

# Comments of the Estonian Government on the Opinion of the Advisory Committee on the Implementation of the Framework Convention for the Protection of National Minorities in Estonia

## **Introduction**

On 14 September 2001, the Advisory Committee set up under the Council of Europe's Framework Convention for the Protection of National Minorities submitted an opinion to the Council of Europe's Committee of Ministers regarding the fulfilment of the obligations arising from this Convention to Estonia.

The Government of Estonia appreciates the dialogue with the Advisory Committee, which along with the visit to Estonia, has contributed to the understanding of the developments in the field of national minorities in the country. Estonia has taken note of various suggestions and recommendations made by the Advisory Committee.

The Government would, however, like to submit a general remark that while evaluating the situation in each Contracting State it is important to take into account the historical background of each State as well as demographic, economic, political and other developments in a given country.

The Government welcomes the adoption of the opinion by Advisory Committee and hereby offers the following commentary. When necessary the paragraphs of the opinion of the Advisory Committee have been referred to.

## **General remarks**

### **Commentary on the general comments on the Report of Estonia**

Estonia ratified the Framework Convention in 1996 and it entered into effect in respect of Estonia on 1 February 1998. The Estonian Ministry of Foreign Affairs, having been responsible for drawing up the Report, addressed various other ministries, the Office of the Legal Chancellor and NGOs representing different ethnic groups (Russians, Ukrainians, Poles, Jews, and others) at the beginning of 1999 in order to gather information necessary for compiling the Report. The Ministry also co-operated with the President's Roundtable for National Minorities, which formed a separate working group to analyse the Framework Convention. The working group reviewed the main articles of the Convention and assessed the conformity of present legislation and policies in Estonia with the principles of the Framework Convention. The Report was completed and submitted to the Council of Europe at the end of 1999.

After the submission of the Report, important developments have taken place in all spheres of Estonian society, in particular as regards the work in the field of ethnic policy. The 1999 Report should thus be read in the light of subsequent positive changes, as they are important for understanding and assessing the developments and aspirations in Estonia.

Some of the most significant steps that could be mentioned:

- 14 March 2000, adoption of the State Programme "Integration in Estonian Society 2000-2007" which is an action plan for government agencies and other institutions for the years 2000-2007. It is based on the understanding that integration in Estonian society is shaped by two processes: 1) *the social harmonisation of society* around a strong common core based on knowledge of the Estonian language and Estonian citizenship; 2) *the opportunity to maintain ethnic differences* based on the recognition of the cultural rights of ethnic minorities. This programme contains short-term and long-term goals in the development of a multicultural, stable and democratic society. The integration programme has four sub-programmes: "Education", "The education and culture of ethnic minorities", "The teaching of Estonian to adults", "Social competence". The funds allocated to this project amounts up to 115 mln Estonian kroons during the first three years.
- 27 February 2001, approval by the Government of the "Action plans for sub-programmes and the budget for the years 2000-2003". This document contains the plans of different ministries and other partners, it also contains an overview of the available and needed resources. Several activities will be implemented jointly by using the resources of ministries and foreign donors in the framework of co-financed projects.
- In Autumn 2001, the second EU Phare Programme "The Social Integration and Language Training Programme for Ethnic Minorities in Estonia" (2001-2003) was launched as the continuation of the first three-year EU Phare Estonian language training programme that was completed by the end of 2000. The total budget of the new programme amounts up to 49,1 million kroons. It contributes to the achievement of the medium-term objectives set forth in the State Integration Programme, focusing specifically on the linguistic-communicative and social-economic spheres.
- 10 January 2002, the Government approved the new foreign aid project "Integrating Estonia 2002-2004" which is aimed at strengthening co-operation between Estonians and non-Estonians and raising the efficiency of agencies dealing with integration. This programme continues the Nordic/UK/UNDP project "Support to the State Integration Programme" that was completed at the end of 2001. Among other things the project is aimed towards strengthening the competitiveness of the non-Estonians in the labour market, further their involvement in the media sector, support the Estonian language studies in minority language pre-schools, strengthen the co-operation between Estonian and non-Estonian schools and youth organisations. The total budget of this three-year programme is 33 mln kroons.

