



EMN FOCUSED STUDY 2019

Pathways to citizenship **for third-country nationals in the EU Member States**

ESTONIAN NATIONAL REPORT

Tallinn, 2019

Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the EMN Focussed Study on The Pathways to citizenship for third-country nationals in the EU Member States. EMN Estonia has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the Republic of Estonia.

This document was written by Dr. Marion Pajumets an Expert of EMN EE. This report was compiled based on public and available information. Furthermore, experts of this topic were consulted.

*Estonian National Contact Point
Tallinn University
Narva mnt 25
10120 Tallinn
emn@tlu.ee*



Common Template for EMN Study 2019

1 STUDY AIMS AND RATIONALE

The European Convention on Nationality, signed in 1997, establishes principles and rules relating to the acquisition and loss of nationality and issue of multiple nationality. To date, 20 Member States have signed the Convention,¹ while 13 EU Member States have ratified it.² Although awarding citizenship is a prerogative of the Member States, national regulations have to be implemented with due regard to EU law. This is particularly important as the establishment of Union citizenship by the Maastricht Treaty in 1992 conferred a number of rights and privileges to all persons who are citizens of an EU Member State. Examining and comparing the different rules and regulations in place in Member States is relevant, as the right to free movement for Union citizens means that the decision of one country over who to accept or reject as citizens can impact all other Member States as well. The acquisition of citizenship has been a topic of debate in many Member States in recent years, with the need to integrate migrants.

This EMN study aims at mapping and comparing the various approaches of EU Member States regarding third-country nationals' acquisition of citizenship in a Member State. It will focus in particular on the ordinary naturalisation for new migrants³ to the EU and therefore largely excludes the acquisition of citizenship through special naturalisation⁴. Ordinary naturalisation is considered to be "any acquisition after birth of a citizenship not previously held by the person concerned that requires an application to public authorities and a decision by these."⁵ This study will include a review of the conditions and requirements for naturalisation (e.g. length of legal stay, definition of legal stay, knowledge of language, economic and housing situation) and the administrative processes used by the Member States to determine whether a person is eligible to acquire citizenship or not. The study will examine whether Member States' permit dual citizenships and, if so, under which conditions. The study will also aim to explore how the acquisition of citizenship links to integration policies in the Member States, and whether naturalisation is considered the end-point of an integration process or whether acquisition of citizenship is intended to facilitate integration.

1.1 TARGET GROUPS / AUDIENCES

This study targets policy-makers at EU level (e.g. in the area of integration and intra-EU free movement) as well as broader target groups at national level, such as national policy-makers (migration/integration), researchers, and experts at those national authorities that are responsible for citizenship-related administrative procedures. This study would also be of interest to the wider public because of its topicality and due to the growing number of individuals becoming citizens of a Member State of the EU or acquiring a second (dual) citizenship.

2 SCOPE OF THE STUDY

The study focuses on citizenship matters as defined in the EMN glossary or otherwise commonly used. It shall cover the acquisition, by a third-country national, of the citizenship of an EU Member State. The study covers the broad category of third-country nationals who immigrated to the EU as first generation ('new migrants') and thus excludes second- and third generation migrants. If it is difficult to make the distinction in your Member State, please mention this throughout the template wherever relevant. EU citizens acquiring the citizenship of another EU Member State are not covered. The acquisition of citizenship of an EU Member State by persons living in a third country is also outside of the scope of this study.

As far as policies and legislation regarding the acquisition of citizenship is concerned, this study shall reflect the most recent situation and developments in the Member States, therefore focusing on 2019. Regarding policy and legal developments, it also appears useful to trace any such developments over the past five years. If reasonable, contributing EMN NCPs may also include planned legal or policy developments that have not yet come into effect at the time of writing.

As regards statistics, the study shall cover a five-year period, from 2014 to 2018.

¹ AT, BG, CZ, DE, DK, EL, FI, FR, HR, HU, IT, LU, LV, MT, NL, PL, PT, RO, SK, SE

² AT, BG, CZ, DE, DK, FI, HU, LU, NL, PT, RO, SK, SE

³ For the purpose of this study, 'new migrants' refer to third-country nationals who do not have a pre-existing historical tie with the Member State (ethnic, family, historical).

⁴ *i.e.* acquisition of citizenship through automatic acquisition, by marriage, through investor scheme and for political and/or discretionary reasons are excluded from the scope of this study

⁵ R. Baubock and S. Wallace Goodman (2011), EUDO Citizenship Policy Brief n°2, Naturalisation, available at: http://eudo-citizenship.eu/docs/policy_brief_naturalisation.pdf

3 EU LEGAL AND POLICY CONTEXT

The integration of third-country nationals has become an important policy topic in many Member States, not least as a result of the large number of new migrants who arrived in the EU in 2014-2016 and received international protection. When, how and under which circumstances a third-country national can acquire the citizenship of an EU Member State is an essential dimension of integration processes. The acquisition of citizenship can be seen as the final step of an individual's successful integration process, as an incentive for individuals to become part of a new society or both. According to Eurostat, roughly 825 000 individuals became citizens of a Member State of the EU in 2017, most of them in Italy, the United Kingdom, Germany and France. As the EMN has not previously conducted a comparative study on the acquisition of citizenship, the proposed topic will fill a significant gap in the thematic activities of the network.

Awarding citizenship is a prerogative of the Member States, which they must exercise having due regard to EU law.⁶ Indeed, Member States solely are responsible for laying down the conditions for the acquisition of citizenship.⁷ However, citizens of a Member State also enjoy the rights of EU citizenship, including that of mobility and free movement across all Member States. As such, the determination of citizenship by one Member State implies a responsibility to all others. In this sense, citizenship has an important EU dimension. As pointed out by the Court of Justice of the EU, while laying down the conditions of acquisition and loss of citizenship falls within the remit of national competence, in doing so Member States must have due regard to EU law.

Three main modes of naturalisation exist:⁸

- Ordinary naturalisation – residence-based naturalisation, which does not foresee any waivers of conditions normally envisaged for applicants;
- Discretionary naturalisation on grounds of national interest – fully discretionary naturalisation, where authorities waive all or almost all naturalisation conditions;
- Discretionary facilitated naturalisation on grounds of national interest – discretionary naturalisation, where authorities waive some but not all naturalisation conditions.

Furthermore, as noted by the European Commission, 24 additional types of acquisition of citizenship are found in the EU, including the facilitation of conditions for certain ethnic groups, on grounds of socialisation or family links.⁹ This hints at the complexity of the legal provisions surrounding the acquisition of citizenship.

The study will also seek to examine how the Member States support third-country nationals in applying for citizenship and inform them about their rights and duties as national and EU citizens.

The study also presents an opportunity for Member States to cooperate and share good practices on matters relating to citizenship and integration by comparing and analysing the various national rules and procedures used at national level.

4 PRIMARY QUESTIONS TO BE ADDRESSED BY THE STUDY

- Under what conditions can first generation migrants obtain the citizenship of the countries participating in this study? This includes, among other conditions/requirements, the length of legal stay in the country (with temporary/permanent residence status), the definition of legal stay or residence, knowledge of the language, economic situation, suitable housing, good conduct, or any legal or symbolic commitments to adhere to societal rules and norms.
- Are conditions different for different groups of third-country nationals, such as refugees or other groups significantly represented in the respective Member State (e.g. children, citizens of neighbouring third-countries, stateless people, investors)?
- Are there different procedures to acquiring citizenship (such as ordinary naturalisation by registration or by application)? How do these procedures work and how long do they take? To what extent are these procedures digitalised and applications submitted electronically?
- Is dual citizenship possible, and if so, under what conditions?

⁶ See Judgment of 7 July 1992, *Micheletti and Others v Delegación del Gobierno en Cantabria*, C-369/90, EU:C:1992:295, paragraph 10; Judgment of 11 November 1999, *Belgian State v Mesbah*, C-179/98, EU:C:1999:549, paragraph 29; Judgment of 20 February 2001, *Kaur*, C-192/99, EU:C:2001:106, paragraph 19; Judgment of 19 October 2004, *Zhu and Chen*, C-200/02, EU:C:2004:639, paragraph 37; Judgment of 2 March 2010, *Rottmann*, C-135/08, EU:C:2010:104, paragraph 39

⁷ See [Case Tjebbes and others C-221/17](#), Judgment of the Court of 12 March 2019, and [Case Rottmann C-135/08](#), Judgment of the Court of 2 March 2010

⁸ European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en. This study focuses on ordinary naturalisation

⁹ European Commission (2019). Part A Study Investor Citizenship and Residence Schemes, Notes accompanying Deliverable A. Available at: https://ec.europa.eu/info/files/part-study-investor-citizenship-and-residence-schemes_en

- What is the role of citizenship, including dual or multiple citizenships, in immigrant integration?

5 RELEVANT SOURCES AND LITERATURE

Comparable EU statistics on the acquisition of citizenship in the Member States are available at Eurostat. Additional statistical material should be available, in each country, at national level. It should be noted that although this study focuses on first-generation migrants, statistics extracted from Eurostat and provided by Member States will generally include all third-country nationals, including children/persons with a migrant family background ('second- and third-generation').

Many reports, analyses and comparisons regarding citizenship are available at the Global Citizenship Observatory [GLOBALCIT](#), the successor of EUDO CITIZENSHIP, which started in 2009 with a focus on citizenship laws in the EU Member States and then gradually expanded its scope. The [MACIMIDE Global Expatriate Dual Citizenship Dataset](#) charts the rules that existed in near all states of the world since 1960 with regard to the loss or renunciation of citizenship after a citizen of a respective state voluntarily acquires the citizenship of another state. The [Quality of Nationality Index](#) is relevant in that provides information on citizenship by investment.

Recent reports and EMN Ad-hoc queries are worth considering for this study, such as:

- European Commission, [Report on Investor Citizenship and Residence Schemes in the European Union](#), January 2019, accompanied by its Staff Working Document
- Milieu Study on "[Factual analysis of Member States Investors' Schemes granting citizenship or residence to third-country nationals investing in the said Member State](#)"
- European Parliament, [Briefing on Acquisition and loss of citizenship in EU Member States](#), July 2018
- 'Settling In' 2018, Indicators of Immigrant Integration, OECD
- EMN Ad-hoc query 2019.23 on investor schemes (golden passports)
- [Migrant integration policy index](#)¹⁰
- EMN Ad-hoc query 2015.709 on [Fees for Citizenship Application](#) (2015)
- EMN Ad-Hoc Query 2015.669 on [Exceptions to an obligation to be released from the old citizenship before acquiring a new one](#) (2015)
- EMN Ad-hoc query 2012.399 on [Citizenship Tests](#) (2012)
- EMN Ad-hoc query 2012.402 on [Dual Citizenship](#) (2012)
- OECD study on Naturalisation and the Labour Market - Integration of Immigrants¹¹
- Fundamental Rights Agency, [Second European Union Minorities and Discrimination Survey – main results](#), December 2017
- EMN Ad-hoc query 2015.719 on the [establishment of identity in connection with naturalisation](#) (2015)

To draft their contributions to this study, EMN NCPs should describe and analyse the respective national laws and policy documents regarding the acquisition of citizenship. Administrative handbooks as well as enquiry and research reports should also be used.

6 AVAILABLE STATISTICS

As far as comparable statistics are concerned, Eurostat provides the following data sets for each EU Member State:

- **Residents who acquired citizenship as a share of resident non-citizens by former citizenship (EU / non-EU) and sex** – annual data [migr_acqs].
Note: This type of data can provide an indication of how easy or difficult it is in the various Member States to acquire the citizenship of the country of residence.
- **Acquisition of citizenship by age group, sex and former citizenship** (all former EU and non-EU citizenships) – annual data [migr_acq]
Note: This dataset is the most important one regarding quantitative analyses of the acquisition of citizenship in the Member States.
- **Acquisition of citizenship by age group, sex and level of human development of former citizenship** – annual data [migr_acq1ctz]
Note: In this data set, former citizenships are grouped in accordance with position in human development index.
Note: These data are not available for all EU Member States.

¹⁰ <http://www.mipex.eu/access-nationality>

¹¹ <https://www.oecd.org/els/mig/48328760.pdf>

7 DEFINITIONS

According to the European Convention on Nationality, "**nationality**" means the legal bond between a person and a State and does not indicate the person's ethnic origin.¹² A case of the Court of Justice of the EU further defined nationality as "the special relationship of solidarity and good faith between [a Member State] and its nationals and also the reciprocity of rights and duties, which form the bedrock of the bond of nationality".¹³

"**Multiple nationality**" means the simultaneous possession of two or more nationalities by the same person.¹⁴ For the purpose of this study, the term "dual citizenship" is used.

According to the EMN glossary,¹⁵ the term "**citizenship**" is defined as "the particular legal bond between an individual and their State, acquired by birth or naturalisation, whether by declaration, choice, marriage or other means according to national legislation."

