



Chancellor of Justice

Emily O'Reilly
European Ombudsman
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Your ref. 03.02.2021 No OI/2/2021/MMO

Our ref. 19.03.2021 No 5-2/2100677

Subject: Strategic inquiry¹ OI/2/2021/MMO into how the European Commission monitors EU funds used to promote the right of persons with disabilities and older persons to independent living

Dear Ms. O'Reilly,

In Estonia, the organization and development of independent living are based on the Welfare Development Plan 2016–2023¹ and the Special Care and Welfare Development Plan for 2014–2020². For the implementation of the plans, the European Union structural funds have been used, *inter alia*, to reorganise the special care and welfare infrastructure, improve the availability and quality of the services and undergo a transition from institutional to community-based care.

The current main goal of the state is to reorganize special care homes with more than 30 beds and to prioritize the provision and delivery of support services, focusing on the development of people-centred and high-quality services on a community basis. By 2023, it is planned to replace large dormitory-type special care home services with smaller family-type homes. In total, it is planned to create at least 1,400 high-quality service places, including replacing 1,200 places and supporting the creation of 200 new community service places. The aim is to maintain and develop service users' coping skills for living as independently as possible and as a member of the community involved.³

Several local governments have already purchased apartments in ordinary apartment buildings for people with special mental needs. The process has not gone smoothly, but not so much from the point of view of the users of the special care services but the community in which they have settled. This has been largely due to poor communication and outreach among the community, which has provoked opposition towards the new residents and slowed down the pace of deinstitutionalisation.

Besides, ensuring the independent living of people with disabilities is not limited to people with mental health problems. The Chancellor of Justice has repeatedly drawn attention to the

¹ Available in English at https://www.sm.ee/sites/default/files/content-editors/eesmargid_ja_tegevused/welfare_development_plan_2016-2023.pdf.

² Available in English at https://www.sm.ee/sites/default/files/content-editors/eesmargid_ja_tegevused/Sotsiaalhoolekanne/Puudega_inimetele/special_care_2014-2020.pdf.

³ Website of the Ministry of Social Affairs <https://www.sm.ee/et/riigi-korraldatavad-teenused> (in Estonian).

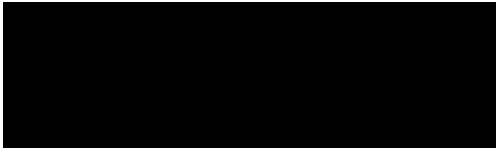
problems of accessibility of buildings (incl. public buildings), availability of services (incl. health services, e-services for the blind and transport for people with reduced mobility), access to education for people with special needs, etc.⁴

Although the development of many of these services has been funded by the European Union structural funds, the Chancellor of Justice has not received complaints about disbursement or use of the funds in the mentioned areas so far.

As for the creation of a 'monitoring committee' at the national level and the involvement of ombudsmen in its work, I doubt whether this would have the expected effect. In my opinion, first of all, a thorough assessment of the reasons why the current monitoring mechanism has not worked properly should be made. As a result, it might be sufficient to specify the terms of the projects and the rules of the current monitoring mechanisms instead of establishing new ones. Participating in the work of such a committee may also be considerably time-consuming for the ombudsmen.

I hope this is helpful. Should you need any further information, please feel free to contact my colleague Ms Kertti Pilvik, Head of International Relations and Organisational Development.

Sincerely yours,



Ülle Madise



⁴ Please see annual reports of the Chancellor of Justice in English at <https://www.oiguskantsler.ee/en/annual-reports-0>.