- In the past two years important legislative amendments have been made to the language, citizenship and election laws. The amendments have been aimed, inter alia, at facilitating integration of non-Estonians into Estonian society. Some of them address the issues, pointed out by the Advisory Committee, and as such have already taken care of several concerns raised by the Committee.

These developments have received positive attention also among the international community. The recent decision by the Organisation for Security and Co-operation in Europe member states to close the Mission in Estonia clearly indicates that Estonia has brought the laws and practices into conformity with international norms and standards.

The State Programme "Integration in Estonian Society 2000-2007", the Government Report on the Implementation of the State Programme in 2000 and the Action plans for sub-programmes for the years 2000 – 2003 are all available in Estonian, Russian and English on the Internet at <http://www.riik.ee/saks/ikomisjon/>.

### **Commentary on the promotion of the principles of the Framework Convention**

Estonia regards the Framework Convention as one of the most important international mechanisms in the field of protection and promotion of the rights of persons belonging to national minorities. As a multicultural state, Estonia has taken steps to promote awareness among different minorities about their rights and opportunities deriving from the Convention - in the process of amendment of legislation, reference is made to the principles of the Convention; the text of the Convention and the fundamental rights deriving from this have also been introduced at different events (roundtables, seminars, etc) where specialists of the Council of Europe have also been involved as experts. The Framework Convention has also been a source of inspiration for preparing the document on the fundamentals of the Estonian cultural policy approved by the decision of the Parliament (Riigikogu) (16 September 1998) and state programme "Integration in Estonian Society 2000-2007" which serve as basis for subsequent activities.

The text of the Convention has been translated into Estonian and Russian. The text is published in various editions (Official Gazette "Riigi Teataja" II 1996, 40, 154; compilation "Selected instruments of the Council of Europe"). It is available on several Internet sites, some of them also in Russian (e.g. Estonian Legislation; Database of texts based on the Official Gazette etc; Council of Europe Information and Documentation Centre). Considering the network of public Internet access points throughout Estonia, the people have access to the text of the Convention and also to the Estonian Report which is available on the homepage of the Ministry of Foreign Affairs.

## COMMENTARY ON THE SPECIFIC COMMENTS IN RESPECT OF ARTICLES 1-19

### Article 3

When approving the Framework Convention, the European states did not reach a unanimous conclusion as to the definition of a national minority in the meaning of the Convention, therefore the Convention contains no definition of the notion of "national minority". According to paragraph 12 of the Explanatory Report to the Convention, "... at this stage, it is impossible to arrive at a definition capable of mustering general support of all Council of Europe member States" (Explanatory Report § 12). Therefore, it was left to each Member State to decide which content the notion has and, if necessary, to specify who is considered as national minority in a particular member State.

The Estonian Parliament, carefully considering the issue of ratification, decided unanimously that the precondition for ratification is the existence of a declaration specifying the notion of national minority and compliance of the Convention with national legislation.

Ratification of the Convention became possible by the addition of the declaration, according to which "the Republic of Estonia understands the term national minorities, which is not defined in the Convention, as follows: what is considered as "national minority" is citizens of Estonia who reside on the territory of Estonia; who maintain longstanding, firm and lasting ties with Estonia; are distinct from Estonians on the basis of their ethnic, cultural, religious or linguistic characteristics; are motivated by a concern to preserve together their cultural traditions, their religion or their language, which constitute the basis of their common identity."

The Advisory Committee considered that the declaration is restrictive in nature and was of the opinion that Estonia should re-examine its approach reflected in the declaration (§17). At the same time, the Committee welcomed the fact that in practice the Government appeared to take a considerably more inclusive approach to the protection of national minorities (§18).

Notwithstanding the inclusive approach of the Government and the fact that the Committee has deliberately examined issues outside the scope of application of the Convention in Estonia, the Government maintains the opinion that the international obligations that Estonia has assumed according to the Framework Convention only relate to the national minorities specified in the declaration.

