

BUILDING A MULTICULTURAL SOCIETY: THE CASE OF BALTIC STATES

In 1991, the collapse of the Soviet Union caused an extraordinary demographic and migration phenomenon: about 25 millions Russians were yet considered as foreigners and minorities on territories where they had been living for decades! The situation was particularly accurate in Baltic countries where Russian immigration was promoted during the Soviet occupation from 1940 to 1991. As a matter of consequence, in some industrial urban areas Russophones are actually a majority. On the other hand, after the independence and the recovery of sovereignty, Baltic governments' main priority was to reinforce national identity, and by the way, to weaken the influence of such strong minorities. Of course such restrictive policies did not lead to a good integration and inter-ethnic groups relations are often difficult till now. However one must be careful not to consider the three Baltic countries as having the same attitudes towards minorities. One clear difference can be established between Lithuania on the one hand, and Estonia and Latvia on the other hand. Since the beginning of independence, Lithuania was more generous towards its minorities and granted more easily citizenship than in Estonia or Latvia. One must also notice that Russophone minorities are less important in Lithuania, while the country has also to cope with a Polish minority, for which integration is not always accepted from the both sides of population.

The integration of Baltic countries in NATO and especially in European Union has surely ameliorated the situation, but problems are not solved yet. What are the new challenges in Baltic countries for minorities integration? How do government and also societies react and accept minorities? Can we expect as the Estonian government affirms on his web site that Baltic countries are becoming multicultural societies?

I. Historical background: Soviet occupation and dramatical demographic disruption

1) Before the Second World War

Estonia, Latvia and Lithuania were independent countries during the inter-war period. Actually these countries have been constantly in their history threatened by two powerful neighbours: Russia and Poland. Before 1918, Baltic countries were integrated into the Russian Empire. The territory of Lithuania as we know it today was not the same as during the Russian Empire period or after the independence in 1918. Its borders were indeed finalised in 1922, after a war with Poland. During the inter-war period, societies in Baltic countries were far much more ethnically homogeneous than after 1991.

At this time only Latvia counted quite large Russian, Jewish, German and Polish minorities, but Latvians constituted approximatively 73% of the population. Lithuania had also some Russian and Polish ethnic groups. However ethnic Lithuanians were about 85% of the population. In Estonia, nearly 88% of the population were Estonians with only few Russians, Swedes, Finns and Germans. If the democratic experience during this period was not particularly fruitful, one must concede that relations between ethnic groups were also far much more harmonious than they used to be after the independence in 1991.

2) Soviet occupation and massive Russian immigration

The Soviet occupation of Baltic countries in 1940 is a turning point in the history of these countries. They were incorporated in USSR, and adopted the political system of the Soviet Union. Furthermore, this occupation was reinforced by a massive Russian immigration, especially in industrial and urban areas. Russian immigration served also military purposes, and many regiments and officers settled in Baltic countries.

One of the main consequence of such a massive immigration was the decreasing proportion of native Latvians or Estonians in their countries. For example, in Latvia, if immigration and occupation still exist now, Latvian would have been probably a minority condemned to disappear facing the increasing proportion of Russians.

In annexes 1 and 2, one can observe this dramatical demographic disruption. This phenomenon concerns especially Estonia and Latvia, that is why I did not mention any data for Lithuania. Russian immigration in Lithuania was indeed lower because of a lower degree of industrialisation. This being so, the former Soviet Republic did not require such an important Russian work-force.

Occupation in fact did not simply consist in Russian immigration but also in russification: people had to learn Russian, institutions used Russian as the main language, Russian socialist culture was promoted.

3) Independence and new disturbing migrations

When we analyse the first annexe, we can immediately understand the problem which new independent and sovereign countries had to face in 1991. How to cope with a so much important Russian minority? How to preserve and to reinforce national identities with new unbalanced demographic proportions? One must not forget that Russians were, and are till now, considered not as a minority but as former oppressors, the last proof of Soviet occupation, as a bad remember that Baltic countries would have wanted to forget.

