

# Minority Protection in Estonia

AN ASSESSMENT OF THE PROGRAMME INTEGRATION  
IN ESTONIAN SOCIETY 2000–2007.

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## 1. EXECUTIVE SUMMARY

The current Government programme, “Integration in Estonian Society 2000–2007” (hereafter, “Integration Programme”) is the first to address the integration of the large population of Russians and Russian-speakers who settled in Estonia during the Soviet Era.

The Integration Programme provides for a two-way process, promoting the integration of minorities while protecting their distinct identity. The chosen tool for promoting greater inclusion is the Estonian language, and an overwhelming majority of projects funded and carried out under the Programme are accordingly related to language instruction. By its own measures, the Programme is proceeding successfully in the spheres that it identifies as priorities; minority representatives, however, express concern that too little has been accomplished in the legal and political spheres. A clear divide between minority and majority perceptions of the goals and priorities of the integration process exists, which must be addressed in order to achieve mutually satisfactory results.

### *Background*

The process of developing the Programme included substantial political debate, although less time was allowed for non-governmental and minority groups to comment on earlier drafts of the Programme. A commission appointed by the Minister for Population and Ethnic Affairs in 1997 produced a draft integration policy concept by the end of that year. Between the Government’s adoption of the commission’s policy concept and the promulgation of the final Integration Programme more than two years later, the draft documents were circulated among members of Parliament, Government bodies, and local governments, eliciting significant response. Following this period of discussion, the present version of the Integration Programme was adopted on 14 March 2000.

### *Administration*

Coordination and administration of the Programme is generally effective and efficient. The Minister for Population and Ethnic affairs is responsible for its overall coordination and a ten-member Steering Committee oversees implementation, and may make any necessary modifications to its content. The Minister for Population and Ethnic Affairs chairs the Steering Committee, whose members are representatives of six ministries,<sup>1</sup> the Integration Foundation and the Institute of International and Social Studies. The Integration Programme assigns responsibility for implementing its four sub-programmes to corresponding Government bodies. Less attention has been focused on achieving the

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<sup>1</sup> The Ministries of Education, Culture, Internal Affairs, Social Affairs, Agriculture, Defence and Finance.

Programme's goals through local or regional governments, which could be important partners in improving cooperation with minority communities.

### *EU Support*

The EU has supported language-based integration projects since the mid-nineties, and has praised the Integration Programme in its Regular Reports. Although cautioning that more remains to be done with regard to the integration of non-citizens in particular, the EU appears to support the language-centred approach adopted by the Programme. The Commission has noted the need to address all aspects of integration, and EU funding has been allocated to regional development projects that could serve to broaden the scope of the integration process, though the focus on developing the legal and political dimensions of integration could be sharpened.

### *Content and Implementation*

The Integration Programme reflects a view of integration as a two-way process. It envisions allowing minorities to retain their distinct identity, while increasing their participation in and loyalty to the Estonian State, mainly through the medium of Estonian language instruction; a common linguistic sphere is viewed as both a means to enhance inclusion of minorities, and to reduce inequalities or tensions that may exist. Minority representatives have expressed concern that the emphasis on language does not take into account other barriers to integration, which the Integration Programme suggests should be addressed through complementary programmes.

Discrimination is not addressed by the Integration Programme; however, the Programme does include strong components to increase societal understanding and tolerance. This approach seeks to prevent future discrimination, but does not address existing inequalities. Generally, discrimination has not been widely recognised in Estonian society or Government policy; at present, however, a draft Equality Act is under development.

The Integration Programme recognises the preservation of separate ethnic identities as one of the overarching principles of integration, and elaborates a number of measures in several spheres to enhance this principle. Issues in these spheres are a high priority for the Russian-speaking community, but have been accorded lower priority – and less funding – in implementation. State-funded primary education is widely available in Russian, but smaller minorities have struggled to find the means to support mother-tongue instruction. Concerns have also arisen over the continued availability of Russian-language education at the secondary level. The Programme addresses obstacles to the acquisition of citizenship, implementation of the National Minorities Cultural Autonomy Act, and other barriers to participation in public life, but funding for such

measures remains low and the legal reforms in these areas called for by some minority representatives are explicitly beyond the scope of the Programme.<sup>2</sup>

### *Conclusions*

The Integration Programme has defined three main spheres for the integration of Estonia's Russian-speaking minority: linguistic-communicative, legal-political and socio-economic. In practice, however, only the linguistic-communicative sphere has been fully developed in the Integration Programme's action plans, and measures in the education and language sectors receive three-quarters of all funding allocated to Programme integration.<sup>3</sup> This approach is in accord with the priorities defined in the Integration Programme, but rests on the assumption that relevant measures in the fields of legal-political and socio-economic integration should be taken up within the framework of other Government programmes. As few other Government programmes have included such measures, only selected dimensions of integration have been carried out in practice.<sup>4</sup>

The common position among all representatives of minority and civil society organisations is that the elaboration and implementation of the Integration Programme itself is a significant achievement.<sup>5</sup> It has taken strides towards changing attitudes in both Estonian and non-Estonian-speaking communities, towards a more positive understanding of inter-ethnic relations, and greater acceptance of the need for societal integration. The text of the Programme and the formal statements of the Government reflect the affirmative and preventative approach of the strategy, promoting tolerance, cultural plurality, and the preservation of ethnic differences. In implementation, however, concerns remain that the heavy emphasis on the unification of society through the Estonian language will result in a more one-sided process than that promised by the Programme text.

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<sup>2</sup> See Government of Estonia, *State Programme. Integration in Estonian Society 2000–2007*, Tallinn, 2000, p. 16. See <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 15 April 2002), (hereafter, Integration Programme).

<sup>3</sup> See Government of Estonia, *Action Plans for Sub-Programmes of State Integration Programme for the years 2000–2003*, Tallinn, 2001. See <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 15 April 2002).

<sup>4</sup> For example, a detailed action plan for the National Employment Plan for Ida-Viru Region (approved by the Government in 2001) is to be drafted in 2002.

<sup>5</sup> Interviews with: A. Semjonov, Director of the Legal Information Centre for Human Rights, Tallinn, 27 March 2002; A. Laius, Director of the Jaan Tõnisson Institute, Tallinn, 9 April 2002; Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002.

## 2. THE GOVERNMENT PROGRAMME – BACKGROUND

### 2.1 Background to the Present Programme

The 2000 Government programme, “Integration in Estonian Society 2000–2007” (hereafter, the “Integration Programme”) is the first to directly address the issue of integrating national minorities into Estonian society.<sup>6</sup> In the period following Estonia’s reassertion of independence from the Soviet Union in 1991, the large population of Russians and Russian-speakers who had settled in Estonia during the Soviet period was regarded as a foreign community. Its members were required to obtain residency permits or to go through a naturalisation procedure to become citizens of the re-established State. Until 1998, Estonian Government policy towards this population was centred on changing the ethnic balance, particularly through encouraging re-migration to Russia.<sup>7</sup>

The official change in approach towards the Russian-speaking minority was prompted by several factors: studies within the academic community, pressure from international organisations, activities of minority organisations, and political initiative within the Estonian Government itself. First, several prominent sociologists who came to be known as the “Vera” group coordinated a series of workshops during the course of 1996, bringing together over two dozen Estonian researchers for discussion of integration and minority issues. The Ministry of Education funded this project and the results of its research and analysis were published in three volumes between 1997 and 1998.<sup>8</sup> The conclusions recommended opening public debate on State policy and

<sup>6</sup> The terms “ethnic minorities,” “Russian-speakers,” and “non-Estonians” in this report refer to the many inhabitants of Estonia who are not ethnically Estonian, most of whom speak Russian as their first language.

<sup>7</sup> As the leader of the Fatherland Union Party and the former prime minister (1992–1994, 1999–2002) Mart Laar recently declared in his article that all Estonian Governments had “supported the re-migration of colonised people back to their homeland.” See M. Laar, “Eesti lapsed või sisseränne Venemaalt” (Estonian children or migration from Russia), *Eesti Päevaleht*, 22 March 2002. See <<http://www.epl.ee/leht/artikkel.php?ID=199381>>, (accessed 15 April 2002).

<sup>8</sup> P. Järve (ed), *Vene noored Eestis: sotsioloogiline mosaiik* (Russian adolescents in Estonia: a social mosaic). *Projekti Mitte-eesti noorte integratsioon Eesti ühiskonnas väljaanne*. VERA I. (Publication of the project The integration of non-Estonian adolescents in Estonian society. VERA I). TÜ Kirjastus, Tartu, 1997; M. Heidmets (ed), *Vene küsimus ja Eesti valikud* (The Russian question and Estonia’s choices). TPÜ Kirjastus, Tallinn, 1998; M. Lauristin (ed), *Mitmekultuuriline Eesti: väljakutse haridusele* (Multicultural Estonia: challenge to education). *Projekti Mitte-eesti noorte integratsioon Eesti ühiskonnas väljaanne*. VERA II. (Publication of the project The integration of non-Estonian adolescents in Estonian society. VERA II). TÜ Kirjastus, Tartu, 1998.

minority issues, and that specific strategies to resolve the problems of minority citizenship and education should be formulated.<sup>9</sup>

Intergovernmental organisations such as the OSCE, the Council of Europe, and the European Union also exerted their influence to encourage greater attention to the situation of minorities. In June and July 1993, the Aliens Law drew criticism from the international community, as did changes to the laws on language use and citizenship in 1995.<sup>10</sup> Accordingly, Phare and the UNDP each funded an expert group to draft strategies for integration and language instruction in 1997.

A new Government was formed in May 1997, and the cabinet included a post of minister without portfolio responsible for population and minority issues. The new minister proceeded to appoint a commission to draft general policy principles for integration, the first versions of the strategy that ultimately evolved into the Integration Programme.

## 2.2 The Programme – Process

In the process of developing the draft integration strategy, the Government took steps to solicit comments on the initial version of the programme. While there was considerable discussion at the highest political levels, some concerns have been raised regarding the degree to which the public, and in particular civil society organisations, were able to take part in the drafting process. A key aspect of the initial draft was nevertheless modified in the final version of the programme, shifting the text's language away from a strategy integrating minorities into Estonian society towards a more reciprocal vision of integration that calls upon both the majority and minorities to take part in the integration process.

The commission appointed by the Minister for Population and Ethnic Affairs in 1997 produced a draft integration policy concept by the end of that year. The Government approved this document on 10 February 1998, and on 10 June Parliament gave its assent. Between the Government's adoption of the commission's policy concept and

<sup>9</sup> M. Heidmets, "Mitte-eesti noorte integratsioon Eesti ühiskonda: arengurajad" (Integration of non-Estonian youth into Estonian society: path of development), in P. Järve (ed). *Vene noored Eestis: sotsioloogiline mosaiik* (Russian adolescents in Estonia: a social mosaic). *Projekti Mitte-eesti noorte integratsioon Eesti ühiskonnas väljaanne. VERA I.* (Publication of the project The integration of non-Estonian adolescents in Estonian society. VERA I). TÜ Kirjastus, Tartu, 1997, pp. 345–347.

<sup>10</sup> V. Poleshchuk, *Advice Not Welcomed. Recommendations of the OSCE High Commissioner to Estonia and Latvia and the response.* Lit VERLAG Münster-Hamburg-Berlin-London, 2001 pp. 42–43, 53–54, 56, 67, (hereafter, "Advice not Welcomed").



the promulgation of the final Integration Programme more than two years later, the draft documents were circulated among members of Parliament, Government bodies, and local governments. On 2 March 1999, the Government adopted the Action Plan, which defined the schedule for compiling the Integration Programme; the text of the present Integration Programme was adopted on 14 March 2000.

There was significant response to the draft Integration Programme when it was circulated in 1999. The Government's commission for elaboration of the Integration Programme received more than 100 written responses, overwhelmingly welcoming its introduction.<sup>11</sup> However, these responses reflected widely disparate views as to how and on what basis integration should be achieved. The draft was modified following this debate, although a solution fully satisfying all viewpoints could not be achieved given the diversity of opinions.

The Centre Party faction of Parliament welcomed the idea of adopting an integration programme while rejecting the draft's proposal to introduce Estonian language instruction in Russian-language secondary education. They criticised what they considered to be an assimilative approach, indicating that the Integration Programme did not adequately address the role of ethnic Estonians in the integration process.<sup>12</sup> Two Russian-speaking members of the expert commission withdrew, accusing the authors of the Programme of striving for assimilation, and attempting to close down all Russian education facilities at the secondary and tertiary levels.<sup>13</sup> The MP heading the Estonian United People's Party (EUPP), which also represents Russian-speakers, argued that the Integration Programme was excessively language-centred and did not address the real obstacles to the integration of non-Estonians: lack of citizenship and under-representation in the labour market and in State administration.<sup>14</sup> The MP emphasised that a programme of this significance, implicating such broad social issues, would require

<sup>11</sup> The Government of Estonia, *Report on the implementation of the State Programme "Integration in Estonian society 2000–2007" in 2000*, Tallinn, 2001, p. 3, (hereafter, "Government Report 2000"). See <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 15 April 2002).

<sup>12</sup> *Riigikogu Keskfraktsiooni kiri minister Katrin Saksale* (Letter of the Centre faction of Parliament to Minister Katrin Saks), No 87/3–8, 27 January 2000.

<sup>13</sup> *Novosti, Strana i stranniki* (News, Country and countrymen), *Molodjezh Estonii*, 11 January 2000. See <<http://www.moles.ee/00/Jan/11/news.html>>, (accessed 15 April 2002).

<sup>14</sup> *Riigikogu Eestimaa Ühendatud Rahvapartei kiri minister Katrin Saksale* (Letter of the Estonian United People's Party of the Parliament to Minister Katrin Saks), No 4–10/112, 31 January 2000.

building a wider consensus among the population. Therefore, the EUPP drafted a conception for an alternative approach, which was presented to the Government.<sup>15</sup>

The members of the predominantly Russian-speaking Narva City Council called for the Integration Programme to ensure the effectiveness of State language training and to develop amendments to the Citizenship Act to simplify naturalisation procedures.<sup>16</sup> An MP wrote that the draft Integration Programme "...does not consider opinions of both the Estonian and Russian communities." He emphasised that the first priority should not be linguistic, but legal and political integration, and that the Integration Programme should provide for legislation recognising the multiethnic nature of Estonian society.<sup>17</sup>

Taking the opposite view, the leading faction of the Government, the Fatherland Union, expressed acute dissatisfaction with the multicultural approach of the Integration Programme: "[a]ccording to the Constitution, Estonia is not a multicultural state but a nation-state, and legislators have never decided to accept multicultural ideology as a development model for Estonia."<sup>18</sup> The coalition also rejected recognising the inclusion of non-citizens as minorities.

On a conceptual level, the main change resulting from these discussions related to the understanding of integration. Initial concepts of the programme drew critical comments from minority groups, which read the concept as suggesting that within a multicultural Estonia, the Estonian language and culture should have a privileged status.<sup>19</sup> This approach was modified in the final version of the text, fundamentally shifting the Programme's conceptual basis. While the 1999 integration policy concept

<sup>15</sup> *Riigikogu Eestimaa Ühendatud Rahvapartei fraktsiooni kiri peaminister Mart Laarile* (Letter of the Estonian United People's Party faction of the Parliament to Prime Minister Mart Laar), No 3–6/224, 8 March 2000.