It is important to note that the exercise of rights of any minorities in a given state is to be considered within specific circumstances in that state between the years of 1940-1991. The specific feature of migration development in Estonia is extremely large migration flows, and high turnover. Concerning the latter, very low proportion of immigrants who had arrived in Estonia have permanently stayed in the country. For instance, over the period of 1946-1991, the migration turnover comprised 2,9 million persons whereas the number of net migrants was only 337 000. In other words, approximately seven out of eight immigrants emigrated in one time or another. Such a

high turnover of migration reflects, among others, extensive military-related migration component and very low adaptiveness of immigrants. The latter has had also political grounds, but at least partly, stems from the heterogeneity among the regions of origin of immigrants, with no historical, social, or cultural contacts with Estonia. Indeed, in that sense Estonia represents the case of geographically very diverse immigration in the European context.

Taking into account the specific circumstances prevailing in Estonia and current domestic legislation, the Government is of the opinion that the reasons to maintain the declaration have not ceased to exist.

Although in the spirit of co-operation the Government has provided the Committee with all relevant information which was of interest to the Committee and is submitting comments and additional information thereto, the Government will have to consider recommendations in the light of the abovementioned declaration.

## **Article 4**

The principle of equality is observed also in Estonian domestic legislation – pursuant to article 9 of the Estonian Constitution the rights, freedoms and duties of persons as set out in the Constitution are equal for Estonian citizens and for citizens of foreign states and stateless persons in Estonia. Thus, the rights guaranteed by the Constitution are equal for everyone, both those who belong to a minority and those who do not belong or do not wish to belong to a national minority.

21. The Draft Equality Act, which will regulate the promotion and protection of people's equality, is currently under preparation in the Ministry of Justice. The Draft Act will guarantee the equality of all persons both in the public and private sector. The Draft Act is expected to be enacted in 2003.

An important change that the Draft Act will bring along in current legislation will be the establishment of the so-called reversed burden of proof, i.e. it will be clearly stated that in proving the cases of discrimination the clearly weaker side is the person with regard to whom it is suspected that discrimination has occurred. In the case of suspicion, it is presumed that discrimination has taken place and the reverse has to be proved by the person who is suspected of discriminating.

An important element in the Draft Act will be the establishment of the supervisory institution, which may receive complaints of individuals claiming to be the victims of discrimination of their ethnic origin. This body will have to assist with the prompt termination of discrimination and assist the person in the exercise of the protection of his or her rights.

One of the main aims of the Draft Act is to promote equality by changing prejudices and attitudes. Considering the guarantee of equality of people an issue which is important both on the national level and in specific cases, the Draft Act will establish the obligation of promoting equality both for state and local government agencies, educational and scientific institutions and employers.

Another important legislative act is the adoption of the new Penal Code by the Parliament (Riigikogu) on 6 June 2001. Chapter 10 of the Code deals with offences against political and civil rights. Division 1 of this chapter establishes the following offences against equality:

incitement of social hatred (§ 151), violation of equality (§ 152), discrimination based on genetic risks (§ 153).

24. The Advisory Committee in its opinion notes that unemployment is higher among non-Estonians as compared to Estonians. The state has taken various steps to solve the problems of unemployment in north-east Estonia as the most problematic region (see comments to Article 15, par. 59).

However, it has to be noted that the differences in income in Estonia are more of a regional character rather than related to ethnic origin. Therefore, non-Estonians cannot be seen as a uniform group. Surveys indicate that the level of income is the highest in the capital, followed by other smaller towns, and the lowest income per family member is in rural areas.

25. The Advisory Committee in § 25 of its opinion has noted that due to the immigration quota the immigration policy may also have an impact on the implementation of Article 4.

An amendment to the Aliens Act has been submitted which, in conformity with the case-law of the Supreme Court, establishes the principle that the fulfilment of the immigration quota cannot be a justification for refusal to grant a residence permit to an alien who leads family life in Estonia in the meaning of the Constitution.

