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## **Understanding the internalization of the EU's minority rights norm in Estonia**

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### **Introduction**

This paper focuses on internalization of one among the five *core* EU norms identified by Ian Manners – the respect for human rights. The case study selected for the purposes of this analysis is one of the former Soviet Baltic republics – Estonia – which successfully “returned back” to Europe with the EU accession wave in 2004. Decades of communist rule had a major impact on their ethnic makeup and, as a result, Russian minority formed about 29% of the total number of Estonia’s population at the beginning of the 1990s. Opting for the so-called *jus sanguinis* principle, Estonia introduced highly controversial Citizenship and Language regulations that left approximately 450,000 of its population stateless. Violation of human rights was one of the biggest impediments of Estonia on its way into the EU. Today, having moved pass the 20-year milestone of full membership in the EU, it is interesting to have a look at Estonia’s advances in regards to its minority policies since the percentage of stateless persons is still quite high.

This paper raises the following research questions: What are the prevailing conceptualisations of human rights norm on the European Union level? How are these conceptualisations different in the chosen Baltic States? How can we explain and understand these conceptualisations?

In order to answer these questions, this analysis proceeds as follows: firstly, it sheds light on the rhetoric of human rights norm (and, more specifically, minority rights and statelessness) in the context of the EU. This initial study of the European Union discourse leads to the construction of theoretical proposals of the conceptualisation of human rights in the discourse. Secondly, this chapter looks at the historic aspects of the Baltic States’ accession to the European Union. This was a crucial phase as the human rights protection became one of the stumbling blocks for Estonia in the accession period. This historical excursus will help to better understand the crux of the human rights *problematique* and

establish the prevailing metanarratives behind the human rights discourses that existed in that period. Thirdly, this chapter presents an in-depth discourse analysis of the human rights norm in Estonia during the limited time period – it focuses on how this particular norm discussions in Estonia since the outbreak of the Ukrainian crisis in 2014. This study covers the full range of main news online sources in order to identify the prevailing discourses of human rights norm in this period which put the human rights concerns to the forefront. Ultimately, this chapter sheds light on how the prevailing articulations of the human rights as a norm in Estonia are different from their dominant EU understandings and how these differences can be understood.

### **Human rights in the European Union**

*“The new narrative for Europe should be about the need to have a responsible organisation, the need to be able to defend our interests and promote our values, like human rights.”*

Jose Manuel Barroso, "Tearing down walls – building bridges" speech, March 2014

Human rights protection is one of the most visible and protected norms of the post-Cold War era. In Europe it together with democracy and the rule of law was made explicit in the December 1973 Copenhagen document on “European identity” (Manners and Whitman 1998:236)<sup>1</sup>. Within Europe, human rights law had been progressively developed through the ECHR, and the interpretations of the European Court of Justice (ECJ). By the 1990s human rights were given prominence in the Treaty on European Union and are now promoted through a variety of means, including conditionality clauses in enlargement and development aid. The Maastricht Treaty of 1992 stated that one of the objectives of the Common Foreign and Security Policy (CFSP) is to promote democracy, the rule of law, and respect for human rights and fundamental freedoms. Furthermore, the Copenhagen criteria, which defines the conditions for EU membership, clearly indicates that one of the main requirements is the existence of institutions that ensure respect for human rights, democracy and the rule of law. The EU norm of human rights is symbolized in world politics by the high-profile positions taken by the EU at, among others, the UN Commission on Human Rights and visible presence of the EC’s observer status to the Commission.

The need to include minority protection into the EU human rights agenda came with the

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<sup>1</sup> Manners and Whitman 1998:236

Balkan wars and the accession of the Central and Eastern European countries. Since then these rights have proven to be seen not only as part of the accession criteria but as an important part of *acquis*. For example, the chapter on the “Social Policy and Employment” of the Commission’s Comprehensive Monitoring Report of the European Commission on the state of preparedness for EU membership for the 2004 accession round is dedicated to the respect of the minorities as part of the EU employment and social policies with which the candidates will have to comply as a membership obligation. Moreover, the Framework Convention for the Protection of National Minorities (FCNM) has progressively become a normative basis of the Commission’s assessment of the applicant countries’ preparedness for accession. The assessments of the FCNM monitoring organs became part of the Commission’s own reports. The Moares Resolution included the subheading which stated that “there is a difference between the protection of minorities and anti-discrimination policies; noting that equal treatment is a basic right, not a privilege, of all citizens, and tolerance should be a general attitude in life, not a favour granted to some and not to others; considering, therefore, that all forms of discrimination must be fought with equal intensity; recalling that national minorities contribute to the richness of Europe...”<sup>2</sup>.