One of the main reason which can explain the difficult integration of minorities is that Baltic governments consider the 1940-1991 period not as an inherent part of their history but only as what they call "Soviet occupation", something like a digression, a moment in brackets. Many of the policies established after the independence were in filiation with the laws passed before 1940. Citizenship in Estonia and Latvia was granted automatically only to the descendants of Estonian or Latvian citizens before 1940. Integration was not also the main solution proposed to Russian minorities, because, as Kymlicka explained, emigration was possible. In Latvia, everything was done so that Russians did not feel at home in Latvia and just go back to the new Federation of Russia.

However, the situation was less critical in Lithuania. Although important Polish minority, much more politically problematic as Russian one, citizenship was granted more easily, and with less restrictive conditions. The willingness of revenge was weaker than in the other Baltic countries. Finally, such generous policy led to a better integration of population and more harmonious relations between ethnic group. In contrary to Lithuania, in Latvia conditions for accessing to citizenship were so restrictive that the number of non-citizens or stateless people is till now dangerously high, and people who are considered as non-citizens can hardly be integrated and do not want to integrate a society which refuses their integration.

II. Integration of minorities in Western countries and their validity in the Baltic States

1) Immigrants or national minorities ? The particular case of Russophone minority

Integration of minorities is problematic in Baltic States and especially in Estonia because Russophones are not an homogeneous minority. Above all, can Russophones be considered as immigrants or as national minorities? Obviously, this particular case can not be classified. Many Russophones refuse integration because during the Soviet era, they were legally settled on what are now Baltic countries, and they can argue that Soviet regime, and its territory, was recognised by foreign countries and by UNO. They legitimately think they are victims of a change of the rules of the game without their agreement. They were used to speak Russian in administrations, to learn at school Russian, etc., and they don't see why things would change now.

And among Russophones and other minorities, the willingness to be integrated diverges. Among Russophones, we can distinguish Russians from Belarussians, from Ukrainians. According to Runblom and Roth, Russophones can be divided into four groups, according their place in society and which induces their willingness of integration:

- integrated Russophones / - immigrants / - transients / - intruders

According to national statistics, naturalisations are much more granted to Russians than to Belarussians and Ukrainians. In Latvia, 5.6% of Russians have applied for citizenship, Belarussians were 4.6% and Ukrainians 4.8%. And those minorities were the less active: to contrast, 13.8% Lithuanians applied, 13% of Estonians and 9.6% of Poles. And these new citizens over-represent some particular social classes: in Latvia, 40% of new citizens are university graduates, which is far much higher than national, global proportion among the population. One third of them were under 30 years old and two thirds were women. 65% supported the integration of Latvia in the European Union but only 31% supported joining NATO.

2) The difficult discussion between three actors

Another difficulty for Baltic countries to negotiate with national minorities, and especially with Russians, is the presence of a “kin-state” (Kymlicka). National minorities are not isolated in the country where they are settled because their original state is often a neighbour of their settlement state. Not only do Baltic countries have to negotiate with minorities, but also with Russia. During the summer 2004, in Latvia, Russophones were mobilised against a law on education, whose main aim was to reinforce Latvian at school as the main studying language. Demonstrations and protestations happened of course in Latvia, but also in Russia, some delegation of Russophone students were received in Kremlin, and also went to European Parliament in Strasbourg and Bruxelles... Such foreign intervention surely in this case deteriorate relations and confidence

between minorities and the state. Russia has also a strong hold over Baltic countries, remembers of Soviet military intervention in 1991 are still present in minds. Economically, Baltic countries are also dependent from Russian pipelines and gas mains. To conclude this point, resentment is still omnipresent in inter ethnic relations. I have to stress this point again: Russophones are not perceived as a minority, but as the former oppressors. Revenge is a feeling which can be hardly contained.

3) The impossible federalist solution

Kymlicka in his article analyses in Western countries a solution adopted by many Western countries to cope with national minorities. This is a State organisation on the model of a multi-nation federation. Switzerland or Belgium are good examples of such type of organisation. However, this solution – and one must be careful because it is not also a miraculous remedy applied to every Western countries which has problems with important minorities – is hardly suitable to the case of Baltic countries.