26. Estonia has followed a consistent inclusive policy to integrate non-Estonians into the Estonian society. The cornerstone of Estonia's integration policy is launching and implementation of the State Integration Programme pertaining above all to a significant reduction in the number of persons with undetermined citizenship, a substantial breakthrough in teaching of the official language and real participation of non-Estonians in Estonian society.

Therefore continued attention is paid to increase the motivation of the persons with undetermined citizenship to acquire Estonian citizenship. There are various ways such as awareness raising through media campaigns, information sharing about the procedures necessary for gaining the citizenship and language learning possibilities, citizenship days etc.

Social research among the persons with undetermined citizenship indicates that the motivation to naturalise is stronger among the younger age groups. Therefore currently the main focus is on reaching out to young people. One of the measure introduced in 2000 -integrating the Estonian language examination for applicants for citizenship, the Estonian language proficiency examination and the Estonian language final examination in basic and upper secondary schools where the language of instruction is not Estonian, has already increased the number of applicants for citizenship.

Furthermore, in December 2001, the Estonian Government put a regulation in place, which allows graduates from schools to apply for citizenship without having to take any additional exams. The Estonian government greatly simplified the naturalisation procedure for graduates by accepting the school exams on civics as the exam concerning the knowledge of the Estonian Constitution and the Law on Citizenship as required as part of the naturalisation procedure in the Law on Citizenship. It is expected that this simplified procedure will help motivate more young people to naturalise at an early stage.

## **Article 5**

27. The Advisory Committee notes that although the state has allocated substantial resources to support the culture and identity of national minorities, the main effort has been directed at teaching the state language.

The State Integration Programme has to a large extent financed the reform of non-Estonian schools and the teaching of Estonian to adults. At the same time, the focus on the Estonian language teaching also reflects the priorities of the State Integration Programme, i.e. increasing the number of persons with knowledge of Estonian and with Estonian citizenship in society in the environment of mutual tolerance and cultural pluralism. Lack of knowledge of Estonian as the state language would be an obstacle to continuing education, receiving Estonian citizenship, competitiveness in the labour market and general adjustment in society.

However, since the regaining of independence, Estonia has supported the activities of cultural societies of different minorities and regards this as a matter of priority for the years to come. Cultural societies of ethnic minorities have been supported through the Ministry of Culture since 1991. Later, various other sources of financing have been added – funds, foreign aid projects, and others. In 2000 the sub-programme of the State Integration Programme "Education and culture of ethnic minorities" was given 3.4 million Estonian kroons, in 2001, the funding increased to 4.2 million Estonian kroons. In addition to the funds of the State Integration Programme, local governments have added their support to cultural and educational activities of ethnic minorities. For example, Tallinn City Government allocated 5 million Estonian kroons (over 320,000 USD) in 2000 to support cultural societies of ethnic minorities. In 1999-2000 the Ministry of Culture and the Integration Foundation have supported more than 400 projects of ethnic minority organisations.

Ethnic minorities and their needs have received increasing attention and allocations also in the framework of the education sub-programme of the State Integration Programme. Aside from the Estonian language teaching, focus is also on the training of teachers of non-Estonian schools on the topics of civic education and multicultural school, school development, co-operation between schools with different languages of instruction (teacher and students exchange programmes). Preparing of materials promoting cultural identity and support to Sunday schools etc. make up a small yet noticeable portion of the sub-programme. In 2000-2001 Integration Foundation

supported 11 Sunday schools of different ethnic minorities. In 2002 the Sunday schools are seen as a specific target group and will be given even more attention.

28. Organisations of minorities and their representatives have been involved in decision-making processes. Under the Ministry of Culture the Cultural Council of Ethnic Minorities as an advisory body was created in 1997. According to its statute, the Council can make proposals in the areas that affect the development of national cultures, participate in making important decisions when projects of ethnic minorities are discussed and participate in organising cultural life and activities. The Council has also participated in debates over the issues concerning the implementation of the National Minorities Cultural Autonomy Act that was passed in 1993.

