

E S T O N I A

SECTION A

Capital

Tallinn 427,500 (1996 est.)

Area

45,227 sq km (17,400 sq mi)

Form of government

Unitary multiparty republic with a single legislative body

GDP—per capita

Purchasing power parity—\$5,600 (1999 est.)

Population

1,408,523 (July 1999 est.)

Ethnic composition

Estonian	63.9%
Russian	29.0%
Ukrainian	2.7%
Belarusian	1.6%
Finnish	1.0%
Other	1.8%

Official language

Estonian (since independence)

Minority languages

Russian, Finnish, Ukrainian

Legislation dealing with the use of languages

Constitution adopted on June 28, 1992

Law of the Republic of Estonia on Language adopted on February 21, 1995

Law of the Republic of Estonia on Cultural Autonomy for National Minorities adopted on October 26, 1993

This law defines national minorities as citizens of Estonia who reside on the territory of Estonia, maintain long standing, firm and lasting ties with Estonia, are distinct from Estonians on the basis of their ethnic, cultural, religious or linguistic characteristics. These same citizens must be motivated by a concern to preserve their cultural traditions, their religion or their language, which constitute the basis of their common identity. The law also gives national minorities extensive opportunities for organization and work in educational and cultural fields.

According to Article 2, cultural autonomy of the national minority may be established by persons belonging to German, Russian, Swedish and Jewish minorities. Such autonomy may also be established by persons belonging to national minorities with a membership of more than 3000.

Background notes

The ethnic minorities in the Republic of Estonia all have historical roots. The German settlements date back to the 13th century, when Estonia became a part of Old Livonia. While the Jewish minority can be traced to the 16th and 17th century's when only a small number of Jews lived in Estonia. A larger community was established only in the second half of the 19th century.

The Russian minority is numerically the largest in Estonia. It can be divided into two groups. The Old Believers (5,000), living near Lake Peipsi, settled there in the 17th or 18th century. The second large group is the so-called Soviet immigrants, settled in Petserimaa and on the Narva River. After the Second World War, Estonia was one of Europe's most homogenous states with 97% of the population being ethnic Estonians. This situation changed in 1949, when the Soviet authorities carried out a mass deportation of Estonians to Siberia. By 1989, Estonians made up only 61% of the population and the number of immigrants had risen to more than 35%. The existence of a Russian minority is due to the fact that there were a lot of Russians working in big military plants or factories that had a close connection with Russia.

From 1945 to 1950, over 240,000 people immigrated from Soviet republics to Estonia. Between 1961-70, a second wave of 95,000 immigrants arrived in the country. Non-Russians, discouraged from learning about their culture, melted into the Russian-speaking population. Their children were

sent to Russian schools, their work was conducted in Russian and the only permitted news source was Moscow. On the other hand, ethnic Russians enjoyed the existence of Russian schools, Russian churches, Russian parties, Russian newspapers and Russian cities.

Since the beginning of the independence movement there has been a visible shift in the national identities of Estonians and of the ethnic Russians. Estonians quickly defined themselves as a European nation, independent of Russia, politically and culturally connected with West. According to the sociological data collected in May 1990, an absolute majority of Estonians (96%) supported the idea of an independent Estonia while only 26% of Russians supported the same idea. Most Estonian Russians accepted in principle the idea of renewed socialism while most Estonians saw no future in a socialist economic system in any form. The position of Russians living in Estonia was different from those living in other countries because Estonia recognized the great opportunity for separation from the former Soviet Union so quickly. More than 100,000 former Soviet immigrants returned to their homeland immediately after independence.

Another problem arose from the difference between the Russian and Estonian languages. These same language barriers still exist today. The Law on Language adopted by the Estonian Parliament in 1989 (revised edition in 1995) was drafted to change this situation. Knowledge of Estonian, as the state language, was declared to be a professional requirement for a number of jobs. It was also necessary for gaining citizenship. This fact caused problems for many Russian people. The Estonian governments' concept was that knowledge of Estonian is the most significant factor to help create a special diaspora identity instead of the former Soviet identity. Approximately 80% of Russians living in Estonia have accepted this idea.

SECTION B

Where does one observe language to be a problem in the country?

LANGUAGE

The situation in Estonia is very similar to that in Latvia. The Law on Language was adopted on February 21, 1995 and came into force on April 1, 1995. The first article says that Estonian shall be the state language. Any other language besides Estonian shall be considered a foreign language (Article 2), even the language of the historic Estonian national minority's. The precise wording of Articles 8 and 10 is interesting: "in oral communication with employees of State Institutions and Local Governments persons who have no command of the Estonian language may, by mutual agreement, use instead a foreign language mastered by the employees" and "every person shall have the right to receive replies from State Institutions and from Local Governments as well as from the officials thereof in the

language of a national minority alongside the Estonian language, where at least half of the permanent residents in a local government unit belong to a national minority". Therefore it is permissible to use a language other than Estonian in certain cases, which is impossible in Latvia.

CITIZENSHIP

The first Law on Citizenship came into force in 1992. From 1992 to May 1995, more than 184,000 persons obtained Estonian citizenship, with 48,500 coming through naturalization. Requirements for gaining citizenship were liberal in comparison with other countries; 5 years minimum residence, elementary knowledge of the Estonian language and Estonian history, and loyalty to the republic. These requirements were tightened in the 1995 Citizenship Law. According to this law children had a right to acquire citizenship by their parents' application, if their parents were already naturalized or applying for citizenship together with their children. On December 9, 1997, the Estonian government adopted a draft amendment to the Citizenship Law that allows children born after February 26, 1992 to legally stateless parents, to become citizens upon their parents' application. Parliament had however postponed the adoption of these amendments. This law was finally adopted in 1999.

At the beginning of 1999, there were 503,000 non-Estonians (35% of the population) in Estonia. 144,000 were Estonian citizens, more than 88,000 were Russian citizens, 13,000 were citizens of other countries. For the remaining 250,000 people there are different terms such as alien, person with no determined citizenship, or stateless person.

NATURALIZATION

Knowledge of the Estonian language is the main precondition for naturalization. The government simplified the language test for applicants for Estonian citizenship in 1998 by omitting 10% of the most difficult questions. Success rates became high, around 90%. Still, according to the surveys, 50%-70% of stateless adults are not, in their opinion, able to fulfill the language requirements.

On the other hand, 50%-60% of ethnic Russian citizens wish to become Estonian citizens (if the conditions were less strict) and they want their children to be citizens of Estonia as well. The citizenship policy in Estonia would have presumed the existence of a massive language learning program and its financing. Due to the fact that such a program does not have expected state support, the language requirements can slow down the process of naturalization.

INTEGRATION RATHER THAN ASSIMILATION

In Estonia, the talk is mainly about integration not assimilation. A change to more liberal attitudes is inevitable in both communities. Non-Estonians

realized that to link their future with Estonia, they have to look for ways to participate in Estonian society. Their children should be educated in Estonian schools and kindergartens. Non-Estonian should not be evaluated as a problem but as a potential for development and a participant in the reconstruction of Estonia. Estonian language learning should be motivated through a wide variety of social needs and programs.

To what extent are minority groups in this country disadvantaged by their language?

In the recent history of Estonia, since March 30, 1990 when the country declared sovereignty and established its independence, many events occurred to the disadvantage of the Russian minority. In September 1992 Russians and some Western groups criticized the Presidential elections in Estonia since over 40% of the population was unable to vote. The Estonian government reduced funding for retransmission of Russian-language channels out of Moscow from three channels to one in 1993. In the same year the Estonian government adopted a new election law for municipalities that denied Russian-speaking residents of Estonia the "right" to be elected to local government. Narva and Sillamae, predominantly ethnic-Russian towns, took part in a referendum on whether to declare the towns autonomous regions within Estonia. Well over 90% of those voting supported autonomy within Estonia. The Estonian government has declared the referendum illegal.

Sergei Ivanov, an ethnic Russian member of the Estonian Parliament, characterized the position of Russians with the words: "Russians are de-facto excluded from law-making in Estonia". Comprising about 1/3 of the population, they have only six representatives in Parliament. According to a sociological survey in 1997, 15% of the non-Estonian respondents have lost their job due to not knowing Estonian, 17% have been in danger of losing their job and 15% have been rejected in applying for a job.

What does it cost in terms of money, time and government resources to police the country's language restrictions?

Before the independence movement, Estonians were forced to speak Russian with doctors, police officers, service personnel, etc. The process of "Russification" was strong. The situation changed after the "singing revolution" in the summer of 1988 when Estonians became the main power in society. New laws were adopted (on Citizenship, on Language, on Cultural Autonomy for Ethnic Minorities) and cultural societies were created. Since 1990 these have received the sum of 1.2 million EEK as financial support from the Government. Estonian Radio and Television broadcast various Russian-language programs. Estonian Radio also broadcasts in Armenian, Yiddish, Finnish, Ukrainian, Belarusian and other languages.

The Estonian government provided 10 hours of state-paid “language consultations” to assist citizens preparing to take the language test. This was far from enough to ensure a reasonable chance at a passing grade in the language part of the naturalization test. In 1997 the government allocated 6 million Estonian kroon to the Integration Foundation for the program’s implementation.

Since 1993 consultations for citizenship applicants in matters concerning the Estonian language have been financed from the state budget.

In 1993 the President of the Republic formed an advisory body, the President’s Round Table, for the representation of ethnic minorities and persons without citizenship.

In 1996 the Estonian Language Strategy Center was formed both for the development of the language training strategy and for the co-ordination of different language projects. In February 1997 a working group composed of experts was formed for the development of a language strategy.

On July 16, 1997, the Government formed a 17-member Expert Committee for the Examination of Demography and the Integration of Ethnic Minorities into Estonian society. The main task of the committee became the development of the foundations of the state integration policy.