It is noted that, as per the EMN Glossary, in some Member States, a distinction is made between citizenship and nationality, whereas in the EU context, no distinction is made, and the two terms are considered interchangeable. Those countries which distinguish between citizenship and nationality, the term citizenship refers specifically to the legal rights and duties of nationals.

"**Acquisition of citizenship**" refers to "Any mode of becoming a national, i.e. by birth or at any time after birth, automatic or non-automatic, based on attribution, declaration, option or application".¹⁶

This study explores the acquisition of citizenship through naturalisation. "**Naturalisation**" means "any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority".¹⁷ As per a recent report published by the European Parliament, a distinction is made 'between ordinary naturalisation – when the primary grounds of acquisition of citizenship is a certain period of residence in the country, and special naturalisation – when the acquisition of citizenship is based on other considerations, such as family links, ethno-cultural connections or special contributions'.¹⁸ The first definition will be used for the purpose of this study, meaning that the emphasis is on the third-country nationals acquiring citizenship on the basis of an application process following a minimum legal residing period.

Ius sanguinis refers to "the determination of a person's nationality on the basis of the nationality of their parents (or one parent or one particular parent) at the time of the target person's birth and at the time of acquisition of nationality by the target person (the two points in time are different in cases of acquisition after birth).¹⁹

In contrast to this, **Ius soli** refers to "the principle that the nationality of a person is determined on the basis of their country of birth".²⁰ The different categories of *Ius soli* are defined as follows:²¹

- Unconditional *Ius soli*: on the basis of birth. Citizenship is automatically granted to those born in the country, regardless of any other conditions;
- Conditional *Ius soli*: on the basis of certain conditions, e.g. minimum period of residence in the country of the parents;
- Automatic double *Ius soli*: on the basis of parental birth in the country. Children born in the country to foreign citizens can automatically acquire citizenship at birth if at least one of their parents was also born in the country;
- Conditional double *Ius soli*: on the basis of certain conditions and parental birth in the country. Children born in the country to foreign citizens can acquire citizenship at birth if at least one of their parents was also born in the country under certain conditions, e.g. minimum period of residence for parents.

8 ADVISORY GROUP

- SE EMN NCP (Chair)
- COM (DG Migration & Home Affairs)
- AT EMN NCP

¹² Article 2(a), European Convention on Nationality, available at: <https://rm.coe.int/168007f2c8>

¹³ Judgment of 2 March 2010, Rottmann, C-135/08, available at: <http://curia.europa.eu/juris/liste.jsf?num=C-135/08>

¹⁴ Article 2(b), European Convention on Nationality, available at: <https://rm.coe.int/168007f2c8>

¹⁵ EMN Glossary 6.0, available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

¹⁶ EMN Glossary 6.0, available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

¹⁷ EMN Glossary 6.0, available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

¹⁸ European Parliament (2018). Acquisition and loss of citizenship in EU Member States – Key trends and issues, available at: [http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI\(2018\)625116](http://www.europarl.europa.eu/thinktank/en/document.html?reference=EPRS_BRI(2018)625116)

¹⁹ EMN Glossary 6.0, available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

²⁰ EMN Glossary 6.0, available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en

²¹ <http://eudo-citizenship.eu/docs/ius-soli-policy-brief.pdf>

- BE EMN NCP
- CY EMN NCP
- EE EMN NCP
- EL EMN NCP
- FI EMN NCP
- FR EMN NCP
- HU EMN NCP
- IE EMN NCP
- LT EMN NCP
- LU EMN NCP
- LV EMN NCP
- SI EMN NCP
- SK EMN NCP
- Odysseus network expert
- ICF (EMN Service Provider)
- Fundamental Rights Agency (FRA)

9 TIMETABLE

The following tentative timetable has been proposed for the Study going forward:

Date	Action
5 August	Launch
2 December	Submission of national reports by EMN NCPs
10 January	First synthesis report to COM
17 January	Deadline for comments
22 January	Circulation of the first SR to all NCPs
5 February	Deadline for comments
March 2020	Publication

10 Template for national contributions

The template provided below outlines the information that should be included in the national contributions of EMN NCPs to this Study. For national contributions, the total number of pages should not exceed **35-40 pages**, including questions and excluding the Statistical Annex. A limit of **25-30 pages** will also apply to the synthesis report, in order to ensure that it remains concise and accessible.

Top-line factsheet

Estonia is not a party of 1961 UN Convention on the Reduction of Statelessness nor 1997 European Convention on Nationality. However, it is the Government position that **Estonian citizenship policy is fully in accord with international law**. There have been several legislative changes to facilitate the naturalisation procedures for children and elderly with undefined citizenship. The government's position is that **citizenship cannot be forced on anyone** and that everyone has the right to choose his or her citizenship. In September 2019 Estonia had a population of 73587 persons with undetermined citizenship.

Citizenship Act lays out the general rule that an **Estonian citizen may not simultaneously hold the citizenship of another state**. The acquisition of citizenship in Estonia is based on the **ius sanguinis** (with an exception made for parentless children found in Estonia).

The main amendments to the Citizenship Act in the recent five years aim to broaden the number of groups, which have the right to apply for Estonian citizenship as well as to **lift some requirements from certain groups**. From February 13 2015 Estonian language requirements for applicants older than 65 years were simplified. From January 1 2016 the number of young persons with undetermined citizenship was reduced. Also from January 1 2016 on a person who as a minor acquires Estonian citizenship as well as the citizenship of another state can postpone the renouncing of one of those citizenships until (s)he turns 21 years old. With the amendment that entered into force 1 January 2019, the state offers a language training agreement to foreigners who would like to get Estonian citizenship.

Major debates about third-country nationals holding or acquiring Estonian citizenship have been:

- (i) **The issue of allowing dual citizenship.** The state de facto tolerates the dual citizenship of those who have acquired Estonian citizenship by birth. The Constitution does not allow taking away Estonian citizenship acquired by birth. Thus, there is a tension between the Citizenship Act and the Constitution. This means it is very complicated if not illegal to enforce the Citizenship Act regarding taking Estonian citizenship from dual citizens. Currently the authorities have no overview of the number of citizens who have secretly retained or even later on acquired citizenship of another country.
- (ii) **The citizenship question of the descendants of opticians.** At the end of the War of Independence (1918-1920) it was agreed in Tartu Peace Treaty that the subjects of the Soviet Russia could opt for Estonian citizenship while living in Russia. The treaty also obliged them to leave Russia's borders within a year without imposing an obligation on opticians to settle in Estonia. In 1922 81027 applicants were granted a certificate of Estonian nationality. By 1923, however, 43 449 opticians had not left Russia as it was foreseen in the Tartu Peace Treaty. Also 688 Estonians from Abkhazia (Democratic Republic of Georgia) opted for Estonian citizenship. Many of them did not reach the Republic of Estonia. The position of the Government of Estonia on whether opticians who did not move to Estonia automatically lost their Estonian citizenship has been inconsistent after Estonia regained its independence in 1991. The ruling coalition has promised to create legal clarity on citizenship question of the descendants of opticians.

In general, those who wish to acquire Estonian citizenship must be **proficient in the Estonian language** (defined as general proficiency in basic Estonian needed in everyday life which corresponds to the proficiency level B-1) as well as know **the Constitutional order of the Republic of Estonia and Citizenship Act**. However, there are certain groups that do not have to meet this requirement (in full) e.g. persons with ill health, those who are granted citizenship for special merits as well as some groups of young people.

In Estonia, **citizenship must be applied for separately for a child**. Automatic citizenship is acquired only if the child is born to a parent who is a citizen. **A minor under 15 years of age** is granted Estonian citizenship together with his or her parent who is applying for Estonian citizenship at the application of the minor's parents or single parent, provided that the minor resides permanently in Estonia on the basis of an Estonian residence permit or the right of residence. **A minor under 1 year of age** is granted Estonian citizenship together with his or her parent who is applying for Estonian citizenship at the application of the minor's parents or single parent, provided the minor is staying in Estonia, regardless of whether or not the minor holds an Estonian residence permit or the right of residence in Estonia.

The most common grounds for a **negative citizenship application decision** in Estonia from 2014-2018 is that the person has **committed a criminal offence** for which he or she was sentenced to imprisonment for more than one year and whose conviction has not been spent or who has been repeatedly convicted of intentionally committed criminal offences (155 cases).

The Government provides information and encourages third-country nationals to consider applying for Estonian citizenship. This is done via several web pages, handbooks as well as via individual letters from the Minister of the Interior, sent to certain categories of population to inform them on their opportunities to apply for Estonian citizenship. Furthermore, Integration and Migration Foundation offers **free consultations** on issues related to integration including requirements for acquiring the citizenship of Estonia.

The Government **reimburses the costs of the Estonian language course as well as a course on the Constitutional order and Citizenship Act** made by an Applicant who has passed the examinations up to one hundred percent. Also, from 01.01.2019 **language learning agreements** may be concluded with foreigners who wish to acquire Estonian citizenship and who are at least 15 years old. This training is for free to participants. The Integration

Foundation also runs **Estonian Language Houses in Tallinn and Narva** that offer traditional language courses as well as language cafés, Estonian language and culture clubs, digital learning apps etc.

In Estonia **certain privileges are reserved for citizens only**, such as recruitment to positions in government agencies and local authorities. Furthermore, only Estonians can belong in political parties and vote in the Riigikogu (Estonian Parliament) elections. Only Estonians by birth can be nominated candidates for President. Also, classes of property may be established that can be acquired in Estonia only by citizens of Estonia. Estonian citizens who have dual or multiple have all the rights of Estonian citizens. Finally, only citizens can participate in national defense.

The acquisition of citizenship is intended to **facilitate integration** in the Strategy of Integration and Social Cohesion in Estonia “Integrating Estonia 2020”. The objectives of (i) increasing the number of people having obtained Estonian citizenship by naturalisation as well as (ii) the decrease of the number of persons with undetermined citizenship are also written in the current Integration strategy.

Key challenges of Estonian citizenship policy include:

- (i) **Formulating a position on multiple citizenship** that (i) is fair; (ii) takes into account the reality of the increasing cross-border mobility of people and helps the country maintain contact with its people that do not live in Estonia and furthermore increases the number of citizens given the limited human resources of Estonia, and (iii) ensures that the Estonian state is run by Estonian-minded people and that the Republic of Estonia retains its independence.
- (ii) **Eradicating statelessness**, including reducing the number of the holders of undetermined citizenship in Estonia.
- (iii) Finally, **the issue of opticians’ descendants’ right to Estonian citizenship by birth** is still confusing and widely discussed in the wider public. There is need for legal clarity as well as legitimacy of those decisions in the eyes of all parties concerned.

Regarding the **planned policy developments**, on 23.09.2019, the first reading of the **Bill on Amendments to the Citizenship Act** was held at the Riigikogu sitting. According to the bill, the Citizenship Act will regulate the provision of Estonian citizenship to a child under 18 years of age whose parent or grandparent with undetermined citizenship lived in Estonia before 20.08.1991 (the day of restoration of independence) and whose other parent is **a national of another country**. According to the current regulation both parents need to have undetermined citizenship in order for the child to acquire Estonian citizenship from birth. **On 25.09.2019, the Bill on Amendments to the Citizenship Act and the Basic Schools and Upper Secondary Schools Act** was also in the Riigikogu at first reading. According to the bill, basic school final exams will no longer be taken to graduate basic school. With the passing of this bill solutions will be developed to ensure that the graduates of basic school will continuously smoothly meet the requirements for applying for Estonian citizenship.

Section 1: Legal and policy overview

Q1. With reference to international law, is your Member State a party to the:

a) **1961 UN Convention on the Reduction of Statelessness?**

No.

*Estonia believes that its accession to the 1961 Convention would not provide significant benefits to persons with undetermined citizenship. Estonian citizenship policy is fully in accord with international law, including the United Nations conventions concerning statelessness. **The provisions of the convention are less comprehensive than the rights currently enjoyed by Estonian residents with undetermined citizenship.***

b) **1997 European Convention on Nationality?**

No.

*Estonian citizenship policy is fully in accord with international law, including the European Convention on Nationality concerning statelessness. In recent years, **Estonian government has encouraged persons with 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. The government's position is that citizenship cannot be forced on anyone and that everyone has the right to choose his or her citizenship.*

Q2. Which are the main legal instruments covering the acquisition of citizenship for third-country nationals in your Member State? For example, is the acquisition of citizenship laid out in the constitution?

Please explain in the form of a short, succinct narrative, starting from general principles to application rules. Please provide references to the main relevant laws and (name and date).

The main legal documents covering the acquisition of citizenship for third-country nationals in Estonia are the [Constitution of the Republic of Estonia](#), and [Citizenship Act](#).

Constitution of the Republic of Estonia (first entry into force 03.07.1992) states that:

§ 8.