Representatives of national minorities participate in the activities of the President's Roundtable of National Minorities, the Governing Board of the Integration Foundation and other relevant commissions, therefore participating also in the decision-making concerning the funding of various projects. Representatives of national minorities were involved in drafting the State Integration Programme. The working committee that prepared the initial versions of the programme comprised among others representatives of the largest umbrella organisations of national minorities.

29. The National Minorities Cultural Autonomy Act gives the national minorities the right to form cultural autonomies (for the definition of the national minority see comments under Article 3). However, the procedure of forming cultural autonomies and the principles of their activities are so far insufficiently regulated. All other rights contained in the National Minorities Cultural Autonomy Act are provided by other legal acts to all residents of the Republic of Estonia.

Pursuant to the Act, 3000 representatives of the particular national minority can form the cultural council. For several ethnic groups it might prove difficult to reach the threshold of 3000 persons (Ukrainians, Belorussians, etc). The Ministry of Culture in co-operation with the Cultural Council of Ethnic Minorities initiated a bill in 1999 aimed at updating the Act but due to considerable differences in the number, level of organisation, etc., of different ethnic minorities living in Estonia it has not been possible to find a consensus needed to proceed with the amendments. One of the suggestions put forward during the discussions has been to lower the numerical threshold for forming the cultural council.

Ingrian Finns have initiated the creation of the cultural council provided by the National Minorities Cultural Autonomy Act. The Society of Ingrian Finns has already prepared the list of persons belonging to the minority (approved by the Minister of Culture on 12 June 2001) which is the precondition for applying for cultural autonomy. Presently the conditions of elections to the council are under consideration.

However, it has to be noted that although no cultural autonomies of national minorities have yet been created on the basis of the Act, all persons belonging to ethnic minority groups, i.e. also those who are not Estonian citizens and cannot be classified as a "national minority" in accordance with the Act, can freely participate in the activities of national cultural societies and art collectives.

In 2001 the Integration Foundation published an overview of the cultural societies in Estonia. There are currently about 160 national cultural societies and art collectives and most of them have joined under four unions and associations of national cultural societies: the International Union of Associations of National Cultural Societies "Lüüra" (28 societies and 5 art collectives), the Estonian Union of Nationalities (22 societies), the Union of Slavic Educational and Charity Associations in Estonia (46 societies and 20 collectives), the umbrella organisation of national cultural societies in Ida-Viru county, the Roundtable of Ida-Viru County National Cultural Societies (22 societies). These associations are partners to the state in the promotion of educational and cultural life of national and ethnic minorities.

## **Article 8**

The principles of freedom of religion are guaranteed by the Constitution. Everyone may freely belong to churches and religious societies. Everyone has the freedom to exercise his or her religion both alone and in community with others. Everyone has the right to remain faithful to his or her beliefs (Articles 40, 41).

In Estonia, the church is separate from the state and the Government does not restrict the activities of religious associations. The representatives of all religious groups, including the members of the orthodox church, can exercise their religion freely and without any interference.

The question raised in the opinion of the Advisory Committee concerns the property dispute between the Estonian Apostolic Orthodox Church under the canonical jurisdiction of the Constantinople Patriarchy (EAOC) and the Estonian Orthodox Church of the Moscow Patriarchy (EOCMP).

Estonia has demonstrated good will to assist in solving the property dispute between the EAOC and the EOCMP. In order to find an optimum solution the Estonian authorities have had negotiations with the concerned parties for trilateral consultations between the EAOC, EOCMP and the Ministry of Internal Affairs. In Moscow, there have also been meetings between the Estonian Ambassador, Patriarch Alexius II and high-ranking representatives of the Moscow Patriarchy. The possibility of a mutually positive solution has been indicated also in the correspondence between the Estonian Prime Minister and Moscow Patriarch.

Although the EOCMP has contested in the administrative court the refusal to register the church by the Estonian Ministry of Internal Affairs, the court hearings have been repeatedly postponed at the request of the applicant in order to find an extra-judicial settlement between the parties. In the course of consultations the Government has agreed to proceed with the registration of the church structure under the name of Estonian Orthodox Church of the Moscow Patriarchy, provided that the statute of the church is brought in conformity with Estonian legislation. The EOCMP has undertaken to review the disputed issues in its statute, which could give rise to different interpretations. The Estonian authorities believe that constructive dialogue will help to create good preconditions for finding positive solutions to the disputed issues.

