facilities, as well as a shortage of officials. During the first 11 months of the year, there were three deaths in prisons and jails and two suicides. Prisoners and detainees had access to potable water.

Administration: The legal chancellor observed that authorities generally kept accurate records on prisoners in prisons and detention facilities. In a June 17 report, however, the UN Committee against Torture indicated concern that authorities did not always maintain detention registers "in a regular manner" in police stations. Individual institutions do not have ombudsmen, but authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhumane conditions. Authorities investigated all complaints and documented the results of

their investigations in a publicly accessible manner. Prisoners and detainees had reasonable access to visitors and the opportunity to engage in religious observance.

Independent Monitoring: The government generally permitted monitoring by independent nongovernmental observers, including human rights groups, the media, and relevant international bodies.

d. Arbitrary Arrest or Detention

The constitution and laws prohibit arbitrary arrest and detention, and the government generally observed these prohibitions.

Role of the Police and Security Apparatus

Civilian authorities maintained effective control over the Police and Border Guard Board, the Security Police Board, and the Tax and Customs Board, which have responsibility for law enforcement. The government has effective mechanisms to investigate and punish abuse and corruption. There were no reports of impunity involving the security forces during the year.

Arrest Procedures and Treatment of Detainees

By law authorities must usually possess warrants issued by a court to make arrests and must inform detainees promptly of the grounds for their arrest. There is a functioning bail system. Authorities may hold individuals for 48 hours without charge; further detention requires a court order. Police generally complied with these requirements. Detainees are entitled to immediate access to legal counsel, and the government pays for legal counsel for indigent persons. There were no reports that authorities held individuals incommunicado or under house arrest.

Detention of Rejected Asylum Seekers or Stateless Persons: Authorities detained unsuccessful applicants for asylum or illegal immigrants pending their deportation. The legal chancellor reported several violations at the expulsion center, including occasional overcrowding and a general lack of security, as conflicts between persons to be expelled were frequent. Human rights organizations also complained there was a general shortage of translators and that, at the request of doctors, guards sometimes handcuffed detainees during medical treatment.

e. Denial of Fair Public Trial

The constitution provides for an independent judiciary, and the government generally respected judicial independence.

Trial Procedures

The constitution provides for the right to a fair trial, and an independent judiciary generally enforced this right.

Defendants enjoy the right to a presumption of innocence, a fair and public trial without undue delay, prompt and detailed notification of the charges (with free interpretation if necessary), communication with an attorney of choice (or to have one provided at public expense), adequate time and facilities to prepare a defense, and access to government-held evidence. Defendants may confront witnesses against them and present witnesses and evidence, cannot be compelled to testify or confess guilt, and have the right to appeal. There are no juries. A single judge, a judge together with public assessors, or a committee of judges may hear cases. In criminal proceedings an attorney is available to all defendants at public expense, although individuals often preferred to hire their own attorneys. In civil proceedings the government provides an attorney for indigents. Authorities generally respected these rights and extended them to all residents regardless of citizenship.

Political Prisoners and Detainees

There were no reports of political prisoners or detainees.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights violations in domestic courts and appeal unfavorable decisions to the European Court for Human Rights (ECHR) after they exhaust all domestic remedies.

Regional Human Rights Court Decisions

The country is subject to the jurisdiction of the ECHR, which delivered judgments on the merits in five cases regarding the country between January 2012 and May 2013. The ECHR ruled in favor of the government in two cases, and found violations of the European Convention on Human Rights in three. The government promptly complied with court orders in these cases.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The constitution prohibits such actions, and the government generally respected these prohibitions.

Section 2. Respect for Civil Liberties, Including:**a. Freedom of Speech and Press**

The constitution provides for freedom of speech and press, and the government generally respected these rights. An independent press, an effective judiciary, and a functioning democratic political system combined to promote freedom of speech and press.