The protection of minorities has never explicitly been included in the EC and EU treaties and even the Charter does not contain specific provisions. After establishing the minority protection as a prerequisite for entry in the Copenhagen criteria, these rights have not been set as a duty of the EU member states. The same applies to the problem with statelessness as EU does not provide much in the way of normative guidance on addressing statelessness within the EU. There is, for instance, no right to a nationality nor even to birth registration, included within the EU Charter on Fundamental Rights. The regulation of nationality is a competence which rests with EU member states. With the EU waving the human rights flag higher and louder agitating it externally, the internal incoherence of the human right policy is becoming obvious. The EU Action Plan on Human Rights and Democracy indicates “achieving greater policy coherence” as one of its objectives, including by addressing “issues of coherence and consistency between the EU’s external and internal policies”<sup>3</sup>. Some commentators states that “in order for EU member states to credibly intervene in such developments they must themselves have in place robust nationality laws and policies towards stateless persons that fully comply with their obligations under international law”<sup>4</sup>. In June 2008 the Council of Europe’s High Commissioner for Human Rights, Thomas Hammarberg proclaimed that “the persistence of ‘legal ghosts’ in today’s Europe is

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<sup>2</sup> European Parliament, 2005

<sup>3</sup> EU Annual Report on HR, 2013

<sup>4</sup> ENS, 2014

unacceptable” and that “no one should be stateless in today’s Europe”<sup>5</sup>. On 19 September 2012 the Delegation of the European Union to the United Nations proclaimed that “the EU Member States which have not yet done so pledge to address the issue of statelessness by ratifying the 1954 UN Convention relating to the Status of Stateless Persons and by considering the ratification of the 1961 UN Convention on the Reduction of Statelessness”<sup>6</sup>.

According to the European Network on Statelessness (ENS) - a civil society alliance that was established with the goal to combat the issue of statelessness in Europe – there are still around 600,000 stateless persons in Europe whose rights should be protected. <sup>7</sup>On 14 October, 2013, ENS officially launched a pan-European campaign with the two main goals. First of all, it is calling for all European Union states that are not signatories of the 1954 Statelessness Convention to do so by the end of 2014. Secondly, it points to the fact that some European states still have to commit to introduce a functioning statelessness determination procedure by the end of 2016<sup>8</sup>.

From the observations of the minority rights protection it is possible to suggest two related EU discourses which I would describe as *responsibility* and *obligation*. These terms might seem interchangeable at first glance but the difference in their concealed meaning is crucial to the current paper purposes. *Responsibility* can be viewed as something that one freely decides to do, something you *should do* that stems from the conviction in the importance of what you feel morally responsible for. Commitment to minority protection on the EU level can be thus seen as grounded in the liberal values, accounts of “humanity” and “morality”. This is part of the broader philosophic discussion of civil behaviour towards other people without the necessity to have special binding laws to do so. *Obligation*, on the other hand, is something you feel compelled about due to social requirements and norms, something you *ought to do*. In this case, it can be seen as a social precondition, a *duty*, that compels one to follow a particular course of action. The difference between the two terms, thus, lies in the ethical and moral dimensions and the akin connotations.

### **Estonian “European” way**

Estonia experienced significant demographic changes during its Soviet period and turned from the 90% ethnically Estonian country into the 62% -Estonain one with the proportion of

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<sup>5</sup> CommDH/Speech, 2010

<sup>6</sup> European Union Declaration 2012

<sup>7</sup> ENS, 2014

<sup>8</sup> ENS Newsletter, 2013

the Russian-speakers reaching 30,3 % in 1989<sup>9</sup>. Having regained its independence, Estonia granted automatic citizenship only to those persons that were Estonian residents prior to the incorporation of their country into the Soviet Union. As for the rest of its residents, Estonia followed the so-called “right to blood” principle which is also known as *jus sanguinis*. This law granted citizenship only to those persons (and their descendants) who had been Estonian citizens before 1940<sup>10</sup>. That left roughly 450,000 people without citizenship. This decision was also influenced by the negative attitudes towards the Russian-speaking population that was considered as a threat to the preservation of the Estonian language and the whole state-building process. According to Pettai and Hallik, “...for average Estonians the idea of recreating a citizenry had great appeal, since it was an opportunity to repudiate publicly the legitimacy of the Soviet Union as well as gain a psychological boost of confidence as a free nation”<sup>11</sup>. Strong anti-Soviet sentiments and focus on the importance of cultural homogeneity were expressed at the founding congress of the Estonian Popular Front: “[...] over many years, language and citizenship have been artificially separated from other signs of national existence: the community of territory, the community of economic and political life for all people inhabiting this territory. And now we wish to close this gap”.<sup>12</sup>