## **Article 9**

The Advisory Committee notes the lack of broadcasting in the languages of national minorities (§ 37) and that media environment is to a large extent divided between the medias consumed by majority and minority population (§ 31).

The creation and use of mass media by ethnic minorities in their own languages is not restricted by the State. On the contrary, in the framework of the State Integration Programme there has been increasing support to different forms of mass media. Printed media, radio and television, the creation of Internet pages of national cultural societies and publication of newspapers and periodicals in the languages of ethnic minorities (f.e. Ukrainian newspaper “Strunõ” and many others) have received funding. As the financing is project-based, the initiative has to come from the ethnic groups.

To develop issues of integration more diversely, create and expand the common element of the Estonian and Russian-language media systems and increase the interactivity of the Russian-language media system. The budgetary resources have been increased five times in comparison with the year of 2000 (the total amount making 1,2 mln kroons). Media monitorings of the last 3 years show that co-operation and overlapping between the Estonian-language and Russian-language mass media has gradually developed. More time is also devoted to the broadcasting in other languages of minorities living in Estonia in one of the public radio channels (Radio 4). As concerns bilingual programmes, one-hour bilingual weekly public television programme “Sleeplessness“ launched in September 2001 is extremely popular among the audience comprising people from different ethnic groups. In January 2002 tender was opened to support new Russian and bi-lingual TV programmes.

The intercultural dialogue has also been promoted through other programmes - media training has been offered to teachers of general education schools with Russian as the language of instruction and steps have been taken to raise the number of professionals in the field of media and information services among the non-Estonian youth. The aim is to bring up a new generation of young non-Estonians with the habit of regular media consumption and skills necessary for coping in information society.

## **Article 10**

The Advisory Committee welcomes the fact that the use of minority languages in relations between persons belonging to national minorities and the administrative authorities is recognised even at the constitutional level, at the same time it is considered that the current legislative framework relating to this issue lacks clarity.

Article 51 of the Constitution provides that in localities, where at least one half of the permanent residents belong to a national minority, everyone has the right also to

receive responses from state agencies and local governments and their officials in the language of the national minority.

The Language Law stipulates the use of the languages of national minorities with the state agencies. The law was amended in the beginning of 2002 and extended the use of the languages of national minorities in their contacts before different authorities. Persons who are not proficient in Estonian may, by the agreement of the parties, in oral communication with officials and employees of state agencies and local governments, as well as in the offices of notaries, distraint officers and authorised interpreters use a foreign language familiar to these officers or employees. As the Advisory Committee noted, *de facto* the use of the Russian language in contacts with administrative authorities is widely accepted (§ 41).

The Advisory Committee suggests that the numerical threshold for the right to receive replies from the state or local government agency in a minority language, i.e. the requirement that at least half of the permanent residents of the locality at issue belong to the national minority - is high from the point of view of Article 10 of the Framework Convention. In this context the Government would like to refer to the fact that in recognition of the possible financial, administrative and technical difficulties associated with the use of minority languages in relations between persons belonging to national minorities and the administrative authorities, this provision has been worded very flexibly, leaving Parties a wide measure of discretion. Parties are expected to endeavour to ensure the use of a minority language in such situations as far as possible. Moreover, the Framework Convention deliberately refrains from defining “ areas inhabited by persons belonging to national minorities traditionally or in substantial numbers” and is therefore worded in such a way as to enable Parties to apply the principle in the light of their own particular circumstances.

## **Article 11**

42. The awareness of ethnic minorities about their right to use place names in the minority languages is demonstrated by the fact that in recent years Estonian Swedes in coastal areas (in Vormsi, Noarootsi, Ridala rural municipalities) have displayed place names in their minority language in parallel to official names. Place names in a minority language have been approved as the only official version mainly in small localities in Ida-Viru county.