On April 21, 1998 the Government approved the Language training strategy for the non-Estonian-speaking population, which determined the main directions and objectives in the teaching of the Estonian language to non-Estonians during the coming decade.

On August 27, 1998 representatives of the Government of Finland, Sweden, Denmark, Norway and the United Nations Development Program signed an agreement for the launching of the project “Support for the state project for the integration of non-Estonians into Estonian society”. The total volume of the project was 1.34 million US dollars and its duration 2.5 years.

The Government allocated 5.7 million EEK from the 1999 state budget for activities promoting integration.

The use of language in everyday life e.g. education, broadcasting and other

EDUCATION

Up until 1940, the educational needs of minority groups were fully taken into account and the majority of children received tutoring in their native language. Estonian was a compulsory subject, taught as the first foreign language. The situation changed after the Soviet occupation when Russian language served as an instrument for the communist ideology. Russian children received education in Russian-language schools orientated to monolingualism. Estonian children were educated in Estonian. Those two

languages were the only languages of education. For children from other minority groups an assimilation program was introduced.

After independence the situation of the Russian-speaking community changed radically. Russian lost its previous importance and the community had difficulty accepting and adapting. It was necessary to implement several changes in the school system at Russian schools. The introduction of an Estonian curriculum, to replace the Russian textbooks with Estonian ones and the training of teachers was necessary.

Estonia has also adopted legislation requiring all secondary schools to teach primarily in Estonian by the year 2000 (the deadline has been postponed until 2007). The Education Act was amended in November 1997 to establish a new "state language teacher" post. These posts are to be filled by highly qualified teachers experienced in teaching Estonian as a second language. In June 1998 the first 18 teachers out of a total of 50 were appointed. Progress should continue in this area.

Native-language education is possible at the Swedish Secondary School in Pürksi and at the Jewish Secondary School in Tallinn as well as at numerous Sunday Schools. The Noarootsi Swedish and Russian Private Grammar Schools in Tallinn are being re-established. In 1995 there were 126 Russian-language government-financed schools documented in Estonia, the majority of which are now closed.

In 1998 Russian was widely used in the courts and at the administrative level in those areas where Russian speakers represented a majority of the local population. However, non-citizens were still subject to some restrictions such as the right to sit on the boards of state-owned companies, to belong to a political party and to be employed in certain areas of public administration.

Did the country ratify any international treaty dealing with the protection of minorities?

European Charter for Regional and Minority Languages (November 5, 1992)

Framework Convention for the Protection of National Minorities signed on February 1, 1995, enacted on February 1, 1998.

European Convention on Nationality (November 6, 1997 Strasbourg)

What else can be found about languages and minorities?

During the oral portion of the naturalization test a conversational knowledge of Estonian must be demonstrated, but examiners have a right to ask questions that go beyond just the language requirement. One Russian speaker told a Forced Migration Project researcher that when he took the test he was asked how to get from Tallinn to the coastal city of Pärnu. Although he claimed that he answered the question in more or less

grammatically correct Estonian, he was told that his answer was factually wrong. He did not pass the test, however there was no way to verify independently the reason for his failing grade.

Accusation of discrimination and human rights abuse against Russians in Estonia were common in the Russian press. However, a survey done in December 1994, reported that 83% of those questioned denied the existence of ethnic discrimination. An estimated 35% of the respondents had already obtained Estonian citizenship and 58% had started application procedures, while only 2% wished to leave Estonia and 4% wanted Russian citizenship.

Article 6 stating that the official language of Estonia shall be Estonian can be amended only by referendum because it belongs to the Chapter 1 of the Constitution. To introduce another or additional official language, Article 6 has to be amended. To initiate such an amendment, the approval of at least one fifth of the members of the Riigikogu (Parliament) is necessary. If all non-citizens obtain Estonian citizenship, then they will constitute 25%-30% of the voters. The whole problem about citizenship is not about the second official language or changes in Estonian political system but about the access of non-Estonians to legislative power. (Integration and Language, Priit Jarve, European Center for Minority Issues, Flensburg, Germany).

Conclusion

The real breaking down of barriers and development of tolerance in society can take place only in a situation in which all parties feel confident and safe. For Estonians this means guarantees of the preservation and development of "Estonianness". For non-Estonians this means the certainty that the Estonian State's policy is not oriented towards their expulsion or assimilation, also permitting linguistic and cultural diversity alongside the Estonian-language public sphere. Since the model of two separate societies objectively increases both sides' uncertainty, there is no alternative to integration.

SECTION C

Legislation dealing with the use of languages

Updated (April 2001)

The *Riigikogu* (Parliament) passed a set of amendments to the educational system concerning languages in schools. Although teaching in minority languages remains an option for primary schools all secondary schools must use the Estonian language by the 2007/2008 academic year and 60% of a school's curriculum must be in Estonian.

Updated (November 2001)

On November 21 the Estonian Parliament (*Riigikogu*), with 55 votes against 21, finally amended the Laws on National and Local Elections. The amendments reside in removing the language requirements for the candidates running for political office. The international institutions such as the OSCE or the Council of Europe criticized both laws because one had to sign a paper saying that he/she is able to understand, communicate and write in Estonian when he/she wanted to be a member of the local or national government. This is clearly against Article 25 of the United Nations Covenant on Political and Civil Rights as well as the Council of Europe's Framework Convention for the Protection of National Minorities where is clearly stated that every citizen shall have the right and the opportunity to vote and to be elected without distinction of sex, color, religion or language.

There was a big discussion about these laws in Estonia because the language question is a very sensitive one. Some people supported the change; however, others feared that the Russians would immediately storm into politics.

Updated (May 2002)

On February 9, 1999 the Parliament adopted amendment (RT I 1999, 16, 275) that substituted previous 6 levels of the State language proficiency with a three-level-system. Additionally, language proficiency certificates received in the framework of the previous system were declared to be invalid since July 1, 2002. That means that the majority of non-Estonian population (those who have not received education in Estonian language) is subject to a second large-scale examination campaign during the last decade.

On June 14, 2000 the Estonian Law on Language was supplied with the provision that the establishment of professional language proficiency requirements should be justified and proportional. The related provisions of the Law were also worded differently. According to the Article 2, the justified public interests are: social safety; public order; public administration;

protection of public health; health care; protection of consumer rights and workplace safety.

LEVELS OF LANGUAGE PROFICIENCY

According to the Law on Language (Section 5 Art.5), the lowest level is limited oral and elementary written proficiency in Estonian. The person understands clear everyday language, the general meaning of uncomplicated texts and can complete simple standard documents and write short texts. Middle level is oral proficiency and limited written proficiency in Estonian. The person can deal with various language situations, understands language at normal speed, understands the contents of texts on everyday topics without difficulty and can write texts relating to his or her area of activity. The highest level is oral and written proficiency in Estonian. The person can express himself freely irrespective of the language situation, understands speech at high speed, understands the contents of more complicated texts without difficulty and can write texts that are different in style and function.

In practice oral and written part of the test is taken on different days. The written part lasts at least 3 hours. An applicant for a middle level certificate should in 90 minutes inter alia write a letter (100 words) and an essay (160 words) and make a grammar exercise (Daily "Molodez Estonii", May 10, 2001).

Linguistic requirements for state sector and public law institutions (such as state and municipal schools) are stipulated in the Regulation of the Government of August 16, 1999, No.249. Thus for ordinary teachers (including those in Russian basic schools and high schools) the second level is demanded. The new governmental regulation regarding language proficiency requirements in private sector was approved on May 16, 2001 (RT I 2001, 48, 269). It includes the list of jobs where knowledge of the state language is required. The lowest level is required for drivers of means of public transport, for those who take care of other people (e.g. orderly) and for employees involved in sale of goods and services. However, if goods and services are dangerous for one's life or health, social safety and environment, a person should demonstrate a middle level certificate. The middle level is claimed for management, teaching staff and employees in private educational institutions. The highest level is necessary for captains of ships and planes.

According to the experts from the Legal Information Center for Human Rights:

1. The definition of "public interests" in Estonia includes some unjustified components which could not be found in any international documents that protect freedom of expression.

2. Factual requirements for applicants at proficiency level exams (especially for middle and highest levels) are not reasonable.
3. Linguistic requirements are not balanced. The interests and needs of minorities are neglected even in the territories where they are present in big numbers.
4. "Protection of consumers" could not justify any State interference into private sector. Requirements established for almost everybody dealing with sale of goods and services are not in conventional public interests. It is worth emphasizing that in Estonia linguistic requirements are too often used as a mean of unfair competition.
5. Linguistic requirements for all doctors (the highest level) and medical auxiliary staff (middle level) even in private sector ignore the factual bilingualism in Estonia where Russian is a mother tongue for 1/3 of the population.
6. Linguistic requirements to some professions do not consider actual working conditions. E.g. captains of aircrafts (the highest level required) use predominantly English, not Estonian.
7. Linguistic requirements to private educational institutions' management and teaching staff (middle level) are not justified and can cause abolishment of private Russian education in Estonia.

Source: Vadim Poleshchuk, Legal Information Center for Human Rights, vadim@lichr.ee, <http://racoon.riga.lv/minelres/archive//06022001-09:49:11-7751.html>

PROPOSAL REJECTED

On May 8, 2002 the Parliament by a vote of 40 to 3 rejected the proposal of the United People's Party not to require a language test to gain citizenship for pension-age persons who were born in Estonia or lived in the country for at least ten years. The proposal would also have given citizenship to persons who served in foreign armed forces and are married to an Estonian citizen.

Updated (July 2002)

The most recent amendments to the Law on Language establish restrictions on non-Estonian speakers in the sphere of private employment. The reduction of the Russian language education by 2007 also remains distinctly threatening to Russian speakers.

Amendments of laws governing deportation from June 2001 appear to exert increased pressure on 30,000 – 80,000 "illegal aliens," mostly Russian speakers who are not in a position to regularize their status in the country. No significant reduction in the numbers of non-citizens is expected in the near future.