- Every child of whose parents one is a citizen of Estonia is entitled to Estonian citizenship by birth.
- Everyone who has forfeited his or her Estonian citizenship as a minor is entitled to its restoration.
- No one may be deprived of an Estonian citizenship acquired by birth.
- No one may be deprived of Estonian citizenship because of his or her beliefs.
- The conditions and procedure for the acquisition, forfeiture and restoration of Estonian citizenship are provided in the Citizenship Act.

§ 30.

- Recruitment to positions in government agencies and local authorities takes place among citizens of Estonia in accordance with the law and pursuant to the procedure established by law. Citizens of foreign states and stateless persons may be recruited to such positions as an exception provided this is allowed by the law.

§ 32.

- On public interest grounds, the law may provide classes of property which may be acquired in Estonia only by citizens of Estonia, by certain categories of legal persons, by local authorities, or by the Estonian government.

§ 48.

- Everyone has the right to form non-profit associations and federations. Only citizens of Estonia may belong to political parties.

§ 60.

- Any citizen of Estonia who has attained twenty-one years of age and is eligible to vote may stand in an election of the Riigikogu (Estonian Parliament).

§ 79.

- Nominations of candidates for President may be made from among citizens of Estonia by birth who have attained at least forty years of age.

§ 104.

- The Citizenship Act may only be passed and amended by a majority of the members of the Riigikogu (Estonian Parliament).

§ 124.

- Citizens of Estonia have a duty to participate in national defence in accordance with the principles and procedure provided by the law.

Citizenship Act lays out the following:

§ 1. Estonian citizen:

- (1) An Estonian citizen is a person who holds Estonian citizenship at the time of entry into force of this Act or a person who acquires or restores his or her Estonian citizenship in accordance with this Act.
- (2) An Estonian citizen may not simultaneously hold the citizenship of another state without prejudice to the special rules established in section 3 of this Act. [Entry into force 01.01.2016]

§ 2. Acquisition, resumption and loss of Estonian citizenship states the following:

- (1) Estonian citizenship is:
 - 1) acquired by birth;
 - 2) acquired by naturalisation;
 - 3) restored to a person who lost his or her Estonian citizenship as a minor;
 - 4) lost through release from or deprivation of Estonian citizenship or as a result of the acceptance of the citizenship of another state.
- (2) Estonian citizenship is acquired, restored or lost under the conditions and following the procedure provided in this Act.
- (3) The provisions of the Administrative Procedure Act apply to administrative proceedings provided in this Act without prejudice to the rules specific to this Act. [Entry into force 08.07.2006]

§ 2¹. States that the Police and Border Guard board shall control a database of persons who have acquired or lost Estonian citizenship, or to whom Estonian citizenship has been restored. [Entry into force 15.03.2019].

§ 3. Special rules concerning the holding of multiple citizenships

- (1) A person who as a minor acquires Estonian citizenship as well as the citizenship of another state must renounce either his or her Estonian citizenship or his or her citizenship of the other state within three years after attaining the age of 18 years.
- (2) The requirement of release from the previous citizenship does not apply to a person who applies for the acquisition or resumption of Estonian citizenship if that person has been granted international protection by the Republic of Estonia or another member state of renounce his or her previous citizenship. [Entry into force 01.01.2016]

§ 6. Conditions for acquiring Estonian citizenship lays out conditions that an Alien must meet in order to qualify for Estonian citizenship.

Q3. Have the laws and policies regarding third-country nationals' acquisition of citizenship in your country undergone any major changes in recent years which significantly changed the procedures or requirements of the acquisition of citizenship²²? If yes, what have been the main drivers for the change? (e.g. EU /national case law, changes in other aspects of (national) migration law or policy etc.) Kindly note that the response should refer to the target group of the study only.

Yes.

There are a number of amendments made to the Citizenship Act. With these amendments the number of groups, which have the right to apply for Estonian citizenship, has been increased.

*Firstly, from 13.02.2015 Estonian language requirements for **applicants older than 65 years** were simplified. Applicants for citizenship aged 65 years and over, have to pass the oral section of the language test only.*

*Another mayor change came into force from 1st January 2016 with a goal to **reduce the number of young persons with undetermined citizenship**. The special focus was on the newly*

²² In the framework of this study, the aim is to identify and assess potential changes that may have occurred in the past five years. Please limit your analysis to the 2014-2019 period. However, should important changes occurred in 2013, you can still mention those and explain the impact on the current rules in place.

born children born to stateless parents. From 1st January 2016 a child born in Estonia, gets automatically Estonian citizenship by naturalisation as of the moment of his or her birth if the parents or a single parent have been residing in Estonia for at least five years by the time of the birth of the child, and they are not considered as citizens by any other state. In order to renounce the Estonian citizenship granted on this way, the parents are entitled to submit an application to the governmental authority before the child turns one-year-old. In addition, all stateless minors born in Estonia before 1st January 2016 who were under 15 years old, as of 1st January 2016, got Estonian citizenship automatically starting from the 1st of January 2016. Over 800 children have received Estonian citizenship on this basis.

Also from 1st January 2016 there were established **special rules concerning the holding of multiple citizenships** in a country that normally allows only one citizenship to its subjects. From 1st January 2016 on a person who as a minor acquires Estonian citizenship as well as the citizenship of another state must renounce either his or her Estonian citizenship or his or her citizenship of the other state within three years after attaining the age of 18 years.

With the amendment that entered into force 1st January 2019, **the state offers a language training agreement** to aliens who would like to get Estonian citizenship. Under the agreement, the foreigner undertakes to take language training courses until they achieve the level of B1 in Estonian, to comply with the general conditions for acquiring Estonian citizenship and to submit the application for Estonian citizenship within one year of passing the examination for the level of B1 in Estonian. According to the agreement aliens can get Estonian language courses free of charge and, in addition, they receive a free study leave of 20 days a year and also a scholarship.

Q4. Have there been any major debates or national issues about third-country nationals holding or acquiring the citizenship of your Member State in recent years? If so, have these debates included the acquisition also of EU citizenship rights (such as right to vote, right to free movement including labour mobility, consular protection and right to protection, etc.)? Please specify in which framework these debates were held (e.g. policy-makers, media, general public).

Yes.

There have been three major debates outlined below.

1. Dual citizenship

One of the recurring issues in the media of the newly independent Estonia has been the issue of allowing dual citizenship. The Citizenship Act in Estonia has stipulated that an Estonian citizen may not simultaneously hold the citizenship of another country and that a person who as a minor acquires Estonian citizenship as well as a foreign citizenship must decide after (s)he gets 18 years old which one of the two nationalities (s)he keeps.

An exception to the rule is made for the beneficiaries of international protection that can keep two nationalities, given that the situation in his/her country of origin has not changed significantly and (s)he cannot renounce the other citizenship.

However, **deprivation of citizenship acquired by birth is contrary to the Constitution**. There have been repeated attempts to resolve the tension between the Citizenship Act and the Constitution on the issue of dual citizenship. Yet, all bills have all been rejected so far.

Already on **23rd February 1995**, the Constitutional Committee (initiated by Estonian National Independence Party Faction) initiated the Bill on Amendments to the Citizenship Act (No 846). The plan was to remove from the law the provision that an Estonian citizen is forbidden to have citizenship of another country. It was recognised that while it may be in the interests of Estonia to avoid dual citizenship, it cannot be 100% prevented. It was also noted that the Constitution does not prohibit dual citizenship. At the same time, it was stressed that it is prudent to write into the law provisions which, in accordance with the Constitution, would avoid the creation of dual citizenship as far as possible.

On **20th June 2013** two Bills on Amendments to § 29 of the Citizenship Act (No 459 and No 588 SE) were proposed by the Social Democratic Party Faction aimed at allowing the preservation of Estonian citizenship for those who hold a citizenship of a country other than Estonian **if it is impossible or unreasonably complicated to renounce the citizenship of another country**. The explanatory memorandum to the bill describes, for example, a situation when a child born to parents of undetermined citizenship in Estonia has acquired Estonian citizenship by simplified naturalisation. Thereafter, the parent of the child has acquired the citizenship of the Russian Federation and, on the recommendation of the officials of the Russian Federation, has taken the citizenship of the Russian Federation to the child who is an Estonian citizen. In cases

where the Police and Border Guard Board becomes aware that this child has dual citizenships, the administrative procedure for the loss of Estonian citizenship is initiated. Unfortunately, under the Russian Federation Citizenship Act, a child can only renounce Russian Federation citizenship if one of the parents is a national of another country. In administrative practice, the Russian Federation does not consider a person of undetermined citizenship to be a citizen of another state, which means that this minor cannot choose Estonian citizenship over Russian one and thus retain Estonian citizenship. The bill sought to allow dual citizenship also in cases where an Estonian citizen cannot renounce another nationality because his or her other nationality has ceased to exist or his or her state apparatus is inoperative, when there is war or humanitarian difficulties, or when a person is unable to travel to that country.

The latest attempt to allow dual citizenship by law was initiated by the Estonian Reform Party Faction on **9th May 2018**. The Bill on Amendments to the Citizenship Act (no 634 and subsequent drafts No 709 and No 37) planned to allow **Estonian citizens of birth to have dual citizenship with a selection of democracies**. The list included the Member States of the European Union and the European Economic Area and Switzerland. The reason given in the Explanatory Memorandum was that these are democratic rule-of-law countries, their citizens are subject to European Union law on free movement of persons, and there is no public interest or objective reason not to allow Estonian citizens have dual citizenship with those countries. It was also envisaged that the Estonian nationals at birth could simultaneously hold the citizenship of the United States, Australia, Canada or New Zealand, as there are Estonian communities in these countries and there is no public interest or objective reasons for denying Estonian citizens to have dual citizenship with those countries.

With respect to the rest of the countries in the world, the draft stipulated that an Estonian citizen could also be a citizen of another country if the respective country has concluded relevant agreements on the recognition of dual citizenship with the Republic of Estonia. Thus, the Bill did not exclude the admission of multiple citizenship with any country. As potential countries with which to consider allowing dual citizenship, the explanatory memorandum mentioned countries with a historic Estonian community, such as Georgia and Ukraine.

In the Estonian media, dual citizenship is denounced primarily for **security reasons**, in order to prevent an increase of the decision-making power of citizens of the Russian Federation in Estonia. Dual citizenship has been supported primarily by the argument that forcing citizens at birth to give up their Estonian citizenship is in **violation of the Constitution** and it **weakens the ties of the Estonian people to their homeland and makes Estonia a smaller player in the globalised world**.

Coalition agreement concluded in spring 2019, include the following points in its Citizenship Policy chapter:

- There will be no change in citizenship and language policy.
- Coalition does not legalise dual citizenship.

2. The citizenship question of the descendants of opticians

It is important to point out here the specific group of people, potentially **up to 40 000**, who have Estonian predecessors and who live predominantly in the territory of the former Soviet Union. The Government of the Republic of Estonia has not been entirely consistent about their entitlement to **restore their Estonian citizenship by birth**.

With the descendants of opticians, the issue is not naturalisation, but whether they are considered to be born citizens. Thus, they may **apply for Estonian passport and ID card**, not citizenship. This group is divided into two subgroups that are treated differently by the Republic of Estonia. Some descendants of opticians have not applied for a document; others have already been documented by the state with an Estonian citizen's passport. However, according to the Ministry of the Interior, this should not have happened because their ancestors **did not actually fulfill the terms of the option** because they did not settle in Estonia.

At the end of the War of Independence (1918-1920), some **200 000 Estonians lived in Soviet Russia**, many of them in Estonian settlements. According to the Tartu Peace Treaty (1920), the subjects of the former Soviet Russia could opt for Estonian citizenship while living in Russia. The treaty also obliged them to leave Russia's borders within a year without imposing an obligation on opticians to settle in Estonia.

106,000 applications were filed in Russia in 1922, of which **81 027 applicants were granted a certificate of Estonian nationality** including, inter alia, the clause «Admitted to citizenship». By 1923, however, only 37,578 opticians that now had a document saying they have been had arrived in Estonia, **43 449 opticians had not left Russia** within the time limit set by the Tartu Peace Treaty. Estonians from Abkhazia (Democratic Republic of Georgia) were also able to opt. From 1920 to 1921, **688 Estonians in Abkhazia opted for Estonian citizenship**. Many of them did not reach the Republic of Estonia.

Pursuant to the Citizenship Act of the Republic of Estonia, which entered into force in 1995, Estonian citizenship is acquired by birth by any child at least one of whose parents holds Estonian citizenship at the time of the birth of the child. Thus, it is estimated by the [Olavi-Jüri Luik and Andres Aule](#) that there are still **40,000 people left in Russia, who can be considered Estonian citizens by birth** according to the Tartu Peace Treaty and **the logic of legal continuity**.

As mentioned above, the position of the Government on whether opticians who did not move to Estonia automatically lost their Estonian citizenship has been **inconsistent** after Estonia regained its independence in 1991. Some descendants of opticians who did not move to Estonia have been granted Estonian passports and ID cards, others have not. Currently there is a policy that only those who have already been documented by Estonian government can renew their Estonian citizens' passports, others will most likely receive a refusal to their application for Estonian identity documents.