43. The concern expressed in § 43 of the Advisory Committee's opinion, that individuals cannot impart information of a private nature in the minority language, is not justified.

On 14 July 2000, the Estonian Parliament (*Riigikogu*) adopted amendments to the Language Act, which limit the Act's incursion into the private sphere. The provisions of the Language Act are therefore interpreted bearing in mind the general principles enshrined in Article 2(1) determining the scope of the Act. Article 2(1) clearly states that the use of Estonian language in the private sphere is regulated only in cases where it is in the public interest, i.e. public security, public order, public administration, public health, health protection, consumer protection and occupational

safety. It further specifies that the respective requirement must be justified and necessary in a democratic society and may not distort the essence of the rights and freedoms being restricted.

It follows therefore that the state does not interfere with the right of persons to display information of a private nature visible to the public unless it is necessary in the public interests listed above.

It should be stressed that the amendments to the Language Act as well as the implementing decrees thereto were drafted in close co-operation with the Office of the High Commissioner on National Minorities of the OSCE who has publicly stated that the amended text of the Language Act is in conformity with Estonia's international obligations and commitments. Similar statements have been made by the European Union and the Council of Europe.

## **Article 12**

45. The training of teachers of schools where the language of instruction is other than Estonian and of the language training firms has been one of the priorities of the State Integration Programme. Special needs-assessment study with recommendations for further training has been compiled for Estonian language teachers in all types of schools. Various projects have been implemented: during the first year of the integration programme, 47 headmasters of Russian-language schools completed administrative training, 71 headmasters completed training in language immersion, 1050 teachers participated in training sessions for the teaching of Estonian as a second language, wide-scale in-service training courses for Estonian language teachers will start in fall 2002.

46. In December 1999, the Canadian International Development Agency, Toronto School Board, Finland and the Council of Europe launched a large-scale (3.624 million Canadian dollars over 4 years) project "Language immersion in Estonian schools". In a school year 2000/2001 five schools were involved in the language immersion programme. In 2002 the programme will be extended to pre-schools.

Contacts between Estonian and non-Estonian-speaking youth and families are promoted through family exchange programme, joint camps for Estonian-speaking and non-Estonian-speaking youth, student exchange programmes between Russian-medium and Estonian-medium schools. These activities are aimed at stimulating inter-cultural communication, increasing mutual tolerance and knowledge of the Estonian language. In 1999-2001 more than 11 500 youth have participated in those activities. Similar exchange projects for teachers were launched in early 2002.

47. As concerns higher education in Russian, sociological surveys have revealed that a large proportion of non-Estonian youth, bearing in mind the needs of the Estonian labour market, consider acquiring of higher education only in Russian without perspective. Therefore, the Ministry of Education has worked out a procedure according to which students from Russian upper secondary schools who have entered a higher educational institution can prolong their nominal study time by one year. This enables the young people who didn't acquire the necessary proficiency in

Estonian during their secondary schools studies (which is about 1500 Estonian language lessons) to take intensive courses of Estonian in their first year at the university in order to continue their studies in an Estonian-speaking group thereafter. But even then, on agreement with the professor, they can take their exams and write their written papers in Russian. During the year designated for studies of Estonian, students are entitled to a student loan, etc. This option has been made use of by all public universities.

### **Article 13**

In addition to the Jewish secondary school mentioned in the opinion of the Advisory Committee there are 2 private schools where the language of instruction is English and 2 private schools where the language of instruction is Finnish. As concerns the teaching in a language other than Estonian or Russian there are various schools where some of the subjects are taught in another language (English, German, Ukrainian, Swedish etc).

### **Article 14**

When speaking about the education, it could be noted that assessment of the Estonian educational system should be based on its historically unique development. Considering demographic changes (decrease of the number of pupils who have Russian as their mother tongue) it appears that it is not practical to continue providing education in the Russian language to the same extent. After having completed the basic school in Russian, the model of the bilingual school (60/40%) should be within the capabilities of all pupils.