<sup>16</sup> *Narva Linnavalikogu kiri minister Katrin Saksale* (Letter of the Narva City Council to Minister Katrin Saks), No. 33–1.20, 4 February 2000.

<sup>17</sup> *Riigikogu liikme Sergei Ivanovi kiri minister Katrin Saksale* (Letter of Sergei Ivanov, the MP, to Minister Katrin Saks), 31 January 2000.

<sup>18</sup> *Riigikogu Isamaaliidu esimehe T. Sinisaare kiri Isamaaliidu saadikurühma seisukoht riikliku programmi "Integratsioon Eesti ühiskonnas 2000–2007" suhtes* (Letter of T. Sinisaar, the chairman of the Fatherland Union Party faction of the Parliament Position of the Fatherland Union faction of the Parliament in regard to the State Programme "Integration in Estonian society 2000–2007"), 31 January 2000.

<sup>19</sup> A. Semjonov, "Estonia: Nation Building and Integration – Political and Legal Aspects," in Paul Kolstoe (ed.) *Nation Building – Integration and Ethnic Conflict in Estonia and Moldova*. USA: Rowman and Littlefield, 2002. See <<http://www.copri.dk/publications/WP/WP%202000/8-2000.doc>>, (accessed 29 September 2002).

approached the issue as integration of ethnic minorities *into* Estonia society, the Integration Programme is based on the concept of integration *within* Estonian society, where both Estonians and ethnic minorities must take steps to achieve the main goals.

The President's Roundtable on Minorities and unions of ethnic minority organisations<sup>20</sup> was an important venue for the discussion and development of the Integration Programme. According to the minutes of the Government Commission for the elaboration of the Integration Programme, the initial version of the Integration Programme did not include a separate sub-programme for the protection and development of minority identities. This section was included only after the Roundtable submitted several proposals to the Government Commission.<sup>21</sup>

Some representatives of civil society organisations expressed concern that only a few consultations with NGOs were held during the elaboration process.<sup>22</sup> The Programme was presented to the public and NGOs only in late December 1999, three months before it was approved by the Government. At the time, minority representatives called for more extensive discussions before a final text was adopted.<sup>23</sup> According to another view presented by some civil society and minority organisations, NGOs were consulted but had only limited possibilities to influence the drafting process in any meaningful way.<sup>24</sup> Although the European Commission was not formally consulted during the elaboration process, the development of integration-related EU Phare programmes reflect the input of EU experts.

<sup>20</sup> The Roundtable was established in 1993 as an institution within the Office of the President. According to its statute, it is a standing conference whose function is to discuss matters of political and public life, including societal, ethnic, economic and social-political issues with representatives of minority groups and stateless persons. See <<http://www.president.ee/eng/institutsioonid/?gid=11437>>, (accessed 29 September 2002); see also Open Society Institute, *Monitoring the EU Accession Process: Minority Protection*, Budapest, 2001, pp. 208–209, (hereafter, “*Minority Protection 2001*”).

<sup>21</sup> *Etniliste vähemuste Eesti ühiskonda integreerumise küsimustega tegeleva asjatunijdate komiisoni istungi protokollid* (Minutes of the Expert Commission dealing with issues of integration of ethnic minorities into Estonian society), meetings No. 2, 27 August 1999; No. 3, 14 October 1999; No. 4, 1 November 1999.

<sup>22</sup> Interview with A. Semjonov, Director of the Legal Information Centre for Human Rights, Tallinn, 27 March 2002.

<sup>23</sup> See J. Tolstikov, *Molodjezh Estonii*, 2 March 2000; Leivi Sher, *Molodjezh Estonii*, 4 April 2000; Mati Hint, *Den za Dnem*, 10 March 2000.

<sup>24</sup> Interviews with: A. Laius, Director of the Jaan Tõnisson Institute, Tallinn, 9 April 2002; Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002.

## 2.3 The Programme – Content

The Integration Programme envisions a process that will allow minorities to retain their distinct identity, while increasing participation in and loyalty to the Estonian State. The main tool it identifies for achieving integration is Estonian language instruction, as a common linguistic sphere is viewed as a means to enhance the inclusion of minorities; this process may also have the effect of reducing existing inequalities or tensions. Minority representatives have expressed concern that the emphasis on language does not take into account other barriers to integration or aspects of minority protection such as prevention of discrimination. The Integration Programme suggests that these issues should be addressed through complementary programmes.

The stated goals of the Integration Programme are to offer ethnic minorities the opportunity to preserve their distinctive cultural and ethnic characteristics and also to develop common or shared characteristics between the minority and majority elements of society.<sup>25</sup> The Integration Programme identifies “common core” characteristics as democratic values, a shared information sphere and Estonian language environment, and common Government institutions, and calls upon both Estonians and non-Estonians to take part in the “bilateral process” of integration.<sup>26</sup>

The Programme targets only certain sectors: “in order to avoid the potential duplication of activities, the Integration Programme has primarily concentrated on measures in the areas of education, culture, the media, and legislation.”<sup>27</sup> The first and highest priority is the linguistic integration of minorities in specific spheres. The underlying assumption of the Programme is that Estonian language instruction is the gateway to integration: its goals, planned activities, and financial support are predicated on this assumption. The education and adult language instruction sub-programmes are explicitly dedicated to language training, while the “social competence” sub-programme also incorporates language instruction into its design. Promotion of minority rights is addressed primarily through the “education and culture of minorities” sub-programme. Some aspects of the “social competence” sub-programme also relate to the promotion of minority rights,

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<sup>25</sup> Government of Estonia, *State Programme. Integration in Estonian Society 2000–2007*, Tallinn, 2000, p. 15. See <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 15 April 2002), (hereafter, “Integration Programme”).

<sup>26</sup> Integration Programme, p. 15.

<sup>27</sup> Integration Programme, p. 11.

providing for projects to increase tolerance, and to provide greater opportunities for minorities to participate in public life.<sup>28</sup>

The language-centred approach has not met with universal acceptance, however. By following a coalition agreement reached in March 1999, neither the Parliament nor the Government took into account proposals offering alternative approaches to citizenship and language policies when the Integration Programme was being drafted.<sup>29</sup>

The naturalisation procedure, which can be difficult and burdensome,<sup>30</sup> is an important dimension of the integration process from the minority perspective, but is not addressed in detail by the Programme. This issue is especially relevant as ethnic or national minorities are defined under Estonian law as “citizens of Estonia who reside on the territory of Estonia; maintain long-standing, firm and lasting ties with Estonia; possess ethnic, cultural, religious or linguistic characteristics differing from those of Estonians; and demonstrate a sense of solidarity directed towards preserving their culture, traditions, religion, or language.”<sup>31</sup> The Estonian Government asserts that this definition conforms to international standards,<sup>32</sup> but it has been criticised for failing to adequately reflect the actual situation of minorities in Estonia,<sup>33</sup> as a large proportion

<sup>28</sup> See missions I.4, IV.1-IV.6, in Government of Estonia, *Action Plans for Sub-Programmes of State Integration Programme for the years 2000–2003*, Tallinn, 2001. See <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 15 April 2002).

<sup>29</sup> Coalition Agreement of the Reform Party, Fatherland Union and the Moderates, 17 March 1999. Interview with Katrin Saks, the former Minister for Population and Ethnic Affairs, head of the Government Commission responsible for the elaboration of the Integration Programme from 1999–2000, Tallinn, 1 April 2002.

<sup>30</sup> FCNM Advisory Committee *2001 Opinion on Estonia*, para. 69; see also, *Minority Protection 2001*, pp. 180–182.

<sup>31</sup> Cultural Autonomy for National Minorities Act, State Gazette I, 1993/71/1001, Article 1. Unofficial translation in English, see <[http://www.minelres.lv/NationalLegislation/Estonia/Estonia\\_KultAut\\_English.htm](http://www.minelres.lv/NationalLegislation/Estonia/Estonia_KultAut_English.htm)>, (accessed 30 September 2002).

<sup>32</sup> See *Comments of the Estonian Government on the Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Estonia*, Tallinn, 2002, p. 4, available at <<http://spunk.mfa.ee/eesti/oigusloome/Konventsioonid/rahv.vahem.kommentaariid.pdf>>, (hereafter, “Government Comments on FCNM Advisory Committee 2001 Opinion”).

<sup>33</sup> See Advisory Committee on the Framework Convention for the Protection of National Minorities, *Opinion on Estonia, adopted on 14 September 2001*, at para. 17. Available at <<http://spunk.mfa.ee/eesti/oigusloome/Konventsioonid/2001cm159.pdf>>, (accessed 15 April 2002), (hereafter, “FCNM Advisory Committee 2001 Opinion on Estonia”).

of non-Estonian inhabitants are without Estonian citizenship and consequently are not officially recognised by the State as minorities.<sup>34</sup>

The Integration Programme does not directly address the question of discrimination on the basis of ethnicity. Discrimination has emerged as a topic of discussion only recently, and there is little existing legislation to define or address the issue.<sup>35</sup> It has been observed that little data has been collected regarding the relative situation of minorities across various spheres of social life, limiting the degree to which problems can be identified and addressed.<sup>36</sup>

No other large-scale programmes for minority protection exist outside the scope of the Integration Programme. However, there are several regional development projects and programmes supported by local governments,<sup>37</sup> embassies,<sup>38</sup> and foundations.<sup>39</sup> In particular, the Foundation for Vocational Education and Training Reform is currently implementing a Phare project to support human resources development in Ida-Viru county and southern Estonia, through vocational education and training and

<sup>34</sup> FCNM Advisory Committee *2001 Opinion on Estonia*, para. 18. The Integration Programme distinguishes between long-standing national minorities and minorities that migrated to Estonia after World War II. The term “ethnic minority” is used in the text as a common term referring to both groups. See Integration Programme, p. 37.

<sup>35</sup> Analysis Regarding the Compliance of Estonia with the Framework Convention for the Protection of National Minorities’. The Working Group Evaluation, adopted by Presidential Roundtable on National Minorities, Tallinn, 19 February 1999.

<sup>36</sup> European Commission Against Racism and Intolerance, *Second Report on Estonia*, 22 June 2001, pp. 17–18, (hereafter, “ECRI *Second Report on Estonia*”).

<sup>37</sup> The Ida-Viru County Government has elaborated and implemented the regional development plan for the Ida-Viru County for the years 1998–2003, see Ida-Viru County Government, *Principal lines of the Regional Developmental Plan of Ida-Viru County for the years 1989–2003*, Jõhvi, 1998. See <[http://www.ivmv.ee/arengukava/Ak\\_ik.pdf](http://www.ivmv.ee/arengukava/Ak_ik.pdf)>, (accessed 15 April 2002). It includes, *inter alia*, measures to improve the teaching quality at the Russian-language schools in northeastern Estonia.

<sup>38</sup> The main foreign funding institution has been the European Commission, see Ida-Viru County Government, *EL välisvahendid Ida-Viru maakonnas* (external assistance resources of the EC in Ida-Viru County), in Ida-Viru County Government, *Principal lines of the Regional Developmental Plan of Ida-Viru County for the years 1989–2003*, Jõhvi, 1998. See <<http://www.ivmv.ee/arengukava/el1999.html>>, (accessed 15 April 2002). In addition, various embassies have supported projects.

<sup>39</sup> Among foundations, the Open Estonia Foundation has been a significant contributor to the integration-related projects in the past. See Open Estonia Foundation Yearbooks 1994–1999. See <<http://www.oef.org.ee/english/publications/>>, (accessed 15 April 2002).

improving cooperation between social partners in these regions to enhance effectiveness in solving problems in the labour market.<sup>40</sup>

## 2.4 The Programme – Administration/Implementation/Evaluation

Administration of the Integration Programme has been quite efficient. A Steering Committee manages overall budget and reporting activities, while individual ministries are responsible for budgeting and carrying out specific activities under each sub-programme. There is regular and comprehensive monitoring of Programme implementation, and the resulting reports are made available to the public. While coordination among the Government structures involved in implementing the Programme appears to function well, few steps have been taken to enhance the participation of NGOs and minority groups in the implementation process.

The Minister for Population and Ethnic Affairs is responsible for overall coordination of the Integration Programme, and chairs the ten-member Steering Committee that oversees its implementation and may modify its content as necessary. The Steering Committee's members are representatives of the Ministries of Education, Culture, Internal Affairs, Social Affairs, Agriculture, Defence and Finance, the Integration Foundation, and the Institute of International and Social Studies. On 14 May 2002, the Government revised the membership of the Steering Committee to reflect recent changes in the Government and within ministries.

The Steering Committee plans the overall budget for the Integration Programme each year. The Programme assigns responsibility for implementing its four sub-programmes to corresponding Government bodies; each ministry designates specific sums for the implementation of the Programme in its annual budget, based on the costs projected in the "Action Plan 2000–2003" and recommendations from the Steering Committee. The allocations are then subject to the standard procedures regulating annual budget formation, provided for in the State Budget Act.<sup>41</sup>

The Steering Committee is charged with presenting an annual implementation report to the Government, and may request that State and local government agencies provide necessary documents for this purpose. On 15 May 2001, the Government examined the first such report *The implementation of the State Programme "Integration in Estonian society 2000–2007" in 2000*, submitted by the Minister for Population and Ethnic

<sup>40</sup> See <[http://www.sekr.ee/www/phare/en/phare\\_projects.html](http://www.sekr.ee/www/phare/en/phare_projects.html)>, (accessed 2 July 2002).

<sup>41</sup> State Budget Act, State Gazette, RT 1999/55/584.

Affairs.<sup>42</sup> The Report analyses society's attitudes towards integration, surveys significant developments and legislation adopted, and presents extensive statistics for each sub-programme. Drawing upon academic research, media monitoring, and reports from the participating ministries, the Report concludes that the Programme is performing successfully, although noting there is room for improvement with regard to changing attitudes and increasing tolerance in society.<sup>43</sup>

This comprehensive report demonstrates the Government's impressive commitment to carrying out internal monitoring of the Programme and its implementation; however, the evaluation gives little attention to the Programme's shortcomings as perceived by the Russian-speaking community. While recognising the need to increase naturalisation rates and other factors related to the legal and political dimensions of integration, the Report does not indicate that there will be any shift in priorities to allocate more resources to projects outside the linguistic sphere.

It has been observed that mechanisms to involve local government in implementation of the Programme have been neglected.<sup>44</sup> While the Integration Programme provides for local authorities to elaborate their own programmes to promote integration, only in Tallinn has such a programme been developed, and has still not been implemented due to political discord.<sup>45</sup> Regional disparities argue for greater attention to local initiatives, as the situation in the less-developed Northeast where the majority of the population is Russian-speaking, is distinct from that in Tallin, which is both more diverse and more prosperous.

The Integration Programme also provides for an expert group within the Steering Committee to ensure that the Integration Programme continues to reflect the actual processes of integration taking place, as a form of management feedback. The expert group should include representatives of non-governmental organisations performing general and media monitoring as prescribed by the Integration Programme, and representatives of scientific institutions involved in integration-related research.<sup>46</sup> However, this expert group has not yet been formed. Otherwise, NGO involvement is not addressed in detail in the Programme. The Council of Europe's Advisory Committee on the Framework Convention for the Protection of National Minorities

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<sup>42</sup> Available from the Office of the Minister for Population and Ethnic Affairs (on paper and CD-ROM), the Integration Foundation, and on the Internet at <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 22 October 2002).