Firstly and obviously Baltic countries are small countries, according to the size of their territories, and further more minorities are not concentrated in specific counties. We can not imagine a pseudo-federalist organisation in Latvia or Estonia with, on the one hand, the main industrial centres governed by Russophones, and on the other hand, the countryside governed by Estonians or Latvians! We can not also imagine the capital of Lithuania as a part of Polish federal state... Knowing how strong are the fears to lose national identities, federalism would be difficultly applied. In fact, after the independence, administrative structures were also modified in order to weaken the influence of minorities.

Indeed, federalism has been abused during the Soviet period. Federalism was imposed to Socialist Republics without any federalist division of power: power remained centralised and federalism was an alibi. As Kymlicka wrote:

“Federalism of this sort was not adopted as a way of encouraging people to understand and accept the enduring diversity of interests and identities, but rather as a mechanism of centralised control over the expression of ethnicity, so as to remove any potential for any ethnic mobilisation that was independent of the central state and Communist party.”¹

¹ Kymlicka, W., 2001, Western Political Theory and Ethnic Relations in Eastern Europe” p.64

III. State policies, legislative texts and their implementation

1) Promotion of national identities and minorities rights

- *Recognition of an official language*

The redaction of Constitutions was basically the main goal for the new independent state to stress their sovereignty. However, one must notice that Latvia adopted a new Constitution only in 1998, after many political difficulties, and many disagreements with the Council of Europe, mainly because of the status of minorities in the country. In the annex 6, I collected the principle articles towards language, discrimination and recognition of minorities rights. I would like in this part of my essay to comment these articles and the other laws concerning minorities rights and national identity. It appears clearly in the three Constitutions, that Baltic countries are not multilingual states; they recognize only one official language (art. 6 C. of Estonia, art. 4 C. of Latvia, art. 14 C. of Lithuania). Furthermore, Latvian constitution also promote Latvian as the only working language in the Parliament and local governments (art. 21 and 101). as a matter of consequence, language used by administration is the official language.

- *Recognition of minorities languages*

However, constitutionalists who wrote Constitutions were aware of the massive presence of minorities in the three Baltic countries. We can find in the Estonian and Latvian Constitutions some interesting compromises. In Estonia, on the issue of official language, the constitutional text distinguish localities where Estonians are a majority and those who they are not. In the last case, the Constitution proposes another rule: Estonian is no more the official language, but the language of the minority who is a majority prevails (art. 51 and 52). In Lithuania, the Constitution recognises o right to free administration concerning ethnic matters for minorities (art. 45).

- *Protection of minorities*

If in Baltic countries, the process of the renewal national identity was quite virulent, they wanted to respond as strongly as russification was. However, if national community was promoted, and even if citizenship was difficult to obtain, especially in Latvia and Estonia, as I will demonstrate later, the other side of this political program was a quite good protection of minorities. One can say that the difficult to obtain citizenship, the necessary to protect minorities who are still important because of the absence of citizenship regulation. Of course, I do not want to draw an idyllic picture of minorities conditions in the Baltic countries, the situation in Latvia especially was and is still problematic and relations among population are always electric. On the other hand, having to cope with important minorities pushed the new independent states to regularise their situation; and if citizenship is not the solution proposed, governments could either decide to exile their

minorities, either to grant them some special status. The first solution was not an enviable one, even in presence of a kin-state, because of international laws and because of the willingness among governments and populations to integrate Western organisations, as the Council of Europe. Such organisations made an important pressure to improve the recognition of minorities rights. Basically, Estonia and Lithuania soon adopted many texts on this issue. I would like to develop the case of Latvia, because it clearly reveals the influence of foreign and supranational organisations. The Council of Europe played a preeminent role in Baltic countries. Latvia voted a first act on citizenship in October 1991. However, it was so restrictive to grant citizenship that Russophones decide to petition and the Council of Europe voted some crucial recommendations, so that Latvia, at least, had to vote a new act in 1994, and modified it one more time in 1995. In 1997, the Council of Europe managed to gain the ratification by Estonia of its Cadre-Convention on the protection of national minorities (voted in Strasbourg in 1995). Lithuania did the same only in 2000 and Latvia has not done it yet.

2) A restrictive access to citizenship

Granting citizenship distinguishes clearly Lithuania from the two other Baltic States. Actually, Lithuania adopted as soon as it was independent a generous policy for the access to citizenship while Estonia and Latvia adopted much more restrictive citizenship acts and naturalisation laws.