Estonia introduced its own label - “residents with undetermined citizenship” – that included all Estonian residents who were not eligible to the Estonian citizenship after the restoration of independence in 1992. These persons did not form a separate category as in Latvia but are considered “aliens” in the same way as third-country nationals. These *de facto* stateless persons have to acquire citizenship either by birth (if at least one of the parents of the child holds Estonian citizenship at the time of birth of the child) or through naturalisation process. Citizenship Act that entered in force on 1 April 1995 set up that a person applying for Estonian citizenship is required to: a) pass the Estonian language test; b) have knowledge of the Estonian Constitution and Citizenship Act; c) be at least 15 years old; d) have lived in Estonia with a residence permit at least five years permanently; e) provide a proof of solvency and of registered residence in Estonia; f) show loyalty to the state of Estonia taking the required Oath.<sup>13</sup>

In the very emergence of newly independent, democratic Estonia, most Russian speakers were excluded from the policy-making. Firstly, they were not granted right to vote in neither

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<sup>9</sup> Budryte, Dovile. *Taming Nationalism? Political Community Building in the Post-Soviet Baltic States*, 2005, p. 92, Aldershot: Ashgate.

<sup>10</sup> Estonian Citizenship Law, Article 5, 1995

<sup>11</sup> Pettai, V., Hallik, K. (2002), ‘Understanding Processes of Ethnic Control: Segmentation, Dependency and Cooptation in Post-communist Estonia’, *Nations and Nationalities*, 4 (8)

<sup>12</sup> Mole, Richard. *The Baltic States from the Soviet Union to the European Union: Identity, Discourse and Power in the Post-Communist Transition of Estonia, Latvia and Lithuania*. Routledge 2012, p. 86

<sup>13</sup> Citizenship Act, Article 6, 1995

the constitutional referendum nor in the general elections of 1992. Secondly, there were no ethnic Russians elected in the first *Riigikogu* (the Estonian parliament). Nevertheless, despite this initial exclusion of Russian speakers, the Estonian Constitution of 1992 granted specific political rights to all permanent residents: “[...] in elections to local government councils, persons who reside permanently in the territory of the local government councils, persons who reside permanently in the territory of the local government and have attained eighteen years of age have the right to vote, under conditions prescribed by law<sup>14</sup>. The right of Estonian residents with undetermined citizenship to vote in the local elections is one of the major differences between the minority politics in Estonia and Latvia (where such right for “non-citizens” is not guaranteed). At the same time, political rights of stateless persons in Estonia are significantly restricted – they cannot join the political parties or run for the elections. Moreover, these persons cannot vote in national elections or the elections to the European Parliament and it is difficult for them to get a job in the civil service.<sup>15</sup>

In the early nineties Statelessness dispute in Estonia was getting international dimension, mainly due to criticism coming from Moscow. Russia quite actively insisted on responsibilities of the new state to all residents living on their territories and in July 1992 even passed a resolution threatening to impose “temporary economic sanctions against the Estonian Republic in case its authorities continue discrimination against ethnic Russians”.<sup>16</sup> At the same time, pressure to find a way how to resolve the citizenship deadlock started to come from the West as well. Both Council of Europe and the European for Reconstruction Development asked Estonia to take a more liberal stand and during his visit in 1993 Max van der Stoep (former Higher Commissioner on National Minorities of the Conference on Security and Cooperation in Europe (CSCE)) stated that “the future solution of the citizenship issue in Latvia and Estonia would be such that the Russian-speaking minority would get the right to citizenship.”<sup>17</sup>

Saar Poll conducted in 1995 revealed that 31% of Estonians wanted the state to support leaving of non-Estonians from their country. In contrast to that, 36% of persons with the “unidentified citizenship” wanted the state to support them with learning Estonian language and culture and 59% - to integrate into the Estonian society.<sup>18</sup> The owner of the Saar poll,

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<sup>14</sup> Constitution of Estonia, Article 156, 1992

<sup>15</sup> Local Government Council Election Act, 1996

<sup>16</sup> Mole, Richard. *The Baltic States from the Soviet Union to the European Union: Identity, Discourse and Power in the Post-Communist Transition of Estonia, Latvia and Lithuania*. Routledge 2012, p. 90