Thus, the Citizenship Act addresses this group in its § 32 entitled '**Grant of citizenship to a person who has been erroneously defined as an Estonian citizen**'. It lays down that a person whom the governmental authority erroneously acknowledged to be an Estonian citizen due to the status of another person (e.g. mother, father) whom that authority had erroneously acknowledged to be an Estonian citizen has acquired Estonian citizenship [§ 32 (1), (4) of the Citizenship Act, entry into force 01.08.2012].

In 2018 Minister of the Interior Mrs Katri Raik [summarised](#) the public debate: "We need to figure out how to proceed with the Estonian citizens residing in Abkhazia so that they would not have to renounce the other citizenship in order to retain the Estonian one. The situation needs to be addressed separately, because if you live in Abkhazia, it is extremely difficult to get by without a Russian Federation passport and yet, in order to visit your historical homeland, you need to have an Estonian citizenship". President Kaljulaid has also emphasised that Estonian legislation needs to change in order to accommodate their needs and protect the interests of Estonian citizens, referring to the descendants of opticians who failed to return to Estonia.

Since this issue is still confusing and discussed in the wider public the Citizenship Policy chapter of the ruling coalition's [Coalition Agreement](#) contains the following points concerning the **creation of legal clarity in opticians' right to Estonian citizenship by birth**:

1. We are of the opinion that given that a person acted in good faith upon acquiring Estonian citizenship, (s)he should not be deprived of Estonian citizenship if it is subsequently assessed that the decision to grant him/her Estonian citizenship was the result of a mistake by officials.
2. We are resolving the legal confusion over the citizenship of Abkhazian Estonians.

3. Granting Estonian citizenship to children who were born to parents with "grey passport" citizenship

While the granting of Estonian citizenship to adults in a simplified manner has been the subject of public debate, granting Estonian citizenship to minors who live in Estonia has not caused such a controversy. Following is an overview of the major legislative changes in this area in recent years.

From 1st January 2016 children **born to parents of undetermined citizenship** automatically receive Estonian citizenship by naturalisation from birth. Up till that date those children would have inherited undetermined citizenship from their parents. However, the law stipulates that if parents do not wish to have Estonian citizenship for their child, they could notify the Police and Border Guard Board before the child reaches the age of one. Also from 1st January 2016 all children under the age of 15 with undetermined citizenship (there were more than 700 of them) receive Estonian citizenship through naturalisation. The parents of these children were also given the right to opt-out for one year, notifying the Police and Border Guard Board.

On 23rd September 2019, the first reading of the Bill on Amendments to the Citizenship Act was held at the Riigikogu sitting. According to the bill, the Citizenship Act will regulate the provision of Estonian citizenship to a child under 18 years of age whose **parent or grandparent with undetermined citizenship** lived in Estonia before 20.08.1991 (the day of restoration of independence) and whose **other parent is a national of another country** (there are approximately 1500 of them). If the child is a national of another country, he or she must renounce the nationality of the other country. According to the current regulation both parents need to have undetermined citizenship in order for the child to acquire Estonian citizenship by naturalisation from birth. This bill has not been passed yet.

Q5. From a legal perspective, is there a distinction between nationality and citizenship in your Member State? If so, what are the differences?

No.

In Estonia citizenship refers to the legal relationship between a person and the state and a person's citizenship does not indicate his or her ethnicity.

Q6. Is the acquisition of citizenship in your Member State based on the *ius sanguinis* or the *ius soli* principle, on a mixture of these principles, or on other principles? Please check the appropriate box and explain.

ius sanguinis.

Please see explanation below under 'Mixed ius soli and sanguinis'.

Mixed *ius soli* and *sanguinis*.

*While **the main avenue of acquisition of Estonian citizenship by birth is ius sanguinis** there is an exception where *ius soli* is applied:*

Any child who is found in Estonia and whose parents are unknown is declared by order of the court, at the application of the guardian of the child, to have acquired Estonian citizenship by birth. [§ 5. (2) of the Citizenship Act, entry into force 01.01.2016]

Q7. In which modes can third-country nationals acquire the citizenship of your Member State? Please check all boxes that apply and briefly describe the main modalities. Kindly note that the response should refer to the target group of the study only. This question links to Statistical Annex 1.2.

By ordinary naturalisation.

- (i) *Aliens that are at least **15 years of age** qualify for Estonian citizenship, given that other conditions for acquiring Estonian citizenship laid out in § 6 of the Citizenship Act are met [Entry into force 08.07.2006].*
- (ii) *Also **a minor under 15 years of age** is granted Estonian citizenship if this is applied for on behalf of the minor by the minor's parents who are Estonian citizens, or by one parent who is an Estonian citizen following an agreement with the parent who is not an Estonian citizen which bears officially certified signatures of the parties, or by the minor's single parent who is an Estonian citizen. [Citizenship Act § 13 (1), entry into force 13.02.2015].*
- (iii) *Furthermore, **a minor under 15 years of age who has been assigned a guardian** is granted Estonian citizenship at the application of the minor's guardian who is an Estonian citizen, provided the minor resides permanently in Estonia on the basis of an Estonian residence permit or the right of residence. [Citizenship Act § 13 (3), entry into force 01.01.2016].*

By special naturalisation (e.g. based on considerations such as historical / ethno-cultural considerations, for political or other discretionary reasons, investment scheme). *Please explain, briefly outlining the different types of special naturalisation available in your Member State:*

*Estonian citizenship can also be acquired for **achievements of special merit** according to § 10 of the Citizenship Act. Achievements of special merit may be achievements in the area of science, culture, sports or in other areas. Estonian citizenship for achievements of special*

merit may be granted to **not more than ten persons in a year**. Proposals for granting citizenship for achievements of special merit may be made by members of the Government of the Republic.

Other (e.g. reinstatement of former citizenship). Please explain, briefly outlining any other modes of naturalisation not covered above:

- (i) **Anyone who has lost his or her Estonian citizenship as a minor** is entitled to its restoration [§ 16 (1) of the Citizenship Act]. That includes Estonian residents born in Estonia to stateless parents who lost Estonian citizenship following the request submitted his/her parents or a single parent before the child got one year old. [Citizenship Act § 16 (1¹), entry into force 01.01.2016].
- (ii) Moreover, the governmental authority authorised by the Government of the Republic recognises **a person who has been erroneously acknowledged by such authority to be an Estonian citizen** in the course of a procedure of issuing an Estonian identity document, to have acquired Estonian citizenship on the legal ground under which he or she was erroneously acknowledged as an Estonian citizen. [Citizenship Act § 32 (1), entry into force 01.08.2012]. However, the decision of the governmental authority authorised by the Government of the Republic to recognise, in accordance with in subsection 1 of this section, the acquisition of Estonian citizenship by a person who is a citizen of another state, enters into force on the day following the day that person submits to the authority a certificate which shows that the person has been released from the citizenship of the other state. [Citizenship Act § 32 (7), entry into force 01.01.2012]. Please see also answer to Q4 that addresses the issue of descendants of opticians.

Q8. What is the most common / frequent way from those mentioned above for third-country nationals to acquire citizenship in your Member State?²³ This question links to Statistical Annex 1.2.

Ordinary naturalisation is the predominant avenue to acquire Estonian citizenship. Please see also Annex 1.2 for further details.

Section 2: Conditions and requirements for the acquisition of citizenship after birth through ordinary naturalisation

In cases where citizenship is not acquired at birth, what are the requirements and conditions that third-country nationals have to fulfil to obtain citizenship of your Member State? Please provide a brief overview of the conditions and requirements. Further details are to be provided in the subsequent questions.

Please note that the questions below only refer to cases when the primary grounds of acquisition of citizenship is through ordinary naturalisation (i.e. the legal process whereby a third-country national who is legally present on the territory of a Member State may acquire citizenship of an EU Member State. A new migrant is described as a third country national who does not have a pre-existing historical tie with the Member State (ethnic, family, historical).¹ The conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country are not covered.

§ 6. Of the Citizenship Act lays out **conditions for acquiring Estonian citizenship**. Accordingly, an Alien who wishes to acquire Estonian citizenship must:

- 1) be at least 15 years of age;
- 2) hold a long-term residence permit or the right of permanent residence;
- 2¹) prior to the date on which he or she submits the application for Estonian citizenship, have lived in Estonia for at least eight years on the ground of a residence permit or by right of residence, of which at least five years on a permanent basis; [entry into force 01.01.2016].
- 2³) have a registered place of residence in Estonia;
- 3) be proficient in the Estonian language in accordance with the requirements provided in section 8 of this Act;
- 4) know the Constitution of the Republic of Estonia and the Citizenship Act in accordance with the requirements provided in section 9 of this Act;
- 5) have a permanent legal income; [entry into force 13.02.2015].
- 6) be loyal to the Estonian state;

²³ Please note that statistics on the number of third-country nationals who have acquired the citizenship of your country each year between 2014-2018, differentiated by the grounds of acquiring citizenship are requested in the Statistical Annex.

7) take an oath: "Taotledes Eesti kodakondsust, tõotan olla ustav Eesti põhiseaduslikule korrale. " [In applying for Estonian citizenship, I swear to be loyal to the constitutional order of Estonia.] [Entry into force 08.07.2006].

Section 2.1 Eligibility

Period of residence

Q9. After how many years or months of (interrupted/continuous) residence in your country can a third-country national acquire the citizenship of your Member State?

*Prior to the date on which he or she submits the application for Estonian citizenship, an Applicant has to have lived in Estonia for **at least eight years on the ground of a residence permit or by right of residence, of which at least five years on a permanent basis.** [§ 6 2¹] of the Citizenship Act, entry into force 01.01.2016].*

However, § 33 of the Citizenship Act establishes that the requirement of holding a long-term residence permit or the right of permanent residence provided in clause 2 of section 6 of this Act does not apply in respect of applicants for Estonian citizenship who settled in Estonia or were born in Estonia before 1 July 1990. [Entry into force 01.01.2016].

Q9a: Is this period of residence based on legal residence (i.e. registration at the city hall or in a population registry) or is habitual residence (e.g. proved by house rental, school attendance, tax reports) in the Member State also counted?

Legal residence required.

*In order to qualify an Applicant for Estonian citizenship must have a registered place of residence in Estonia [§ 6. 2³] of the Citizenship Act, entry into force entry 13.02.2015]. That implies that a person has **registered his/her place of residence in the population registry.***

No residence / presence in the Member State is required and citizenship is granted upon entry (e.g. investor schemes).

*As an exception, the residence requirement does not apply to **applicants that apply Estonian citizenship for achievements of special merit to the Estonian state** [see § 10 of the Citizenship Act].*

Q9b: Is this period of residence based on effective residence (i.e. physical presence for a regular and extended period in the territory) or is holding a residence permit for the required timeframe sufficient?

Yes, physical presence necessary.

Please elaborate: According to § 6. 2¹) of the Citizenship Act, prior to submitting an application for Estonian citizenship, an Alien must have lived in Estonia for at least eight years on the ground of a residence permit or by right of residence, of which at least five years on a permanent basis. [Entry into force 01.01.2016].

Q9c: What proof (e.g. documentary evidence) is required to demonstrate that the minimum period of residence has been met?

Please elaborate: There is no need for a person to produce supporting documents; evidence is available from registers (e.g. population registry and the residence and work permits registries).

Q9d: Can the period of residence be interrupted? If yes, how long can this interruption last?

Yes.

The length of allowed interruption is not specified.

Pre-existing legal residence status

Q10. What pre-existing legal residence status of the citizenship applicant is accepted?

Please also indicate for how long each of the given legal statuses has to be held in order for the third-country national to be able to acquire the citizenship of your country. For temporary permits, please indicate to what extent the number of years the third-country national possesses such a permit count towards being granted access to citizenship.

- Permanent residence permit. Number of years to get this permanent status and number of years necessary to hold it for citizenship acquisition:

Prior to the date on which he or she submits the application for Estonian citizenship, (s)he must have lived in Estonia for at least eight years on the ground of a residence permit or by right of residence, of which at least **five years on a permanent basis**. [§ 6 2¹) of the Citizenship Act, entry into force 01.01.2016].

- Temporary residence permit. Number of years:

As an exception, the requirement of holding a long-term residence permit or the right of permanent residence **does not apply in respect of applicants for Estonian citizenship who settled in Estonia or were born in Estonia before 1st July 1990**. [§ 33, entry into force 01.01.2016].

Section 2.2 Conditions

Language

Q11. Is knowledge of the national language(s) required for all naturalisation grounds, and if so, what is the required level?²⁴

- No.

Q11a. If yes, how is this proven or evaluated? What evidence is required, and which authority is responsible for assessment (e.g. ministry officials, language experts, private language institutions contracted by state, etc.)?

