

The response of the Government of Estonia

- 1) Steps taken to ensure that access to citizenship and naturalization is granted on an equal basis i.e. without discrimination on grounds of race, colour, descent, or national and ethnic origin.**

All aliens are able to acquire Estonian citizenship through naturalisation on an equal basis. The requirements for acquiring Estonian citizenship are specified in the Citizenship Act. Any alien who wishes to acquire Estonian citizenship by naturalisation has to satisfy the conditions, and follow the requirements, which are laid down in this Act, section 6.

Furthermore, Estonian Government has encouraged persons of undetermined citizenship to apply for Estonian citizenship. Several legislative changes have been adopted over the past years to facilitate the naturalisation procedures, especially for children and elderly people. For example, language requirements for elderly people applying citizenship were simplified - applicants older than 65 years of age are released from the obligation of a written language exam. Only an oral language test is sufficient. For all children born in Estonia who have parents with undetermined citizenship, the right to acquire citizenship is guaranteed. Every person under 15 years of age, who is born in Estonia, acquires Estonian citizenship automatically by naturalization, if his or her parents (or a single parent) have been residing in Estonia for at least five years before his or her birth, and they are not considered as citizens by any other State. As of 1st of January 2016, all children under 15 years of age have already acquired Estonian citizenship automatically from the same date, if his or her parents (or a single parent) have been residing in Estonia for at least five years before his/ her birth, and they are not considered as citizens by any other State.

In cases where a person applies for Estonian citizenship, but has been granted international protection by the Republic of Estonia or another Member State of the European Union, and the situation in his or her country of origin has not changed significantly, and therefore, the person cannot renounce his or her previous citizenship, the requirement for renouncing the previous citizenship does not apply.

Additionally, from the 1st of January 2016, applying for citizenship is made easier for all applicants - there is no longer a waiting period of 6 months, and therefore no requirement to provide a confirmation after 6 months.

- 2) Efforts to combat gender discrimination affecting racial, ethnic and other minorities with regards to access to citizenship and nationality and to remove barriers for the naturalization of long-term or permanent residents belonging to ethnic and racial minorities and other groups, including people without nationality.**

The status of almost 1/3 of the Estonian population had not determined in 1992. The naturalization process in Estonia started in February 1992. As a result, the share of persons of undetermined citizenship in Estonia has decreased from 32% in 1992 to 5,7% in January 2018.

Decrease of the number of persons with undetermined citizenship residing permanently in Estonia continues to be the main focus of Estonian naturalisation policy. Estonia is committed to motivating persons with undetermined citizenship to obtain citizenship as quickly as possible. In recent years, the government of Estonia has implemented various measures to

increase the interest of persons of undetermined citizenship in applying for Estonian citizenship. The government has encouraged persons of undetermined citizenship to apply for Estonian citizenship. Several legislative changes have been adopted over the years to facilitate the naturalisation procedures, especially for children and elderly (see also the previous answers).

We would also like to stress that in practice, people with undetermined citizenship enjoy largely the same rights as Estonian citizens. The only exception is participation in public governance (people with undetermined citizenship can't establish or join a political party, stand in elections or vote in parliamentary elections or work in public service). All long-term residents of Estonia, regardless of their citizenship, including persons of undetermined citizenship, have the right to vote in local government council elections. Furthermore, persons of undetermined citizenship occasionally enjoy even more rights than Estonian citizens, as for example, they can travel in both the European Union and to Russian Federation without a visa.

3) Steps taken for the regularization of former citizens of predecessor States.

All Estonian residents who were citizens of the Soviet Union have a right to register themselves as citizens of Russia, the Successor State of the USSR or as citizen of any other previous member republic of the USSR. Persons with undetermined citizenship who live in Estonia on the basis of a long-term residence permit also have a right to apply for Estonian citizenship. Naturalisation procedures are in place for them on an equal footing with any other foreigners residing permanently in Estonia. Estonia's current policy on naturalisation has been largely successful as the number of persons with undetermined citizenship has steadily decreased from approximately 500 000 in 1992 (or 32% of the population of Estonia) to 77 268 by 1 January 2018 according to the statistics available from the Ministry of the Interior. The Government continues efforts to increase motivation among citizenship applicants by offering free language courses, organising information work and continuing the individual approach to citizenship applicants. Nevertheless, despite the headway made in the last twenty years, Estonia acknowledges that even further efforts must be made to reduce the numbers of persons with undetermined citizenship.

4) Measure taken to ensure that provisions to strip individuals of their nationality comply with State's obligations to ensure the non-discriminatory enjoyment of the right to nationality.

We would like to specify that the answer refers to the citizenship. Estonian citizenship cannot be revoked for subjective or discriminatory reasons. Neither can be application for a citizenship refused based on above-mentioned reasons. Objective grounds for revoking or refusing Estonian citizenship are laid down in the Citizenship Act.

5) Laws and policies imposing restrictions on immigration on the basis of nationality.

The bases for the entry of aliens into Estonia, their temporary stay, residence and employment in Estonia is regulated with the Aliens Act. There are no nationality-based restrictions stipulated in the Aliens Act. General rules apply to all third-country nationals, regardless of their country of origin. Differentiation in the entry regulation are based on the purpose of travel – i.e. work, study, family reasons etc.

Pursuant to the Aliens Act, an alien is a person who is not an Estonian citizen. Thus, the Aliens Act applies equally to third-country nationals and non-nationals. The citizens of the member

states of the EU, citizens of the member states of the EEA or citizens of the Swiss Confederation and their family members, are excluded from the regulation area of the Aliens Act.