<sup>43</sup> See Government Report 2000, p. 96.

<sup>44</sup> Comments from the Estonian Association for Human Rights on a draft of the present report, on file with the EU Accession Monitoring Program, (hereafter, "EAHR Comments").

<sup>45</sup> EAHR Comments.

<sup>46</sup> Integration Programme, p. 19.



has also weighed in on the need for broad consultations in its Opinion on Estonia's measures to implement the Convention:

[L]egislation does not provide for consultative bodies with an official status representing national minorities in Estonia. Bearing in mind the importance of involving national minorities in decision-making processes, the Advisory Committee is of the opinion that Estonia should consider the establishment of such structures of consultation, which would also include numerically small minorities such as Roma.<sup>47</sup>

The establishment of such a structure could build trust between the Government and minority communities by offering information about the Integration Programme's activities and results from a direct source. Also, this body would be a channel through which minorities could articulate their problems and intentions to the Government. So far such an exchange of information has been taking place mainly at various seminars and conferences, as well as through meetings of the President's Roundtable on Minorities.

## 2.5 The Programme and the Public

While several widespread campaigns promoting the Integration Programme have raised awareness of the Programme's existence and general goals, public knowledge of the actual text of the Programme remains low.<sup>48</sup> The adoption of the Integration Programme was generally welcomed as a necessary measure, although majority and minority views as to how integration should be achieved remain divided.

The Government, NGOs, and public policy institutes have introduced the Integration Program in various public seminars and conferences in Estonia and abroad. Extensive materials on the Programme, its implementation and evaluations have been produced for the international audience. The text of the Integration Programme and other materials, including the 2000 report on implementation, are unofficially available on the internet at the web site of the Office of the Minister for Population and Ethnic Affairs.<sup>49</sup>

In 1999, the Media Monitoring project set up under the Integration Programme (see Section 3.2) observed that more frequent discussion of ethnic and integration issues in

<sup>47</sup> See FCNM Advisory Committee, *2001 Opinion on Estonia*, para. 58.

<sup>48</sup> It has been observed that this is a common problem with all government policy documents. OSI Roundtable, Tallinn, 6 June 2002. *Explanatory Note: OSI held a roundtable meeting in Estonia in June 2002 to invite critique of the present report in draft form. Experts present included representatives of the government, minority groups, and non-governmental organisations.*

<sup>49</sup> See <[www.riik.ee/saks/ikomisjon](http://www.riik.ee/saks/ikomisjon)>, (accessed 22 October 2002).

both Estonian and Russian-language mass media had been achieved in that year. The increase in coverage of inter-ethnic topics was brought about by various factors, including changes to several laws,<sup>50</sup> Russian-speaking youngsters' protests against NATO, as well as the planned reform of Russian-language secondary schools and projects under the Integration Programme itself.<sup>51</sup> Estonian-language print media referred to the Integration Programme in ten percent of all Estonian-language integration-related publications in 2000, and Russian-language print media in 24 percent.<sup>52</sup> Similar figures were reported in 2001.<sup>53</sup>

According to the data of one sociological study (Tallinn 2001) at least half of the population in Tallinn is aware of the Integration Programme. About one-third of ethnic Estonians and one-fifth of non-Estonians evaluate it positively, and about half in each national group see both positive and negative aspects. At the same time, only three percent of both Estonian and Russian-speaking respondents were familiar with the text of the Integration Programme,<sup>54</sup> although this is not disproportionate to the level of familiarity with other Government documents.

It is widely accepted that the adoption and implementation of the Integration Programme alone was a significant achievement. The Government only began to publicly discuss the

<sup>50</sup> These laws include the Amendment to the Citizenship Act in 1998 on simplifying the conditions for applying for and acquiring Estonian citizenship by the underage children of stateless parents, the Government's implementing regulation in August 1999 resulting from the Language Act, which defines the language proficiency required mainly from the employees in the public sector.

<sup>51</sup> See T. Vihalemm, "The informative and identity-building significance of media: the case of Estonian Russophones", in M. Lauristin and R. Vetik (eds), *Integration in Estonian society: monitoring 2000*, IISS, Tallinn, 2000, p. 48. See <<http://www.meis.ee/eng/monitoring/Triin.rtf>>, (accessed 15 April 2002), and P. Tammpuu, "The Treatment of Events, Subjects and Institutions Related to Integration in the Estonian and the Russian-speaking Press", in M. Lauristin and R. Vetik (eds), *Integration in Estonian society: monitoring 2000*, IISS, Tallinn, 2000, p. 56. See <<http://www.meis.ee/eng/monitoring/Piia1.rtf>>, (accessed 15 April 2002).

<sup>52</sup> R. Kõuts (ed), *Integratsiooniprotsesside kajastumine Eesti ajakirjanduses aastal 2000. Projekti "Integratsiooni meediamonitoring" aruanne* (Coverage of integration processes in the press in Estonia in 2000. Report of the project "Media Monitoring of Integration), BAMR, Tartu, 2001, (hereafter, "*Media Monitoring 2001*").

<sup>53</sup> R. Kõuts, *Integratsiooniprotsesside kajastumine Eesti ajakirjanduses aastal 2001. Projekti "Integratsiooni meediamonitoring" aruanne* (Coverage of integration processes in the press in Estonia in 2001. Report of the project "Media Monitoring of Integration), BAMR, Tartu, 2002, p. 11, See <<http://www.meis.ee/trykised/meediamonitoring01.rtf>>, (accessed 15 April 2002), (hereafter, "*Media Monitoring 2002*").

<sup>54</sup> A. Semjonov (ed), *Integratsioon Tallinnas 2001* (Integration in Tallinn 2001), LICHR, Tallinn, 2002, pp. 76–77.

need to promote the integration process in the year 2000, identifying the need to accelerate the pace of naturalisation, increase the level of tolerance and awareness of society's cultural pluralism, and to improve cooperation between Estonian and non-Estonian-speaking communities. The existence of the Programme appears to have encouraged a more positive reception of integration themes.

Estonians and non-Estonians nevertheless continue to have conflicting views on the underlying assumptions of the process and its goals. The majority of Estonians see the purpose of integration as the transformation of non-Estonians into loyal citizens, and the appropriate demonstration of this loyalty as mastery of the Estonian language. In this view, learning the State language is primarily a personal obligation. For the majority of non-Estonians, integration should begin with the transformation of current laws and norms to moderate citizenship and language requirements, which would allow minorities to be loyal Estonian citizens while retaining their distinct ethnic and cultural identity.<sup>55</sup>

Representatives of civil society and ethnic minority organisations frequently express concern about the low level of inclusion of ethnic minorities and NGOs in general in the coordination of Integration Programme implementation. This is one dimension of the more general complaint that the Government has not given sufficient attention to building the capacity of the NGO sector.<sup>56</sup>

## 2.6 The Programme and the EU

The EU has supported language-based integration projects since the mid-nineties, and has praised the Integration Programme in its Regular Reports. Although cautioning that more remains to be done with regard to the integration of non-citizens in particular, the EU appears to support the language-centred approach adopted by the Programme. The Commission has noted the need to address all aspects of integration, and EU funding has been allocated to regional development projects that could serve to broaden the scope of the integration process, though the focus on developing legal and political dimensions of integration could be sharpened.

<sup>55</sup> J. Kruusvall, "Understanding integration in Estonian society," in M. Lauristin and R. Vetik (eds), *Integration in Estonian society: monitoring 2000*, IISS, Tallinn, 2000, pp. 19, 21. See <<http://www.meis.ee/eng/monitoring/Juri.rtf>>, (accessed 15 April 2002). See also, A. Semjonov (ed), *Integratsioon Tallinnas 2001* (Integration in Tallinn 2001), LICHR, Tallinn, 2002, pp. 76–77.

<sup>56</sup> Interviews with: A. Laius, Director of the Jaan Tõnisson Institute, Tallinn, 9 April 2002; Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002.

Through the Phare Programme, the European Commission has supported integration-related projects since 1996, mainly in Estonian language instruction. Among the projects completed prior to the adoption of the Integration Programme was “Language Training 1996–1997,” which drafted a 10 to 15 year plan for Estonian language instruction for the non-Estonian population. The strategy was elaborated and approved by the Government in April 1998. Another component of the project was to coordinate various language training programmes and projects, including efforts to attract foreign assistance for these projects. The activity culminated in 1998 with the adoption of large-scale and multi-donor programmes coordinated by Ministry of Education and UNDP that replaced a number of smaller projects that had been supported between 1993 and 1997. A further €1.4 million was allocated to the project “Estonian Language Training Programme 1998–2000,” and Phare has also budgeted €3.1 million for the ongoing project “Estonian Social Integration and Language Training Programme for Ethnic Minorities in Estonia 2001–2003.”

These projects were elaborated by Ministry of Education; the Integration Foundation then selected implementing partners through a competition process. The Phare programme’s steering committee oversees the use of funds through its approval of activity and budget plans.<sup>57</sup>

In Spring 2000, the UNDP commissioned an intermediary evaluation from an international assessment committee for the EU Phare *Estonian Language Training Programme* 1998–2000.<sup>58</sup> The main conclusions in respect to the Phare projects are positive, noting that the coordinating role of the UNDP and the work of the Integration Foundation itself have both contributed to overall efficacy.<sup>59</sup> While reporting that language camps and similar programmes were extremely popular with young people and ought to be expanded, the assessment noted that adult language instruction projects were less successful, and greater focus on economic and socio-cultural projects for the older minority population should be incorporated.<sup>60</sup> For the future, the evaluation noted that it should be ensured that language-related activities could be merged into other, more general initiatives related to integration.

On several points the evaluation noted that there had been little opportunity for beneficiaries or “programme target groups” to offer input to the programme, and

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<sup>57</sup> The Committee is comprised of representatives of the Ministries of Education, Ethnic Affairs, Finance, and Parliament, academic and research institutions, and minority organisations.

<sup>58</sup> See M. Hopkins, T. Elenurm, G. Feldman, *Mid-term evaluation of social integration projects in Estonia*, Tallinn, May 2000. See <<http://www.meis.ee/eng/hinnang-eng.rtf>>, (accessed 15 April 2002), (hereafter, “*Mid-term evaluation of social integration projects in Estonia*”).

<sup>59</sup> *Mid-term evaluation of social integration projects in Estonia*, p. 4.

<sup>60</sup> *Mid-term evaluation of social integration projects in Estonia*, p. 6

recommended that the project's steering committee incorporate an additional member whose role it would be to advocate the needs of non-Estonians.<sup>61</sup>

In its Progress Report 2000, the European Commission welcomed the Government's adoption of the Integration Programme. In the 2001 Regular Report, the EC described the implementation scheme of the Integration Programme, and the cost of activities provided for in the Action Plans (EEK 225 million, Estonian Kroons, approximately €14.4 million<sup>62</sup> for the period 2000–2003). Regarding the next steps for implementation, the Report stated:

It is necessary for the Estonian Government to continue to devote adequate resources and give proper attention to the implementation of all elements of the integration programme. This includes, in particular, the need to ensure a high level of awareness and involvement in integration process across all sections of the Estonian population.<sup>63</sup>

### 3. THE GOVERNMENT PROGRAMME – IMPLEMENTATION

#### 3.1 Stated Objectives of the Programme

The Integration Programme is planned to extend over the period between 2000 and 2007. In addition to the objectives to be achieved within this time frame, some of its goals are characterised as “long term” – to be accomplished only after 2007. These aims include: the creation of a “common sphere of information in the Estonian language environment, under conditions of cultural diversity and tolerance”; legal and political integration; forming a loyal population and reducing the number of non-citizens and stateless persons; increased economic competitiveness and social mobility for all members of Estonian society.

The main objectives of the Programme are considered short-term, to be achieved by 2007. They are classified into four sub-programmes, with projected goals as follows:

- Education: Elementary school graduates are knowledgeable about the Estonian State and culture, and able to participate in the larger Estonian society; have medium-level knowledge of the Estonian language; secondary school graduates

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<sup>61</sup> *Mid-term evaluation of social integration projects in Estonia*, p. 7.

<sup>62</sup> The exchange rate is calculated at EEK 15.64 = €1

<sup>63</sup> European Commission, *Progress Report Estonia*, Brussels, 2000, p. 23.

have the Estonian language knowledge necessary for everyday life and work and are capable of continuing their studies in Estonian.

- Education and Culture of Ethnic Minorities: Ethnic minorities possess opportunities to acquire education in their mother tongue and to preserve their culture.
- Adult Estonian Language Instruction: Opportunities have been created for non-Estonian adults to improve their knowledge of Estonian and to enhance their social and cultural participation.
- Social Participation: Individuals participate actively in the development of civil society; attitudes of Estonians and non-Estonians are favourable to the achievement of the main aims of the State Programme; individuals with special social needs have increased opportunities for integration.<sup>64</sup>

### 3.2 The Government Programme and Discrimination

Discrimination is not addressed by the Integration Programme, and even incidental inequalities are not addressed in any detail. The Programme does have strong components to increase the level of understanding and tolerance in society, which do not address existing inequalities but aim to reduce the incidence of future discrimination. Generally, discrimination has not been widely recognised in Estonian society or Government policy; however, a draft Equality Act is under development.

The Integration Programme acknowledges that there are barriers that hinder many non-Estonians from participating fully in society, although it does not mention discrimination among these;<sup>65</sup> lack of Estonian citizenship and poor knowledge of the State language, as well as an attitude that “non-Estonians are the problem” that dominates among Estonians are identified as the principal obstacles to minority participation. The Integration Programme asserts that these barriers can be removed by increasing language proficiency and increasing Estonian citizenship among ethnic minorities,<sup>66</sup> but does not provide any description of measures for the amendment of relevant legal provisions regulating language requirements.

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<sup>64</sup> Integration Programme, p. 16.

<sup>65</sup> Integration Programme, p. 12.

<sup>66</sup> Integration Programme, p. 14.

*Anti-discrimination law and practice*

Estonia's Constitution contains provisions prohibiting discrimination on the basis of race or nationality.<sup>67</sup> Anti-discrimination provisions are also set forth in the Criminal Code, as well as in the Law on Employment Contracts.

There is no unanimous view on the existence of discrimination as a problem in any sector of society. Whereas some representatives of minorities do not see discrimination as a problem for minorities,<sup>68</sup> integration-related surveys show that a large number of minorities identify discriminatory treatment on the basis of ethnicity as a factor, primarily based on language usage. The Legal Information Centre for Human Rights has drafted a list of provisions giving rise to unequal treatment, primarily related to language.<sup>69</sup>

In response to observations by the Advisory Committee on the FCNM, in September 2001 the Estonian Government indicated that a draft Equality Act is currently under preparation by the Ministry of Justice.<sup>70</sup> The draft Act will address both direct and indirect forms of discrimination, and covers employment, education, work conditions, membership in professional organisations, social security and healthcare, and access to public services.<sup>71</sup> This significant step is expected to bring Estonia's legislation into line with the "Race Equality Directive," which Estonia must transpose into national law as part of the *acquis communautaire*.<sup>72</sup> The oversight institution required by the Directive has already been established in the Office of the Ombudsman, which is authorised to receive complaints of discrimination, and is charged both with putting a prompt stop

<sup>67</sup> *Eesti Vabariigi Põhiseadus* RT, 1992, 26, 349, (Constitution of the Republic of Estonia, hereafter, "Constitution"), Art. 9: "the rights, freedoms and duties of each and every person, as set out in the Constitution, shall be equal for Estonian citizens and for citizens of foreign states and stateless persons in Estonia;" Art.12: "No one shall be discriminated against on the bases of nationality, race, colour, sex, language, origin, religion, political or other opinion, property or social status, or on other grounds"

<sup>68</sup> Interview with Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002.