• *In Lithuania*

The first law in citizenship was adopted soon, in 1989, in order to allow people who emigrated during the Soviet period and have been living for a while in Lithuania to access to citizenship. The law was very generous, because people had to live in Lithuania only two years at least to be granted citizenship. 90% of people whose ethnicity was not Lithuanian became Lithuanian citizens. This law was named “zero option” because there were no real restrictive criteria to access to citizenship. In 1991, the Parliament adopted a new law on citizenship, modified in 1997, which was more restrictive: to become a citizen, a person has to have lived in Lithuania at least for ten years, to have a job or a stable income and a good knowledge of Lithuanian language (article 12). Applicants have in fact to pass a linguistic test and to swear fidelity to the Republic of Lithuania, as it is mentioned in article 15 (both articles quoted here are in annex 7, in Lithuanian, because I did not manage to find an English version).

On 17 September 2004 the Lithuanian Parliament approved a new citizenship law that will allow its nationals to retain Lithuanian citizenship after acquiring citizenship of another country. Under the previous law, Lithuanian citizens were automatically stripped of their citizenship when they became citizens of another country. The main motivation for the change is the emigration, mainly to the United States, over the last 10

years of some 200,000 Lithuanians.

Lithuania is the only Balte country where 98% of Russophones have been naturalised with the agreement of the whole population. One must not forget that Russophones represent only 8% of the population. On the other hand, Lithuania suffered a lot and Russian troops were sent in 1991, they killed people in order to contain the willingness of emancipation. 12% of Lithuanians think that citizenship can only be granted to the descendants of Lithuanians citizens before 1940 while in Estonia 44% and in Latvia 49% of citizens share this opinion.

The very critical point in Lithuania is the status of Roma. In the report of the European Roma Rights Center I mentioned in my bibliography, Roma have not enough legislative recognition and protection.

- *In Estonia*

As in Latvia, Estonia considers itself as the successor of the Estonia Republic between 1918 and 1940. The government in 1992 used a law voted in 1939 to establish the criteria of accession to citizenship. Citizenship was granted automatically to the descendants of Estonians citizens before 1940. The law on citizenship voted in 1995 defined the criteria, they are very restrictive: to become a citizen, a person has to be aged of 15 years old and more, to have lived legally at least 5 years in Estonia, to have a stable income, to know the Constitution and the law on citizenship, to swear fidelity to the Republic of Estonia. In fact, applicants have to pass a linguistic test whose exercises are very precise and very difficult, especially for the Russophones. Only people who have studied and passed exams in Estonian schools can be exempted of such linguistic test.

Inter-ethnic relations are quite bad, especially since 1993, when a law proposed no other alternative than either to become a fully Estonian citizen, either to be an alien with a residence permit. Here again Russophones were placed in a difficult situation because if they become Estonian citizens, it means that, when they want to visit their family in Russia, they have to ask for visa to enter Russia... The issue of the former soviet soldiers is also a key point. Russian governments in the 1990's used the law on citizenship as an excuse not to retire Russian troops off Estonia. In 1996, there were still 2300 soldiers in the country, during the independence they were between 30,000 and 35,000.

- *In Latvia*

Latvia is surely the country where inter-ethnic relations are the worse, as the number of stateless people. As I wrote, Latvia had to change its way to be granted citizenship under the pressure of the Council of Europe. In annex 3, the number of naturalisations per year is a good revealing point of this legislative changes. Basically, conditions to access to citizenship are quite the same today as for Estonia. In the same annex, I want to stress the high number of stateless people in Latvia, which is a very problematic issue.

To conclude my essay, I would like to quote Runblom and Roth: “Do descendants of Estonians have more right to live in Estonia and Latvia than Russian immigrants and their children? When does an immigrant stop being an immigrant?”²

With this quotation I would like to attention on the difficulty to establish criteria between members of a society and their outsiders, their immigrants, their non-citizens. Can a society and a State aim to develop and to achieve democratic transition when almost 500,000 people still have stateless status as in Latvia?

Maybe the entry into European Union is a good event and would surely push administrations and politicians to improve naturalisations in their countries. However societies and citizens must also accept the integration of minorities. And at least the Russian foreign policy towards Baltic countries will also be crucial.