To ease the process of school reform and to support the gradual introduction of subjects in Estonian funds have been allocated in the framework of State Integration Programme. In addition to the projects targeted to the teacher training mentioned above, in 1998-2001 there have been several side activities: the Ministry of Education and the Integration Foundation have jointly organised the publishing of a large amount (29 pcs) of study materials (language proficiency test materials, dictionaries, study books for schools and adults, CDs) etc.

Starting a school where instruction is in a minority language is possible if there is sufficient demand i.e. optimal number of pupils. Unfortunately there has been little interest to do this, mainly due to the insufficient number of pupils to open even a class. The option was once used by Belorussians and Ukrainians, but there was not enough interest on the parents' side to develop the idea further and the initiatives died out in a couple of years, one of the reasons being that different ethnic communities are dispersed throughout the country. For the same reason, it has been difficult to create Sunday schools and other forms of study.

The Ministry of Education has taken steps to ensure possibilities for small ethnic groups living in the same area to study their language and culture. Currently, the

Basic and Upper Secondary Schools Act provides a possibility, taking into account regional peculiarities and the curriculum of the school, to create conditions for students whose mother tongue is not Estonian and who attend schools where Estonian is the language of instruction to learn their mother tongue and to learn about their national culture in order to maintain their national identity. The Ministry of Education has made a proposal to extend this possibility also for schools where the language of instruction is Russian. As far as the financial resources of the Estonian state permit, there are plans to make the teaching of pupils' mother tongue compulsory at school if at least ten parents speaking the same language have submitted written applications to the effect.

## Article 15

55. The Advisory Committee's concern about the Estonian language proficiency requirements for the candidates running for elections has lost its substance. On 21 November 2001, the Parliament (*Riigikogu*) amended the Parliament Election Act and the Local Government Council Election Act abolishing the language requirements imposed upon citizens who stand for local and parliamentary elections, thus bringing the laws in conformity with international norms and standards, in particular with Article 25 of the UN International Covenant on Civil and Political Rights. The amendments will have a positive impact on the integration process in Estonia, granting equal opportunities to participate in political life to all citizens regardless of their knowledge of the official language.

57. In 1999-2000 the President's Round Table participated actively in the preparation of the State Programme "Integration in Estonian society 2000-2007", holding a series of discussions and presenting its own additions thereto. After the approval of the State Integration Programme by the Government of the Republic on 14.03.2000, the President's Round Table reorganised its membership and specified principles of action, proceeding to actively perform the monitoring of the implementation of the State Integration Programme on the basis of the educational and cultural interests of minorities.

59. Differences in the rate of unemployment are due first and foremost to the factor that non-Estonian population is concentrated in Ida-Viru county where the level of unemployment is significantly higher than the average unemployment rate in Estonia. The high level of unemployment in north-eastern Estonia is due to the restructuring of the Estonian economy and labour market during the transition period as a result of which public undertakings were closed down or reorganised.

One of the priorities of Estonia's labour market policy is increasing the proportion of active labour market measures and integrating of risk groups into the labour market. The Employment Action Plan and the Joint Assessment of Employment pay particular attention to integrating non-Estonians into the labour market. To alleviate the situation in north-east Estonia, a special Ida-Viru County National Employment Programme has been prepared under the guidance of the Ministry of Economy in co-operation with the Ministry of Social Affairs and Ministry of Education. An important role in increasing the employment rate of non-Estonians is played by the Programme for

Industrial Areas. The programme is aimed at achieving long-term economic growth and social stability by raising the competitiveness of the economy.

In the framework of the Phare 2001 pilot project for promoting employment among young people "Promoting employment among youth", active measures will be developed and implemented for better integration of young people to the labour market in Ida-Viru county.

In addition, several Estonian language courses for non-Estonians have been carried out. In 2000, Ida-Viru employment office with the support from Phare carried out an Estonian language course for 680 unemployed people.

In 2002, customer service will improve in the employment office – the new service system will be completed, client service standards will be implemented, self-service information system will be worked out that will enable people to look for job vacancies all over Estonia.