In the case of **ordinary naturalisation** § 8 of the Citizenship Act lays down that an Alien who wishes to acquire Estonian citizenship must be proficient in the Estonian language, which is defined as general proficiency in basic Estonian needed in everyday life which corresponds to the proficiency level B-1. [§ 8 (1) of the Citizenship Act, entry into force 01.08.2012]. The proficiency requirements in the Estonian language for a person who wants to acquire Estonian citizenship are the following:

- 1) the applicant is able to cope in most everyday situations;
- 2) the applicant is able to describe experiences, events, dreams and goals and can briefly give reasons for and explain his or her views and intentions;
- 3) the applicant is able to fully understand the gist on familiar topics such as work, school and leisure;
- 4) the applicant is able to compose a simple text on a topic which he or she is familiar with or takes an interest in. [§ 8 (2) of the Citizenship Act, entry into force 01.08.2012].

However, there are **certain groups that do not have to meet this requirement** (in full):

1. applicants for Estonian citizenship who are not less than **65 years of age** are exempt from the requirements of composing a simple written text, when taking the language examination. [§ 34 of the Citizenship Act, entry into force 13.02.2015];
2. Furthermore, **persons who, for health reasons, are unable to comply** with the requirements regarding proficiency in the Estonian language and knowledge on the Constitution of the Republic of Estonia, are exempt from complying with these conditions [§ 35 (2)];
3. and **persons who, for health reasons, are unable to fully comply** with the requirements regarding proficiency in the Estonian language and knowledge on the Constitution of the Republic of Estonia take the examination to an extent and in a manner that the state of their health allows as set out in the decision of the expert committee. [§ 35 (3), entry into force 01.01.2016];
4. moreover, applicants who apply for Estonian Citizenship for **special merits** do not have to fulfil the normal requirements regarding language proficiency [see § 10 of the Citizenship Act];

²⁴ Please indicate the level according to the Common European Framework of References for Languages -CEFR (A1-C2)

5. applicants who are **under 15 years of age** do not have to fulfil the requirements regarding language proficiency. [§ 13 of the Citizenship Act].
6. finally, applicants **who have acquired a basic, secondary or higher education in the Estonian language are not required to take the language examination.** [§ 8 (3) and (5) of the Citizenship Act, entry into force 01.08.2012].

Applicants' proficiency in the Estonian language is assessed by way of examination. Citizenship examinations are prepared and conducted by [Foundation Innove](#). Legislation governing the citizenship examination is the [Government of the Republic Regulation No. 143 of 25 September 2000 'Procedure for conducting the examination of the applicant for citizenship on the Constitution of the Republic of Estonia and the Citizenship Act'](#).

Q11b. If your Member State uses a language test, has this test ever been evaluated, e.g. has the test led to better knowledge of the national language(s)?

No.

The language test has not been systematically evaluated. However, we know from the ["Integration of Estonian Society: Monitoring 2017"](#) that those foreigners living in Estonia who do not have Estonian citizenship consider the main reason for this to be **the difficulty of the citizenship test** (46%, a ten percentage points' reduction in comparison to 2015), inability to attain proficiency in Estonian language (39%) and the fact that the lack of Estonian citizenship does not prevent them from living in Estonia (41%).

Citizenship tests and commitments

Q12. Are citizenship applicants required to pass a citizenship or integration test for all naturalisation grounds? Please note that this could also include oral interviews.

Yes.

A person who is **over 15 of age** and wishes to acquire Estonian citizenship must know:

1. the **general principles of the Estonian constitutional order** which are provided in Chapters I and III of the Constitution of the Republic of Estonia;
2. **the fundamental rights, freedoms and duties of every person** which are provided in Chapter II of the Constitution of the Republic of Estonia;
3. **the powers of the Riigikogu (Parliament of Estonia), the President of the Republic, the Government of the Republic and the courts of law** as provided in the Constitution of the Republic of Estonia;
4. **the conditions and procedure for acquisition, restoration and loss of Estonian citizenship** as provided in the Citizenship Act. [§ 9 of the Citizenship Act, entry into force 01.08.2012].

There are some groups, however, who are **not required to live up to those expectations** (in full):

1. **persons who, for health reasons, are unable to comply** with the requirements regarding the knowledge on the Constitution of the Republic of Estonia, are exempt from complying with these conditions [§ 35 (2)];
2. **persons who, for health reasons, are unable to fully comply** with the requirements regarding the knowledge on the Constitution of the Republic of Estonia take the examination to an extent and in a manner that the state of their health allows as set out in the decision of the expert committee. [§ 35 (3), entry into force 01.01.2016];
3. applicants who apply for Estonian Citizenship for **special merits** do not have to fulfil the normal requirements regarding knowledge of the Constitution of the Republic of Estonia and the Citizenship Act [see § 10 of the Citizenship Act];
4. **applicants who are under 15 of age** are exempt from complying with these conditions [§ 13 of the Citizenship Act].

Q12a. If yes, has the citizenship test ever been evaluated?

No.

Unfortunately, there is no information that a systematic evaluations of the citizenship test has ever been conducted.

Q13. Is the applicant required to legally or symbolically commit to certain values or norms (such as human rights, democracy, quality and the rule of law) for all naturalisation grounds and if so, which ones?

Yes.

Firstly, a person who wishes to acquire Estonian citizenship must know the **general principles of the Estonian constitutional order** provided in the Constitution of the Republic of Estonia. Latter include the following:

- Estonia is an independent and sovereign democratic republic wherein the supreme power of state is vested in the people. The independence and sovereignty of Estonia are timeless and inalienable [§ 1];
- the activities of the Riigikogu, the President of the Republic, the Government of the Republic, and the courts are organised in accordance with the principles of separation and balance of powers [§ 4];
- the official language of Estonia is Estonian [§ 6];
- supreme political authority in Estonia is vested in the people who, through citizens eligible to vote, exercise it:
 - in elections of the Riigikogu;
 - in referendums [§ 56];
- any citizen of Estonia who has attained eighteen years of age is eligible to vote [§ 57].

Secondly, an Applicant of Estonian citizenship must also prove his/her knowledge of **the fundamental rights, freedoms and duties of every person**, provided in the Constitution.

- Every child of whose parents one is a citizen of Estonia is entitled to Estonian citizenship by birth.
- Everyone who has forfeited his or her Estonian citizenship as a minor is entitled to its restoration.
- No one may be deprived of an Estonian citizenship acquired by birth.
- No one may be deprived of Estonian citizenship because of his or her beliefs [§ 8];
- Rights and freedoms may only be circumscribed in accordance with the Constitution ([§ 11];
- Everyone is equal before the law. No one may be discriminated against on the basis of nationality, race, colour, sex, language, origin, religion, political or other views, property or social status, or on other grounds.
- Incitement to ethnic, racial, religious or political hatred, violence or discrimination is prohibited and punishable by law. Incitement to hatred and violence between social classes or to discrimination against a social class is also prohibited and punishable by law [§ 12];
- No one may be deemed guilty of a criminal offence before he or she has been convicted in a court and before the conviction has become final [§ 22];
- Recruitment to positions in government agencies and local authorities takes place among citizens of Estonia in accordance with the law and pursuant to the procedure established by law. Citizens of foreign states and stateless persons may be recruited to such positions as an exception provided this is allowed by the law [§ 30];
- Everyone is entitled to freedom of conscience, freedom of religion and freedom of thought.
- Everyone is free to belong to any church or any religious society. There is no state church.
- Everyone is free to practise his or her religion, alone or in community with others, in public or in private, unless this is detrimental to public order, public health or public morality [§ 40];
- Everyone has the right to freely disseminate ideas, opinions, beliefs and other information by word, print, picture or other means. This right may be circumscribed by law to protect

public order, public morality, and the rights and freedoms, health, honour and good name of others.

- *There is no censorship [§ 45];*
- *Everyone has the right to preserve his or her ethnic identity [§ 49];*
- *It is the duty of each citizen of Estonia to be loyal to the constitutional order and to defend the independence of Estonia [§ 54];*
- *Citizens of foreign states and stateless persons in Estonia are required to observe the constitutional order of Estonia [§ 55].)Please see also answer to Q12).*

Q14. Are applicants required to pledge formally allegiance to your Member State (e.g. oath of allegiance?) If yes, does this apply to all naturalisation grounds? Please explain the differences.

Yes.

*§ 6 of the Citizenship Act establishes that an Alien who is **at least 15 years of age** wishes to acquire Estonian citizenship must:*

*6) be **loyal** to the Estonian state;*

*7) **take an oath**: " Taotledes Eesti kodakondsust, tõotan olla ustav Eesti põhiseaduslikule korrale. " [In applying for Estonian citizenship, I swear to be loyal to the constitutional order of Estonia.] [§ 6 of the Citizenship Act, entry into force 08.07.2006].*

However, adults with restricted active legal capacity who apply for Estonian citizenship are exempt from this requirement [§ 35 (1) of Citizenship Act].

Good conduct

Q15. Is the third-country national expected to fulfil any requirements regarding good conduct (e.g. clean criminal record, fulfilment of civic requirements such as payment of taxes), public order, public health and if so, which ones?

Yes.

§ 21 of the Citizenship Act lays out a list of grounds for a refusal to grant or restore Estonian citizenship. Latter include:

2) inobservance of the constitutional order and laws of Estonia;

3) engagement in actions against the Estonian state and Estonian national security;

4) having committed a criminal offence for which he or she was sentenced to imprisonment for more than one year and whose conviction has not been spent or who has been repeatedly convicted of intentionally committed criminal offences.

However, as an exception to the last point, Estonian citizenship may be granted or restored to a person who has been repeatedly convicted of intentionally committed criminal offences and whose convictions have been spent, taking into consideration the circumstances related to the commission of the criminal offences and the person of the offender. [§ 21 (1¹) of the Citizenship Act, entry into force 08.07.2006].

Q15a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the criteria for good conduct has been met?

The applicant himself does not have to provide any relevant documentation, the Police and Border Guard Board conducts background checks before granting citizenship to foreign nationals. The Police and Border Guard Board investigates personal past and existing links with Estonia, including his criminal record, whether he has outstanding obligations to the state. Queries are made to domestic databases, such as Population Register, Border Control Infosystem, National Criminal Database. Queries are also made to other domestic databases such as Business Register, Estonian Educational Database, Health Insurance Fund, Estonian Tax and Customs Board etc.

Economic resources

Q16. Is the applicant's economic/financial situation or standard of living taken into account and if so, how (e.g. a minimum income level and assets)? Does this apply to all naturalisation grounds? Please explain the differences.

Yes.

§ 7 of the Citizenship Act establishes that an applicant must have a **legal permanent income**. The following are deemed to be permanent legal income:

- 1) remuneration earned lawfully under a contract of employment, contract of service, civil law contract or membership;
- 2) income obtained from lawful business activity or property;
- 3) pensions;
- 4) grants;
- 5) maintenance payments;
- 6) benefits paid under a law; [Entry into force 01.01.2006].
- 7) maintenance provided by a family member with a permanent legal income. [Entry into force 13.02.2015].

Q16a. If yes, what proof (e.g. documentary evidence) is required to demonstrate that the minimum income level / assets have been met?

Please explain: In the case of legal income, the applicant must provide proof of this, which may be:

1. employment contract;
2. a certificate issued by the employer;
3. statement certified by the bank;
4. a certificate issued by a local government, the Social Insurance Board or the Estonian Unemployment Insurance Fund regarding payment of the benefit;
5. a certificate of payment of the scholarship issued by the educational institution;
6. pension certificate.

Submitting a paper certificate is not obligatory as long as the existence of legal income can be verified by querying the respective databases (databases of the Estonian Tax and Customs Board).

No minimum income level has been set in Estonia.

Q17. Is the third-country national's housing situation taken into account?

Yes.

An Alien who wishes to acquire Estonian citizenship must have a **residence permit**, as well as a **registered place of residence in Estonia** [§ 6 2³ of the Citizenship Act, entry into force 13.02.2015].

Q17a: If yes, what proof (e.g. documentary evidence) is required to demonstrate that any housing requirements have been met?

The fact that an Alien applying for Estonian citizenship has a registered place of residence in Estonia is checked in the Population Registry.

Others

Q18. Are there any other requirements not listed above?

No.

Section 2.3 Security

Q19. Are there any specific exclusion criteria (e.g. threats to national security and public order)?

Yes.

§ 21 (1) of the Citizenship Act that focuses on **the refusal to grant or restore Estonian citizenship** establishes that Estonian citizenship is not granted or restored to an applicant who:

- 1) by submitting false information when applying for Estonian citizenship, has concealed facts that preclude the grant or restoration of Estonian citizenship; [Entry into force 01.08.2012].
- 2) does not observe the constitutional order and laws of Estonia;
- 3) has engaged in actions against the Estonian state and Estonian national security;
- 4) has committed a criminal offence for which he or she was sentenced to imprisonment for more than one year and whose conviction has not been spent or who has been repeatedly convicted of intentionally committed criminal offences;
- 5) has been employed or is currently employed by foreign intelligence or security services;
- 6) has served as a commissioned member of the armed forces of a foreign state or who has been assigned to the reserve forces of such state or has retired from such forces, as well as to his or her spouse who entered Estonia due to the member of the armed forces being seconded in relation to service, assignment to the reserve or retirement. [Entry into force 08.07.2006].

