

Excellences! Ladies and gentlemen!

I am going to present a report about naturalization in Estonia.

Undoubtedly, in recent years there were positive changes concerning the issue of mass statelessness in Estonia. In particular, the number of persons without citizenship shows constant decrease. According to the data provided by the Citizenship and Migration Board, in 1992 32% of population in Estonia had not Estonian citizenship. Nevertheless, by 2005 their percentage has dropped to 18%. The group of persons without Estonian citizenship is mainly composed of former Soviet citizens who have resided in Estonia before 1991 and their descendants. It is important to note, that due to the amendments to the Law on Citizenship of 2004 and 2006, the procedure of naturalization was shortened significantly for former Soviet citizens.

At the same time according to the official data in the beginning of 2006 the number of stateless persons constituted 136,000 persons. More than half of them were born in Estonia. In 2002-2003 the tempo of naturalization in Estonia was only 3,000-4,000 persons per year. The rate of naturalization accelerated when Estonia became a member of the European Union. Thus in 2004 there were 6,523 naturalised persons and 7,072 in 2005. Nevertheless, in 2006 the number of naturalized persons again showed tendency to fall.

Estonian authorities still consider providing of Estonian language training as the most effective remedy to decrease mass statelessness. However, it should be taken into account that approximately every fifth resident of Estonia does not speak the Estonian language. Mainly these are representatives of the Russian community in Estonia.

Particularly, elderly and disabled people face many difficulties in fulfillment of the language naturalization requirements. Although persons born before 1 January 1930 are excused from the written part of an Estonian language naturalization test, they are still obliged to pass written examination controlling their knowledge of the Estonian Constitution and the Law on Citizenship.

As concerns disabled persons, only those with limited capability recognized by courts are permitted not to take an Estonian language naturalization test. As for other persons whose disabilities are the obstacle for a language exam, a special commission may apply a flexible approach to their examination requirements. In 2005 in this regard Estonian legislator has toughened the language requirements for persons with the so-called degree of disability, which was provided by the authorities.

We hold the opinion that Estonia has to take more definite steps towards the solution of the problem of mass statelessness in Estonia. For instance, abolition of the language requirements for senior residents would significantly relief the problem. At the moment a simplified procedure of applying for Estonian citizenship is valid for children born in Estonia if both their parents are stateless. Taking into account specific situation in Estonia, this right could also be applied to all children born in Estonia, who have no right to get Estonian citizenship by birth.

In spite of the existing problems we are optimistic and believe that Estonia has no impartial reasons for the restricted policy in the field of citizenship. Moreover, after Estonia has become a member of the EU and NATO, such policy cannot anymore be justified with references to security considerations.

Thank you for your attention  
Legal Information Centre for Human Rights (Estonia)