<sup>69</sup> See Legal Information Centre for Human Rights, "LICHR Recommendations to the participants in the seminar "Recent amendments to the Estonian legislation in the light of the international standards on minority rights," in *Problems and trends in the integration process of Estonian society. Workshop, 12. 05. 2000. Collection of presentations and materials*, Tallinn, 2000. In 2000, LICHR registered complaints and requests for help from 473 persons belonging to ethnic Russian community in Estonia. See *Minority Protection 2001*, p. 189.

<sup>70</sup> *Government Comments on FCNM Advisory Committee 2001 Opinion*, p. 5.

<sup>71</sup> Ministry of Justice, *Võrdõiguslikkuse ja võrdse kohtlemise seadus*. Eelnõu 24.04.02. (Draft Equality and Equal Treatment Act).

<sup>72</sup> European Council Directive Implementing The Principle Of Equal Treatment Between Persons Irrespective Of Racial And Ethnic Origin (OJ L 180, 19/07/2000).

to any ongoing discrimination and with protecting the rights of those discriminated against.<sup>73</sup> The Ministry of Justice has invited some NGOs with expertise in minority protection to comment on the draft Act.

The Government and the Parliament have acted to amend some of the laws that had been viewed as having a discriminatory and exclusionary effect on Russian-speakers. For example, the amendment to the Law on National Elections and the Law on Local Elections passed by the Parliament on 21 November 2001 abolished language requirements for candidates in national and local elections, thus bringing the law into line with international norms and standards, particularly Article 25 of the United Nations International Covenant on Civil and Political Rights.<sup>74</sup> However, as the requirement to use Estonian as the working language even in local council meetings remains fairly strict, withdrawing the language requirements for candidates may do little to improve access in practice.<sup>75</sup>

The question of language proficiency certificates raised concerns among the non-Estonian community in the past year, but pending legislation promises to settle the issue at least for the time being. A new certification system was introduced in 1999, and although no expiration date was specified on previously issued proficiency certificates, the 1999 Act Amending the Language Act and State Fees Act provided that the old certificates would expire in July 2002;<sup>76</sup> holders of older certificates would thus be required to take an examination again. This provision of the amendments was strongly criticised by many representatives of the Russian-speaking community, as well as by international experts.<sup>77</sup> Parties representing Russian-speakers favoured a

<sup>73</sup> *Government Comments on FCNM Advisory Committee 2001 Opinion*, p. 5.

<sup>74</sup> Serious concern about the Estonian language proficiency requirements was expressed also by the Advisory Committee on the FCNM in its opinion on Estonia, adopted on 14 September 2001. The Committee stated that “these requirements have a negative impact on the effective participation of persons belonging to national minorities and that they are not compatible with Article 15 of the Framework Convention.” See *FCNM Advisory Committee 2001 Opinion on Estonia*, at para. 54.

<sup>75</sup> See Report Submitted by Under Article 9 of the International Convention on the Elimination of All Forms of Racial Discrimination, Estonia, February 2002, p. 27. See <[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/fa6627fccbb3a493c1256bf900484c42?OpenDocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/fa6627fccbb3a493c1256bf900484c42?OpenDocument)>, (accessed 6 August 2002).

<sup>76</sup> See Act Amending the Language Act and State Fees Act, State Gazette RT I 1999, 16, 275.

<sup>77</sup> The Advisory Committee on the Framework Convention for the Protection of National Minorities stated in its opinion on Estonia that “the recent amendments pertaining to the required language levels must be implemented without causing any undue burden to those individuals who have already passed the required language tests and obtained certificates in accordance with the previously applicable rules.” See *FCNM Advisory Committee 2001 Opinion on Estonia* at para. 60.



modification to allow for certificates to be renewed without an additional exam, while some ethnic Estonian representatives opposed automatic renewals.<sup>78</sup> In April 2002, the Government submitted the Draft of the Act Amending the Language Act and Deleting Section 6 of the Act Amending the Language Act and State Fees Act for Parliament's approval. The Draft provides for the expiration date for the older certificates to be postponed to 1 January 2004.

Estonia's citizenship requirements have also come under sharp criticism both internationally and by local minority representatives.<sup>79</sup> Since the adoption of the Integration Programme, naturalisation rates have in fact declined, a fact acknowledged in the Government's *Report on Implementation of the Programme in 2000*.<sup>80</sup> While some measures have been taken to moderate the requirements for citizenship, the fact that the number of successful applicants is decreasing while the number of stateless persons remains high suggests that the Government should re-examine both the legal procedures and the incentives for naturalisation. Recently, one political party proposed that long-term residents should be able to acquire citizenship if they complete civics courses, a proposal dismissed as pre-election posturing by other parties.<sup>81</sup>

The perception of discrimination and inequality among non-Estonians is especially relevant in the context of the Integration Programme. Although given only passing mention in the text of the Integration Programme, perceptions of discrimination have been monitored by civil society organisations. According to one survey conducted in Tallinn in 2001, 15 percent of ethnic Estonians and 37 percent of non-Estonians have had personal experience or heard about discrimination experienced by others in the past two years.<sup>82</sup> According to the respondents' evaluations, Estonians' rights are most often violated in labour relations and in contacts with State officials, while minorities additionally allege discriminatory practices in the process of acquiring residency permits and citizenship. According to the survey data, over 40 percent of non-Estonians believed that ethnic discrimination occurs, while 46 percent reported experiencing unequal treatment from State officials due to their insufficient fluency in Estonian. Survey responses indicate that discrimination on the basis of language and

<sup>78</sup> See K. Kalamees, "Selgub keeletunnistuste kehtivusaja pikendamise" (The issue of extending language certificates will be clarified), *Eesti Päevaleht*, 2 April 2002. See <<http://www.epl.ee/leht/artikkel.php?ID=200321>>, (accessed 15 April 2002).

<sup>79</sup> See, e.g. ECRI, *Second Report on Estonia*, p. 8; V. Poleshchuk, *Advice Not Welcomed*, pp. 51–65.

<sup>80</sup> *The Implementation of the State Programme "Integration in Estonian society 2000–2007" in 2000*, p. 66.

<sup>81</sup> See RFE/RL *Newsline*, 15 July 2002, "Estonia's Res Publica Proposes Easier Citizenship for Russians."

<sup>82</sup> A. Semjonov (ed), *Integratsioon Tallinnas 2001* (Integration in Tallinn 2001), LICHR, Tallinn, 2002, pp. 53, 54, 88.

ethnicity also takes place in the workplace, but not so often as in the official or administrative spheres.<sup>83</sup> According to this survey the most vulnerable group are stateless people, who perceive that they are discriminated against more severely both in the workplace and the public sphere.

At the same time, integration studies show that the majority of Estonians do not consider the position of ethnic minorities to be worse than their own, and do not recognise that minorities are subject to unequal treatment.<sup>84</sup> In this context, the goal of the Integration Programme “to increase awareness about multiculturalism, and to support [adaptation to a] multicultural Estonia”<sup>85</sup> should target ethnic Estonians in the first place to increase their awareness in this sphere.

### *Tolerance promotion*

The approach adopted by the Integration Programme does not address discrimination, but does provide for measures to promote greater tolerance in society and to reduce negative ethnic stereotypes in society and in the media. This dimension of the integration process is intended to target both minority and majority groups to facilitate the “two-way” integration mentioned in the Programme text. Nevertheless, some minority advocates have suggested that the Programme still requires more accommodation by non-Estonians than by the Estonian State or majority society, and that the promise of a two-way process has not been fulfilled.

Analysis of the results of the Media Monitoring programme established under the Integration Programme<sup>86</sup> suggests that a certain common sphere has started to emerge in the Russian and Estonian language press, as both have increased content related to various national groups and mutually-relevant information. Perspectives on these issues as presented in the Estonian and minority-language media have also grown more similar. As journalists and editors have become increasingly aware of stereotyping and negative characterisations, the language and content of journalism have become more neutral, an improvement from the previous period when studies showed negative

<sup>83</sup> A. Semjonov, *Integration in Tallinn 2001*, pp. 53, 54, 88.

<sup>84</sup> J. Kruusvall. “Understanding integration in Estonian society,” in M. Lauristin and R. Vetik (eds), *Integration in Estonian society: monitoring 2000*, IISS, Tallinn, 2000, pp. 18, 27. See <<http://www.meis.ee/eng/monitoring/Juri.rtf>>, (accessed 15 April 2002).

<sup>85</sup> Integration Programme, p. 41.

<sup>86</sup> The Integration Programme provides for a media-monitoring component to take note of the regularity and content of journalism relating to integration, national relations, citizenship and language issues, and national minorities’ culture and political issues. The program has reviewed all Russian and Estonian-language newspapers since the project was initiated in 1999, and from 2000 onwards, television broadcasts, and in 2001, monitoring of the Russian language public radio service.

stereotypes prevailing in both Estonian and Russian-language media.<sup>87</sup> The Integration Foundation also financed new television programmes with the aim of increasing Russian-speaking viewers' interest in locally-oriented programming.<sup>88</sup>

Two large-scale tolerance promotion campaigns were launched under the Integration Programme, and numerous publicity efforts for other projects such as adult language education were also produced. Campaigns promoting diversity – “Lots of Great People” in 1999 and “Friendship Starts with a Smile” in 2000 – received €41,935 and €76,774 respectively. Citizenship promotion efforts and language learning promotions, including the “Untie!” campaign to promote adult language instruction received a total of €174,052 from 1999 to 2001.<sup>89</sup>

Social advertising was not previously used extensively in Estonia, and the response to this new approach has been mixed. Criticism most often centred on the utility of these campaigns, with suggestions that funding could be put to better and more practical use.<sup>90</sup> Minority representatives in particular have called for more concrete measures in the political, legal, and social spheres represented in the Integration Programme to complement the ongoing projects in the language and education sectors.

### 3.2.1 Education

The Integration Programme acknowledges that some opportunities are foreclosed to ethnic minorities due to their lack of proficiency in the Estonian language,<sup>91</sup> but does not explicitly address discrimination in the sphere of education. Concerns relating to minority access to education generally involve the quality and availability of instruction

<sup>87</sup> R. Vetik, *Interethnic Relations in Estonia 1988–1998. Doctoral dissertation*, University of Tampere, Tampere, 1999. See also M. Raudsepp, “Rahvusküsimus ajakirjanduse peeglis” (National question in media mirror), in M. Hidmets (ed), *Vene küsimus ja Eesti valikud* (The Russian question and Estonia's choices). TPÜ Kirjastus, Tallinn, 1998, p. 113–135.

<sup>88</sup> Public Communication Programme Integrating Estonia, *Final Report*, Hill and Knowlton, p. 13.

<sup>89</sup> Integration Foundation, *Final Report of the Project “Support to the State Programme for Integration of non-Estonians into Estonian Society,”* Tallinn, 2001; Integration Foundation, *Integration Foundation Yearbook 2000*, Tallinn, 2001, <<http://www.meis.ee/eng/aastaraamat>>, (accessed 15 April 2002); Integration Foundation, *Integration Foundation Yearbook 2001*, Tallinn, 2002, manuscript.

<sup>90</sup> O. Peresild, “Sotsiaalklaam integreeruva ühiskonna kontekstis” (Social Advertising in Social Integration Context), in R. Kõuts (ed), *Integratsiooniprotsesside kajastumine Eesti ajakirjanduses aastal 2001. Projekti “Integratsiooni meediamonitoring” aruanne* (Coverage of integration processes in the press in Estonia in 2001. Report of the project “Media Monitoring of Integration”), BAMR, Tartu, 2002.

<sup>91</sup> Integration Programme, p. 12.

in the mother tongue (see Section 3.3.1), which affect access to employment, social security, and social and political participation.

This focus on Estonian language teaching at Russian-language schools, and especially the planned transformation of Russian-language schools to Estonian-language instruction after 2007, has caused concern among some representatives of the Russian-speaking community. The Advisory Committee on the FCNM has also expressed reservations regarding these plans, stating that it “considers it essential that the voluntary nature of participation in [language immersion programmes] is fully maintained and that the decision to allocate substantial resources to these programmes does not hamper the availability or quality of minority language education in the areas concerned.”<sup>92</sup>

The Integration Programme’s Education sub-programme emphasises the role of Estonian language proficiency as a key factor for integration in all spheres. Specific education projects are included under both the “education” and “Estonian language training for adults” sub-programmes; together, these components received over 75 percent of all Programme funding in 2000.<sup>93</sup> In the same year, two projects addressed language training, which can enhance opportunities in spheres beyond education, particularly employment.

#### *Language camps and family exchange projects*

Language camps provided Russian-speaking youngsters an opportunity for intensive study of the Estonian language in a recreational setting. In the family exchange programme, Russian-speaking children stayed with Estonian-speaking host families for a month, allowing for a greater depth of cultural exchange.

The Integration Foundation was responsible for preparing the project competitions. After activities were completed, they were evaluated by the Estonian Language Camp and Family Study Council, made up of representatives from donor programmes, the Ministry of Education, the Language Inspection Board, the Camp Managers Board, an Estonian language teacher from a Russian-language school, and a non-Estonian university student. Project beneficiaries were asked to give their opinions on the activities in order to help organise future camps and language study options.

Between 2000 and 2001, 72 projects were implemented, consisting of 45 language camp projects and 27 family exchange projects. 3,500 young people took part in these

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<sup>92</sup> See FCNM Advisory Committee *2001 Opinion on Estonia* at para. 54

<sup>93</sup> *Government Report*, p. 86.

activities, including approximately 2,700 minorities.<sup>94</sup> The high interest level among beneficiaries is borne out by the number of young people taking part, and Russian-speaking participants have reported favourably particularly on their experiences in the family exchange projects. There was no corresponding opportunity for ethnic Estonian children to live with Russian families, although the Integration Programme does anticipate a two-way exchange.

According to the Media Monitoring report, language camps and family exchange projects were the most frequently mentioned activities in the Estonian and Russian-language mass media in Estonia in 2001.<sup>95</sup> Both Russian and Estonian language media reflected positively on these projects, although the Russian language media valued the family exchange projects more highly than their Estonian-language counterparts.<sup>96</sup> There was an effort to raise awareness of the projects using press releases, and the Integration Foundation's web site provided some basic information about the projects, although mainly in Estonian.<sup>97</sup>

An international evaluation team made both a mid-term and final assessment of the project. The team noted that greater attention to monitoring the host family exchange programme could ensure that the goals of integration are met.<sup>98</sup> In the first evaluation, the team did not include a minority representative, but one of three members of the final evaluation team belonged to a minority. This change may perhaps reflect the mid-term evaluators' own recommendation that greater input from the intended beneficiaries should be incorporated into project design.<sup>99</sup>

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<sup>94</sup> The budget for these projects was provided by the Ministry of Agriculture (EEK 238,159), and various funds from the Integration Foundation (EEK 2,493,280 from the Nordic/UK/UNDP; EEK 2,125,888 from the Phare Estonian Language Training Programme), for a total of EEK 5,857,327 (€374,350). See G. Feldman, M. Kuldjärv, O. Vares, *Report of the Final Evaluation of the Nordic/UK/UNDP Project "Support to the State Integration Programme,"* Tallinn, October 2001 pp. 18–19, (hereafter, *Final Evaluation of the Nordic/UK/UNDP Project*).