Meanwhile, a dispensation allowing certain non-citizens to vote in local elections does not address the discriminatory language requirements prohibiting candidates from standing if they cannot demonstrate a sufficient knowledge of Estonian.

THE LAW ON CITIZENSHIP

The Law on Citizenship, which entered into force in 1995, required aspirant citizens to demonstrate knowledge of the Constitution and of the Law on Citizenship itself, in addition to the existing requirements of residency and proficiency in Estonian. This appears to contribute to an immediate slowdown in the pace of naturalization, from 22,773 in 1995/96 to 8,124 in 1996/97. In the period 1992/2000, about 114,000 persons were naturalized altogether.

THE LAW ON CULTURAL AUTONOMY OF NATIONAL MINORITIES

The 1993 Law on Cultural Autonomy of National Minorities allows persons belonging to a recognized national minority to establish cultural self-governments; to promote their constitutional rights in the field of culture; and to establish minority cultural and educational institutions. German, Swedish, Jewish or Russian cultural self-governments may be formed, and other ethnic groups having more than 3,000 members may also apply. Aliens residing in Estonia can participate in the activities of these institutions but may not take part in elections of leaders or stand for election themselves. However, the law specifies no positive commitment of the state to fund, even partially, these institutions.

THE LAW ON LANGUAGE

- In many urban areas of Estonia, Russian-speakers constitute a majority of residents, and thus the right to speak Russian in dealings with public and municipal authorities is especially significant. Official communication in Russian is generally tolerated in Estonia, although the right to use minority languages as internal languages in local self-governments has never been officially approved.

Estonian legislation allows "persons not proficient in Estonian" to communicate orally with state authorities in a language both understand. In those localities in which at least 50 percent of permanent residents belong to a certain national minority, members of that minority are constitutionally guaranteed the right to receive responses from officials in the minority language. The Law on Language extends this right to all permanent residents of Estonia. However, neither the Constitution nor the Law on Language stipulates the right of minority individuals to address state agencies or local governments in minority languages.

A minority language may be used alongside Estonian as the internal working language “in local governments where the majority of permanent residents are non-Estonian speakers.” Implementation requires a formal proposal by the local government approved by the central government. Although a number of local governments made such requests, an approval has never been granted. However, the central government rejected twice an appeal by the city council of Sillamäe (95 percent Russian speakers) to use Russian officially as an internal working language.

Nevertheless, in practice Russian is widely used in communications with public administration officials in areas where large numbers of Russian speakers live.

- The Law on Language requires use of the Estonian language in consumer information and in all official reporting of agencies, companies, non-profit associations and foundations registered in Estonia. Implementation of the Law has resulted in a lack of consumer information in the Russian language.

Geographical place names must be written in Estonian, using Estonian-Latin letters. Likewise, for official purposes, the names of Estonian citizens must be written using the Estonian-Latin alphabet. In practice, Russian-speaking Estonian citizens cannot use the patronymic form as part of the official name. This practice contravenes Estonia’s obligations under the FCNM.

Public signs, signposts, announcements, notices and advertisements must all be only in Estonian. This article has been interpreted to extend even to the posting of electoral advertisements. Even in the regions where Russian-speakers comprise the majority, it is illegal to post public notices, signs and advertisements in Russian what causes a serious disadvantage for the local non-Estonian population (particularly elderly Russian-speakers, who in general are not fluent in Estonian).

Adherence to the above regulations is monitored by a National Language Inspectorate, under the Ministry of Education. Between 1997/2000, the Inspectorate conducted 6,861 spot-checks (2,667 in 2000 alone) and recognized 4,030 violations of the Law on Language (1,498 in 2000).

- During criminal investigation and criminal, administrative and civil trials, the status of minority languages is equal to the status of all other foreign languages. They can be used if other officials or participating parties understand it or with the assistance of an interpreter. All official documents in the process should be translated into Estonian.

- There are no special provisions assuring Russian-language media. On the contrary, the Law on Language restricts television broadcasting in “foreign languages” stating that “the volume of the foreign language news programs and live foreign language programs without translation into Estonian shall not exceed 10 percent of the volume of weekly original production.”

Furthermore, even when broadcasting in languages other than Estonian is permitted, all such broadcasting, including transmission by private TV stations and cable networks, must be accompanied by an adequate translation into Estonian.

THE LAW ON BASIC AND SECONDARY SCHOOLS

The 1997 Law on Basic and Secondary Schools established that all secondary schools will become “Estonian language institutions,” and that the “transition to instructions in Estonian shall start in state and municipal upper secondary schools not later than in the academic year 2007/2008.”¹ Concerns raised by international and other monitors have modified the severity of this provision. An amendment of April 2000, allowed for schools where 60 percent of the curriculum is taught in the Estonian language to be considered “Estonian language institutions.” Thus in practice, from 2007 all secondary schools will be Estonian language institutions, but some may still offer up to 40 percent instruction in other languages.

THE LAW ON BASIC SCHOOLS AND GYMNASIUM

Russian language teaching in basic schools is based on the approval from the school board of trustees to the local self-government (in the case of municipal schools) or the central government (for state schools). In private educational institutions of any level, any language of instruction may be used as long as Estonian language training is ensured.

THE LAW ON PRE-SCHOOL INSTITUTIONS

The Law on Pre-school Institutions from 1999, Article 8 specifies that:

(1) Educational and pedagogical work in these institutions is in the Estonian language. Following the decision of the local self-government council, educational and pedagogical work in the institution or in its group can be in other languages.

(2) The local self-government ensures to every Estonian-speaking child the opportunity to attend a children’s institution, which works in the Estonian language or the group where educational and pedagogical work is in the Estonian language.

¹ Law on Primary Schools and Secondary Schools, Article 52.2., Amendment to the Law on Basic School and Gymnasium, RT I 1997, 69, 1111.

(3) Educational and pedagogical work of a group in the children's institution should be in the same language...

By the law, a special Estonian-language group must be established to cater for a single Estonian-speaking child, even in regions and towns where the Russian-speaking population is dominant. No guarantees of minority-language classes exist for the Russian-speaking population or other minorities. Bilingual pre-school groups are prohibited.

THE LAW ON UNIVERSITY

According to this law, Estonian is the language of instruction in state universities and university boards can decide on the supplementary use of other languages. The use of Estonian is also guaranteed in state applied higher educational institutions, where exceptions are permitted only by a decision of the Minister of Education.² In 1999, a total of 40,621 students attended universities, 11 percent of whom studied in the Russian language.

In practice, Russian has diminished from public universities and state institutions of higher education so it is likely that by the year 2007, there will be no Russian language groups in state higher education institutions.

THE LAW OF THE REPUBLIC OF ESTONIA ON EMPLOYMENT CONTRACTS

A general prohibition of discrimination in employment is set forth in the Law of the Republic of Estonia on Employment Contracts, 1992. Article 10 states: "It is illegal to allow or give preferences, or to restrict rights on the grounds of sex, nationality, color, race, native language, social origin, social status, previous activities, religion, political or other opinion, or attitude towards the duty to serve in the armed forces of employees or employers."

For the period 1999/2000 the Labor Inspectorate recorded no violations related to minority rights or discrimination on the basis of race, color, descent, national or ethnic origin, and not a single such claim was reviewed by the Commission on Labor Disputes. However, Russian-speakers claim that the imposition of language requirements has restricted their access to public and private employment.

The 1989 Law on Language established professional language requirements, later re-confirmed in the 1995 Law on Language. The Law permitted the imposition of linguistic requirements upon employees and/or entrepreneurs in the private sector under certain conditions.

On May 16, 2001, the Estonian government issued new regulations specifying language proficiency requirements for professions within the private sector. (see Update May 2002)

² Law on Applied Higher Education Institution, Article 17, RT I 1998, 61, 980.

Source: Minority Protection in Estonia, Open Society Institute 2001, http://www.eumap.org/reports/content/10/233/minority_estonia.pdf, EUMAP (The EU Accession Monitoring Program Report on Minority Protection), <http://www.eumap.org/reports/content/10>

Updated (October 2002)

ESTONIA EXTENDS VALIDITY OF LANGUAGE CERTIFICATES

The validity of existing language proficiency certificates issued to non-citizens should end on July 1, 2002; however, the Parliament extended it by a vote of 35 to 23 until January 1, 2004.

The mostly Russian-speaking Estonian United People's Party submitted alternative bills that would have made the certificates permanent or they would have been automatically replaced with certificates of a new type. The Pro Patria Union, arguing that many certificates had been forged or issued unlawfully, actively opposed these bills. The Union pointed out that the certificates can be easily falsified and that it is not possible to identify a holder of a certificate, as there is no register of the certificates issued.

Knowing that the National Examination Center would not be able to test all the people who need to renew their certificates by July 1, 2002 the ruling coalition of the center and reform parties suggested an 18-month extension.

Source: Minelres Archive, <http://lists.delfi.lv/pipermail/minelres/>, RFE/RL NEWSLINE Vol. 6, No. 106, Part II, June 7, 2002

Updated (October 2002)

ESTONIA TOUGHENS IMMIGRATION LEGISLATION

On July 12, 2002 the Estonian Parliament adopted the amendments to the Law on Aliens. The law came into force on October 1, 2002.

The amendments touch upon a question of family reunification in the territory of Estonia and focus mainly on the issue of granting temporary residence permits for a settlement with spouses or close relatives already residing in Estonia. At the same time, the amendments establish the basis for officials' arbitrary decision-making in this field.

After the amended Law on Aliens came into force a "reasonable application" started to be used as a tool to prevent arrival of undesirable immigrants. This "reasonability" became a requirement for either granting a temporary residence permit or for its refusal.