However, **as exceptions to the rule:**

- (1¹) Estonian citizenship may be granted or restored to a person who has been repeatedly convicted of intentionally committed criminal offences and whose convictions have been spent, taking into consideration the circumstances related to the commission of the criminal offences and the person of the offender. [Entry into force 08.07.2006].
- (2) Estonian citizenship may be granted or restored to a person who has retired from the armed forces of a foreign state if the person has been married for at least five years to a person who acquired Estonian citizenship by birth, provided the marriage has not been divorced.
- (3) Estonian citizenship is not granted to a person whose parent or guardian, when applying for Estonian citizenship for the person, submitted false information concerning facts that bear relevance to the taking of the decision on the grant of Estonian citizenship. [Entry into force 13.02.2015].

Section 2.4 Specific groups of third-country nationals

Q20. Are the above-mentioned requirements different for specific groups of third-country nationals, such as the groups listed below? For each group, please briefly explain the main differences that apply:

- a. Refugees
- b. Other beneficiaries of international protection statuses
- c. Specific categories of legal migrants
- d. Other groups that are significantly represented in your Member State, incl. stateless persons

Q20a. Refugees

While normally one is not allowed to hold Estonian citizenship and a citizenship of another country, and one has to release the other citizenship to hold the Estonian one, § 3 (2) of the Citizenship Act establishes that:

The requirement of release from the previous citizenship does not apply to a person who applies for the acquisition or resumption of Estonian citizenship **if that person has been granted international protection** by the Republic of Estonia or another member state of the European Union, the situation in his or her country of origin has not changed significantly and, for that reason, the person cannot renounce his or her previous citizenship. [Entry into force 01.01.2016].

Q20b. Other beneficiaries of international protection statuses

Answer to Q20a. applies to all beneficiaries of international protection not refugees exclusively.

Q20c. Specific categories of legal migrants e.g. people with disabilities or people in old age.

a) The elderly:

§ 6 3) of the Citizenship Act lays out that **applicants for Estonian citizenship who are not less than 65 years of age** are exempt from the requirements of composing a simple written text, when taking the language examination. [§ 34 of the Citizenship Act, entry into force 13.02.2015].

b) Persons with ill health:

Persons who, for health reasons, are unable to comply with the requirements regarding proficiency in the Estonian language and knowledge on the Constitution of the Republic of Estonia, are exempt from complying with these conditions [§ 35 (2)], and persons who, for health reasons, are unable to fully comply with the requirements regarding proficiency in the Estonian language and knowledge on the Constitution of the Republic of Estonia take the examination to an extent and in a manner that the state of their health allows as set out in the decision of the expert committee [§ 35 (3), entry into force 01.01.2016].

c) Minors:

There are special conditions for acquiring Estonian Citizenship for two main groups of minors – those under 1-year-old and those under 15 years of age.

(i) A minor **under 1 year of age** on whose behalf the application for Estonian citizenship is made by parents, a single parent or a guardian that is Estonian citizen or who is applying for Estonian citizenship must be staying in Estonia, but is not required to hold an Estonian residence permit or the right of residence in Estonia. [§ 13 (2¹), (3¹) as well as § 14 (2) of the Citizenship Act].

(ii) A minor **under 15 years of age**, given that (s)he resides permanently in Estonia on the basis of an Estonian residence permit or the right of residence, is granted Estonian citizenship if this is applied for on behalf of the minor by the minor's parent(s) / guardian who are either Estonian citizens or applying for Estonian citizenship. [§ 13 (1)-(3) and § 14 (1) of the Citizenship Act]. Should the minor have another parent who is not an Estonian citizen nor applying for Estonian citizenship (s)he needs to sign an agreement regarding this change of his/her child's citizenship [§ 13 (1) of the Citizenship Act].

Finally, in order to acquire Estonian citizenship, to have his or her Estonian citizenship restored or to be released from Estonian citizenship, **a minor of 15 to 18 years of age** must have the consent of his or her parent or guardian. [§ 31 of the Citizenship Act, entry into force 13.02.2015].

Q20d. Other groups that are **significantly represented** in your Member State (e.g. stateless persons, minors, investors, citizens of neighbouring countries).

1. Persons with undetermined citizenship:

In September 2019 Estonia has a population of **73587 persons with undetermined citizenship**. They are however predominantly permanent residents of Estonia. They are people of various, mostly Slavic, ethnical backgrounds who moved or whose parents moved in Estonia during the middle as well as the latter decades of the 20th century, when Estonia was part of the Soviet Union.

It should be emphasised that individuals of this group should be defined as persons with undetermined citizenship and **not as stateless persons**. Persons with undetermined citizenship living in Estonia lost their citizenship as a result of the collapse of the Soviet Union, and have not made a decision or realised their chance to obtain a citizenship of another country. Citizens of the former USSR are not stateless persons within the meaning of the Conventions as they have a real opportunity to apply for the citizenship of either Estonia or the successor state of the USSR (Russian Federation). Estonia is not the legal successor of the Soviet Union and thus Estonia is not obliged to unconditionally grant citizenship to the citizens of the former Soviet Union.

The Russian speaking population of Estonia including persons with undefined citizenship lives predominantly in the Eastern part of the country as well as in the capital, Tallinn. Over the last 25 years this linguistically and geographically segregated section of Estonian population has been the **primary target group of Estonian integration policies**. Thus, Citizenship Act lays out special rules intended to limit the number of persons with undefined citizenship in Estonia, and to grant them Estonian citizenship:

2. A minor under 15 years of age who was born in Estonia or who immediately after birth takes up permanent residence in Estonia together with his or her parent(s) is granted Estonian citizenship by naturalisation as of the moment of his or her birth, provided his or her parents or single parent whom no state recognises

under valid laws as its citizen (this group includes persons who before 20 August 1991, were citizens of the Union of Soviet Socialist Republics and who have not been recognised by any other state, to be citizens of that state) have or has lawfully resided in Estonia for at least five years by the moment of the child's birth. [§ 13 4), entry into force 01.01.2016].

However, before the child attains the age of one year, the parents or the single parent who raises the child have the right to submit the application of renouncing Estonian citizenship to the governmental authority authorised by the Government of the Republic. [§ 13 5) of the Citizenship Act, entry into force 18.01.2017].

§ 26. 1) of the Citizenship Act establishes a restriction on release from Estonian citizenship if the release will render the applicant **stateless**. [Entry into force 18.01.2017].

Section 3: Procedural aspects for the acquisition of citizenship in the Member State

Please note that, consistent with Section 2, the questions below again only refer to cases when the primary grounds of acquisition of citizenship is through naturalisation based on a minimum period of residence in the country (i.e. 'ordinary naturalisation', not the conditions and requirements in place for second- or third-generation migrants and those migrants with special (e.g. ethnical or linguistic) ties to the country).

Q21. Please briefly describe the procedure in place for third-country nationals to obtain citizenship through ordinary naturalisation.

A person who wishes to acquire Estonian citizenship submits the required documents to the **Police and Border Guard Board** either in person, by regular post or by e-mail. An Applicant has to fill in **the application form** (either in print or in screen) in Estonian. According to the regulation of the minister of the Interior (s)he must also present the following documents:

- a document certifying **legal income**;
- 1 digital colour **photo**;
- a document certifying the payment of the **state fee** (13 €);
- a document proving that the Applicant has been **released from citizenship of another state** or will be released from such citizenship in relation to the acquisition of Estonian citizenship or that he or she **has been declared a person with undetermined citizenship** (however, this document does not have to be submitted by a person who is under 18 years of age and a person who has been granted international protection in case the situation in his or her country of origin has not changed. In case of a person 15-18 years of age, a consent by a parent or guardian shall be submitted);
- a certificate on **passing the Estonian language examination** or a document proving that the applicant has acquired the basic, secondary or higher education in the Estonian language. (There is no need to provide the certificate if the data are contained in national registers);
- a certificate on **passing the examination on the knowledge of the Constitution** of the Republic of Estonia and the Citizenship Act. (There is no need to provide the certificate if the data are contained in national registers);
- in case an Applicant is unable to pass the examinations due to his/her state of health, **a decision of an expert committee that will release him/her either partially or fully from taking the exams**;
- in case an Applicant has acquired the basic, secondary or higher education in the Estonian language, **a diploma** certifying that this is indeed the case.

The governmental authority issues **a certificate** to the Applicant regarding the **registration and acceptance for consideration** of his or her application.

Within **six months** the governmental authority transmits that application, together with its **substantiated proposal**, to the Government of the Republic for taking a decision.

An order of the Government of the Republic on the grant of Estonian citizenship normally enters into force as of the date of its execution.

In accordance with the relevant order of the Government of the Republic **a citizenship certificate** is issued to the Applicant. The certificate on citizenship shall be handed over at a festive ceremony or shall be delivered by post.

Simultaneously with submitting an application for Estonian citizenship an Applicant can also **submit an application for an ID-card and/or Estonian citizen's passport**.

Q21a. Are children automatically naturalised once their parents are granted citizenship? No.

In Estonia, **citizenship must be applied for separately for a child**. Automatic citizenship is acquired only if the child is born to a parent who is a citizen. When a foreigner naturalises and has children but does not apply for citizenship for them, the child does not automatically get naturalised along with the parent. As a general rule, only a parent who is a citizen of the country may apply for Estonian citizenship for their child. Article 14 cited below provides that a foreign parent can apply for Estonian citizenship for a child only if he or she applies for it and then the question of their nationality is decided simultaneously.

§ 14 Acquisition of Estonian citizenship as a minor together with a parent lays out the following:

(1) **A minor under 15 years of age** is granted Estonian citizenship together with his or her parent who is applying for Estonian citizenship **at the application of the minor's parents or single parent**, provided the minor resides permanently in Estonia on the basis of an Estonian residence permit or the right of residence.

(2) **A minor under 1 year of age** is granted Estonian citizenship together with his or her parent who is applying for Estonian citizenship **at the application of the minor's parents or single parent**, provided the minor is staying in Estonia, regardless of whether or not the minor holds an Estonian residence permit or the right of residence in Estonia. [Entry into force 01.01.2016].

According to the regulation of the Minister of the Interior **minors younger than 15 years of age** have to submit the following documents to apply for Estonian citizenship:

- an application form (filled in in Estonian);
- parents' identity documents;
- 1 digital colour photo of the Applicant;
- an agreement with the other parent who is not an Estonian citizen, which bears officially certified signatures of the parties;
- if a parent of a minor is bringing up the child alone – a document certifying that (s)he is bringing up the child alone;
- if the application is being submitted by a guardian – an identity document of the legal representative as well as a document certifying the right of representation (except if the data of the document have been entered into the population register of Estonia).

Within three months after acceptance of the application for proceeding, the documents will be forwarded to the Government of the Republic for making a decision on granting of the Estonian citizenship.

Q22. What public authorities/agencies are involved in procedures for third-country nationals' acquisition of the citizenship of your Member State?

Please mention and describe their roles at each step of the process in order to identify the authorities by which the application is introduced and those taking the decisions.

Applications are submitted to the **Police and Border Guard Board**. The **Ministry of the Interior** is also directly involved in the proceedings, as all applications are transferred to the Government through the Ministry and the **decision is made by the Government**. Finally, **Foundation Innove** takes exams.

Q23. Are these procedures digitised? Can applications for citizenship be made online? Yes.**Q24. What documentation is required in order to submit the application (e.g. passport, birth certificate) (in addition to the evidence reported to meet the conditions set out in Section 2)?**

Applicant needs to submit:

- an application form;
- a document certifying legal income;
- 1 digital colour photo;

- a document certifying the payment of the state fee;
- a document proving that the applicant has been released from citizenship of another state or will be released from such citizenship in relation to the acquisition of Estonian citizenship or that he or she has been declared a person with undetermined citizenship (however, this document does not have to be submitted by a person who is under 18 years of age and a person who has been granted international protection in case the situation in his or her country of origin has not changed. In case of a person 15-18 years of age, a consent by a parent or guardian shall be submitted);
- a certificate on passing the Estonian language examination or a document proving that the applicant has acquired the basic, secondary or higher education in the Estonian language;
- a certificate on passing the examination on the knowledge of the Constitution of the Republic of Estonia and the Citizenship Act;
- in case an Applicant is unable to pass the examinations due to his/her state of health, a decision of an expert committee that will release him/her either partially or fully from taking the exams;
- in case an Applicant has acquired the basic, secondary or higher education in the Estonian language, a diploma certifying that this is indeed the case.

There is no need to provide the document if the data are contained in national registers.