Internet Freedom

There were no government restrictions on access to the internet or credible reports that the government monitored e-mail or internet chat rooms without appropriate legal authority. The internet was widely available, and the public used it regularly. In 2012, according to EU statistics agency data, 79 percent of the population between the ages of 16 and 74 used the internet and 37 percent used the internet on mobile devices away from home.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom or cultural events.

b. Freedom of Peaceful Assembly and Association

The constitution provides for freedom of assembly and association, and the government generally respected the rights.

For example, on July 27, an annual ceremony took place outside the northeast village of Sinimae to honor Estonian veterans of the 20th Estonian Waffen SS Grenadier Division and commemorate the World War II battle of Sinimae. No national government officials participated in the ceremony. Participants laid wreaths at monuments for soldiers from both sides who died in battles nearby. Unlike in past years, an observer at this year's ceremony did not note any display of Nazi symbols or insignia.

Freedom of Association

While the constitution provides this right for all, the law specifies that only citizens may join political parties. There are no restrictions on the ability of the population who are noncitizens to join other civil groups.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt/.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation and the government generally respected these rights. The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. The nongovernmental organization (NGO) Estonian Human Rights Center (EHRC) reported that authorities did not adequately inform asylum seekers of their rights. Additionally, authorities provided only poor and irregular access to public services for asylum seekers and those granted international protection. The EHRC repeated its recommendation that the government establish an independent border monitoring entity to ensure that the actions of the authorities at border checkpoints comply with local and international law. The EHRC and other NGOs provided legal and societal assistance to asylum seekers in cooperation with authorities. Government officials indicated that access to legal aid was available at every stage of the asylum procedure.

Safe Country of Origin/Transit: The government has a policy of denying asylum applicants from a "safe" country of origin or transit. The UNHCR has expressed concern about the government's policy of refusing entry and immediately returning persons who have transited such a country, particularly about their inability to

appeal denial of entry from outside the country. Authorities asserted they grant interviews to all individual asylum seekers.

Temporary Protection: The government provided temporary protection to individuals who may not qualify as refugees and granted it to two individuals during the first 10 months of the year

Stateless Persons

Citizenship derives primarily from one's parents. It is automatic if either parent is a citizen. The law provides that children who are younger than 15 whose parents are not citizens of Estonia or of any other country and who have lived in the country for five years are eligible to acquire citizenship by naturalization at their parents' request.

As of January 2012, according to the 2011 population census, 84,494 persons, or 6.5 percent of the population, had "undetermined citizenship." The UNHCR reported in October that the number of "stateless persons" was 94,235. Although the UNHCR categorized this population as stateless, the government did not, since in its view the individuals involved were eligible to apply for naturalized citizenship and enjoyed many of the protections available to citizens.

Nearly all were ethnic Russians, Ukrainians, or Belarusians. According to the UNHCR, 1,155 persons acquired citizenship by naturalization in the first nine months of the year, a slight increase over the same period in 2011. Overall, however, the rate of naturalization has tended to decline.

Nearly all individuals without documented citizenship were long-term residents; they could vote in local, but not parliamentary, elections. There are statutory procedures that offer opportunities for obtaining citizenship, but some human rights observers regarded them as inadequate. Individuals applying for naturalization must pass language and civics tests. In 2012, 62.5 percent of the persons who took the language test to acquire the citizenship passed. To facilitate acquisition of citizenship, authorities adopted policies, such as funding civics and language courses and simplifying the naturalization process for persons with disabilities.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The law provides citizens the right to change their government peacefully, and citizens exercised this right through periodic, free, and fair elections based on universal suffrage.

Elections and Political Participation

Recent Elections: In 2011 the country held parliamentary elections that the OSCE election observation mission considered to be free and fair.

Political Parties: While political parties could operate without restriction or outside interference, the law prohibits noncitizen residents from organizing or joining political parties.