<sup>17</sup> *Ibid.*

<sup>18</sup> Toomas Mattson. “Peaegu kõik muulased tahavad integreeruda Eesti ühiskonda. Muulased ei taha Eestile kaitseväge” (“Almost all aliens want to integrate into Estonian society. Aliens do not want Estonia to have an army”). *Postimees*, December 6, 1995. Available online at: <http://www.postimees.ee/2465335/peaegu-koik-muulased-tahavad-integreeruda-eesti-uhiskonda-muulased-ei-taha-eestile-kaitsevage-kadriorgu-tulev-uus->

Andrus Saar, predicted numerous problems set by the post-Soviet ethnic composition of Estonia stressing that it is impossible to avoid conflict when in politics the view that non-Estonians should leave is pushed to the forefront ignoring the predominant willingness of the Russian-speakers to integrate.<sup>19</sup> While the Estonian government was trying to overcome the standstill with the status of non-citizens, some Estonians offered some other solutions to this matter. Endel Lippmaa, Estonian influential academician and politician recommended non-Estonians to apply for passports of the Russian Federation.<sup>20</sup> That was not, however, regarded as a positive solution to the problem as it would lead to the out-of-sudden presence of around 300,000 Russian citizens on the Estonian territory that, according to Aivar Jarne it “will be hard to expel”.<sup>21</sup>

Security and nation-building concerns evidently had an upper-hand in the late nineties when compared to the human rights and its protection. Thus, the majority of debates revolved around the questions of Russian military pensioners remaining in Estonia, withdrawal of Russian troops, establishment of the Estonian army and questions of how to promote Estonian language and culture across the newly independent state. It would be wrong, however, to say that there were no signs of liberalization and moving away from the anti-Russian discourse in this period which resulted in a number of the important amendments in that period.<sup>22</sup> That, according to Lagle Parek (former Minister of the Interior) was a sign of a successful nation-building in Estonia: “Estonian....simply [had to] get used to the idea that they are masters in this land, that this is their republic...[A] master will always take a more broader view of things, [will act] in a more benevolent manner on the whole.”<sup>23</sup> Numerous discussions of highly restrictive and controversial amendment to the existing citizenship regulations that followed later in 1993, however, prove that Estonia had still a long way to go in order to get in terms with its “mastership” in its land.

Looking at the numbers of persons who have acquired Estonian citizenship through naturalization since 1992, we can register the following dynamics. In the first years of independence, numbers of positive decisions on citizenship applications were soaring

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<sup>19</sup> Ibid

<sup>20</sup> Aivar Jarne. “Elamislubade virvarr” (“A Jumble of Residence Permits”), Postimees, November 30, 1995. Available online at: <http://www.postimees.ee/2464925/elamislubade-virvarr-egiptuse-valimistel-vahendeid-ei-valitud>

<sup>21</sup> Ibid.

<sup>22</sup> For example, there were some simplifications of the language requirements for those applicants that were registered as permanent residents prior to the Congress of Estonia

<sup>23</sup> Mole, Richard. The Baltic States from the Soviet Union to the European Union: Identity, Discourse and Power in the Post-Communist Transition of Estonia, Latvia and Lithuania. Routledge 2012, p. 90

reaching 22 773 in 1996<sup>24</sup>. Nevertheless, after the new naturalization requirements of the 1995 Citizenship Act came into force, numbers of the granted citizenship dropped sharply. This decrease can be explained by the highly complicated and discriminatory conditions for naturalization and language requirements set in these amendments.

Things started to change as Estonia had officially expressed an aspiration to become an EU member and understood the need to adjust its citizenship regulations making some concessions to its stateless community in order to comply with the Copenhagen criteria at heart of which together with the rest of political requirements was the adoption of European norms on minority rights. It was also important in order to stress its European-ness and assert its role as a state that shares the same norms and values. There were, however, no major objections coming from the EU that would suggest that Estonia did not “belong” to Europe. In fact, all three former Baltic republics right from the beginning were treated differently from the rest of the republics of the former USSR and were rather lumped together with other post-Communist European countries such as Poland, Czechoslovakia etc. Nevertheless, the fact that in May 1997 out of a total of 335,000 non-Estonians, 210,000 were still without Estonian citizenship were regarded as quite alarming in the West and numerous reports were produced as a result that suggested the need to re-evaluate human rights norm in Estonia. Agenda 2000 issued by the EU Commission advised Estonia to “accelerate naturalisation procedures to enable Russian-speaking non-citizens to become better integrated’ into Estonian and Latvian society.”<sup>25</sup>