The new provisions of the law did not elaborate the notion "groundlessness," but specified differential treatment of host persons based on their citizenship status. A presumption of "groundlessness of the application" will be used towards Estonian non-citizens inviting persons to

Estonia. Pursuant to those new provisions, a residence permit shall not be issued to an applicant, if he/she does not prove that their family lacks a possibility to settle in the country of residence (citizenship) of an applicant or in the country of citizenship of both spouses. Spouses of Estonian citizens are not covered in such a presumption.

The restriction of Estonian non-citizens' rights realizes also in narrowing the circle of persons, who have the right to apply for a temporary residence permit. A host non-citizen should hold a permanent residence permit and should reside in Estonia at least for 5 years. The same rule applies to an applicant, who intends to settle with a close relative. Thus, aliens who stay in Estonia on the basis of temporary residence permits are deprived of the right to family reunification in the territory of Estonia after October 1, 2002.

The amendments have also complicated general procedure for family reunion. They introduced the requirements of residence registration and of living premises. An immigrant is obliged to have a medical insurance that should be valid during the whole period of a temporary residence permit.

Generally, the principle of "primary consideration of a child's interest" is applicable in cases of issuing a residence permit to minors. However, this principle is hardly respected in the amendments. The consideration of interests of a child is understood as the right to refuse resettlement to Estonia if it "injures child's rights and interests and can worsen his/her legal, economic or social status." Such understanding presupposes that a refusal to grant a residence permit to a child may become the rule rather than the exception. The amendments foresee that the right of reunification can be limited strictly in compliance with interests of the child. However, from the child's interests' perspective, it is disputable whether narrowing of a child's legal status can always be regarded as more important than family reunification and should consequently be a reason to refuse a resident permit to such child. Hence the state institutions may limit the right of family reunification under the pretext of child's protection.

Source: Minelres Archive, <http://lists.delfi.lv/pipermail/minelres/>, Vladimir Vasjura, Volunteer of the Legal Information Center for Human Rights, (centre@lichr.ee)

Background notes

Updated (May 2002)

ESTONIANS

In a region traditionally referred to as Aiboland in the northwest of Estonia, Swedish has a many hundred years old tradition as the spoken language. By the end of the 17th century the Estonian Swedes made up 20 percent of the Estonian population.

It is thought that the Swedish settlers came to Estonia around 1100 via Nyland, which is a traditionally Swedish-speaking province in the south of Finland. The resemblance between place names in Nyland and Aiboland verifies this hypothesis.

Before World War II Aiboland consisted of some small separated areas, mostly islands. The strongest Swedish-speaking community was probably in Ormsö (Vormsi in Estonian), a large island west of the Estonian coast. Other smaller Swedish-speaking islands included Odenholm, Rågöarna, Nargö and Runö. On the Estonian mainland the Swedes formed the majority in the areas of Nuckö and Rickul. The center for Estonian Swedes was the town Hapsal (Haapsalu) but a number of Estonian Swedes also lived in Tallinn.

After World War II most Swedish Estonians re-settled to Sweden; just a few hundred remained in Estonia.

All Swedish dialects in Estonia were decidedly more archaic than those in Sweden (the Runö (Ruhnu) dialect was the most archaic dialect). Unfortunately the evacuation to Sweden killed most of them, as the Swedish Estonians in Sweden adopted standard Swedish.

The last decade has seen a remarkable resurgence of the interest in Estonia's Swedish heritage. Many young Estonians study Swedish at school and some even spend a year in Sweden to make their knowledge perfect. Currently there are some schools in which Swedish is the first foreign language. One of these is Nuckö Gymnasium (upper secondary school), situated in the old Swedish heartland; another is Gustav Adolfs Gymnasium in Tallinn. There is also a number of schools in which Swedish is taught as a second or third language.

According to the last census (in 2000) 300 people considered themselves to be Estonian Swedes. Estimates show that 40-50 of these are native Swedish speakers, born before the war.

In fact, Swedish seems to be a highly popular subject among Estonians and many Swedes as well as Finland-Swedes are amazed at the level of language proficiency of Estonians speaking Swedish. The Estonians are very eager to study Swedish so the number applying outnumbers places available. Swedish can be studied at university level at the Pedagogical University of Tallinn or at the University of Tartu. The latter is Estonia's oldest and the most prestigious university and in fact it was founded by the Swedish king Gustav Adolf in 1632 when Estonia for a brief period belonged to Sweden. This period has ever since been known as "the golden age of Estonia."

Source: Eurolang News, <http://www.eurolang.net/>

Where does one observe language to be a problem in the country?

Updated (July 2002)

CITIZENSHIP

Estonian society still remains divided along lines of ethnicity and legal status. As of January 1, 2000, ethnic non-Estonians comprised just over a third of the total Estonian population. Full 28 percent of Estonian inhabitants are ethnic Russians. Around 21 percent of the Estonian population still lack citizenship (mainly Russian-speaking minority). Today roughly 275,000 individuals, including an estimated 62 percent of the minority population, are without Estonian citizenship. Some of these persons are citizens of another country, while some 175,000 (including 43 percent of Estonia's minorities) are stateless.

The slow pace does not result from reticence of non-citizens to regularize their status. According to a 1996 survey, a mere 7 percent of stateless persons (and 30 percent of those with Russian citizenship) expressed disinterest in applying. However, doubts among non-citizens about their Estonian language skills are an impeding factor. According to surveys, "50 – 70 percent of stateless adults are not, in their opinion, able to fulfill the language requirements."

Source: Minority Protection in Estonia, Open Society Institute 2001, http://www.eumap.org/reports/content/10/233/minority_estonia.pdf, EUMAP (The EU Accession Monitoring Program Report on Minority Protection), <http://www.eumap.org/reports/content/10>

Updated (November 2002)

Although the Minister for Foreign Affairs Kristiina Ojuland answered the question how she would describe the language policy of Estonia regarding the Russian minority with the words that the official language in the country is Estonian, the reality looks different. According to the latest progress report of the European Commission (October 2002) the Language Law states that employees are required to have a minimum level of Estonian-language ability, proportionate to the public interest of the post. But many employees in the public but also in the private sector are not able to meet these criteria. A Language Inspectorate, responsible for the enforcement of the language legislation, found out that for example some police officers in the Tallinn area have almost no knowledge of Estonian. The situation is similar for a number of prison officers.

Furthermore, the Commission's report estimates that 10 to 12 municipalities still use Russian as their working language. According to the Estonian law it is possible for municipalities to make a request to use Russian as their administrative language in parallel with Estonian if more than 50 percent of the local population are Russian-speakers. So far this option has not been used.

The Minister evaluated positively that Estonia has managed to deal with this sensitive and complex issue in a peaceful way.

Source: Eurolang News, Brussels, October 24, 2002, by Margret Oberhofer, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3893>

Updated (February 2003)

RUSSIAN UNIVERSITY EDUCATION IN ESTONIA UNDER ATTACK

Sixteen branches of universities from Russia are currently guaranteeing higher education for the Russian-speaking population in Estonia. This fact; however, is sharply criticized by Gunnar Vaht, a head of the Bureau for Recognition of Foreign Diplomas within the Ministry of Education.

To establish a branch of a foreign university is prohibited by Estonian legislation; however, registering them as “consulting centers” can easily dodge this. Moreover, according to Mr Vaht, young people will receive bad education and invalid diplomas there.

The reason for existence of these schools is obvious. Russian-speaking youngsters cannot get education in Estonian state universities because they do not have a proper command of the Estonian language. They either study in these private Russian universities or leave Estonia to study abroad (mainly in Russia).

The Russian Academician Society of Estonia signed an appeal pointing out that now thousands of graduates of Russian schools from all parts of Estonia study in these universities, at their own expense. They want to receive higher education in their mother tongue. These people are an important intellectual resource for Estonia. An average fee for a one-year course at the Russian branches is about EEK 10,000 (€645), in comparison to EEK 15-24,000 (€1,000–1,500) at public universities.

The Accreditation Center for Higher Education recommended to the Ministry of Education to close these branches. This proposal was approved by the parliamentary fraction of the right-wing Pro Patria party. But the opposition believes that the repressive style in this case is not appropriate, and that the Ministry of Education has to prepare, in a close cooperation with the rectors of Russian-language universities, a state program for non-Estonian higher education. The problem could be resolved if Russian-speaking young people had other opportunities for getting higher education in Estonia.

Source: Eurolang News, Tallinn, February 19, 2003, by Alexander Shegedin, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4102>

To what extent are minority groups in this country disadvantaged by their language?

Updated (July 2002)

EDUCATION

Publicly funded education in the Russian language is currently available from kinder-garden through secondary school, as well as in vocational schools. However, the liberal access to minority education enjoyed by Russian-speakers heretofore is set to diminish beginning in 2007. Legal provisions have been introduced that may reduce the number of Russian language educational institutions in Estonia.

The transition to a new curriculum began in Russian-language schools in autumn 1998 with the introduction of new textbooks, a large number of which were translated or adapted from Estonian. The quality of new textbooks is reportedly low; some contain a number of mistakes, misprints and inaccurate translation of terms. The use of textbooks printed in the Russian Federation is not welcomed and is unofficially prohibited.

More than three-fourths of Russian-speakers polled in a recent survey advocated preserving Russian-language secondary education or allowing teaching in both languages.

POLITICAL PARTICIPATION

Only citizens enjoy full access to political participation in Estonia, however, this means that 62 percent of persons belonging to minority groups (some 22 percent of the total population) are deprived of effective political access at the national level. Non-citizens who are residents of Estonia for five years can vote, but not run for an office in local elections.

There are no restrictions to prevent citizens of Russian origin from establishing or participating in political parties.

Source: Minority Protection in Estonia, Open Society Institute 2001, http://www.eumap.org/reports/content/10/233/minority_estonia.pdf, EUMAP (The EU Accession Monitoring Program Report on Minority Protection), <http://www.eumap.org/reports/content/10>

What does it cost in terms of money, time and government resources to police the country's language restrictions?