Participation of Women and Minorities: There were 21 women in the 101-seat parliament. The speaker and deputy speaker of the parliament were women. There was one female minister in the 13-member cabinet. Noncitizens who are long-term residents may vote in local elections but cannot vote in national elections or hold public office. Ten members of ethnic minorities served in the parliament.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented these laws effectively. The government has effective mechanisms to investigate and punish abuse and corruption.

Corruption: There were several reports of government corruption during the year. On January 21, the Tallinn district court left unchanged a March 2012 conviction by the Harju County Court of Ivo Parbus, a former advisor to a Tallinn deputy mayor, for accepting bribes on multiple occasions using his official position. His sentence was three years in prison. Parbus also had to turn over to the state illegally earned assets worth 7,349 euros (\$10,108).

The Justice Ministry is responsible for coordinating anticorruption activities, including prevention and policy development. The ministry actively collaborated with civil society and international organizations and operated effectively and independently.

The Police and Border Guard Board and the Security Police Board investigate corruption cases. The prosecutor's offices lead these investigations and prosecute the cases in court. In 2012 authorities filed 28 corruption cases in state

organizations, such as ministries, inspectorates, and boards. Authorities also filed 25 corruption cases involving municipal employees and 16 corruption cases involving educational institutions. In 2012 the courts convicted 43 individuals, five of them for multiple offenses. Of the cases concluded in 2012, 44 resulted in convictions and 11 in acquittals.

Whistleblower Protection: The anticorruption law provides protection to public and private employees who make internal disclosures or lawful public disclosures of evidence of illegality. Under the law whistleblowers are entitled to confidentiality, and authorities may release information about a whistleblower only with written consent. Whistleblowers who are obliged to serve as witnesses in any legal proceedings relevant to the issue they disclosed may choose to remain anonymous. The government generally implemented the law effectively.

Financial Disclosure: All public officials are subject to financial disclosure laws. Designated offices have responsibility for monitoring and verifying disclosures. The financial declarations of high-level government officials were available to the public, and there are criminal and administrative sanctions for noncompliance with the law. Public officials must declare their interests in an electronic register. Officials must also declare noneconomic interests, such as favors or gifts valued at more than a certain amount, as well as their liabilities and any joint proprietorships in which they have a financial interest. The law also regulates public servants' outside employment.

Public Access to Information: The law provides for public access to government information, and the government provided such access.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were cooperative and responsive to their views.

Government Human Rights Bodies: The legal chancellor, an independent official with a staff of more than 40 persons, performs the role of human rights ombudsman. The chancellor reviews legislation for compliance with the constitution; oversees authorities' observance of fundamental rights and freedoms and the principles of good governance; and helps resolve accusations of

discrimination based on gender, race, nationality (ethnic origin), color, language, religion, social status, age, disability, and sexual orientation. The legal chancellor also makes recommendations to ministries and local governments, requests responses, and has authority to appeal to the Supreme Court. The chancellor compiles an annual report for parliament. Public trust in the office was high, and the government was responsive to its reports and decisions.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced the prohibitions.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, and physical abuse, including domestic violence.

The penalty for rape, including spousal rape, is imprisonment for up to 15 years. In 2012 police reported 143 cases of rape or attempted rape. Under-age victims were involved in 38 percent of rape cases. Police registered 36 percent more rape cases than in 2011. In 2012 courts convicted 29 individuals of rape and sentenced all to prison with terms ranging from 11 months to 13 years.

According to NGOs and shelter managers, violence against women, including domestic violence, was a problem. The law punished physical abuse (it does not differentiate by gender) by a fine or imprisonment of up to three years or up to five years in instances of longstanding and unremitting violence. Police statistics for 2012 recorded 5,311 cases of physical abuse, including domestic violence and physical abuse of minors, which was 11 percent higher than in 2011. Police registered 2,231 domestic violence cases, an increase of 15 percent over 2011. Physical abuse accounted for 67.7 percent of all violent crimes in the country.