Yet in 2004 a great path has been done since the independence to build more tolerant societies but it seems to be bold to affirm as the Estonian State does in its web site that Baltic countries have become multicultural societies. Minorities are recognised and protected but coherence in the society is not completely clear today. It would probably be the next challenge for Baltic states.

² Runblom, M., Roth, H;I., 1993, The Multicultural Baltic Region, Part I: People, Migrations and Ethnic Coexistence. p.5

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- European Roma rights center, <http://www.mdgr.undp.sk/PAPERS/Lithuania%20JIM%209.doc>, Report on the situation of Roma in Lithuania.
- <http://www.geocities.com/nationalite/> Internet web site where we can find laws on citizenship for many countries.
- <http://www.oefre.unibe.ch/law/icl/index.html> Internet web site where we can find the Constitutions of almost all the counties in the world.

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Annex 1: Nationalities in Estonia

Nationality	Census of 1934 /per cent		Census of 1989 /per cent		Census of 2000 /per cent	
1. Estonians	992 520	88.1	963 281	61.5	930 219	67.9
2. Russians	92 656	8.2	474 834	30.3	351 178	25.6
3. Ukrainians	92	0.008	48 271	3.083	29 012	2.1
4. Belarussians	*	*	27 711	1.769	17 241	1.3
5. Finns and Ingrians	1 088	0.1	16 622	1.061	12 195	0.89
6. Tatars	166	0.015	4 058	0.259	2 582	0.19
7. Latvians	5 435	0.5	3 135	0.2	2 330	0.17
8. Poles	1 608	0.14	3 008	0.192	2 193	0.16
9. Jews	4 434	0.4	4 613	0.295	2 145	0.156
10. Lithuanians	253	0.022	2 568	0.164	2 116	0.154
11. Germans	16 346	1.5	3 466	0.221	1 870	0.136
12. Armenians	*	*	1 669	0.106	1 444	0.105
13. Azerbaijani	*	*	1 238	0.079	880	0.064
21. Swedes	7 641	0.7	297	0.019	300	0.021
Other nationalities or nationality unknown	4 174	0.37	10 891	0.696	14 347	1.047
Total population	1 126 413	100	1 565 662	100	1 370 052	100

*Data included in "other nationalities"

Sources: [Statistical Office of Estonia](#)

Annex 2: Facts and statistics on residents in Latvia

The Breakdown of the Residents of Latvia as to Nationality
(data of the Board for Citizenship and Migration Affairs - July 1, 2004)

	Citizens of Latvia	Non-citizens	Aliens	In total	
Latvians	1 352 733	2 387	961	1 356 081	58.7%
Lithuanians	17 125	13 312	1 403	31 840	1.4%
Estonians	1 470	750	310	2 530	0.1%
Belorussians	26 281	60 818	1 899	88 998	3.9%
Russians	330 201	314 178	19 713	664 092	28.8%
Ukrainians	11 440	44 319	3 644	59 403	2.6%
Poles	40 223	16 059	516	56 798	2.5%
Jews	6 424	3 079	317	9 820	0.4%
Others	19 259	15 318	5 200	39 777	1.7%
In total	1 805 156	4 70 220	3 3 963	2 3 09 339	100,00%

Number of applications for citizenship in Latvia

1997 3075 applications

1998 5608

1999 15,183

2000 10,692

By September 2001: 46,906 eligibled people applied for citizenship
46,701 (among them 6,346 children) were awarded citizenship

Annex 3: Lithuanian Population by ethnicity according to the population census in April 2001

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	<i>Total population</i>	<i>Compared to all population, %</i>
Total	3483972	100
Lithuanians	2907293	83,45
Poles	234989	6,74
Russians	219789	6,31
Belarussians	42866	1,23
Ukrainians	22488	0,65
Jews	4007	0,12
Germans	3243	0,09
Tatars	3235	0,09
Latvians	2955	0,08
Gipsies	2571	0,07
Armenians	1477	0,04
Other	6138	0,18
Not indicated	32921	0,94

Annex 4: Naturalisations in Estonia

The number of persons who have received Estonian citizenship by naturalisation:

2001	3 090
2002	4 091
2003	3 706
As of September 2004	4 427

Persons who acquired Estonian citizenship by naturalisation (30.09.2004)

Basis	Period	Number
On general conditions	1992–...	52 089
Minors under 15 years of age	1992–...	26 459
For special services	1992–...	714
Aliens who supported the independence of Estonia	1992–1995	24 102
Ethnic Estonians	1992–1995	25 293
Persons without active legal capacity and disabled persons	2002–...	421
Total		129 078

Annex 5: Statistics on naturalization in Latvia

(as at September 30, 2004)

Acquisition of the citizenship of Latvia through naturalization



Information Centre
7814235, 7814212

Applications as to acquisition of the citizenship of Latvia through naturalization are accepted in the regional branches of the Naturalization Board as of February 1, 1995.

- ❑ Since the beginning of naturalization process **84 827** naturalization applications have been received requesting **95 359** persons to be naturalized.
- ❑ **78 540** persons including **10 094** underage children have been granted the citizenship of Latvia by the decree of the Cabinet of Ministers.

Recognition of a stateless persons' or non-citizens' child, who was born in Latvia after August 21, 1991 to be a citizen of Latvia

Applications as to recognition of a stateless persons' or non-citizens' child, who was born in Latvia after August 21, 1991 to be a citizen of Latvia are accepted in the regional branches of the Naturalization Board as of February 5, 1999.

Since February 5, 1999 **2 977** applications as to recognition of a stateless persons' or non-citizens' child, who was born in Latvia after August 21, 1991 to be a citizen of Latvia have been accepted in the regional branches of the Naturalization Board:

- ❑ **2 483** stateless persons' or non-citizens' children, who were born in Latvia after August 21, 1991 have been recognized to be citizens of Latvia
- ❑ **11** applications have been rejected.

Registration, loss and restoration of the citizenship of Latvia*

Since January 1, 1999 the regional branches of the Naturalization Board register the status of a citizen of Latvia for persons who are entitled to it in accordance with Article 2, Paragraphs 1, 1¹, 1² and 1³, and Article 3.1 of the Law on Citizenship, accept and review applications as to renunciation of the citizenship of Latvia and applications as to restoration of the citizenship of Latvia as well prepare applications of a claim in the court on deprivation of the citizenship of Latvia.

Since January 1, 1999 the regional branches of the Naturalization Board have received **5389** applications as to registration of the status of a citizen Latvia:

- ❑ **5283** persons have been registered the status of a citizen of Latvia;
- ❑ **16** applications have been rejected.

Since January 1, 1999 the regional branches of the Naturalization Board have received **1 350** applications as to renunciation of the citizenship of Latvia:

- ❑ **1 649** persons have been recognized as having lost the citizenship of Latvia in accordance with a decree of the Minister of Justice (including **484** underage children);
- ❑ **3** applications has been rejected.

Since January 1, 1999 the Naturalization Board have received **2** applications as to restoration of the citizenship of Latvia.

- ❑ The citizenship of Latvia has been restored to **2** persons.

Since January 1, 1999 the Naturalization Board has lodged **494** applications of as to deprivation of the

* information refers to the period as of January 1, 1999 when the Naturalization Board began to carry out these tasks. Before this the Board for Citizenship and Migration Affairs carried out these tasks.

Annex 6: Constitutional extracts about language, discrimination and minorities rights

Constitution of Estonia, 1992:

[Preamble]

Unwavering in their faith and with an unswerving will to safeguard and develop a state which is established on the inextinguishable right of the Estonian people to national self-determination and which was proclaimed on February 24, 1918, which is founded on liberty, justice and law, which shall serve to protect internal and external peace and provide security for the social progress and general benefit of present and future generations, which shall guarantee the **preservation of the Estonian nation and its culture** throughout the ages, the Estonian people adopted, on the basis of Article 1 of the Constitution which entered into force in 1938, by Referendum held on June 28, 1992 the following Constitution:

Article 6 [Language]

The **official language** of Estonia is **Estonian**.

Article 12 [General Equality, No Discrimination]

(1) All persons shall be **equal before the law**. No one may be discriminated against on the basis of nationality, race, color, sex, language, origin, creed, political or other persuasions, financial or social status, or other reasons.