Q25. What is the legally prescribed maximum time period for the procedure, if applicable, and how long do procedures take in practice? If the different stages of the procedure have maximum time periods (e.g., registration, application, etc.) please differentiate. Are certain types of cases prioritised or fast-tracked, and if so, which ones?

The Police and Border Guard Board transmits documents of **adult applicants** together with its substantiated proposal **within six months** to the Government of the Republic for taking a decision on the grant of Estonian citizenship. The same deadline for **minors under 15 years of age is three months**.

Next, on average it takes the Government no more than **two weeks** to take the decision.

Q26. What are the costs for the application for citizenship (in €)? Please note that this excludes costs for the translation of documents, trainings for language proficiency, etc. Please specify whether different costs apply to different grounds.

Failing in an application for Estonian citizenship costs 13€.

A person under 18 years of age is exempt from state fee when submitting an application for Estonian citizenship.

Q27. Are there any other evidence requirements to be fulfilled for a final decision to be taken on the citizenship application (in addition to those set out above, e.g. language certificate)?

Please explain: No, there are not.

Q28. To what extent is discretion an element of the procedure/decision-making process? Is there absolute discretion or conditional discretion?²⁵

The discretion is applied only in two cases foreseen in § 21 of the Citizenship Act:

- (1¹) As an exception, Estonian citizenship may be granted or restored to a person who has been repeatedly convicted of intentionally committed criminal offences and whose convictions have been spent, taking into consideration the circumstances related to the commission of the criminal offences and the person of the offender.
- (2) Estonian citizenship may be granted or restored to a person who has retired from the armed forces of a foreign state if the person has been married for at least five years to a person who acquired Estonian citizenship by birth, provided the marriage has not been divorced.

²⁵ Absolute discretion means that the state may leave authorities absolute discretion to grant naturalisation to applicants, whether or not they meet the legal requirements. Conditional discretion means authorities only have limited grounds to reject applicants who meet the legal requirements.

Q29. What challenges if any have been experienced regarding the verification of the identity of naturalisation applicants?

*Estonia does not have challenges with this, since the application for citizenship is **preceded by a residence permit procedure, during which the identity has already been established.** This kind of timing, however, can be considered a good practice.*

Q30. Is there a right of appeal or basis for legal challenge if citizenship is refused? If yes, do the authorities have to provide information about the grounds for refusal?

Yes.

Yes, there is a right of appeal. Every refusal includes a reference to the right of appeal.

Q31. What are the most common grounds for a negative citizenship application decision? If possible, please list the top 5 reasons. Grounds could include insufficient language skills, insufficient period of residence, criminal record, unestablished identity.

*The **top 4 reasons for negative decisions from 2014-2018** have been:*

- 1. 155 cases – the person has committed a criminal offence for which he or she was sentenced to imprisonment for more than one year and whose conviction has not been spent or who has been repeatedly convicted of intentionally committed criminal offences [§ 21 (1) 4) of the Citizenship Act];*
- 2. 19 cases - the person does not observe the constitutional order and laws of Estonia [§ 21 (1) 2) of the Citizenship Act];*
- 3. 5 cases – the person has served as a commissioned member of the armed forces of a foreign state or who has been assigned to the reserve forces of such state or has retired from such forces, as well as to his or her spouse who entered Estonia due to the member of the armed forces being seconded in relation to service, assignment to the reserve or retirement [§ 21 (1) 6) of the Citizenship Act];*
- 4. 1 case – the person has been employed or is currently employed by foreign intelligence or security services [§ 21 (1) 5) of the Citizenship Act].*

Q32. Does your Member State organise a citizenship ceremony? If yes, is participation in such a ceremony mandatory or voluntary?

Yes.

The certificates on citizenship are handed over at a festive ceremony or delivered by post.

At the ceremonial distribution of citizenship certificates, new Estonian citizens are welcomed either by representatives of the Riigikogu [the Parliament of Estonia] or the Government and the Head of the Police and Border Guard Board in the White Hall of Toompea Castle.

The ceremonies are aimed at both the new citizen and his or her family. New citizens are given an Estonian flag and a small concert will be held.

Since 2013, the Ministry of the Interior and the Police and Border Guard have been coordinating the citizenship ceremonies.

Participation in the ceremony is voluntary.

Support provided during the application process

Q33. Does your Member States provide information and/ or encourages third-country nationals to consider applying for citizenship?

Yes.

All the needed information on applying for Estonian citizenship is distributed in Estonian, English and Russian languages at **Eesti.ee website**: <https://www.eesti.ee/en/citizenship-and-documents/citizenship/estonian-citizenship/> Eesti.ee is the gateway to government information and e-services.

The same information in the same three languages in a bit briefer format is also available at the website of the **Police and Border Guard Board**: <https://www2.politsei.ee/en/teenused/eesti-kodakondsus/> as well as **Integration and Migration Foundation's** website: <https://www.integratsioon.ee/en/i-would-become-estonian-citizen> Moreover, if an Alien turns to the Police and Border Guard Board for an action, it will encourage and provide information orally during the customer contact.

There are also **handbooks** that prepare applicants for the examination on the knowledge of the Constitution of the Republic of Estonia and the Citizenship Act e.g. [Abiks Eesti kodakondsuse taotlejale / What you need to know if you are applying for Estonian citizenship / Будущему гражданину Эстонской Республики](#) published in 2010 by the Integration and Migration Foundation Our People. Please see also a **booklet** by Innove '6 steps to acquiring Estonian citizenship' that briefly explains why is it beneficial to be a citizen of the republic of Estonia as well as the practical steps that have to be taken to acquire Estonian citizenship. This bilingual booklet is available in [Estonian-English](#) as well as in [Estonian-Russian](#).

Finally, individual letters, such as letters from the Minister of the Interior, have been sent to certain categories of population (e.g. to parents of children under the age of 15 who have no citizenship or young people under the age of 21) that inform those persons on their opportunities to apply for Estonian citizenship.

Q34. Is governmental support provided to applicants during the application process?²⁶ Have any good practices been identified in your Member State?

Yes.

[Integration and Migration Foundation](#) offers free consultations on issues related to integration including requirements for acquiring the citizenship of Estonia. One can either call +372 800 9999 or write an email to info@integratsiooninfo.ee

Q35. Does your Member State organise, support or finance integration measures (classes, training, etc.) to facilitate the acquisition of citizenship? If yes, please specify whether these are prescribed by law.

Yes.

Yes, Applicants of Estonian citizenship are offered assistance by the Government.

Citizenship Act [§ 6 3]) establishes proficiency (defined as level B-1) in the **Estonian language** as a precondition for acquiring Estonian citizenship. Another precondition is **knowing the Constitution of the Republic of Estonia and the Citizenship Act** [§ 6 4)]. There are forms of assistance that are prescribed by law as well as other services to assist Applicants of the Estonian citizenship.

Services prescribed by law

- a) In order to support Applicants in fulfilling those requirements **the Republic of Estonia reimburses the related cost** up to one hundred percent to the Applicants [§ 8¹ (1)]. In order to obtain reimbursement of their language training costs, the Applicant who has passed the Estonian language examination and the examination on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act, submits to the Ministry for Education and Research, not later than within three months after passing both examinations, the corresponding application together with a copy of their identity document and a document certifying payment of the cost of language training or an officially certified copy of such document. [§ 8¹ (3)].

²⁶ For the purpose of this study, only support under the control of the state should be included here (e.g. websites, telephone hotline), i.e. support by NGOs or private service providers is excluded unless contracted by the state.

The costs of the courses made by an Applicant who has passed the Estonian language examination and the examination on knowledge of the Constitution of the Republic of Estonia and the Citizenship Act are **reimbursed within two months** from the date of submission of the corresponding application [§ 8¹ (4)].

- b) There is also another mode of government help regarding acquiring the needed language proficiency. From 01.01.2019 **language learning agreements** may be concluded with foreigners who wish to acquire Estonian citizenship and who are at least 15 years old. This training is for free to participants and arranged by the Estonian Academy of Security Sciences - the applied higher education institution under the Ministry of the Interior.

Under the Estonian language learning agreement, the Alien undertakes to take language training courses until (s)he achieves the level of B1 in Estonian, and to submit the application for Estonian citizenship within one year of passing the examination.

The Estonian language learner who has taken unpaid study leave for participating in language training can also be compensated by the state for taking this leave. For each language proficiency level (A1, A2, B1), compensation equals to 20 calendar days' pay according to their average salary. The upper limit for calculating the compensation is the Estonian annual average gross monthly salary.

If the foreigner does not perform the agreement or if, at the time of conclusion of the contract, they did not comply with the conditions for its conclusion, the arranger of language training arranges collection from him/her of the cost of language training and of any compensation paid or sums reimbursed.

See § 8² of the Citizenship Act for details on the arrangements for language training and § 8³ for details on participation in language training.

Less formally established services

- c) There are less formally established services that are worth mentioning here:
- (i) [Estonian constitution and citizenship training](#) commissioned by the Integration Foundation. The training is designed for less successfully integrated residents of the country and new immigrants from different linguistic and cultural backgrounds who are at least 18 years old. The training lasts for 18 academic hours, comprising 14 hours of classroom studies and a four-hour excursion (or four hours of excursions in total).
 - (ii) The Integration Foundation also runs [Estonian Language Houses](#) in Tallinn and Narva. Language houses offer various language learning possibilities e.g. traditional language courses, language cafés, Estonian language and culture clubs – language practice by visiting different cultural events, digital learning apps etc. For more information on language learning options offered by the Integration Foundation see: <https://www.integratsioon.ee/en/estonian-language-studies>

Section 4: Dual citizenship

Q36. Is the third-country national required to renounce his/her other citizenship in order to acquire or hold citizenship in your Member State? This question links to Statistical Annex 1.4. If your answer is 'no' (i.e. dual citizenship is possible), kindly provide national data on dual citizenship as requested.

Yes.

Please explain the reasoning and how this is enforced:

§ 1 (2) of the Citizenship Act establishes that an Estonian citizen **may not simultaneously hold the citizenship of another state** without prejudice to the special rules established in section 3 of this Act. [Entry into force 01.01.2016]. This means that one has to **renounce another citizenship** before being attributed the Estonian one.

However, § 3 of the Citizenship Act lays out **special rules for minors** as well as **beneficiaries of international protection** concerning the holding of multiple citizenships:

- (1) A person who as **a minor** acquires Estonian citizenship as well as the citizenship of another state must renounce either his or her Estonian citizenship or his or her citizenship of the other state **within three years after attaining the age of 18 years**.
- (2) The requirement of release from the previous citizenship does not apply to a person who applies for the acquisition or resumption of Estonian citizenship if that person has been **granted international protection** by the Republic of Estonia or another member state of the European Union, the situation in his or her country of origin has not changed significantly and, for that reason, the person cannot renounce his or her previous citizenship. [Entry into force 01.01.2016]

Other.

Importantly, **no one may be deprived of an Estonian citizenship acquired by birth**, a principle established in § 5 3) of the Citizenship Act [entry into force 01.03.2003] as well as in the Constitution of the Republic of Estonia (§ 8). This means it is **very complicated if not illegal to enforce § 3 (1) of the Citizenship Act**, which says that a person who as a minor acquires Estonian citizenship as well as the citizenship of another state must renounce either his or her Estonian citizenship or his or her citizenship of the other state within three years after attaining the age of 18 years.

On the operational side:

A citizen of another country who applies for Estonian citizenship must submit a document stating that (s)he is renouncing another nationality. Citizenship is granted to him/her conditionally. The Government of the Republic makes a political decision, but this decision comes into effect and a person becomes an Estonian citizen after he or she has presented proof that he or she has been released from his or her former citizenship.

If, in the case of **a naturalised citizen**, it is found that he or she has also acquired another nationality, the corresponding procedure is initiated and the person has to choose whether he or she wishes to be an Estonian citizen or another and then a decision is made.

It is not systematically monitored **whether citizens who as minors acquired Estonian citizenship and who have also had another citizenship** have been released of their other citizenship by the time they got 21 years old. There is no regular exchange of such information in Estonia. The authorities have no overview of the number of citizens who have secretly retained or even later on acquired citizenship of another country.

Q37. Is the requirement to renounce dependent on the person's other citizenship and are there exemptions from this requirement, for example for third-country nationals from third countries that do not allow a renunciation of citizenship?

The requirement of release from the previous citizenship has **an exemption**. It does not apply to a person who applies for the acquisition or resumption of Estonian citizenship if that person has been **granted international protection** by the Republic of Estonia or another member state of the European Union, the situation in his or her country of origin has not changed significantly and, for that reason, the person cannot renounce his or her previous citizenship. [§ 3 2) of the Citizenship Act, entry into force 01.01.2016].

In addition, as explained above (see Q36), **persons who as a minors acquire Estonian citizenship** as well as the citizenship of another state are allowed to **postpone the choice** between two citizenships until they get 21 years old.

Q38. Are there any particular requirements that third-country nationals have to fulfil if they want to acquire or hold the citizenship of your Member State while keeping their other one(s)? If so, which requirements?