<sup>95</sup> R. Kõuts, *Media Monitoring 2002*, p. 11.

<sup>96</sup> R. Kõuts, *Media Monitoring 2002*, p. 11.

<sup>97</sup> The Foundation's web site has some information in English and Russian at <<http://www.meis.ee/eng/index.html>>, (accessed 22 October 2002).

<sup>98</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 18.

<sup>99</sup> *Mid-term evaluation of social integration projects in Estonia*, p. 19.

*Adult Language Instruction Project InterEst*

The project, designed to encourage adults to learn the Estonian language, was initiated in 1999, before the Integration Programme was adopted.<sup>100</sup> In its first stages, the project was confined to the predominantly Russian-speaking regions in the Northeast and in Tallinn, but has since expanded to involve all regions of Estonia. Adults who successfully complete the instruction courses are eligible to have their costs partially reimbursed by the State.

The companies offering language instruction are given training to keep them current with the language exam requirements. Some 120 teachers took part in the training courses in 2000, and also received methodology texts, test handbooks, and exercise booklets published with the support of the Phare Estonian Language Training Programme. 4,800 non-Estonian students had completed the language courses by the end of 2000, of which nearly one-third passed the competence exam and were reimbursed for part of the costs of the course.

The expert group responsible for developing the language instruction reimbursement system included representatives of minority groups, as well as state and local government officials, language training firms, and NGOs.

According to a survey carried out in March 2000,<sup>101</sup> approximately 79 percent of Russian-speaking respondents were aware of the campaign to introduce the *InterEst* project to the public. Only approximately 11 percent of respondents indicated that they did not need additional Estonian language training. At the same time, the percentage of those who planned to improve their language knowledge was not very high – some 33 percent of all respondents. 48 percent of respondents reported that they did not plan to go to language courses; by regions, the percentage giving this response was the highest in predominantly Russian-speaking Narva, which reflects the reality that many Russian-speakers still function in a monolingual environment. The Council of Europe's Commission against Racism and Intolerance (ECRI) has recommended that language-teaching efforts need to be redoubled in areas where daily exposure to Estonian is still quite low.<sup>102</sup>

The Estonian-language media reported more favourably on the *InterEst* project than did the Russian-language media, according to Media Monitoring 2001.<sup>103</sup> As with the

<sup>100</sup> The total budget for the project is EEK 3,106,307 (€198,528), drawn from the State budget resources (EEK 171,307) and external assistance funds (EEK 2,935,000) from the Integration Foundation.

<sup>101</sup> OÜ SaarPoll, *Interest kampaania mõju uurim* (Feedback survey on campaign Interest), Tallinn, 2000.

<sup>102</sup> ECRI, *Second Report on Estonia*, p. 9.

<sup>103</sup> *Media Monitoring 2002*, pp. 100, 105.

language camps and family exchange projects, the results of each project have been publicised through press releases, and there is information about the reimbursement scheme available on the Integration Foundation web site.<sup>104</sup>

Again, the project was subject to both mid-term and final evaluation by international teams under the Nordic/UK/UNDP programme.

Advertising campaigns promoting language studies were quite successful, as the number of people enrolling in language training courses sharply increased during the campaign and immediately after.<sup>105</sup> The last such campaign, “Untie,” was intended to have a “shock effect,” featuring pictures of people with gagged mouths. Managed and carried out by an entirely Russian-speaking team, the campaign exceeded expectations and brought 6,500 students to language courses within seven months (although the surge in participation may also have been linked to the expiration of language certificates<sup>106</sup>). An Integration Foundation staff officer voiced a typical response to the campaign: “the posters are disgusting and personally I hate them, but they turned out to be extremely effective, so as a coordinator I am totally satisfied with the results.”<sup>107</sup>

### 3.2.2 Employment

As in education, discrimination in the employment sector is not identified as a cause of inequalities between Estonians and non-Estonians in the Integration Programme. Estonian language proficiency is a prerequisite for access to employment in certain sectors, both public and private, and indirectly related to access to employment in areas outside regions where the Russian language predominates. The Programme again focuses on Estonian language training as a means to increase access, although some legal provisions in turn restrict opportunities for those without fluency in Estonian.

The unequal position of non-Estonians in the labour market is a consequence of several factors, including structural changes to move the Estonian labour market away from Soviet-style production, inequality of regional development, which has especially affected Northeast Estonia, lack of Estonian citizenship among minorities, and insufficient proficiency in the State language. It is therefore difficult to establish that inequalities in levels of employment are caused by discrimination, which is officially

<sup>104</sup> <<http://www.meis.ee/eng/index.html>>.

<sup>105</sup> Interview with H. Hinsberg, Integration Foundation expert, Tallinn, 28 March 2002.

<sup>106</sup> OSI Roundtable, Tallinn, June 2002.

<sup>107</sup> Interview with H. Hinsberg, Integration Foundation expert, Tallinn, 28 March 2002.

prohibited on any grounds by the Employment Contract Act of 1992.<sup>108</sup> There have been no reports of cases related to employment discrimination in the Estonian Labour Disputes Resolution Commission, nor has the National Labour Inspectorate made any findings of discrimination in the workplace.<sup>109</sup>

The Language Law requires proficiency in the Estonian language for certain private-sector professions, on the basis of “justified public interest.”<sup>110</sup> ECRI’s 2001 Report on Estonia notes that the categories are rather vague and implementation of this provision may lead to discrimination as “employers may in some cases prefer to hire Estonian mother-tongue speakers or even to dismiss non-Estonian speaking employees to avoid difficulties in respect of the law.”<sup>111</sup> Domestic observers have raised similar concerns.<sup>112</sup> Draft amendments to the Language Law currently under development by the Ministries of Education and Justice include provisions intended to ensure that the level of language ability required for each profession corresponds to the real demand in practice.<sup>113</sup>

Few projects implemented under the Integration Programme have an impact on employment inequalities, and these initiatives generally focus on the linguistic dimension. Improving workers’ language skills is intended to promote greater labour flexibility and mobility among minorities, giving Russian-speakers more opportunities to work outside the specific industries in which they have traditionally been employed.

A representative of the Confederation of Estonian Trade Unions (hereafter, EAKL) acknowledged the unequal position of Russian-speakers in the labour market, but attributed these inequalities not to ethnic discrimination, but to a decline in the economic activities in which most Russian-speakers were employed during the Soviet period.<sup>114</sup> Thus, trade unions do not consider it necessary to emphasise the ethnic

<sup>108</sup> The Employment Contract Act, State Gazette 1992, 15/16/241, Article 10. See <<http://www.legaltext.ee/et/andmebaas/tekst.asp?dok=X1056K5&keel=en>>, (accessed 15 April 2002).

<sup>109</sup> V. Poleshchuk, *Legal Analysis of National and European Anti-Discrimination Legislation: Estonia*. European Roma Rights Centre; Interights; Migration Policy Group, Brussels, 2002, p. 18.

<sup>110</sup> Law on Language, Amendment published RT I 2000, 51, 326. Art. 2. The definition relates to jobs involving public order, healthcare, protection of consumers’ rights, and workplace safety, *inter alia*.

<sup>111</sup> ECRI *Second Report on Estonia*, p. 9.

<sup>112</sup> See European Centre for Minority Issues, *Social Dimension of Integration in Estonia and Minority Education in Latvia*, December 2001, p. 5.

<sup>113</sup> Interview with Mailis Rand, Minister of Education, Tallinn, 4 April 2002.

<sup>114</sup> Interview with Harry Taliga, Social Secretary of Confederation of Estonian Trade Unions (EAKL), Tallinn, 9 April 2002.



dimension of unemployment. Where larger enterprises have remained in operation after denationalisation, Russian-speaking workers still predominate and their trade union organisations are much stronger than these of ethnic Estonian workers: on average, trade unions unite 12 to 15 percent of employees nation-wide, while Russian-speaking workers from Ida-Viru county alone make up one-quarter of EAKL members. A Union representative also acknowledged that some plants owned by foreign (Western) companies often use unlawful temporary contracts to hire employees, which leave them without any social guarantees in case of the enterprise's restructuring or closure.<sup>115</sup> Once again Russian-speakers, especially women, are at a disadvantage. Despite the fact that Estonian labour policies have come under considerable scrutiny as a result of the EU accession process, Estonia has not ratified those ILO conventions (especially Convention 111) that would increase the implementation of the principle of equal opportunities on the Estonian labour market.<sup>116</sup>

Data on the 2000 labour force released by the Statistical Office bear out several conclusions regarding minority employment. Non-Estonians do participate in all economic spheres, although their role is especially important in several economic sectors. Minorities are underrepresented at the highest levels of public and private industry, especially in public administration and defence, as well as in the social security administration.<sup>117</sup>

The ethnic division of labour includes significant elements of social inequality; in view of this, some policy-makers have noted that it is necessary to shift the focus of the Integration Programme to concentrate more precisely on the social aspect of integration in planning future integration measures.<sup>118</sup> The Advisory Committee on the FCNM noted in its Proposal for conclusions and recommendations by the Committee of Ministers "that there remain shortcomings as concerns the effective participation of persons belonging to national minorities in economic life, in particular with respect to their access to the labour market," and "recommends that Estonia pursue decisively its efforts to alleviate such shortcomings."<sup>119</sup> Language instruction, while an important element in promoting employment opportunities, is only one

<sup>115</sup> Interview with Harry Taliga, Tallinn, 9 April 2002.

<sup>116</sup> See *Monitoring the EU Accession Process: Equal Opportunities for Women and Men in Estonia*, Open Society Institute, Budapest, 2002 (forthcoming).

<sup>117</sup> 2.6% of total employed ethnic Russians are employed in these sectors, as compared with 7.7 percent of ethnic Estonians or 14.4 percent of the total group. Employers among ethnic Estonians constitute 3.3 percent (with 7.7 percent self-employed), and among non-Estonians, 2.5 percent (self-employed 2.8 percent). Statistical Office of Estonia, *Labour Force 2000*, Tallinn, 2001, pp. 163, 165, 167.

<sup>118</sup> Interviews with: Katrin Saks, former Minister for Population and Ethnic Affairs, Tallinn, 1 April 2002; Tiit Sepp, Deputy Chancellor of the Ministry of Interior, Tallinn, 1 April 2002.

<sup>119</sup> FCNM Advisory Committee, *2001 Opinion on Estonia*, p. 24.

dimension of unequal employment opportunities. Coupling Estonian language instruction with additional measures, such as job retraining, could increase the efficacy of the Programme as a whole, particularly among older non-Estonians for whom existing integration measures have been less attractive.<sup>120</sup>

Projects implemented under the Integration Programme in the employment sphere have included:

### *Labour Force Exchange*

Several two to three-week labour force mobility projects were carried out in Spring 2000.<sup>121</sup> Police officials from Ida-Viru County, medical staff from Kohtla-Järve and library staff from Sillamäe were assigned to positions in different regions of Estonia (Saare, Lääne, Võru, Põlva and Viljandi counties). The project participants lived with ethnic Estonian families and conducted their everyday work in an Estonian-language environment. The project was intended to facilitate language acquisition for non-Estonians, and to promote cultural exchange between ethnic groups. These goals, in turn, were intended to promote greater work-force mobility for minorities.

For the project efficiency assessment, an expert group comprised of representatives of minorities, NGOs, and state and local government officials examined reports and spoke with project participants and employers. A three-member evaluation team, including one minority representative, prepared the final evaluation report.

The projects received some modest media attention, which was generally favourable in both the Estonian and Russian-language media. Efforts to publicise the project were made through press releases and the Integration Foundation web site.

Over 60 persons have received language teaching and specialised practical training through the exchange project. According to the evaluation team, the project was well-organised and efficiently administered. However, the assessors pointed out that the major challenge to the project's effectiveness was the lack of a formal mechanism for participants to retain and improve their Estonian after they return to a predominantly Russian-language environment.<sup>122</sup> It is also unclear if a sufficient number of job opportunities outside of Ida-Viru County will indeed become available for those who have taken part in the project and whether those individuals would be willing and able to take advantage of such opportunities.<sup>123</sup> Therefore, either the goal or the method of

<sup>120</sup> See *Mid-term evaluation of social integration projects in Estonia*, p. 15.

<sup>121</sup> The total cost of the project was EEK 744,000 (approximately €47,550), supplied by the external assistance funds of the Integration Foundation.

<sup>122</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 26.

<sup>123</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 26.

stimulating large-scale employee mobility throughout Estonia with this activity should perhaps be reconsidered as scant evidence exists to suggest that this will actually occur.

### *Training Officials from Ida-Viru County*

Public sector officials from the predominantly Russian-speaking area of Ida-Viru received a two-day course on conflict management, as part of a capacity-building initiative for the region.<sup>124</sup> An evaluation found that the trainers “did not seem to possess a balanced view of the working circumstances of the trainees,” and had unrealistic expectations of their skills, and the project was therefore not as useful as expected.<sup>125</sup>

### 3.2.3 Housing and other goods and services

Some social factors that are often closely correlated to ethnicity, such as income or employment, have an impact on inequalities in the housing sector. Following denationalisation reforms, over 90 percent of housing is privately owned. However, research indicates that the high number of minorities without Estonian citizenship may have had limited their possibilities to influence the privatisation process, placing them in a disadvantaged position in obtaining housing.<sup>126</sup>

The Integration Programme only briefly refers to housing problems, as an objective to be addressed within the sub-programme “Social Competence.”<sup>127</sup> However, no measures have been taken in regard to the issue.

### 3.2.4 Healthcare and other forms of social protection

The system of social protection is based on the principle that State support is given to all legal residents regardless of citizenship status. The increasing cost of healthcare services, lack of human resources and an increasing proportion of services operated by the private sector are problems for society at large. Again, minorities are often disproportionately affected by these factors due to their over-representation in vulnerable groups, such as residents of depressed regions, the unemployed, and the

<sup>124</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 25.

<sup>125</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 25.

<sup>126</sup> See *Minority Protection 2001*, p. 203.

<sup>127</sup> *Integration Programme*, p. 59.

poor.<sup>128</sup> Those people who have not acquired a residency permit since Estonia regained its independence in 1991 are at a special disadvantage.