Updated (May 2002)

Population Minister Eldar Efendiyev stated on May 6, 2002 that the total cost of a three-year foreign aid program to promote multiculturalism in Estonia is 33.4 million kroons (\$4 million). The Estonian state budget will allocate 16.2 million kroons for the program, which is directed at young

people and supports learning of Estonian through language immersion at pre-school and elementary school levels.

Source: RFE/RL, Baltic States Report,
<http://www.rferl.org/balticreport/2002/05/16-160502.html>

Updated (July 2002)

INTEGRATION

“Integration” is the guiding principle ruling Estonian state policy towards minorities. On March 14, 2000, the government adopted a program entitled “Integration to Estonian Society 2000/2007.” The Integration Program regards the teaching of Estonian, both in schools and to adults, as a priority. To date two of four sub-programs (planning and financing) dealing with the Estonian language teaching have received considerably more attention. EEK 49.1 million from Phare program designed to support the Integration Program likewise focused specifically on Estonian language education. Other sub-programs, devoted to social competence and the education and culture of ethnic minorities, have received less attention.

THE MINISTER OF POPULATION AFFAIRS

On 6 April 1999, the then government coalition established the position of the Minister of Population Affairs (officially the “Minister without portfolio”). The Minister reports directly to the Prime Minister and coordinates government population policy; implementation of integration policies; naturalization and citizenship issues; issues related to the national census (in collaboration with the population census and statistics committees); and the refugee affairs. Ethnic and minority issues constitute the principal sphere of activity for the Minister’s Office. A local branch office was also established in the Northeast Estonia.

THE MINISTRY OF CULTURE

There has been no special department for minority issues within the Ministry of Culture since the abolition of the “special Adviser on Minorities” in 1997. More recently, the Ministry established a “working group on the problems of integration,” collecting and compiling data regarding implementation of the sub-programs of the Integration Program. The working group includes two Heads of departments and four advisers of the Ministry, but no minority members.

In the period from 1996/2000, the Estonian Ministry of Culture allocated approximately EEK 7,650,000 to support the cultural activities of minority organizations. However, this support does not reflect the respective percentages of minority populations. In 2000, Russian organizations’ projects received 46 percent of the total distributed funds, although they represented a full 80 percent of Estonia’s minorities.

Source: Minority Protection in Estonia, Open Society Institute 2001, http://www.eumap.org/reports/content/10/233/minority_estonia.pdf, EUMAP (The EU Accession Monitoring Program Report on Minority Protection), <http://www.eumap.org/reports/content/10>

Updated (November 2002)

The majority of cultural organizations of ethnic minorities are based in the capital, representing more than 100 ethnic groups. The mayor of Tallinn, Edgar Savisaar underlined that this year, Tallinn's city administration supported 33 Russian-language cultural projects investing in total 2,266,000 Estonian Kroons (145,000 Euro). Forty other national minorities' projects were supported with the sum 1,254,000 Kroons (80,145 Euro).

One of the initiatives financed by the city is the Russian Cultural Center. There are also many other non-Russian cultural organizations situated in the Center, so there is a promise to open a new municipal cultural center in the near future.

Source: Eurolang News; Tallinn, November 15, 2002, by Alexander Shegedin, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3952>

The use of language in everyday life, education, broadcasting and other

Updated (July 2002)

MEDIA

There are no restrictions on Russian language print media or radio broadcasting. Today there are two Russian-language national dailies ("*Estonia*" and "*Molodjozh Estonii*") and two local newspapers ("*Narvskaja Gazeta*" and "*Sillamjaeski Vestnik*"); five Russian language newspapers are published weekly (four national and one local, in Narva). Additionally, two regular small newspapers are published in the cities of Pärnu and Sillamäe. Estonian State Radio airs a channel broadcasting in Russian, Belarussian, and Ukrainian (Radio 4), and there are three private radio stations broadcasting in the Russian language.

Source: Minority Protection in Estonia, Open Society Institute 2001, http://www.eumap.org/reports/content/10/233/minority_estonia.pdf, EUMAP (The EU Accession Monitoring Program Report on Minority Protection), <http://www.eumap.org/reports/content/10>

Updated (August 2002)

EDUCATION

As of September 1, 2002 public secondary schools in Estonia will grant ethnic minorities the possibility to study some subjects in their mother

tongue. According to a government decision, special groups will be formed for school children, whose language is neither Estonian nor Russian.

Mailis Rand, the Estonian Minister of Education, said that a minority language group would be formed if at least 10 applications were presented by the children's parents. She promised these groups to have at least 2 hours per week in their mother tongue.

According to Ms. Rand, an analysis of school registers shows that Ukrainian, Romany, Latvian, Spanish and Finnish language groups could be opened. At present, the majority of these children study in the Russian language schools in Tallinn and Northeast Estonia (Narva, Sillamae).

Due to some juridical details, the first minority language groups will be formed in Estonian language schools. Ms. Rand said that the Ministry of Education is working on the amendments to the Law on Secondary Schools, which will allow the introduction of education in minority languages also in Russian language schools.

The creation of minority language groups is one of the first concrete steps towards the principles outlined in the State Program of Integration (2000-2007).

According to the Estonian Department of Statistics, there are more than 120 ethnic groups living in Estonia but only 15 of them exceed 1,000 people. Approximately one third of the total population (1,5 million) are Russians, Ukrainians and Belorussians, who use Russian in everyday communication.

Source: Eurolang, www.eurolang.net, Tallinn, August 5, 2002, by Alexander Shegedin

Updated (March 2003)

ELECTORAL ADVERTISING PROVOKES OUTCRY IN ESTONIA

On March 2, 2003 parliamentary elections took place in Estonia. Despite all warnings from the Estonian Language Commission, electoral advertising posters in Russian appeared in Ida-Virumaa, the northeast Estonian region bordering with Russia.

According to the Law on Language, all street advertising must be in Estonian only or with a translation into other languages including Russian.

The Language Commission appealed to the Mayor of Kohtla-Järve (a town in Ida-Virumaa) either to remove all Russian language posters or to provide them with an Estonian translation.

Source: Eurolang News, Tallinn, February 28, 2003, by Alexander Shegedin, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4120>

What else can be found about languages and minorities?

Updated (February 2002)

According to Jüri Valge, Advisor of Language Policy at the Estonian Ministry of Education, it is usually generalized that two language groups exist in Estonia: Estonian speakers and Russian speakers. But in fact the “Russian speakers” mean several different ethnic and linguistic identities, such as Ukrainians, Belarusians, Germans, etc.

There are over 400,000 people speaking another language than Estonian in the country. In the end of last year, Estonia amended its laws on national and local elections, removing the old language requirements for candidates running for political office. This means that members of the local or national government no longer need to state their proficiency in the Estonian language. “There is also a Cultural Autonomy Law which allows language minorities to get education in their own languages. However, in practical life this law has not been implemented yet. This is partly due to the fact that for instance the Russian speakers often live in municipalities where they are in majority and they have all the service in Russian anyway. And other language minorities, such as Ukrainian or German speakers, simply do not have the experience to apply for available funding”, says Valge.

Estonia signed a scientific and educational agreement with Ukraine and Russia which will, inter alia, allow Ukrainian people to get education in their mother tongue in areas where the number of speakers is significant. Currently, there is also preparation process of a law which will allow immigrants education in their mother tongue.

Estonia ratified the Council of Europe's Framework Convention for the Protection of National Minorities in 1998, however, has not yet signed or ratified the Charter for Regional or Minority Languages.

VÕRO

The Võro language is a Finno-Ugric language and a descendant of the old South-Estonian tribal language. The Võro Institute in Võru is dedicated to the preservation and promotion of the lesser-used Võro language and culture in Estonia. Kadri Koreinik, researcher working for the institute, says that the difference between the standard Estonian language and the Võro language is comparable to the difference between Swedish and Norwegian. They are intelligible; depending on the dialects.

There are approximately 70,000 Võro language speakers. The Võro people have preserved various old traditions and beliefs and numerous Võro folk songs and folk tales have been transcribed. One of the priorities of the Institute has been the composition of a standard, written language. The first-ever Võro-Estonian dictionary with over 15,000 entries is one of the primary products of the language standardization efforts. At the moment,

the dictionary is in the print house and will be in stores in February. The development and analysis of Võro grammar has begun, and the Institute is also producing a textbook about local history. Thanks to the Institute, instruction in Võro language began in 1997 in five schools. By 2001, the number of schools offering the Võro language and culture class had risen to twenty-six, which means that nearly half of the schools in the historical 'Võromaa' have taken up teaching the Võro language and culture. Some of the problems that the Võro language faces today are funding difficulties, and a lack of people. "Pay rates do not motivate people, especially young and educated people do not stay and work here," says Koreinik.

Kadri Koreinik also speaks about another problem: peoples' attitudes. The language has a low status. It is not prestigious to speak Võro, and a lot of teachers think that they should concentrate their education on teaching English instead. However, she believes that the situation is improving: "If we compare data from 1994 and 1998, the percentage of people responding that they are frequent speakers, have increased. It is no longer just a "kitchen language."

APPENDIX A

MAP OF ESTONIA



APPENDIX B

ESTONIA - CONSTITUTION

(Adopted on June 28, 1992)

(Document Status on June 28, 1992)

Article 6

The official language of Estonia shall be Estonian.

Article 12

(1) All persons shall be equal before the law. No person may be discriminated against on the basis of nationality, race, color, gender, language, origin, religion, political or other beliefs, financial or social status, or other reasons.

Article 21

(1) Any person who is deprived of his or her liberty shall be informed promptly, in a language and manner which he or she understands, of the reason for the arrest, and of his or her rights, and shall be given the opportunity to notify his or her immediate family of the arrest...