Courts ruled on approximately one-fourth of all domestic violence cases reported to police. Of those individuals convicted, courts fined 14 percent, sentenced 53 percent to probation, 20 percent to community work, and 13 percent to prison.

Domestic violence was a growing problem. Victims could obtain help, including counseling and legal assistance, from social workers employed by local governments and from specialized NGOs. During 2012 the government conducted a radio campaign to raise awareness about the issue. NGOs, local governments,

and others could seek additional assistance for victims from the national government. There was a network of shelters for women and women with children who were victims of gender-based violence, and there were hotlines for domestic violence and child abuse. Police officers, border guards, and social workers received training organized by NGOs, the Ministry of Social Affairs, the Ministry of Interior, and the Ministry of Justice.

Sexual Harassment: The law prohibits sexual harassment, but there were some reports of sexual harassment in the workplace. According to law, sexual harassment complaints may be resolved in court, before the legal chancellor, by the Labor Dispute Committee, or by the gender equality and equal treatment commissioner. An injured party may demand termination of the harmful activity and compensation for damages.

Reproductive Rights: The government recognized the basic right of couples and individuals to decide freely the number, spacing, and timing of their children and to have the information and means to do so. Health clinics and local health NGOs operated freely in disseminating information on family planning. There are no restrictions on access to contraceptives. The incidence of maternal mortality was low. Access to maternal health services, including skilled attendance during childbirth, prenatal care, essential obstetric care, and postpartum care was available free of charge.

Discrimination: In 2012 the Gender and Equal Treatment Commissioner received fewer than 100 applications and complaints of discrimination on the basis of gender. In four cases the commissioner ordered compensation to the victims. In 2012, 23 individuals submitted complaints involving unequal treatment to the Labor Inspectorate. The Labor Dispute Committee determined that unequal treatment had occurred in 25 percent of cases and required employers to compensate the victims. The legal chancellor received 40 complaints relating to unequal treatment and discrimination and initiated proceedings in cases determined to have merit.

Although women have the same rights as men under the law and are entitled to equal pay for equal work, these rights did not always apply in practice. While women on average achieved a higher level of education than men, in 2012 the average earnings of women were 30 percent lower than those of men for the same work. There continued to be female- and male-dominated professions.

The gender equality and equal treatment commissioner, an independent expert, monitored compliance with the law that requires equal treatment. The Gender Equality Department of the Ministry of Social Affairs is responsible for coordinating the government's efforts to eliminate gender inequality, drafting legislation to this end, and promoting gender equality.

Children

Birth Registration: Citizenship derives from one's parents. Either citizen parent may pass citizenship to a child regardless of the other parent's citizenship status. Children born to members of the country's large population of persons who are not citizens of the country are themselves noncitizens unless and until a long-term-resident parent applies to obtain citizenship for the child before the child reaches the age of 15. Registration of births occurred in a timely manner.

Child Abuse: Child abuse continued to be a problem. In 2012 police reported 303 cases of sexual abuse of minors, 23 percent more than in 2011. In the same year, courts convicted 56 individuals of sexually assaulting minors. The Police and Border Guard Board worked to combat child abuse, including sexual abuse. The legal chancellor acted as children's ombudsman. On November 21, the parliament passed a new law to introduce stricter punishment for child sexual abuse. The law introduces punishments of two to eight years in prison and criminalizes purchasing sex from minors. The law foresees additional background checks for persons working with children.

Forced and Early Marriage: The legal minimum age for marriage is 18. In 2012 five girls younger than the minimum, two of them age 16 and three age 17, married. Lawful marriage under 18 years requires parents' permission. There were no reports of forced marriages.

Sexual Exploitation of Children: The minimum age for consensual sex is 14. The law prohibits child pornography, and punishment for violations ranges from a fine to three years in prison. Authorities enforced the laws; in 2012 they registered 74 cases of child pornography.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information see http://travel.state.gov/abduction/country/country_5982.html.