In the “social competence” sub-programme, the Integration Programme refers to the problems of groups at social risk among ethnic minorities.<sup>129</sup> Among the goals of the sub-programme are the guarantee of care and a favourable environment for the abandoned children of minority individuals, family counselling, and the guarantee of social services to handicapped non-Estonians. However, few measures have been taken to implement these goals. Youth at risk have been especially targeted by some of the language camp and family exchange projects, and counselling and after-school activities are available.<sup>130</sup>

### 3.2.5 The criminal justice system

The Integration Programme does not address the criminal justice system. Discrimination in this sphere is not widely reported by NGOs or minority groups. Non-Estonians are disproportionately represented among prison populations, while ethnic Estonians are twice as likely to be sentenced to parole compared with ethnic minorities.<sup>131</sup>

There are no countrywide statistics for representation of minorities in the police, and the Police Department could only provide data on Tallinn and Narva for the beginning of 2001. In Tallinn, approximately 50 percent and in Narva 94 percent of the police officers graduated from Russian-language schools or universities, although the vast majority of these officers (91 percent) are fluent in Estonian.<sup>132</sup> ECRI has noted that measures exist to ensure minority applicants for the police force are not at a disadvantage due to the fact they speak Estonian as a second language.<sup>133</sup>

<sup>128</sup> ECRI, *Second Report on Estonia*, p. 19.

<sup>129</sup> Integration Programme, p. 59.

<sup>130</sup> *Government Report 2000*, p. 19

<sup>131</sup> V. Poleshchuk, *Social Dimension of Integration in Estonia and Minority Education in Latvia*, European Centre for Minority Issues, December 2001, p. 9.

<sup>132</sup> Interview with N. Veber, Police Department press secretary, Tallinn, 7 April 2002.

<sup>133</sup> ECRI, *Second Report on Estonia*, p. 18.

### 3.3 Protection from Racially Motivated Violence

The Integration Programme does not analyse or make recommendations concerning racially motivated violence, although it does identify the possibility of interethnic conflict:

It is important to recognise that integration does not rule out contradictions and conflicts, since the social harmonisation of society and the preservation of differences are often conflicting processes. In this sense openness and tolerance towards differences is one of the principal challenges for Estonian society as a whole.<sup>134</sup>

The overall approach of the Integration Programme is therefore focused on promoting tolerance rather than providing specific measures against racially motivated violence. (See Section 3.2)

Racially motivated violence is addressed by several legal instruments, including the Constitution. In recent years, several cases of violence have occurred that appeared to have an inter-ethnic dimension, including a conflict in Paldiski between members of the Estonian Defence Forces and local people on 23–24 August 2001,<sup>135</sup> and in the regions of Tallinn (Lasnamäe, Öismäe) and Ida-Viru County between Estonian and Russian-speaking schoolchildren during October–November 2001.<sup>136</sup> The Government publicly condemned all these events; in Tallinn an official investigation was carried out. There are still disagreements over whether these were conflicts occurred on the basis of inter-ethnic tensions or due to other, unrelated factors.

There is no unanimous view on the impact of racially motivated violence among the population. On the one hand, the results of the Integration Programmes' General Monitoring 2000<sup>137</sup> indicated that only seven percent of ethnic Estonian and non-Estonian-speaking respondents had personally been involved in even non-violent conflicts on ethnic grounds. Yet more than one-third of Estonian-speaking respondents and nearly half of non-Estonian-speaking respondents reported witnessing conflict on ethnic grounds quite frequently.<sup>138</sup>

<sup>134</sup> Integration Programme, p. 14.

<sup>135</sup> See *Media Monitoring 2002*, p. 29.

<sup>136</sup> See *Media Monitoring 2002*, pp. 79–80.

<sup>137</sup> General Monitoring was commissioned by the Integration Foundation to analyse the impact of the Integration Programme in society.

<sup>138</sup> I. Pettai, "Tolerance of Estonians and non-Estonians," in M. Lauristin and R. Vetik (eds), *Integration in Estonian society: monitoring 2000*, IISS, Tallinn, 2000, p. 8. See <<http://www.meis.ee/eng/monitoring/Iris.rtf>>, (accessed 15 April 2002), (hereafter, "Tolerance of Estonians and non-Estonians").

For both Estonians and non-Estonians, confrontations are most likely to occur in public places and in the media. Ethnic Estonians cited the street and shops as the scene of most ethnic confrontation, while for non-Estonians, conflicts are also perceived to occur in contacts with governmental institutions.<sup>139</sup> However, the conflicts or harassment mentioned both by Estonians and non-Estonians relate to verbal insults. As both ethnic Estonians and minorities noted only isolated instances of ethnic conflict, one author has concluded that there is no general perception that hostility or discriminatory attitudes are pervasive in society.<sup>140</sup>

Given the generally peaceful relations among ethnic groups, several minority organisations have expressed concern in relation to the recent more violent events mentioned above. A comprehensive analysis of different approaches was carried out by the Media Monitoring project in 2001.<sup>141</sup> In the Paldiski case, the events were described similarly in both Estonian and Russian-language media. However, opinions as to the cause of the event were quite different. To a greater extent than in the Russian media, the Estonian-language print media characterised the event primarily as the result of drunken and unruly behaviour. Both Estonian and Russian-language media accused the Estonian Defence Forces of failing to enforce strict rules of behaviour in the armed forces. On the general level, moreover, both Estonian and Russian-language media also observed the inefficiency and lack of detail in the Integration Programme as a negative factor that had contributed to the conditions in which such events might take place.<sup>142</sup>

### 3.4 Promotion of Minority Rights

The Integration Programme recognises the preservation of a separate ethnic identity as one of the overarching principles of integration, and elaborates a number of measures in several spheres to enhance this principle. Issues in these spheres are a high priority for the Russian-speaking community, but have been accorded lower priority in actual implementation. State-funded primary education is widely available in Russian, but smaller minorities have struggled to find the means for mother-tongue instruction. Concerns have also arisen over the continued availability of Russian-language education at the secondary level. Obstacles to the acquisition of citizenship, implementation of the National Minorities Cultural Autonomy Act, and other barriers to participation in public life are addressed by the text of the Programme, but funding for such measures remains

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<sup>139</sup> I. Pettai, "Tolerance of Estonians and non-Estonians," p. 8.

<sup>140</sup> I. Pettai, "Tolerance of Estonians and non-Estonians," p. 8.

<sup>141</sup> See *Media Monitoring 2002*, pp. 29–40.

<sup>142</sup> See *Media Monitoring 2002*, p. 39.

low. The legal reforms called for by some minority representatives are explicitly beyond the scope of the Programme and have not been addressed systematically outside the Programme's framework, but rather on an *ad hoc* basis.

A main principle of the Integration Programme is the recognition of the cultural rights of ethnic minorities. The Program calls for "enabling of the preservation of ethnic differences" by establishing the societal conditions in which individuals who are interested in preserving and cultivating their ethnic identity may do so.<sup>143</sup> This objective is primarily addressed through the sub-programme "the education and culture of ethnic minorities," which has three components:

- increasing awareness among the population of cultural plurality and tolerance;
- increasing cooperation between the Estonian State and ethnic minority organisations;
- promoting and protecting ethnic minority identity through language, education, and cultural development.<sup>144</sup>

The sub-programme was only introduced as the result of proposals from the President's Roundtable on Minorities;<sup>145</sup> the relevance of this dimension of integration has been consistently highlighted by minority organisations. However, State investment in these sub-programmes has been far lower than for linguistic projects. In 2000, spending on sub-programme I, "Education," totalled more than EEK 36 million (approximately €2.3 million); for sub-programme II, "the Education and Culture of Ethnic Minorities" the total was just over EEK 3.5 million (approximately €226,000).<sup>146</sup> The number of projects elaborated in the Education and Adult Language Education components is also significantly higher. Most funds allocated under the "education and culture of ethnic minorities" sub-programme have gone to support ethnic minority cultural organisations, including Sunday schools.

Estonia has a diverse population, with a reported 142 nationalities and 109 mother tongues.<sup>147</sup> However, 97 percent of the population speaks either Russian or Estonian as a mother tongue, with only two percent naming one of the other 107 as their first language. Russian is the first language of 29.7 percent of the population.

<sup>143</sup> Integration Programme, p. 15.

<sup>144</sup> Integration Programme, pp. 37–42.

<sup>145</sup> See Section 2.2.

<sup>146</sup> *Government Report 2000*, pp. 21–41.

<sup>147</sup> Statistical Office of Estonia 2000. *Population and Housing Census II*, pp.13–14, Tallinn, 2001.

**Table 1 Distribution of minority population of Estonia by mother tongue**

<i>Nationality</i>	<i>Percentage speaking as mother tongue</i>			
	<i>Total population</i>	<i>Native language</i>	<i>Estonian</i>	<i>Russian</i>
Russians	351,178	98.2	1.4	
Ukrainians	29,012	41.1	0.2	56.8
Byelorussians	17,241	28.7	0.0	69.7
Finns	11,837	38.5	31.3	29.8
Tatars	2,582	47.6	0.0	50.1
Latvians	2,330	53.3	8.9	36.9
Poles	2,193	24.6	6.1	61.0
Jews	2,145	5.8	11.6	80.6
Lithuanians	2,116	54.2	0.9	40.1
Others	19,199	25.8	6.2	30.6

**Source:** 2000 Population and Housing Census II, 2001: 151.

A long-standing concern has been the National Minorities Cultural Autonomy Act, which was adopted by Parliament in 1993 as a mechanism for national minorities to protect and promote their ethnic identities.<sup>148</sup> According to the Act, Germans, Russians, Swedes, Jews and other minority groups with over 3,000 members living in Estonia are guaranteed the right to form cultural self-governments, which can act to preserve their mother tongue, ethnic affiliation, cultural traditions, and religion.<sup>149</sup>

However, the Act has yet to be implemented, due to concerns of both majority and minority groups. Minority representatives have charged that the approach could lead to the “privatisation” of minority life, whereby responsibilities for mother-tongue education and cultural activities would be shifted away from the State to minority organisations. Also, some observers have noted that this strategy of authorising parallel institutions could potentially give rise to the territorial autonomy of Northeast Estonia and the

<sup>148</sup> Available at [http://www.minelres.lv/NationalLegislation/Estonia/Estonia\\_KultAut\\_English.htm](http://www.minelres.lv/NationalLegislation/Estonia/Estonia_KultAut_English.htm), (accessed 2 October 2002).

<sup>149</sup> National Cultural Autonomy Act of 1993, Art. 5 (1). The main functions of cultural self-governments are the organisation and administration of funds for mother tongue instruction; forming minority cultural institutions and the organisation of their activities; the organisation of ethnic cultural events; and the creation and allocation of funds for the advancement of the culture and education of minorities.



federalisation of the country. In fact, only Russians, Ukrainians, Byelorussians, and Finns are numerous enough to meet the current population threshold requirement. Some observers have suggested that the Act should also apply to non-citizens.<sup>150</sup> Furthermore, the Act specifies no commitment from the State with regard to funding for these bodies. Efforts have been made to revise the Act to address some of these perceived shortcomings, but no resolution proposed so far has found consensus.<sup>151</sup>

The Integration Programme recognises the need to review the Act with a view towards adapting it to the needs of minorities interested in the promotion of their cultural identity, and to reduce bureaucratic barriers hindering groups from establishing cultural self-governments.<sup>152</sup> The lack of a coordinating body<sup>153</sup> to take the initiative to re-draft the Act may have contributed to the present inactivity. The Advisory Committee on the FCNM has also recommended that the Government should pursue some revision of the Cultural Autonomy Act.<sup>154</sup> Greater attention to this element of the Integration Programme could demonstrate the Government's willingness to address the minority population's outstanding concerns, and help to build confidence in the Programme.

### 3.4.1 Education

Formal State-funded education is available from primary to high-school level in Estonian and Russian languages. As the number of speakers of each of the other minority languages is very small (see Table above), extra-curricular Sunday schools have been the main medium for the development of teaching these minority languages and cultures.

It has been observed that even though pre-school is not obligatory and is fee-based,<sup>155</sup> the right to Estonian-language pre-school education is guaranteed by law, while no such provision exists for students whose mother tongue is not Estonian.<sup>156</sup> In the

<sup>150</sup> See CERD, *Concluding observations of the Committee on the Elimination of Racial Discrimination*. 19 April 2000. See <[http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CERD.C.304.Add.98.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CERD.C.304.Add.98.En?Opendocument)>, (accessed 15 April 2002).

<sup>151</sup> ECRI, *Second Report on Estonia*, p. 10.

<sup>152</sup> Integration Programme, p. 40.

<sup>153</sup> Possibly the Ministry of Culture or the Minister for Population and Ethnic Affairs.

<sup>154</sup> FCNM Advisory Committee, *2001 Opinion on Estonia*, p. 20.

<sup>155</sup> ECRI, *Second Report on Estonia*, p. 17.

<sup>156</sup> See *Minority Protection 2001*, pp. 196–197.

2000/2001 school year, there were 100 Russian-language comprehensive schools and 19 schools with mixed languages of instruction (mainly Russian).

On 26 March 2002, the Parliament approved amendments to Sections 3 and 9 of the Basic Schools and Upper Secondary Schools Act permitting the continuation of Russian-language instruction in the Russian-language general secondary schools (“gymnasiums”) owned by a local government after the year 2007. This was the result of a long debate regarding the reform of Russian-language gymnasiums owned by state or local governments.<sup>157</sup> In particular, the President’s Roundtable on Minorities discussed this issue in several meetings in 2001 and 2002. The amendment will mainly concern Russian-language gymnasiums in Tallinn and Northeast Estonia.<sup>158</sup> However, there are reports that the availability of Russian-language instruction continues to decline, especially in areas with more mixed populations where the numbers of Russian-speaking students are decreasing.<sup>159</sup>

For numerically smaller minorities, mother-tongue education has been confined primarily to programmes outside of school, although there have been efforts to open private schools with mixed success due to the low numbers of students and lack of funding.<sup>160</sup> There has been continuous discussion among minorities regarding the need to improve the quality of teaching and facilities in Sunday schools, many of which are reportedly limiting their activities due to a lack of resources.<sup>161</sup>

Currently the Ministry of Education and the State-level associations of ethnic minorities are developing a new model for extra-curricular language instruction in minority languages. In addition to this, the Ministry of Education has proposed the

<sup>157</sup> The issue of reduction of Russian as a language of instruction at schools concerned also the Committee on the Elimination of Racial Discrimination (CERD). See CERD, *Concluding observations of the Committee on the Elimination of Racial Discrimination*. 19 April 2000.

<sup>158</sup> MP Mihhail Stalnuhhin estimated that it would concern approximately 30 gymnasiums in the North-East of Estonia. See ETA uudis, “Gümnaasiumides säilivad venekeelsed klassid” (ETA news, Russian-language classes will remain in gymnasiums), Internet portal *Delfi*, 26 March 2002. See <<http://www.delfi.ee/archive/article.php?id=3342594&ndate=1017093600&categoryID=120>>, (accessed 15 April 2002).

<sup>159</sup> For example, the local authorities decided to not continue Russian-language instruction in the secondary school in Räpina, *Molodjezh Estonii*, 12 June 2002.

<sup>160</sup> The first ethnic comprehensive school to be re-opened was the Tallinn Jewish School opened in 1990 in Tallinn, which in 1999 was attended by 260 pupils in 12 forms. A Ukrainian class also temporarily operated at the Tallinn 48<sup>th</sup> Secondary School. See Government of Estonia, *Report “Integrating Estonia 1997–2000,”* Tallinn, 2001. See: <[http://www.meis.ee/eng/rtf/report\\_integrating\\_estonia.rtf](http://www.meis.ee/eng/rtf/report_integrating_estonia.rtf)>, (accessed 15 April 2002).

<sup>161</sup> OSI Round Table, Tallinn, June 2002.

possibility of developing mother tongue education in the form of “hobby schools” (private extra-curricular institutions).