(2) No person may be held in custody for more than 48 hours without specific permission by a court. Such a decision shall be promptly made known to the person in custody in a language and in a manner he or she understands.

Article 37

(4) All persons shall have the right to instruction in Estonian. Educational institutions established for ethnic minorities shall choose their own language of instruction.

Article 51

(1) All persons shall have the right to address state or local government authorities and their officials in Estonian, and to receive answers in Estonian.

(2) In localities where at least half of the permanent residents belong to an ethnic minority, all persons shall have the right to receive answers from state and local government authorities and their officials in the language of that ethnic minority.

Article 52

(1) The official language of state and local government authorities shall be Estonian.

(2) In localities where the language of the majority of the population is other than Estonian, local government authorities may use the language of the majority of the permanent residents of that locality for internal communication, to the extent and in accordance with procedures established by law.

(3) The use of foreign languages, including the languages of ethnic minorities, by state authorities and in court, and pre-trial proceedings shall be established by law.

Note: The complete text of the Constitution and further information on the constitutional background of Estonia are provided by the International Constitutional Law Project at the University of Wuerzburg.

LAW OF THE REPUBLIC OF ESTONIA ON LANGUAGE

(Adopted on February 21, 1995)

(Came into force on April 1, 1995)

CHAPTER 1

GENERAL PROVISIONS

Article 1 (Status of the Estonian language)

The state language of Estonia shall be the Estonian language.

The basis of the official use of the Estonian language, in the context of the present Law, shall be the standard of the Estonian written language according to the procedures determined by the Government of the Republic.

Article 2 (A foreign language)

Any other language besides the Estonian language shall be a foreign language in the context of the present Law.

The language of a national minority shall be a foreign language that Estonian citizens belonging to a national minority have historically used in Estonia as their mother tongue.

Article 3. Language of management of public business

The language of management of public business (the official language) in a state institution, a local government and in its institutions (hereinafter referred to as local government), as well as the language of service and command in the Estonian defense forces, shall be the Estonian language. Exceptions shall be determined in Chapters 2, 3 and 4 of the present Law.

Usage of languages in pre-trial proceedings and trial proceedings shall be determined in the corresponding laws.

Article 4 (The right to use the Estonian language)

Every person shall have the right to use the Estonian language as the official language in state institutions, local government, and cultural autonomy bodies as well as in institutions, enterprises and organizations.

All employees of institutions, enterprises and organizations must be guaranteed work-related information in the Estonian language.

Article 5 (Requirements for the knowledge and usage of the Estonian language)

Requirements for the knowledge and usage of the Estonian language by employees of state institutions and local governments, as well as of institutions, enterprises and organizations, in work-related dealings with the public shall be determined by the Government of the Republic.

Article 6 (Education in the Estonian language and in foreign languages)

State institutions and local governments shall guarantee the opportunity to acquire Estonian-language education according to the procedures prescribed in law in all the educational institutions belonging to them as well as the opportunity to acquire a foreign-language education according to the procedures prescribed by the law.

CHAPTER 2

THE USE OF FOREIGN LANGUAGES IN STATE INSTITUTIONS AND LOCAL GOVERNMENTS

Article 7 (Requirements established for employees regarding the knowledge and usage of the Estonian language)

In local governments where alongside with the Estonian language a language of a national minority is used as the language of internal management of public business the employees' command of the Estonian language must comply with the requirements for the knowledge and usage of the Estonian language established by the Government of the Republic.

Article 8 (Management of public business in a foreign language)

In their oral communication with employees of state institutions and local governments persons who have no command of the Estonian language may, upon a mutual agreement, use also a foreign language mastered by the employees. In case there is no mutual agreement the communication shall be conducted with the mediation of an interpreter whereas the expenses shall be borne by the person who lacks the knowledge of the Estonian language.

Article 9 (Language of foreign communication)

State institutions and local governments as well as their employees shall have the right to use in their foreign communication the language suitable for both parties.

Article 10 (Right to use the language of a national minority)

Every person shall have the right to receive replies, alongside with the Estonian language, also in the language of a national minority, from the state institutions and from the corresponding local governments as well as the officials thereof, operating in a local government unit where at least half of the permanent residents belong to a national minority.

A permanent resident of a local government unit shall be a person whose sojourn in Estonia is legal and who lives on the territory under the jurisdiction of a local government unit for at least 183 days per year, whereby his/her absence from the territory of the local government unit must not exceed 90 consecutive days.

Article 11 (Use of the language of a national minority as the language of management of public business)

Besides the Estonian language the internal official language in a local government unit where the Estonian language is not the language of a majority of the permanent residents, may, upon the proposal by the council of the relevant local government and according to the decision of the Government of the Republic, be also the language of the national minority which comprises a majority of the permanent residents of the local government unit.

Article 12 (Language of correspondence)

Correspondence of local governments, where besides the Estonian language also the language of a national minority is used as the internal official language, shall be conducted with state institutions and other local governments in the Estonian language.

Article 13 (Language for seals, rubber stamps, letterheads, advertisements, invitation and announcements)

Seals, rubber stamps and letterheads in a local government where besides the Estonian language also the language of a national minority is used as the internal official language, must be in the Estonian language.

Invitations, advertisements and announcements in the local governments specified in the first paragraph of the present Article must be in the Estonian language, to which a translation into the language of the relevant national minority may be added by the local government.

CHAPTER 3

THE USE OF THE LANGUAGE OF A NATIONAL MINORITY IN THE CULTURAL AUTONOMY BODIES OF A NATIONAL MINORITY

Article 14 (Language used by cultural autonomy bodies of a national minority)

By the cultural autonomy bodies of a national minority the language of that national minority may be used as the internal official language.

Communication by the cultural autonomy bodies both with state institutions and with local governments where the language of the national minority is not used as the internal official language shall be conducted in the Estonian language.

Article 15 (Language for seals, letterheads, advertisements, announcements and rubber stamps in cultural autonomy bodies of a national minority)

The language of the seals of the cultural autonomy bodies must be the Estonian language.

The language of the official letterheads, advertisements, announcements and rubber stamps must be the Estonian language, to which the cultural autonomy bodies may add a translation into the language of the relevant national minority.

CHAPTER 4

USE OF LANGUAGE IN OTHER FIELDS

Article 16 (The right of the consumer to Estonian-language information)

Consumers of goods and services shall have the right to Estonian-language information and service, in accordance with the Law on Consumer

Protection (Rigi Teataja Part I 1994, No 2, Art. 13; Legal Acts of Estonia 1994, No 4).

Article 17 (The language of reporting)

Reporting by institutions, enterprise and organizations which are registered in Estonia shall be conducted in the Estonian language according to the procedures prescribed by law.

Article 18 (The use of foreign languages in other fields)

The use of foreign languages for the transfer of information to the consumers of services and goods as well as in work-based communication shall be conducted according to the procedures determined by the Government of the Republic.

CHAPTER 5

NAMES, DESIGNATIONS AND INFORMATION

Article 19 (Toponymy)

Estonian place names shall be in the Estonian language. In the use of place names historically or culturally justified exception may be allowed.

Every locality in Estonia shall have only one official name. Estonian place names shall be written in the Latin-Estonian script. In a language of a national minority, which uses a different alphabet the Estonian place names shall be written according to the transcription rules established by the standard written language.

Article 20 (Writing of personal names of Estonian citizens)

The official form of the personal name of an Estonian citizen shall be written in Latin-Estonian letters. In languages using other alphabets the personal names of the Estonian citizens shall be written according to the transcription rules established by standard written language.

Article 21 (Designations of institutions, enterprises or organizations)

The designation of an Estonian institutions, enterprise or organization shall be entered into registries in the Estonian language, to which the keeper of the registry may add a translation into a foreign language, according to the determined procedures. Names included in these designations shall not be translated.

The language of the seals, rubber stamps and letterheads of institutions, enterprises or organizations registered in Estonia shall be the Estonian language. In foreign communication the institution, enterprise or

organization may add a translation of the above mentioned into a foreign language.

Article 22 (International forms of names)

The international Latin-letter form of an Estonian place name, personal name, name of an item, a designation of an enterprise, institution or organization shall be identical with the form used in Estonia.

While writing the names specified in the first paragraph of the present Article in a language that uses another alphabet the rules established by the standard written language shall be applied.

Article 23 (Language of information)

The language for public signs, signposts, advertisements, announcements and advertising shall be the Estonian language, except in the cases determined in Articles 13, 15 and 18 of the present Law and by organization of international events.

The provisions of the present Article shall not apply to the foreign missions.

Article 24 (Language of state registration signs)

The letter combinations used on state registration signs (on license plates) may contain only Latin letters.

Article 25 (Translation of the spoken text of a foreign language of an audio-visual work, or of a transmission or program, transmitted by a broadcasting organization)

While publicizing an audio-visual work a translation into the Estonian language must be added to the foreign-language spoken text.

The foreign-language spoken texts transmitted by radio or television stations, which possess a broadcasting license in Estonia must be provided with a translation into the Estonian language except for language instruction transmissions or radio transmissions and programs directed at a foreign language listener.

Article 26 (The use of the term *Riigikogu* as the name of the Estonian legislative body)

The term *Riigikogu* as the name of the Estonian legislative body shall not be translated.

In foreign languages, which use the Latin alphabet *Riigikogu*, shall be written as in the Estonian language and in languages using other alphabets the rules established by the standard written language shall be applied.

The term "Parliament" may be used instead of, or in addition to, the term *Riigikogu* as the unofficial name of the Estonian legislative body both in the Estonian language and in foreign languages.

CHAPTER 6

FINAL PROVISIONS

Article 27 (Consequences of violating the law)

Violators of the present Law and other legal acts associated with it shall bear administrative responsibility according to the procedure prescribed by law.

Article 28 (Surveillance over the observance of the law)

Surveillance over the observance of the present Law shall be maintained according to the procedure established by the Government of the Republic.