Anti-Semitism

The Jewish community numbered an estimated 2,500 persons. There were no reports of anti-Semitic acts.

The government took a number of steps to commemorate the Holocaust and encourage best practices in teaching the subject in schools.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The law prohibits discrimination against persons with physical and mental disabilities in employment, education, access to health care, and transportation, including air transport. The government generally enforced these provisions.

The state provides access to information services and makes individual assistants available to persons with disabilities when necessary. The law mandates access to public buildings for persons with disabilities built or renovated after 2002. Few older buildings were accessible, but new or renovated ones generally were. According to the legal chancellor, measures to extend fundamental rights to individuals in mental health facilities remained inadequate. Problems included abusive use of physical restraints and inadequate medical care. NGOs complained that while services typically were accessible in the capital, persons in some rural areas had difficulty receiving appropriate care.

The Ministry of Social Affairs is responsible for protecting the rights of persons with disabilities, and local governments are responsible for the provision of social welfare services to persons with disabilities. Children with disabilities attended school (primary, secondary, and higher education). The government focused on developing rehabilitation services to improve the ability of persons with disabilities to cope independently and increase their social inclusion. The government also compensated for some additional expenses incurred by persons with disabilities.

National/Racial/Ethnic Minorities

The government encouraged the social integration of the 29 percent of the population who were members of ethnic minorities through a policy that promotes naturalization and learning Estonian. The government also funded programs, including cultural associations and societies that focused on the languages and cultures of a number of other minority groups, including Russians, Ukrainians, and Belarusians. In districts where more than half of the population speaks a language other than Estonian, the law entitles inhabitants to receive official information in their language, and authorities respected the law.

Knowledge of Estonian is required to obtain citizenship, and all public servants and public-sector employees, service personnel, medical professionals, and other workers who have contact with the public must possess a minimum competence in the language. A Language Inspectorate enforces language skill requirements in those sectors through referrals to language classes and small fines.

Russian speakers worked disproportionately in blue-collar industries and continued to experience higher unemployment than ethnic Estonians. Some noncitizen residents, particularly ethnic Russians, alleged that the language requirement resulted in job and salary discrimination.

The government continued to implement its plan requiring that “Russian-speaking” high schools conduct 60 percent of their instruction in Estonian. Many schools implemented this transition more rapidly than required. Some in the Russian-speaking community challenged the plan for expanded Estonian-language education, and throughout the year negotiations continued between civil society groups, students and their parents, and the government.

Some human rights activists expressed concern over a November 2012 court ruling that rejected Yana Toom’s defamation suit against the Security Police. Toom, a member of parliament and former deputy mayor of Tallinn, sued the Security Police after its 2011 yearbook stated that she, in cooperation with the Human Rights Information Center, pressured the directors of Tallinn’s Russian-language schools to apply to the Tallinn City Council to continue with Russian-language education, contradicting the government’s plan to transition to 60 percent Estonian-language education. The court ruled that the decision regarding yearbook content was the Security Police’s value judgment. In December Toom appealed the judgment to the district court. As of year’s end the court had not ruled further on the case.

Roma, who numbered fewer than 1,000, reportedly faced discrimination in employment and other areas. The government took steps to emphasize the importance of education for Romani children, but their dropout rate remained high.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination on the basis of gender, sexual orientation, or other personal characteristics, and the government generally respected these prohibitions. While the law is not specific regarding the forms of sexual orientation and gender identity covered, the general understanding was that all were included. Advocacy groups reported that harassment and discrimination against LGBT persons remained routine and that government financial support for efforts to counter it was limited.

According to LGBT activists, many LGBT persons did not reveal their sexual orientation or gender identity publicly and avoided reporting incidents to police. Anti-LGBT messages did not generally appear in mainstream media reports, but anonymous online commentary on LGBT themes often included strong, hostile language, in some cases advocating violence against individuals and the LGBT community. Some rights organizations reported that LGBT persons, especially males, were reluctant to display affection in public out of concern about physical and verbal assaults should they do so. These organizations also complained that there was a lack of data on the challenges faced by LGBT persons and that there was little effort by the government to fund studies on these issues.