The second on-going development concerns Section 2 of the Basic Schools and Upper Secondary Schools Act, according to which conditions shall be created for the study of the mother tongue for minority students at Estonian-language schools, with the aim of preserving their ethnic identity. The initial draft of this regulation was introduced at the President’s Roundtable on Minorities on 2 April 2002.<sup>162</sup> The proposed amendment would permit schools to apply for an extension of the transition period to Estonian-language instruction, first to the local authorities and later to the Government. This approach may not offer a stable institutional framework for continued Russian-language instruction in gymnasiums, however, as extensions are contingent upon the authorities’ good will rather than a legal guarantee.

Although the Integration Programme expresses the intent to develop awareness of Estonia as a multicultural state,<sup>163</sup> there have been concerns that this approach has not been adequately reflected in mainstream curricula. Minority organisation have emphasised the importance of changing the curriculum at higher educational institutions to take into account Estonia’s cultural plurality, and to improve the quality of translation from Estonian to Russian and *vice versa*, especially in textbooks.<sup>164</sup>

### 3.4.2 Language

The Integration Programme does not identify priorities or objectives related to the use of minority languages with public authorities, on public signs, in names and surnames, and during judicial proceedings, although these issues have been especially contentious. The 1995 Language Law regulates the use of languages other than Estonian in the public sphere; the Law has been amended in response to domestic and international criticism, but concerns remain that its measures are excessive in relation to its goals.

<sup>162</sup> The current version of the draft is supported by the Estonian Union of National Minorities. Interview with Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002. On the other hand, it has been criticised by the Estonian Federation of Associations of Ethnic Cultural Societies “Lüüra.”

<sup>163</sup> Integration Programme, p. 12.

<sup>164</sup> *Eesti ühiskonna integratsiooniprogrammi põhiseisukohad. Lisa Rügikogu Eestimaa Ühendatud Rahvapartei kirjale peaminister Mart Laarile* (Basic principles of the Estonian integration programme. Annex to the letter of the Estonian United People’s Party of the Parliament to Prime Minister Mart Laar), No 3–6/224, 8 March 2000, (hereafter, “Annex to EUPP letter to Prime Minister Laar”).

Some of the restrictions in the Law have sparked public controversy. For example, in Autumn 2001 the local government in Narva submitted an open letter opposing the planned closure of the local OSCE Mission, citing restrictions on the use of Russian in local government meetings as its main arguments. As cited in the official response to this complaint, the Language Law only permits minority languages to be used in local government meetings where more than half the local population belongs to an ethnic minority and use of the State language is also guaranteed. The Language Inspection Board asserts that the second requirement has not yet been met in Narva.<sup>165</sup>

According to the Government, the Language Law was amended in early 2002 to allow persons unable to communicate with authorities in Estonian to use a “foreign language familiar to those officers or employees by agreement of the parties.”<sup>166</sup> This amendment, reportedly introduced to reflect a process already informally accepted, permits all State and local government bodies to accept written or oral communications in languages other than Estonian, not only those in regions where minorities comprise at least a half of population.<sup>167</sup>

The second issue is related to the requirement in Article 23 of the Language Law that provides that public signs, signposts, announcements, notices, and advertisements shall be in Estonian. In their proposal to the Prime Minister, the Estonian United People’s Party proposed that the use of languages of national minorities should be permitted for public information in regions where non-Estonians comprise at least 25 percent of the local population.<sup>168</sup> The Advisory Committee on the FCNM has also noted that,

[Article 23] is so wide in its scope that it hinders the implementation of the rights of persons belonging to national minorities, especially since the term “public” appears in this context to encompass also a range of information provided by private actors and since the obligation to use Estonian is largely interpreted as excluding the additional use of a minority language.<sup>169</sup>

The Government has maintained that its restrictions on the use of languages other than Estonian have been within the acceptable parameters of public security, public order, public administration, public health, health protection, consumer protection and occupational safety since amendments were adopted in 2000.<sup>170</sup>

<sup>165</sup> “Linguistic competence and communicative capabilities of Russians in Estonia,” p. 37.

<sup>166</sup> *Government Comments on FCNM Advisory Committee 2001 Opinion*, p. 11.

<sup>167</sup> Language Law, Art. 8, pp. 1, 2, 4.

<sup>168</sup> Annex to EUPP letter to Prime Minister Laar.

<sup>169</sup> FCNM Advisory Committee 2001 *Opinion on Estonia*, para. 43, p. 12.

<sup>170</sup> *Government Comments on FCNM Advisory Committee 2001 Opinion*, pp. 11–12.

### 3.4.3 Participation in public life

A primary goal of the Integration Programme is to develop a greater sense of citizenship and loyalty to Estonia among minorities. Achievement of this goal has been limited by the fact that many Russian-speakers still lack residency permits or citizenship. Obstacles to the regularisation of residency status have restricted the degree to which the Russian-speaking population can take part in public life, particularly beyond the local level. In addition, linguistic requirements for public office restricted the number of Russian speakers eligible for candidacy until these requirements were abolished in early 2002.<sup>171</sup>

The Integration Programme provides only a description of problems and objectives regarding cooperation between the State and minorities in the sphere of promotion of ethnic identity. The issues of participation in elections and in decision-making bodies on local, regional and national governmental levels and representation in public service have not been analysed to a large extent.

Considering their percentage of the voting population, non-Estonians are underrepresented at both the Parliamentary and local government level.<sup>172</sup> For the first time after 1992, in 2002 one non-Estonian was included in the cabinet. Nevertheless, in 2001 Russian-speakers made up only nine percent of all judges, six percent of officers within the Ministry of Internal Affairs;<sup>173</sup> there were no Russian-speakers working as officials in the Ministries of Justice or Education.<sup>174</sup>

The participation level of non-citizens in Estonian public and political life has dropped steadily: the rate of non-citizens participating in the local elections has changed as follows: 52.6 percent in 1993, 85 percent in 1996, 43 percent in 1999. This change

<sup>171</sup> See Section 3.2.

<sup>172</sup> See BNS Valimised (BNS Elections) at <<http://valimised.bns.ee/>>. Local representation was calculated on the basis of the data of web-site *Kohaliku omavalitsuse volikogude valimine* (Results of the Municipal Elections 1999 by Counties) of the Estonian National Electoral Committee. See <<http://www.vvk.ee/k99/tulemus.stm>>, (accessed 15 April 2002).

<sup>173</sup> Calculated on the basis of the web-site *Ametnike haridus* (Educational level of officials) of the Ministry of Internal Affairs, see <[http://www.sisemin.gov.ee/ministeerium/ametnike\\_haridus.htm](http://www.sisemin.gov.ee/ministeerium/ametnike_haridus.htm)>, (accessed 15 April 2002). Confirmed in interview with Maia Burlaka, Domestic Affairs Ministry press-secretary, Tallinn, 24 March 2002.

<sup>174</sup> Calculated on the basis of the web-site of the Ministry of Justice. See <<http://www.just.ee/>>, (accessed 15 April 2002) and <<http://www.hm.ee/>>, (accessed 24 May 2002).

partly reflects a broader trend in electoral behaviour: the participation rate of citizens has also decreased from 60 percent in 1993 to 49 percent in 1999.<sup>175</sup>

Two projects have components intended to increase minorities' level of participation in public life.

### *Citizenship and Migration Board Assessment and Activity*

As only citizens have full access to political participation at all levels, projects enhancing the work of offices handling citizenship issues have an important role in improving minority access to public participation. One such project was undertaken from November 1998 to November 2001, with a total budget of €39,383, provided by the Nordic/UK/UNDP project. It was coordinated entirely by ethnic Estonians and included the following activities:

- *Analysis of Citizenship and Migration Board (CMB) activities:* Two Estonian sociologists monitored the opinions and complaints of the CMB, revealing that there were serious problems with internal service and client information.<sup>176</sup>
- *Training sessions:* 250 civil servants were trained in customer service, Russian as a foreign language, the development of managerial skills, and the integration process. Training for another 250 civil servants was financed by the CMB itself. The evaluation suggested that the training courses benefited from well-designed feedback mechanisms that solicited input from participants, giving a clear understanding of which topics to include in future training courses.<sup>177</sup>
- *Russian Language Citizenship Information:* 10,000 copies of bilingual leaflets providing an overview of various CMB departments and activities were printed in February 2000. Another 10,000 leaflets explaining to ex-Soviet military officers how to apply for a residency permit extension were printed in February 2001. Additionally, another nine information leaflets were published in August-September 2001, outlining the rules for acquiring various necessary identification documents.
- *Legalising Residential Status:* The CMB carried out the project "Informing and legalising recipients of social benefits or pensions who are illegally residing in the Republic of Estonia." 3,024 people were targeted during the project, of whom 81 percent now possess the necessary documents, while the others are being processed.

<sup>175</sup> Estonian National Electoral Committee, *Valimised ja referendumid Eestis 1989–1999* (Elections and Referendums in Estonia 1989–1999). See <<http://www.vvk.ee/english/overview.html#lgce99>>, (accessed 15 April 2002).

<sup>176</sup> *Mid-term evaluation of social integration projects in Estonia*, pp. 36–37.

<sup>177</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 28.

Coverage of these initiatives in the media was limited to reporting that the projects were carried out. There was positive public feedback on the bilingual leaflets. Regular evaluation reports noted that friendly, client-oriented service was essential since the CMB was often the main point of contact in the integration process, for ethnic Estonians and non-Estonians alike.<sup>178</sup> Informally, many non-Estonians agree that the CMB staff has become much more polite and professional than in the first part of the 1990s: clients wait less, the period for issuing documents is shorter, and there is more information available in CMB offices.

### *Financial support for President's Roundtable on National Minorities*

This body, formed in 1993, provides a forum for consultations between different Estonian minority groups and the President of Estonia on issues and initiatives that will have an impact on minorities. The budget of the sub-project for October 1999 – November 2001 was €13,811, provided by the Nordic/UK/UNDP project. The draft Integration Programme was discussed at the Roundtable, and some changes were introduced in response to the proposals of minority representatives. The Roundtable has also allowed for the timely presentation of information on competitions for Integration Programme funding<sup>179</sup>

The results of the work of the Roundtable have been widely discussed in the media and generally received favourably, especially the minority rights legislative initiatives that have emerged from this forum. However, it has been noted that as the Roundtable serves only in an advisory capacity, its influence goes only as far as executive offices choose to defer to its recommendations.<sup>180</sup>

The Roundtable has its own web site (<<http://www.president.ee/eng/institutsioonid>>), where the majority of international reports on minority rights in Estonia are available. The Nordic/UK/UNDP Final Evaluation Report notes that the Roundtable has

effectively built bridges between Russian-speaking leaders and Estonian leaders in the legislative and executive offices in the Estonian Government... In addition to making legislative and policy proposals and organising conferences, the Roundtable adds legitimacy to integration since it guarantees an advocate for various Russian-speaking interests at the highest levels of government.<sup>181</sup>

<sup>178</sup> *Mid-term evaluation of social integration projects in Estonia*, p. 37.

<sup>179</sup> Integration Foundation, Final report of the project "Support to the State Programme for Integration of non-Estonians into Estonian Society," Tallinn, 2001, p. 27.

<sup>180</sup> ECRI *Second Report on Estonia*, p. 12.

<sup>181</sup> *Final Evaluation of the Nordic/UK/UNDP Project*, p. 29.

The FCNM Advisory Committee recently urged the Estonian Government to increase the Roundtable's influence, noting, "[t]he effectiveness of the Roundtable could [...] be improved if the relevant authorities would consult the said body more consistently when addressing issues falling within its competence."<sup>182</sup>

The results of projects to enhance public participation are analysed in regular evaluation reports, including the annual Integration Foundation report, prepared by ethnically mixed evaluation teams. However, these analysts must rely heavily on the documentation prepared by the Integration Foundation staff, which includes no representatives of minorities.

According to the Integration Foundation Director, the projects planned have been successful overall. The Director attributes projects' success to the Foundation's careful selection process, on the basis of open competition. Nevertheless, he recognised that the respective coordinators predictably evaluate themselves slightly higher than the Integration Foundation administration.<sup>183</sup>

In general it is expected that activities directed to increase public participation of non-Estonians will continue in 2002-2003. €16,125 is earmarked for the CMB in 2002, for use in preparing teaching materials for Russian-language schools, where young people can take a combined Estonian language and citizenship exam.<sup>184</sup> Support to the Presidential Roundtable is also anticipated, but the use of this funding will depend mainly upon the Roundtable's own programme.

### 3.4.4 Media

The Integration Programme attempts to reach its goal of developing a common cultural domain through the media, *inter alia*. As part of its sub-programme on "social competence," the Programme sets itself the more specific tasks of facilitating integration by using the media to raise public awareness, to ensure the availability of information related to integration to the public at large, and to facilitate the creation of innovative approaches to integration.

In 2002 the Russian-language media included 12 newspapers, a selection of leisure and entertainment periodicals, a public service radio station that also provides monthly transmissions in other minority languages, four private regional stations, several cable television channels with regional coverage, and assorted broadcasts on otherwise

<sup>182</sup> FCNM Advisory Committee *2001 Opinion on Estonia*, para. 57, p. 15.

<sup>183</sup> Interview with M. Luik, director of the Integration Foundation, Tallinn, 08 April 2002.

<sup>184</sup> Interview with M. Luik, director of the Integration Foundation, Tallinn, 08 April 2002.



Estonian-language public and private television channels.<sup>185</sup> One of the most popular web-portals, where national issues are discussed, functions in two languages.<sup>186</sup> Some 56 percent of Russian-speakers read some local Russian-language newspapers at least once a week, while 88 percent report listening to local Russian-language radio stations regularly. More than 80 percent watch Russian Federation television channels daily.<sup>187</sup>

Media projects developed under the Integration Programme fall into four broad categories: the media monitoring project, television and radio broadcasts, social tolerance advertising campaigns, and training of journalists. The first two categories are addressed in Section 3.2 of this report; two projects aimed at promoting minority media are described below.<sup>188</sup>

### *Training of Journalists*

One component of the sub-programme “social competence” sets out objectives to improve public awareness of integration issues, and to decrease the use of ethnic stereotypes in the media. Projects intended to improve the capacity and professionalism of the Russian-speaking media were carried out under this heading.

A series of seminars were held in 1999 to 2001, organised and led mainly by experienced Russian-speaking journalists. There were five sessions in 1999 (three of which were held in Northeast Estonia); systematic training for Estonian Television’s Russian Studio in 1999-2000; and five more seminars in 2001. 15 to 20 journalists participated in each event, with a total number of participants of 50 to 60 journalists.<sup>189</sup> The seminars were conducted by the Integration Foundation and Russian-speaking editors from Estonian public television, private Channel 2, Tartu University’s Narva College, and the Tallinn Pedagogical University. Journalists were

<sup>185</sup> Baltic Media Book, *Tallinn–Riga–Vilnius: Baltic Media Facts*, 1999. See also T. Vihalemm “The Informative and Identity Building Significance of Media: the Case of Estonian Russophones,” in Lauristin M., Vetik R. (Eds.): *Integration of Estonian Society. Monitoring 2000*, Institute of International and Social Studies, Tallinn, 2000, pp. 44–48.

<sup>186</sup> DELFI, available at <<http://www.delfi.ee>>, (accessed 22 October 2002).