No.

No, the rule is they have to renounce the other citizenship to keep the Estonian one, except for the two situations described above, there is nothing a person can do to acquire Estonian citizenship while keeping the other citizenship.

Q39. Are there any particular restrictions placed on third-country nationals who hold dual citizenship? Does dual citizenship confer fewer rights? (e.g. access to specific types of employment)

No.

Generally speaking, dual citizenship is not allowed in Estonia, and there are indeed, certain privileges reserved for citizens only:

1. **recruitment to positions in government agencies and local authorities** takes place among citizens of Estonia [§ 30 of the Constitution of the Republic of Estonia]. It is established that Citizens of foreign states and stateless persons may be recruited to such positions as an exception provided this is allowed by the law;
2. on public interest grounds, the law may provide **classes of property** which may be acquired in Estonia only by citizens of Estonia, by certain categories of legal persons, by local authorities, or by the Estonian government. [§ 32 of the Constitution of the Republic of Estonia];
3. belonging in **political parties** [§ 48 of the Constitution of the Republic of Estonia];
4. participate in **national defence** [§ 124 of the Constitution of the Republic of Estonia];
5. **nominations of candidates for President** may be made from among citizens of Estonia by birth who have attained at least forty years of age. [§ 79 of the Constitution of the Republic of Estonia]. (Please see also answer to Q43).

Regarding the listed privileges, Estonian citizens who have dual or multiple citizenships (e.g. persons who as a minors acquire Estonian citizenship as well as the citizenship of another state) have all the rights of Estonian citizens.

Q40. If your Member State allows dual /multiple citizenships, have there been any particular benefits or challenges that this policy has brought?

No.

Section 5: Citizenship and integration

Q41. How does the integration policy of your Member State address the acquisition of citizenship? Is citizenship addressed in your national integration strategy/action plan?

Yes.

*The acquisition of citizenship is intended to **facilitate integration** in [the Strategy of Integration and Social Cohesion in Estonia "Integrating Estonia 2020"](#)*

Decreasing the number of persons with undetermined citizenship among Estonian residents was established as one of the main objectives already in The Estonian Integration Strategy 2008-2013. The objective was achieved, the level of the target group in the population decreased from 9% in 2007 to 6.5% in 2014.

*The objectives of (i) **increasing the number of people having obtained Estonian citizenship by naturalisation** as well as (ii) **the decrease of the number of persons with undetermined citizenship** are also written in the current Integration strategy 'Integrating Estonia 2020' (from 91,288 which is the base level down to 82000 which is the objective for 2020) (See sub-objective 2 pg. 17).*

*The main object of the strategy is not increasing the number of Estonian passport holders, but **integration, defined as the process of a multilateral social cohesion in society between people with different linguistic and cultural backgrounds**. The process of integration is defined in the strategy as characterised by the acquisition of knowledge, skills and values, contributing to the development of society through practical cooperation and mutual openness. As a result of integration, the strategy presumes that the socioeconomic inequality resulting from cultural, linguistic, religious and ethnicity shall decrease and participating in the society and the accumulating social capital will allow the society to develop uniformly (see pg. 40).*

Q42. Is there any evidence, e.g., from research or evaluation, indicating that the acquisition of citizenship facilitates integration, in particular on the labour market?

Unfortunately, no knowledge of a systematic evaluation on that issue.

Q43. What are the main differences and new rights and duties between being a citizen of your country compared to holding a permanent or long-term residence permit? Please elaborate on the following aspects:

Q43a: Participation in regional or national elections.

*Indeed, there are differences in (i) peoples' **rights to vote** as well as (ii) **stand as candidates** in different elections depending on their citizenship status.*

1. **An Estonian citizen** has the right to vote at all elections Riigikogu (Estonian Parliament) elections, local government council elections, the European Parliament elections as well as referendums. Nominations of candidates for President may be made from among citizens of Estonia by birth who have attained at least forty years of age. [§ 79 of the Constitution of the Republic of Estonia]. (Please see also answer to Q43).
2. **Citizens of other EU Member States** have the right to vote at local government council elections and the European Parliament elections.
3. **A citizen of a non-EU Member State or a stateless person** (e.g. persons with undefined citizenship) residing in Estonia on the basis of a long-term residence permit or the right of permanent residence may vote at the local government council elections if he/she resides in Estonia. He/she cannot stand as candidate to the council. [§ 5 (5) [Municipal Council Election Act](#), entry into force 01.02.2016].

A person must be of at least 18 years of age to vote, except at local government council elections, where 16-year olds have been given the right to vote. For further information see <https://www.valimised.ee/en/right-vote>

Q43b: Access to certain types of employment (jobs that are only open to citizens of your country).

*Recruitment to **positions in government agencies and local authorities** takes place among citizens of Estonia [§ 30 of the Constitution of the Republic of Estonia]. It is established that citizens of foreign states and stateless persons may be recruited to such positions as an exception provided this is allowed by the law.*

*In addition, **nominations of candidates for President** may be made from among citizens of Estonia by birth who have attained at least forty years of age. [§ 79 of the Constitution of the Republic of Estonia].*

Q43c: Other differences / advantages, such as social and economic rights (social security, benefits, allowances, etc.)?

*Only citizens of Estonia may **belong to political parties** [§ 48 of the Constitution of the Republic of Estonia].*

*Secondly, while citizens of non-EU Member State or a stateless persons residing in Estonia may vote at the local government council elections if they reside in Estonia on the basis of a long-term residence permit or the right of permanent residence they **cannot stand as candidates to the council**. [§ 5 (5) [Municipal Council Election Act](#), entry into force 01.02.2016].*

*Thirdly, only citizens of Estonia have **a duty to participate in national defence** [§ 124 of the Constitution of the Republic of Estonia].*

Q44. What support is given once citizenship has been granted to support the new citizen in their role as a citizen (e.g. information sessions organised at a local level, other information material)? Are there good practices in place in your Member State?

*There is a booklet published by Innove '**6 steps to acquiring Estonian citizenship**' available in [Estonian-English](#) as well as in [Estonian-Russian](#) that explains the following:*

"As a citizen of the republic of Estonia, you have a say in what happens in the country. You can vote in parliamentary elections, you can be elected yourself, you have the right to join any political party or association, and you can work in the public sector, either in the government or with local authority departments. You also have the right to return to Estonia at any time, as you cannot be expelled from the country."

Q45. With the acquisition of national citizenship there is also the acquisition of EU citizenship which confers rights such as the freedom to move or reside within the territory of the EU or the right to vote for and stand as a candidate in the European Parliament and municipal elections. What information or other support measures (if any) are given in your country to allow new citizens to enact their role as EU citizens (e.g. signposting to information material on the rights and responsibilities of EU citizens or specific, tailored information)? Is this different / additional to information provided to all citizens on their rights and responsibilities as EU citizens?

The above cited booklet by Innove '6 steps to acquiring Estonian citizenship' goes on by saying:

"As an Estonian citizen you have all the rights of a European Union citizen - the right to engage in independent business and work without a work permit in all member states, the right to diplomatic protection, and more affordable learning opportunities, and you can travel visa-free throughout the EU and in many other countries."

Q46. Are there any indications (e.g. in reports, studies or statistics) that acquisition of citizenship facilitates mobility to other Member States and/or mobility or longer-term migration to non-EU countries?

No.

Section 6: Conclusions and lessons learned

Please comment on the findings of your national report by drawing conclusions, identifying any key challenges and lessons learned, as well as outlining any planned policy developments in the upcoming years:

1. Conclusions

*During the period under review, Estonian citizenship policy has **continued to be conservative**. Citizenship is granted automatically on **ius sanguinis** basis; **dual citizenship is not allowed** and **proficiency in the Estonian language** has remained an essential precondition for naturalisation.*

*However, in order to **reduce the number of undefined citizens** in Estonia, the naturalisation rules have been simplified for some groups, in particular for senior citizens and minors of undetermined citizenship. Flexibility is also demonstrated by the fact that citizens who have acquired both Estonian and foreign nationality as a child may **postpone their choice between the two nationalities** until they reach the age of majority.*

Citizenship policy is supported by an integration policy whose purpose is to strengthen the sense of belonging and joint action among Estonian citizens of different ethnic backgrounds.

2. Key challenges of Estonian citizenship policy

*Estonian citizenship policy, like any other policy, has many technical challenges to face. In the following, I will not deal with those, but instead focus on the **fundamental challenges** that need to be resolved through cooperation between the various parties with different worldviews and value systems.*

- I. *One of the core challenges of Estonian citizenship policy is to **formulate a position on multiple citizenship** that (i) is fair; (ii) takes into account the reality of the increasing cross-border mobility of people and helps the country maintain contact with people that do not live in Estonia and furthermore increases the number of citizens given the limited human resources of Estonia, and (iii) at the same time ensures that the Estonian state is run by Estonian-minded people and that the Republic of Estonia retains its independence. It is rather complicated to take into account all those considerations. (See also the section on Dual Citizenship under Q4).*
- II. *Estonia's main challenge in the next decade is **to eradicate statelessness**, including reducing the number of the holders of undetermined citizenship. A number of legislative changes have already been adopted in recent years to facilitate naturalisation rules, especially for children and*

the elderly. (See also the section on Granting Estonian citizenship to children who were born to parents with "grey passport" under Q4). There are also two relevant bills being read in the national parliament (discussed under the section on Planned policy developments).

- III. Thirdly, the issue of **opticians descendants' right to Estonian citizenship** is still confusing and discussed in the wider public. There is need for legal clarity as well as legitimacy of those decisions in the eyes of all parties concerned. As described in the answer to Q4 (see above), the position of Estonian governments on whether the children and grandchildren of those opticians who did not move to Estonia should be granted Estonian passport and ID-card, has been inconsistent. Some descendants of opticians who did not move to Estonia have been granted Estonian passports and ID cards, others have not. Currently there is a policy that only those who have already been documented by Estonian government can renew their Estonian citizens' passports, others will most likely receive a refusal to their application for Estonian identity documents. This differentiation is clearly unfair to many descendants of opticians. This legal confusion is also addressed in the ruling governments' [Coalition Agreement](#) which promises to create legal clarity in opticians' right to Estonian citizenship by birth. The Agreement says the following:
1. We are of the opinion that given that a person acted in good faith upon acquiring Estonian citizenship, (s)he should not be deprived of Estonian citizenship if it is subsequently assessed that the decision to grant him/her Estonian citizenship was the result of a mistake by officials.
 2. We are resolving the legal confusion over the citizenship of Abkhazian Estonians.

Just as important as creating legal clarity is explaining this policy and legitimising it in the eyes of the general public.

3. Planned policy developments

1. On 23rd September 2019, the first reading of the [Bill on Amendments to the Citizenship Act](#) was held at the Riigikogu sitting. According to the bill, the Citizenship Act will regulate the provision of Estonian citizenship to a child under 18 years of age whose parent or grandparent with undetermined citizenship lived in Estonia before 20th August 1991 (the day of restoration of independence) and whose other parent is a national of another country. According to the current regulation both parents need to have undetermined citizenship in order for the child to acquire Estonian citizenship from birth.
2. Also, on 25th September 2019, [the Bill on Amendments to the Citizenship Act and the Basic Schools and Upper Secondary Schools Act](#) was in the Riigikogu at first reading. According to the bill, basic school final exams will no longer be taken to graduate basic school. This is a complication, however, because according to the current procedure Estonian language proficiency examination, which is one prerequisite for acquiring Estonian citizenship, can be combined with the basic school final examination in 'Estonian as a second language'. Moreover, according to the current regulation, it is possible to pass the Estonian Constitutional and Citizenship Act exam as a supplement to the 'Social studies' basic school final examination.

In order to ensure that the graduates of basic school can continuously meet the requirements smoothly during their basic school studies the following exams can be taken at basic schools:

- a. an Estonian language examination or an examination of the Estonian language as a second language, upon passing of which an Estonian language proficiency examination certificate shall be issued;
- b. a state test, which assesses the knowledge of the Constitution of the Republic of Estonia, the principles of public order and the functioning of society, and the rights and obligations of citizens.

Annex 1 National statistics

The Statistical Annex consists of the following:

Annex 1.1: Number of third-country nationals that have acquired the citizenship of your Member State in 2018, differentiated by the 10 main former citizenships of the persons concerned and by sex and age groups. N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr_acq).

Annex 1.2: Number third-country nationals that have acquired citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible.

Annex 1.3: Share of third-country nationals who acquired the citizenship of your Member State among all resident non-citizens in 2018. N.B. Data for 2014-2017 will be extracted centrally from Eurostat (migr_acqs).

Annex 1.4: Number of third-country nationals that have acquired dual citizenship between 2014-2018, differentiated by the mode of acquiring citizenship and disaggregated by sex, if possible. *N.B. This annex 1.4 is optional for those Member States which collect such data.*

[Please see the Statistical Annex that Accompanies Estonian National Report!](#)