Article 29 (Amendments to legal acts)

The Estonian SSR Law on Language (ENSV *Teutaja* 1989, No 4, Art.60;

Riigi Teutaja Part I 1993, No 20, Art.352; 1994, No 49, Art.804) shall be declared null and void.

The following amendments shall be made in the Law on Local Government Organization (*Riigi Teutaja* Part I 1993, No 37, Art. 558; 1994, No 12, Art.200; No 72, Art. 1263 and No 84, Art.175):

Paragraph 8 of Article 23 shall be amended and shall read as follows:

"(8) The ordinances and decisions of the Council as well as the minutes of the sessions shall be formulated and publicized in the Estonian language. In local government units where the Estonian language is not the language of a majority of the permanent residents, the minutes of the session of the Council may be prepared in the language of the national minority which forms a majority of the permanent residents on the territory under the jurisdiction of the given local government unit, but a translation into the Estonian language must be added to these.";

Paragraph 2 of Article 41 shall be amended and shall read as follows:

"(2) The use in local governments of foreign languages including the languages of national minorities shall be determined by the Law on Language."

Article 30 (Entry into force of the Law)

The present Law shall enter into force on April 1, 1995.

REGULATIONS ON STATE LANGUAGE KNOWLEDGE LEVELS, 1999

The levels of the State language knowledge for State and municipal officials and employees as well as for medics, pharmacists and psychologists in private sector in Estonia

Summary

There are three levels of the State (Estonian) language knowledge according to Art. 5 of the Law on Language (RT I 1995, 23, 334; 1996, 37, 739; 40, 773; 1997, 69, 1110; 1998, 98/99, 1618; 1999, 1, 1; 16, 275). The concrete requirements are foreseen in the special legal act, that has been approved by the Government (Decree # 249, 16 August 1999, RT I 1999, 66, 656).

The governmental Decree # 249 stipulates requirements for State and municipal officials and employees of the State or municipal institutions and legal entities. The document includes also special requirements for medics, pharmacists and psychologists who work in private firms or in self-employment.

1. GROUND LEVEL

The requirements for State and municipal officials and employees of the State or municipal institutions and legal entities who have concrete duties, similar usage of the language and whose writing work is limited to form-like documents:

1. Attending staff (except for office personnel)
2. Privates under the contracts to the Defense Forces (the Army), Kaitseliit (volunteer corps) and Rescue Department militarized units

2. MIDDLE LEVEL

The requirements for State and municipal officials and employees of the State or municipal institutions and legal entities who have different duties, that could be linked to office-work, management of divisions or cooperation with the divisions, and whose writing work is similar and known:

- *Officials*
 1. Junior officials (except for lawyers, secretaries-clerks and court secretaries)
 2. Office personnel
 - *b. Employees of the State or municipal institutions and legal entities*

1. Managers of the entities' divisions and other units, their deputies
2. Employees on the positions that demand higher education
3. Teachers (except for teachers of Estonian language or in Estonian learned subjects)
4. Doctor's assistants and nurses

- *c. Militaries*

1. Junior officers (except for regular and trained officers) under the contracts to the Defense Forces (the Army), Kaitseliit (volunteer corps) and Rescue Department militarized units
2. Defense Forces (the Army) and Frontier Guard junior specialists and specialists
3. Privates and junior officers (except for regular and trained officers) under the contracts to the Frontier Guard

3. SUPREME LEVEL

The requirements for State and municipal officials and employees of the State or municipal institutions and legal entities who are entity's or institution's manager, who deal with activities' planning and coordination, advising, public reports, speeches and preparation of official texts:

- *Officials*

1. Supreme officials
2. Senior officials
3. Lawyers, secretaries-clerks and court secretaries

- *b. Employees of the State or municipal institutions and legal entities*

1. Institution's and legal entity's managers
2. Medics, pharmacists and psychologists
3. Educational entities' managers, their deputies, teachers of Estonian language or in Estonian learned subjects

- *c. Other positions*

1. Judges
2. Notaries

- *d. Militaries*

1. Trained and regular junior officers and officers in the Defense Forces (the Army), Kaitseliit (volunteer corps), Rescue Department militarized units and in Frontier Guard (under the contracts)

2. The Defense Forces (the Army) and Frontier Guard officials: senior specialists and divisions' managers.

- *e. Private sector*

1. Medics

2. Pharmacists

3. Psychologists

Source: Summary prepared by the Legal Information Center for Human Rights
<http://www.lichr.ee>

THE ORDER OF USING FOREIGN LANGUAGES FOR THE INFORMATION ADDRESSED TO THE CONSUMERS OF SERVICES AND COMMODITIES AND ALSO COMMUNICATION WITHIN THE OFFICIAL DUTIES

The decree of the Government of the Estonian Republic

Passed January 29, 1996, Nr. 32 (RT I 1996, 8, 169)

Entered into force February 7, 1996

Basing on the article 18 of the Language Act the Government of the Estonian Republic decides:

To assert the Order of Using Foreign Languages for the Information Addressed to the Consumers of Services and Commodities and also Communication within the Official Duties (added).

The Prime-minister T. Vahi

The Minister of Education Y. Aaviksoo

The State Secretary U. Veering

I. General Provisions

1. This Order establishes rules about the usage of the foreign languages while informing foreign visitors of Estonia about the services and goods and also while getting in contact with the foreign citizens in the frame of official duties.

2. The amount and choice of the foreign languages (the mostly widespread foreign language, the language of the neighboring country) used for transmitting the information and for communication in the frame of official duties (par. 1) is decided by the Ministry competent in a particular field of activities.

3. The employer decides about the foreign language proficiency level of the employees whose work is connected with transmitting the information and with communication in the foreign language in the frame of their official duties (in cases brought down in the part 1 of the present Order) in the Employee's Duty Instruction.

II. Transmitting the Information at the Customs and while Crossing the State Border of the Estonian Republic

4. The information needed for passing the customs and border control and fulfillment of customs formalities must be translated into the foreign language.

5. To the text of customs, border and travel documents compiled in the Estonian language the translation into the foreign language can be attached.

6. At the airports, railway and bus stations, ports open for the international connections and other means of transport having international usage the information is submitted in Estonian as well as in the foreign language.

III. Transmitting the Information while Providing the Services

7. The translation to the foreign language can be added to the public information (signs, directories, announcements, price-lists, menus and catalogues) in the Estonian language used at the institutions providing tourist services, information bureaus and everyday services.

8. The commercial prospects and brochures offered in the institutions from part 7 of the present Order can be compiled in the foreign language.

9. The public information in the Estonian language used in the bank offices, insurance companies and medical service institutions can include translation into the foreign languages.

10. The information in the Estonian language used in the institutions of communications, post services and also the services of carrying the luggage and courier services can include translation into the foreign language.

IV. Transmitting the Information to the Consumers of Goods

11. The information on consuming, quality and safety of the exporting goods includes foreign language translations and the marking can be added with the words "Made in Estonia."

12. The price-lists, commercial brochures, goods catalogues and also other information about them can include the translation into the foreign language.

V. Transmitting the Information when Organizing International Events

13. When organizing the international events the usage of foreign languages is regulated by the event organizer.

14. During the international events referred to the public the organizer should provide translation of the reports into the Estonian language.

Source: Unofficial translation

http://www.minelres.lv/NationalLegislation/Estonia/Estonia_ConsumInfo_English.htm

THE PROCEDURE OF CONDUCTING THE ESTONIAN LANGUAGE PROFICIENCY EXAM

The decree of Minister of Education

Passed July 1, 1999 Nr.41 (RTL, 1999, 109, 1396)

Entered into force July 18, 1999

Basing on the Article 51, part 1 of the Language Act (???, 1995, 17/18, 334; 1996, 31/32, 739; 35, 773; 1997, 54, 1110; RT I, 1998, 98/99, 1618; ???, 1999, 2, 1; 15, 275) the Minister of Education decides:

1. To assert the Procedure of conducting the language proficiency exam in order to define the level of proficiency (added).
2. To recognize non-valid the decision of the Minister of Culture and Education from July 9, 1993, Nr. 10 on Organizing the Estonian Language Training for the Language Non-proficient Grownup Population (RTL, 1993, 16, p. 438)

The Minister of Education T?nis Lukas

Chancellor Peep Ratas

I. General Provisions

1. The present Order establishes the procedure of registering for the exam conducted in order to define the Estonian language proficiency (further "Exam"), the procedure of the exam and also the exam for people with special needs, appraising and making official the results of the exam, solving the applications, complains and particular opinions.
2. The exams are brought by the State Exam and Qualification Center (SEQC). (The decision of the Minister of Education from April 5, 2002 Nr. 30, in force from April 14, 2002)
3. The proposals to improve the procedure and to develop the exam system can be made to the Minister of Education by the Counseling Commission of the Minister.
4. Within the exam four skills are checked:
 - Listening and understanding
 - Reading and understanding

- Writing skills
 - Spoken language
5. The exam is held in a form of a test.
6. There are three levels of the language proficiency tests:
- The Lowest level
 - The Medium level
 - The Highest level

II. The State Examining Commission

7. The stuff of the State Examining Commissions (further “Examining Commission”) is approved by the Minister of Education.
8. The stuff of the Examining Commission includes two examiners, when one of them is also a chairman of the commission.
9. The examiner is a philologist, who has at least a graduate degree.
10. The examiners are paid in conformity with the amount of people being examined. The travel expenses are compensated according to the Order decided by the Government of the Republic.
11. Education and qualification promotion of the examiners is organized by the SEQC. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

III. The Examination Materials

12. The tests are provided by the SEQC. The test in which the structure, amount of the assignments and time estimated for their fulfillment is known, is published as an example test. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)
13. The SEQC provides a new test for each coming exam. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)
14. The SEQC is responsible for the exam materials. Compilers of the tests, examiners and others related according to their office to the tests are obliged to keep the assignments and the tests in secret. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

IV. The Registration for the Exam

15. The registration for the exam is held in the publicly announced centers. Persons registering for the exam must submit:

- A completed application form
- A copy of valid ID
- A document certifying the lack of eye, hearing, speech or physical abilities (further “person with the special needs”)

(The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

16. It is possible to register only for one exam. The exam can be repeated in three months after the first exam was taken. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

17. When registering for the exam an applicant is given a note with the information about organization of the exam and pre-exam consultations.