(2) The propagation of national, racial, religious or political hatred, violence or discrimination is prohibited and punishable by law. The propagation of hatred, violence or discrimination between social strata is equally prohibited and punishable by law.

Article 21 [Custody, Arrest]

(1) Anyone deprived of his or her liberty shall be informed promptly, and in such **a language and manner which he or she understands**, of the reason for the arrest, and his or her rights, and shall be given the opportunity to notify his or her family about the arrest. A suspected offender shall also be promptly given the opportunity to choose a legal adviser and to confer with him or her. The right of a suspected offender to notify his or her family of the arrest may only be restricted in such cases and procedures as determined by law, for the purpose of preventing a criminal act or in the interest of establishing facts in a criminal investigation.

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

Article 37 [Education]

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

Article 49 [Ethnic Identity]

Everyone shall have the right to **preserve his or her ethnic identity**.

Article 50 [Minority Rights]

Ethnic minorities shall have the right, in the interests of their national culture, to **establish institutions of self-government** in accordance with conditions and procedures determined by the Law on Cultural Autonomy for Ethnic Minorities.

Article 51 [Right to Administrative Help]

(1) Everyone shall have the right to address a state or local government authority and their officials in Estonian, and to **receive answers in Estonian**.

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

Article 52 [Official Language]

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

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

Constitution of Latvia, 1998:

Article 4 [Language, Flag]

The **Latvian** language is the **official language** in the Republic of Latvia. The national flag of Latvia shall be red with a band of white.

Article 21 [Standing Orders; Working Language]

The Parliament shall establish rules of order to provide for its internal operations and order. **The working language of the Parliament** is the **Latvian** language.

Article 101 [Political Activity]

Every citizen of Latvia has the right, as provided for by law, to participate in the activities of the State and of local government, and to hold a position in the civil service. Local governments shall be elected by Latvian citizens who enjoy full rights of citizenship. The **working language of local governments** is the **Latvian** language.

Article 104 [Petitions]

Everyone has the right to address submissions to State or local government institutions and to receive a materially responsive reply. Everyone has the right to **receive a reply in the Latvian language**.

Article 114 [Minorities]

Persons belonging to ethnic minorities have the right to **preserve and develop their language** and their ethnic and cultural identity.

Constitution of Lithuania, 1992:

[Preamble]

The Lithuanian Nation

- having established the State of Lithuania many centuries ago,
- having based its legal foundations on the Lithuanian Statutes and the Constitutions of the Republic of Lithuania,
- having for centuries defended its freedom and independence,
- having **preserved its spirit, native language**, writing, and customs,
- embodying the inborn right of each person and the People to live and create freely in the land of their fathers and forefathers, the independent State of Lithuania,
- fostering national concord in the land of Lithuania,
- striving for an open, just, and harmonious civil society and law-governed State, by the will of the citizens of the reborn State of Lithuania,

approves and declares this Constitution.

Article 14

Lithuanian shall be the **State language**.

Article 37

Citizens who belong to ethnic communities shall have the **right to foster their language, culture, and customs**.

Article 45

Ethnic communities of citizens shall **independently administer** the affairs of their ethnic culture, education, organizations, charity, and mutual assistance. The **State shall support ethnic communities**.

Annex 7: Lithuanian law on nationality, 1991, extracts, updated in 2001

Article 12:

“12 straipsnis. Lietuvos Respublikos 1993 m. liepos 16 d. įstatymo Nr. I-240 (nuo 1993 m. liepos 28 d.) (Žin., 1993, Nr. 32-733) ir 1995 m. spalio 3 d. įstatymo Nr. I-1053 (nuo 1995 m. spalio 20 d.) (Žin., 1995, Nr. 86-1940) redakcija

Lietuvos Respublikos pilietybes suteikimo sąlygos Lietuvos Respublikos pilietybe gali būti suteikiama asmeniui pagal jo

prašymą, jeigu jis sutinka prisiekti Lietuvos Respublikai ir atitinka šias sąlygas:

- 1) išlaikė lietuvių kalbos egzaminą (moka kalbėti ir skaityti lietuviškai);
- 2) turi nuolatinę gyvenamąją vietą Lietuvos Respublikos teritorijoje pastaruosius dešimt metų;
- 3) turi nuolatinę darbo vietą arba nuolatinį legalu pragyvenimo šaltinį Lietuvos Respublikos teritorijoje;
- 4) išlaikė Lietuvos Respublikos Konstitucijos pagrindų egzaminą;
- 5) yra be pilietybes arba yra pilietis tokios valstybės, pagal kurios įstatymus Lietuvos Respublikos pilietybes igijimo atveju praranda tos valstybės pilietybę, arba raštu praneša apie savo sprendimą atsisakyti turimos kitos valstybės

pilietybes, kai jam bus suteikta Lietuvos Respublikos pilietybe.

Lietuvių kalbos ir Lietuvos Respublikos Konstitucijos pagrindų egzaminu ir pažymėjimu išdavimo tvarką nustato

Lietuvos Respublikos Vyriausybė.

Asmenims, atitinkantiems šiame straipsnyje numatytas sąlygas, Lietuvos Respublikos pilietybe teikiama, atsižvelgiant į Lietuvos Respublikos interesus. Asmenims, sukakusiems 65 metus, I ir II grupių invalidams, taip pat

sergantiems sunkiomis lėtinėmis psichinėmis ligomis, netaikomi šio įstatymo 12 straipsnio pirmosios dalies 1 ir 4

punktu reikalavimai.”

Article 15:

“15 straipsnis. Priesaika Lietuvos Respublikai

Asmenys, kuriems suteikiama Lietuvos Respublikos pilietybe naturalizacijos ar optavimo būdu, taip pat pagal šio

įstatymo 16 straipsnį, prisiekia taip:

"Aš, (vardas, pavardė), tapdamas Lietuvos Respublikos piliečiu, prisiekiu būti ištikimas Lietuvos Respublikai, laikytis Lietuvos Respublikos Konstitucijos bei įstatymų, ginti Lietuvos Respublikos nepriklausomybę, saugoti valstybės

teritorijos vientisumą. Pasižadu gerbti Lietuvos valstybinę kalbą, kultūrą ir papročius, stiprinti Lietuvos demokratinę valstybę."

Lietuvos Respublikai prisiekiami viešai ir iškilmingai. Pilietybę igyjantis asmuo lietuviškai perskaito priesaikos tekstą ir jį pasirašo.”

Annex 8: Application for Estonian citizenship – Terms

Available at <http://www.mig.ee/eng/citizenship/citizenship/>

Any alien who wishes to acquire Estonian citizenship by naturalisation has to comply with the conditions, and follow the requirements, provided for by the Citizenship Act.

Any alien can submit an application for the acquisition of Estonian citizenship by naturalisation if:

- he or she has settled in Estonia before July 1, 1990 and resides permanently in Estonia during the time of the submission of an application for Estonian citizenship or
- has stayed permanently in Estonia on the basis of a permanent residence permit for at least five years prior to the date on which he or she submits an application for Estonian citizenship.

If one of those preconditions is fulfilled an alien who wishes to acquire Estonian citizenship has to:

- be at least 15 years of age;
- have general knowledge of Estonian needed in everyday life;
- have knowledge of the Constitution of the Republic of Estonia and the Citizenship Act;
- have a permanent legal income which ensures his or her own subsistence and that of his or her dependants;
- be loyal to the Estonian state;
- 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.]

In order to apply for Estonian citizenship you have to pass an exam on your knowledge of the Constitution and the Citizenship Act of the Republic of Estonia, as well as an exam on your knowledge of the Estonian language.

Exams are organised by the National Examination and Qualification Centre. The application for taking the examination should be submitted to the National Examination and Qualification Centre at the following address: Sakala 21, Tallinn. **The following persons are exempted from passing the examination:**

- adults divested of active legal capacity;
- persons with severe or serious physical disabilities who are not able to pass an examination due to their state of health;
- persons with a moderate disability who are not able to take exams due to a visual disorder, or hearing or talking disability.

Such a person has to add to his or her application a certificate of medical assessment proving the existence of the disability and a note from a doctor to confirm his or her disability to pass such an examination.

If you have acquired the basic, secondary or higher education in Estonian you are exempt from the Estonian language exam.