<sup>187</sup> Integration Foundation, Final report of the project “*Support to the State Programme for Integration of non-Estonians into Estonian Society*,” Tallinn, 2001, p. 40.

<sup>188</sup> Three main sources provided funds to media projects: the Nordic/UK/UNDP project, which contributed approximately €270,000 between 1998 and 2001, Phare, which invested €209,870 in 1999–2001, and Estonian State support, which contributed some €115,000 in 2000. See Integration Foundation, *Integration Foundation Yearbook 2000*, Tallinn, 2001, <<http://www.meis.ee/eng/aastaraamat>>, (accessed 15 April 2002).

<sup>189</sup> €18,477 from the Nordic/UK/UNDP project grant was allocated for this project between 1998–2001. Integration Foundation, *Final Report of the Project “Support to the State Programme for Integration of non-Estonians into Estonian Society”*, Tallinn, 2001.

expected to gain exposure to a wider range of Estonia-related issues, and a better understanding of professional techniques.

An evaluation commission concluded that the project was “strategically important in regard to the State Programme’s goal of redirecting the attention of Russian-speakers away from the media of the Russian Federation and toward that of Estonia” and “helpful in encouraging cooperation across ethnic lines within the media profession throughout Estonia.”<sup>190</sup>

### *Support to Newspapers*

Also with the support of the Nordic/UK/UNDP fund, a monthly Russian-language supplement was included with the Estonian-language newspaper for teachers, *Õpetajate Leht*. The Russian articles included translations of school-related legislation, and other items from the Estonian paper related to schools and education. The rest of the supplement is dedicated to issues specific to Russian-language schools.<sup>191</sup>

The Government has been critical of its own efforts in the media sphere. In its report on implementation in 2000, the Government observed that “the potential of the Russian-language media in the area of [...] integration [...] remains largely unused, due to the low viewership of programmes. The reason for this is the lack of financing for Russian-language television and isolation from its viewership.”<sup>192</sup> It remains to be seen whether additional financing for such projects can help to realise the media’s potential.

## 3.4.5 Culture

The Integration Programme clearly states that Estonia is a multicultural society, albeit one in which Estonian culture has a special status in relation to the State.<sup>193</sup> While the Programme provides for minorities’ cultural development opportunities, funding has been dramatically lower for the sub-programme on “education and culture of minorities” than for the education and adult Estonian language education sub-programmes.<sup>194</sup> The Integration Programme points out that,

in the case of the education and cultural life of ethnic minorities, the initiative and responsibility lie with the ethnic minority itself through the

<sup>190</sup> *Report of the Final Evaluation of the Nordic/UK/UNDP Project*, p. 32.

<sup>191</sup> *Report of the Final Evaluation of the Nordic/UK/UNDP Project*, p. 31.

<sup>192</sup> *Government Report*, p. 64.

<sup>193</sup> *Integration Programme*, p. 15.

<sup>194</sup> *Government Report 2000*, pp. 21–41.

activities of the cultural self-government, and the role of the state is above all one of creating and supporting corresponding opportunities.<sup>195</sup>

However, as implementation of the Cultural Autonomy Act has not begun, the Government continues to oversee allocation of funds for minorities' cultural activities.

From the Ministry of Culture's budget, 89 projects in total were supported in 2000, including 43 from ethnic Russian societies and art groups, eight from ethnic Ukrainian societies, six from ethnic Byelorussian societies, and 32 from other ethnic minorities.<sup>196</sup> 24 projects received support from the Integration Foundation's State budget funds, and another 27 projects received support from external assistance funds.<sup>197</sup>

According to Media Monitoring 2001, projects initiated by cultural societies were of equal interest to the Estonian and Russian-language media. The main recommendation of the evaluation teams was that it is necessary to take measures to ensure the participation of smaller and less experienced national minority organisations that either fail to receive funding or are under the patronage of umbrella groups.<sup>198</sup>

Several minority groups, civil society organisations, and Russian political parties have repeatedly expressed their interest in protecting and developing their unique cultural identity. Among them, the Estonian Union of National Minorities expressed its concern about cultural issues in its proposal to the Minister for Population and Ethnic Affairs, highlighting:

- technical-administrative issues related to lack of funds to pay the rent for rooms or buildings, electricity and other expenses necessary for minority societies to organise events and activities;
- a lack of necessary resources, such as computers and internet access, to introduce their culture and language to the members of their own communities and to the wider community;
- a lack of funds for the development of Sunday schools and establishment of minority (summer) schools;

<sup>195</sup> Integration Programme, p. 40.

<sup>196</sup> See Government of Estonia, *Action Plans for Sub-Programmes of State Integration Programme for the years 2000–2003*, Tallinn, 2001.

<sup>197</sup> A total of EEK 2,748,300 (€175,648) was allocated to the programme, including EEK 1,540,000 from the Ministry of Culture, EEK 663,300 from the Integration Foundation state budget funds, and EEK 545,00 from the Integration Foundation external assistance funds (Nordic/UK/UNDP project "Support to the State Integration Programme").

<sup>198</sup> *Final Evaluation Report of the Nordic/UK/UNDP Project*, p. 23.

- a lack of funds for the development of newspapers, television and radio broadcasts in the mother tongue.<sup>199</sup>

The Estonian United People's Party submitted a proposal for the elaboration of an "alternative" Integration Programme to the Prime Minister on 8 March 2000, to address the perceived low level of societal recognition for ethnic minority cultures. The proposal argued that it is necessary to increase the number of officials working on cultural projects, and to finance the development of ethnic minority cultures. The proposal further suggested that the heritage of ethnic minority cultures should be supported through films, archives, and cultural events of ethnic minorities.<sup>200</sup> However, this proposal did not receive significant public attention and was not discussed further.

Some minority representatives have raised concerns about the level of cooperation between the Estonian State and ethnic minorities, including the low level of inclusion of minorities in implementation schemes at ministries and in the Integration Foundation. Minority representatives have also claimed that the State has demonstrated little interest in developing institutions to facilitate everyday communication with minority organisations.<sup>201</sup>

#### 4. EVALUATION

The Integration Programme has defined three main spheres for the integration of Estonia's Russian-speaking minority: linguistic-communicative, legal-political and socio-economic. In practice, however, only the linguistic-communicative sphere has been fully developed in the Integration Programme's action plans; measures in the education and language sectors receive three-quarters of all funding allocated to Programme integration.<sup>202</sup> This approach follows the priorities defined in the Integration Programme, but rests on the assumption that relevant measures in the fields of legal-political and socio-economic integration should be taken up in the framework of other Government programmes and development plans. Currently only

<sup>199</sup> See *Eestima Rahvuste Ühenduse presidendi J. Prozesi kiri minister Katrin Saksale* (Letter of J. Prozes, the President of the Estonian Union of National Minorities to Minister Katrin Saks), 19 January 2001, No 708.

<sup>200</sup> Annex to EUPP letter to Prime Minister Laar.

<sup>201</sup> Interview with Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002.

<sup>202</sup> See Government of Estonia, *Action Plans for Sub-Programmes of State Integration Programme for the years 2000–2003*, Tallinn, 2001.

the Foundation Enterprise Estonia is supporting concrete projects aimed at improving the economic situation in Northeast Estonia through the Estonian Regional Development Agency.<sup>203</sup> No other strategies and development plans have included a specific action plan for such supplementary measures, and thus only selected dimensions of integration have been carried out in practice.<sup>204</sup>

The common position among all representatives of minority and civil society organisations is that the elaboration and implementation of the Integration Programme itself is a significant achievement.<sup>205</sup> It has taken strides towards changing attitudes in both Estonian and non-Estonian-speaking communities, developing a more positive understanding of inter-ethnic relations, and greater acceptance of the need for societal integration. The text of the Programme and the formal statements of the Government reflect the affirmative and preventative approach of the strategy, promoting tolerance, cultural plurality, and the preservation of ethnic differences. In implementation, however, concerns remain that the heavy emphasis on the unification of society through the Estonian language will result in a more one-sided process than that promised by the Programme text.

The minority community has identified a number of issues that have been overlooked in implementation of the Integration Programme. These include supporting the education of smaller ethnic minorities in their mother tongue and improving the social status of vulnerable groups such as the unemployed and youth at risk among minority groups. A revised approach for supporting the use of minority languages in the public sphere, accelerating the naturalisation process, and the improvement of the socio-economic situation in predominantly Russian-speaking regions of Estonia have also been called for.<sup>206</sup>

The Government has taken steps to address the legislative issues of greatest concern to minorities: a number of amendments to the Language Law, Aliens Act, and Citizenship Act have been adopted by the Parliament, and several Government regulations in the

<sup>203</sup> See the web site of the Estonian Regional Development Agency *Tööstuspiirkondade toetatud projektid 2001* (Supported projects in industrial areas). See <[http://www.erda.ee/toostuspiirkondade\\_toetatud\\_projektid2001.doc](http://www.erda.ee/toostuspiirkondade_toetatud_projektid2001.doc)>, (accessed 14 October 2002).

<sup>204</sup> In the case of the National Employment Plan for Ida-Viru Region (approved by the Government in 2001), the relevant action plan is to be elaborated in 2002.

<sup>205</sup> Interviews with A. Semjonov, Director of the Legal Information Centre for Human Rights, Tallinn, 27 March 2002; A. Laius, Director of the Jaan Tõnisson Institute, Tallinn, 9 April 2002; Jaak Prozes, the President of the Union of National Minorities of Estonia, Tallinn, 3 April 2002.

<sup>206</sup> *Riigikogu Eestimaa Ühendatud Rahvapartei kiri peaminister Mart Laarile* (Letter of the Estonian United People's Party of the Parliament to Prime Minister Mart Laar), No 3–6/224, 8 March 2000.

relevant fields have been promulgated in recent years. Although these reforms are essential to the realisation of the Integration Programme's goals, the Programme explicitly rules out the inclusion of a detailed legislative action plan as part of its approach.<sup>207</sup> The process of elaborating these amendments has thus been undertaken by various ministries on an *ad hoc* basis, and in the absence of any coordination or comprehensive plan.<sup>208</sup> Therefore, further progress on the sub-programmes and projects outlined in the Integration Programme is contingent upon good will rather than on a well-planned and coordinated strategy. The highly politicised climate surrounding the legislation in question<sup>209</sup> has prevented the preparation of a more comprehensive strategy for further development. Given these circumstances, a truly comprehensive approach to integration issues, in a manner incorporating measures in all three spheres, has not yet been achieved.

More efforts are needed to develop general public consensus on the basic understanding of the integration process, as minority and majority society retain quite different views on integration and how it should be achieved. Whereas there are no basic disagreements regarding the Integration Programme's main aims, views are more diverse relating to the objectives and measures of its sub-programmes. On the one hand, there are critics who state that all sub-programmes should deal exclusively with the teaching of Estonian to non-Estonian speaking children, youth, and adults, and the improvement of civics education at non-Estonian schools. This approach advocates eliminating existing support for the protection and promotion of minorities' ethnic identity, which in this view should instead be carried out by ethnic minorities themselves, through Government measures outside the Integration Programme.<sup>210</sup> On the other hand, minority representatives have criticised the Integration Programme for concentrating too much on teaching the Estonian language and omitting other aspects of integration.

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<sup>207</sup> Integration Programme, p. 16.

<sup>208</sup> As an example, there was an attempt to combine the state civics exam for graduates of basic and high schools with an exam required for citizenship, which would make citizenship more accessible to youth. This proposal of the Minister for Population and Ethnic Affairs and Decision of the Government (11 December 1999) was not accepted by the Ministry of the Interior and the Ministry of Education, and the relevant exam has not yet been introduced. Interview with Katrin Saks, former Minister for Population and Ethnic Affairs, 1 April 2002.

<sup>209</sup> The Citizenship Act, Language Act, and Aliens Act.

<sup>210</sup> *Riigikogu Isamaaliidu esimehe T. Sinisaare kiri, Isamaaliidu saadikurühma seisukoht riikliku programmi "Integratsioon Eesti ühiskonnas 2000–2007" suhtes* (Letter of T. Sinisaar, the chairman of the Fatherland Union Party faction of the Parliament Position of the Fatherland Union faction of the Parliament in respect of the State Programme "Integration in Estonian society 2000–2007"), 31 January 2000.

Administration and coordination of the Programme function well at the Government level. None of the published reports and evaluations of the Integration Programme has identified any serious problems in efficient and transparent fund management; on the contrary, the work of project staff has been evaluated highly. However, some evaluations have noted that there is insufficient staff to implement complex projects and programmes.<sup>211</sup> Several representatives of minority and civil society organisations have claimed that there is a lack of information available regarding upcoming tenders and the results of project competitions.<sup>212</sup> Moreover, it has been noted that few local programmes have been elaborated as provided for in the Programme; the centralised approach could be balanced by greater attention to regional initiatives.<sup>213</sup>

The Government report on the Integration Programme's implementation in 2000 was published on the Internet and on CD-ROM in June 2001; while examining various aspects of implementation in some detail, the report is apparently not intended to offer proposals for refining or improving future implementation efforts. There has not been any overall evaluation of the Integration Programme since its launch in March 2000. The Integration Programme itself prescribes that evaluations on its effectiveness and efficiency should be commissioned, but so far there have been only evaluations by several external assistance projects.

The Government did not organise a large-scale discussion of the Integration Programme's aims and objectives during its elaboration, as both the minority and majority community expressed a preference for the rapid introduction of concrete projects and their corresponding benefits to individuals over a potentially long and abstract process of debates among scholars and experts. However, the persistent lack of a shared concept of integration policy may also be traced back to the absence of any substantive public debate in the drafting phase. A public discussion of the Integration Programme, moderated by the authorities would be an effective way to achieve consensus among the population in its understanding of the term "integration."<sup>214</sup>

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<sup>211</sup> M. Hopkins, T. Elenurm, G. Feldman, *Mid-term evaluation of social integration projects in Estonia*, Tallinn, May 2000, p. 4.

<sup>212</sup> *Mid-term evaluation of social integration projects in Estonia*, p. 4.

<sup>213</sup> EAHR Comments.

<sup>214</sup> See J. Kruusvall, "Understanding integration in Estonian society," in M. Lauristin and R. Vetik (eds), *Integration in Estonian society: monitoring 2000*, IISS, Tallinn, 2000, pp. 19–21.

## 5. RECOMMENDATIONS

### *General recommendation to all integration-related institutions*

- Promote integration projects at the local level, to stimulate the elaboration of regional and municipal sub-programmes in order to help minority groups find their niche in society at the local and community level.

### *Recommendations to the Government*

- Streamline legislative and administrative mechanisms to decrease the number of non-citizens and make naturalisation more accessible for stateless people.
- Elaborate a more comprehensive set of measures to stimulate the inclusion of non-Estonians into public life, and to develop partnership relations between State and local authorities and minorities.
- Reviewing the Cultural Autonomy Act with a view to making amendments to enhance implementation.

### *Recommendations to State institutions responsible for implementation of the Integration Programme and to the Integration Foundation*

- Develop public awareness of racially and ethnically motivated discrimination and violence, and take measures accordingly to prevent and eliminate these phenomena.
- Consider the establishment of a joint general body for governmental and non-governmental institutions to enhance cooperation in the implementation and evaluation of the Integration Programme.