18. Within 30 days since the registration, the SEQC in writing informs the person registered about the date, time and place of the exam. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

V. The Procedure of the Exam

19. The exam is held once a month, on the same day in all the centers.

20. The exam is held only in those centers where at least 10 people registered. If in several months less than 10 people registered for the exam, it does not take place in this center but the SEQC proposes the applicants to take the exam in the nearest center. The maximum amount of people taking the exam is 18. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

21. The SEQC prepares the examination material sets and organizes their delivery to the examination center. The set consists of:

- The accompanying letter about passing the exam for the contact person at the examining center
- The accompanying letter about passing the exam for the SEQC
- The version of the test in a sealed envelope
- The form of the protocols about the procedure of the exam

- The form of the protocols about passing the exam
- The form of the protocol on appraising the exam (about the written and spoken part)
- An envelope for returning the exam
- An envelope for returning the protocols

(The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

22. The applicant is admitted to the exam only after submitting the valid ID.

23. Before the exam starts the examining commission must introduce the procedure of the exam.

24. Except the examiners of the SEQC and the persons taking the exam, only the representatives of the Ministry of Education and the Counseling Commission are allowed to be present in the exam room. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

VI. Appraising and Making the Results of the Exam Official

25. The exam is appraised by the Examining Commission according to the instructions approved by the decision of the SEQC. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

26. The exam is passed in case the examined person gained 60 percent of the possible amount.

27. The results of the exam are made official by the Examining Commission in the exam protocols (further "protocol").

28. The protocols are signed by the chairman and the member of the Examining Commission. The particular opinion of the Examining Commission's member is marked in the protocol.

29. Those taking the exam are informed about the results within 30 days, starting with the date of the exam. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

30. After appraising the works the Examining Commission sends the exam materials to the SEQC. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

31. The persons who passed the exam receive the certificate of language proficiency issued by the SEQC and based on the exam protocol. (The

decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

32. The certificate is given to the person who has to put his/her signature on it.

33. The exam materials are archived in the SEQC for 5 years. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

VII. The Procedure of Exam for the Persons with Special needs

34. When checking the language proficiency of persons with the special needs it is allowed:

- To take the exam also on the different dates
- To free these persons from the assignments which they can not fulfill due to their deficiency

35. When preceding the exam for the persons with the special needs a copy of the document describing their disability must be attached to the protocol.

VIII. Solving the Complaints and Particular Opinions

36. The person can complain to the principal of the SEQC on the work of the Examining Commission and dispute the results of his/her exam within 10 days since receiving the results of the exam. (The decision of the Minister of Education from July 5, 2002, Nr. 30, in force from July 14, 2002.)

37. The complaints and particular opinions are considered by the Commission of Appeal.

38. The stuff and the procedure of work of the Commission of Appeal are decided by the order of the Minister of Education.

39. The Commission of Appeal examines submitted complaints and opinions and informs the persons complaining or the persons having a particular opinion about its decision within 30 days, starting from the day the complaint or the particular opinion was received.

Source: Unofficial translation

http://www.minelres.lv/NationalLegislation/Estonia/Estonia_LangExamProc_English.htm

THE ORDER OF REALIZATION OF THE CONTROL OVER THE LANGUAGE ACT FULFILLMENT

The decree of the Government of the Estonian Republic

Passed June 11, 1996, Nr. 161 (RT I 1996, 45, 859)

Entered into force July 2, 1996

Based on the Article 28 of the Language Act, the Government of the Estonian Republic decides:

To assert the Order of Realization of the Control over the Language Act fulfillment

The Prime-minister T. Vahi

The Minister of Education Y. Aaviksoo

The State Secretary U. Veering

1. In accordance with the Language Act and other legal acts regulating the use of language, the inspectors of the Language Inspection (further "the Language Inspection officials") control fulfillment of the Language Act and supervise the language use. (vm, October 23, 1997, No 203, in force from November 1, 1997)

2. In case of law infringement in the field of language, the Language Inspection officials use influence measures provided by the Code of Administrative Law Infringements and the present Order.

3. Under supervision of the Language Act and other acts regulating the use of language the Language Inspection officials check the maintenance of the Estonian language use requirements:

1) In the record-keeping, correspondence and reports of the governmental institutions, local authorities and the institutions within their jurisdiction also the commercial and non-profitable structures and aim organizations in their communication with persons or transmitting the official information to the employees;

2) On the seals, stamps and blanks of the governmental institutions, local authorities or the institutions within their jurisdiction also the commercial, non-governmental and aim institutions;

3) When transmitting official information on the signs, indicators, advertisements, notifications and commercials; presence of the translation into the Estonian language when performing the audio-visual products;

when transmitting the foreign language programs on the radio or TV or organizing the international public events;

4) Marks or instructions in the Estonian language should be present when selling goods and services;

5) In combinations of letters on the state registration signs;

6) In the official usage of toponyms, names and surnames of the citizens, names of the objects, commercial, non-profitable and aim institutions in Estonia (in the issued documents, when registering the names in the state registers etc.)

7) In pre-trial and trial procedures;

8) In the Estonian army.

4. The Language Inspection officials check the fulfillment of the language use requirements in official communication and when transmitting the information:

1) To the consumers of services and goods in the tourist institutions and information bureaus;

2) At the customs, when crossing the state border or temporary control line, in the ports, railway stations, airports and bus terminals open for the international communication or in the means of transport with international destination;

3) Within the local authority or cultural self-government where the language of record-keeping is the language of national minority;

4) In pre-trial and trial procedure.

5. The Language Inspection officials check correspondence of the official language usage to the norms of the Estonian literal language:

1) On the signs, indicators, announcements, notifications and commercials;

2) When writing names according to the rules of transliteration from the languages which use non-Latin alphabet or into the languages which use non-Latin alphabet.

6. The Language Inspection officials check the language proficiency of the employees at the state institutions, local authorities and institutions within their jurisdiction also commercial, non-governmental and aim institutions.

7. The Language Inspection officials have the right to:

1) To make warnings or directions to the officials or to the employers of state institutions, local authorities and institutions within their jurisdiction also commercial, non-governmental and aim institutions to make decisions on concrete law infringements and set the deadlines for their elimination;

2) Check an employee's Estonian language proficiency certificate and in case it seems necessary to propose repetition of the language proficiency exam;

3) Propose to stop the Labor contract with an employee or to cancel the appointment for certain position in case the employee is not proficient enough in the Estonian language;

4) In case the deadline pointed out in a part 7.1 for elimination of the law infringement set up by an official from the Language Department is ignored the Language Inspection official can compile a protocol and impose a fine in order and amount provided in the chapter 3 of the Article 132 (about information in the Estonian language), chapter 2 of the Article 134 (about information in the Estonian language) and Article 170 and chapter 1 of the Article 265 of the Code of Administrative Law Infringements;

5) Propose to use the administrative penalty for the persons who can be influenced by the disciplinary codes.

8. The Language Inspection official is obliged to:

1) When supervising the fulfillment of the Language Act and other acts regulating the usage of the Estonian language, introduce himself and show the ID;

2) Register the facts of law infringements according to the procedure established by the principal of Language Inspection; (vm, October 23, 1997, No. 203, in force from November 1, 1997)

3) Keep commercial and professional secrets and confidential information, which became known while fulfilling his duties.

9. The persons can complain to the principal of the Language Inspection in order to dispute what is brought in part 7.1 of the present order within 10 days starting from the day of the action. The complaint suspends the fulfillment until the argument is set, but does not prevent the person from turning to the court in order to defend his rights. (vm, October 23, 1997, No. 23, in force from November 1, 1997)

10. The principal of the Language Department must give an answer to the complaint within one month since it had been applied.

Source: Unofficial translation

http://www.minelres.lv/NationalLegislation/Estonia/Estonia_LangActControl_English.htm

References

CIA –The World Factbook 1999

Microsoft® Encarta® Encyclopedia 2000

Encyclopedia Britannica, © 1999-2000 Britannica.com Inc.

Estonia Country Report on Human Rights Practices for 1996, Released by the Bureau of Democracy, Human Rights, and Labor U.S. Department of State

International Constitutional Law (ICL), 1994 - 13 April 2000, University of Wuerzburg, <http://www.uni-wuerzburg.de/law/info.html>

Website of the Library of Congress, Country studies, Estonia, <http://lcweb2.loc.gov/frd/cs/>

Human Rights Report from November 4, 1998

IOM Migration Legislation Database,
<http://www.iom.int/defaultmigrationweb.asp>

Estonian Institute, October 1995, “Ethnic Issues in Estonia”

Priit Jarve, Integration and Language, European Center for Minority Issues, Flensburg, Germany, 2000,
www.ngonet.ee/integratsioon/int_and_lang.html

Estonian Human Development Report 1999, United Nations,
www.undp.ee/nhdr99/en/2.3.html

Lexis-Nexis, News about Estonia from August 18, 1998

Integration in Estonian Society 2000-2007, March 14, 2000, Government of Estonia, <http://www.riik.ee/saks/ikomisjon/programme.htm>

High Commissioner on National minorities, Report on the Linguistic Rights of Persons Belonging to National Minorities in the OSCE Area, Replies from OSCE participating states (February, 1997)

Website of Perry-Castañeda Library, Map Collection, The University of Texas at Austin
http://www.lib.utexas.edu/Libs/PCL/Map_collection/Map_collection.html