



INIMÕIGUSTE TEABEKESKUS  
LEGAL INFORMATION CENTRE FOR HUMAN RIGHTS  
ЦЕНТР ИНФОРМАЦИИ ПО ПРАВАМ ЧЕЛОВЕКА

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### Statement by the Legal Information Centre for Human Rights (LCHR), Estonia

#### New aspects of the situation with statelessness in Estonia

*Larissa Semjonova, Deputy Director of the LICHHR*

Dear Chair, Dear High Commissioner, Dear participants,

Recently, the authorities of Estonia made certain symbolic steps toward minorities living in the state. Among them are some measures to reduce a number of stateless persons:

- According to the 2015 amendment to the Citizenship, Estonian language requirements for elderly applicants for citizenship will be simplified (only verbal language examination);
- A stateless child born in Estonia to stateless parents will automatically acquire citizenship.

Despite these positive developments (however late and insufficient) the problems of stateless persons and citizens of other states remain. Although the number of stateless individuals gradually decrease, there is no significant change. Whilst 892 persons received Estonian citizenship through naturalisation procedure in 2015, but 332 persons refused citizenship, the majority for the Russian subjectation. At the beginning of 2016, there were 82 thousands of stateless individuals, or 6 per cents of the total population of Estonia. According to the study “Monitoring of Integration 2015”<sup>1</sup>, every fifth non-Estonian who was born in Estonia, or whose

<sup>1</sup> Мониторинг интеграции эстонского общества 2015, [http://www.kul.ee/sites/kulminn/files/news-related-files/kokkuvote\\_rus.pdf](http://www.kul.ee/sites/kulminn/files/news-related-files/kokkuvote_rus.pdf)

parents born in the country (i.e. the third generation), still has no Estonian citizenship. Among the Russian youth (up to 24 years), there are 23% stateless persons, and for the elderly generation (65 years and older) the figure is almost 64%.

The fundamental problem for stateless persons in Estonia is the lack of political rights, as was mentioned by various authors. This circumstance result in alienation from political life and in mistrust toward Estonian authorities, particularly among the younger generation.

Another problem arise for Estonian non-citizens when they stay abroad. The so-called “Alien’s passport” do not provide the consular protection. If, for example, non-citizen with the Alien’s passport and permanent residence permit is leaving for a long to work abroad and receive the permanent residence permit in another country, Estonian Police and Border Guard Board must deprive him of resident’s permit immediately after learning of this, according to the Art. 241 of the Citizenship Act. However, without the residence permit non-citizen automatically will lose his/her Alien’s passport, and will appear to stay in the foreign country with no valid document. To obtain such document he/she must anew pass the procedure of recognition of stateless person, but many states simply have no such legal procedure.

Besides that, non-citizens in Estonia and Latvia who are permanent residents and who were born after 8 December 1991, face a problem of entry to the territory of Russian Federation. In accordance to the Decree of the President of the RF of 17 June 2008, the right to the free visa entry to the Russia territory (in the case of short-term visits) refer only to those stateless persons who was born before 8 December 1991 and their minor children.

The grown children at the age of 18 lost the free visa entry right. The number of such persons, by the Interior Ministry data, is about one thousand. They have to apply for a visa on general terms. The same regulation applies for long-term stay in the Russian territory of Estonian and Latvian non-citizen.

Despite the fact that abovementioned Decree is at force already from 2008, for unknown reasons there were still no problem for non-citizens with visits to Russia. Let us hope that Russia authorities will promptly resolve the problem of simplification of visa procedures for the stateless persons from Estonia and Latvia.

*(Recommendations – see version in Russian)*