In 2012 the commissioner for gender equality and equal treatment received seven claims of discrimination based on sexual orientation; the commissioner did not find any of the claims to have merit. The number of claims has grown for the last three years.

Other Societal Violence or Discrimination

There were no reports of societal violence or discrimination against persons with HIV/AIDS. NGOs worked with the Ministry of Social Affairs throughout the year on programs to reduce the social stigma associated with the disease.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law, related regulations, and statutory instruments provide workers with the right to form and join independent unions of their choice without previous authorization or excessive requirements. The law gives most workers, except public servants, the right to strike; there is a procedure enabling public servants to negotiate directly with their employers. The law provides for collective bargaining and collective dispute resolution. It allows unions to conduct their activities without interference and prohibits antiunion discrimination. Both employees and employers have the right to request that labor dispute committees or the courts resolve individual labor disputes. The law prohibits discrimination against any employee because of union membership, but it does not address the issue of reinstatement if an employee is dismissed for this reason. Employees who face discrimination may seek redress through the Labor Inspectorate, the courts, the Office of Gender Equality and Equal Treatment Commissioner, or the Office of the Legal Chancellor.

Some workers found it difficult to exercise their trade union rights. The Confederation of Estonian Trade Unions reported frequent violations of trade union rights in the private sector during the year and stated that antiunion behavior was widespread and labor inspectorates did not efficiently enforce the laws against such behavior. Some enterprises advised workers against forming trade unions, threatened them with dismissal or a reduction in wages if they did, or promised benefits if they did not join unions. Parties freely engaged in collective bargaining, and there were no reports that the government interfered in the functioning of workers' organizations.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, and the government effectively enforced the law. In 2012 authorities prosecuted more individuals under the country's trafficking law than previously. Penalties for trafficking/forced labor offences range up to 15 years' imprisonment. Government agencies collaborated regularly with NGOs and participated in training to enable law enforcement officials to identify and prevent trafficking more effectively.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

In most cases the legal minimum age for employment is 18, but 15- to 17-year-old children may work with the consent of a parent or guardian, and seven- to 12-year-old children may engage in light work in the areas of culture, art, sports, or advertising with the consent of the Labor Inspectorate. Children under age 18 may not perform hazardous work. The law limits the hours that children may work and prohibits overtime or night work. The Labor Inspectorate is responsible for enforcing these laws. The government effectively enforced laws and policies to protect children from exploitation in the workplace. There were no separate inspections regarding the age of child workers.

d. Acceptable Conditions of Work

The national monthly minimum wage was 320 euros (\$435). An individual whose monthly net income was less than 299 euros (\$407) was considered to be living in relative poverty.

The standard workweek is 40 hours. The law requires a rest period of at least 11 hours in sequence for every 24-hour period. Reduced working time is required for minors and for employees who perform work that is underground, poses a health hazard, or is of an otherwise special nature. The law requires overtime pay of not less than 150 percent of the employee's hourly wage. The government effectively enforced these requirements. There is no prohibition against excessive compulsory overtime. The Gender Equality Act requires that employers provide equal pay for equal work, but employers did not always observe this requirement.

The government sets occupational health and safety standards. The Labor Inspectorate, Health Protection Inspectorate, and Technical Inspectorate were responsible for enforcing them and made efforts to do so in both the formal and informal sectors. Violations were more common in the construction industry. Between June and August, the Labor Inspectorate inspected work conditions for minors. There were 70 labor inspectors; there were no reports that resources were inadequate.

In 2012 there were 4,148 occupational accidents, a ratio of 664 occupational accidents per 100,000 employees, which was 8 percent higher than in 2011.