First years of negotiations did not bring much progress in the citizenship deadlock and the matter persisted in the new millennium. According to the former Human Rights Commissioner, Alvaro Gil-Robles, Estonia urgently needed to simplify its Estonian language examination, reduce bureaucracy relate to obtaining of Estonian citizenship and to provide automatic citizenship to all children born in Estonia.<sup>26</sup> "The state must defend the legal status of children, who are born in the country and to refrain from increasing the number of stateless people," he said. "If parents do not want their child to have Estonian citizenship, they can note it to the birth register as well. The child may also choose to change citizenship, when he/she reaches the adulthood"<sup>27</sup>. Former Foreign Minister of Estonia, Kristiina Ojuland agreed that these ideas need to be addressed, although, finding the idea of granting citizenship to new-born babies rather complicated.<sup>28</sup>

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<sup>24</sup> Estonia.eu portal. Citizenship. Available online: <http://estonia.eu/about-estonia/society/citizenship.html>

<sup>25</sup> Agenda 2000. European Union Commission, July 1997

<sup>26</sup> "EN-i volinik: Eesti peab lihtsustama kodakondsusseadust" ("Commissioner of the Council of Europe: Estonia must simplify the citizenship law"), Postimees, October 30, 2003. Available at: <http://www.postimees.ee/1381325/en-i-volinik-eesti-peab-lihtsustama-kodakondsusseadust>

<sup>27</sup> Ibid.

<sup>28</sup> Ibid.

There were also views that the pressure from the EU might positively affect situation with statelessness in Estonia. Former Estonian Ambassador to Moscow, Mart Helme, even compared the possible settlement within Estonia with some of other member states: "I think that the pressure from Brussels will make Estonia a bilingual country like Belgium or Finland, and I think that in EU, we need to make citizens out of stateless persons fairly quickly."<sup>29</sup> Pressure that the West was putting on Estonia to resolve the citizenship issue had, however, also fuelled Euroscepticism. According to some estimates, if in 1996 around 47% of Estonians stated they would vote for the accession, this number dropped to 34% in 2000.<sup>30</sup> The possible loss of sovereignty that would undermine full control over the political scene in Estonia coupled with the already existent phobia to stay being viewed as a periphery of Europe reinforced the element of "alien-ness in the EU"<sup>31</sup>. New wave of awakening of the stateless community during the pre-accession period added to these sentiments. In 2003 the Association of Russian Citizens in Estonia turned to the then Estonian President, Arnold Rüütel, the European Commission and the OSCE, with different statements. Their address was driven by the desire to liberalize the conditions for applying for the Estonian citizenship and for the stateless community to participate in the euro-referendum. According to the Association Chairman, Yuri Mishin, the situation in Estonia is very different from the situation of other joining countries, where it was not possible for non-citizens to participate: "In other countries, non-citizens have not voted, because citizens form a majority of the inhabitants there. But in Estonia, over 100,000 Russian citizens live, and 175,000 stateless persons, who lived here before 1990 and keep living here and do not intend to go anywhere. The only reason they have not been granted Estonian citizenship is because of the discriminating Citizenship Act."<sup>32</sup> There were also protests against the Estonian citizenship policies organized by the Russian Party in Estonia in February 2003. "I believe that it is disgrace for the Russian people to have Estonian citizenship, and even more so to ask for it. It is anti-Russian state. Becoming a member of such a state is the same as to become a member of a gang of bandits, which terrorizes both Russians and Russia. And anyway, the State of Estonia has forgotten that it is located on an ancient Russian land, " said one of the participants of the rally.<sup>33</sup> That expressed another sentiment – the humiliating nature of

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<sup>29</sup> "Venemaa: Eestis olgu rohkem kodanikke" ("Russia: There should be more citizens in Estonia"), Virumaa, November 08, 2002. Available online: <http://www.virumaa.ee/2002/11/venemaa-eestis-olgu-rohkem-kodanikke/>

<sup>30</sup> Mikkel and Pridham (2004, p. 727) in Mole, Richard. The Baltic States from the Soviet Union to the European Union: Identity, Discourse and Power in the Post-Communist Transition of Estonia, Latvia and Lithuania. Routledge 2012, p. 90

<sup>31</sup> Vetnik (2003, p. 267) in Mole, Richard. The Baltic States from the Soviet Union to the European Union: Identity, Discourse and Power in the Post-Communist Transition of Estonia, Latvia and Lithuania. Routledge 2012

<sup>32</sup> "Vene kodanikud tahavad euroreferendumile" ("Russian citizens want to take part of Euro-referendum"), Postimees, June 09, 2003

<sup>33</sup> "Venelased stressis" ("Russians in stress"), Postimees, February 28, 2003. Available online: <http://www.postimees.ee/2002619/venelased-stressis>

having to undergo the naturalization process for those Russian-speakers that were born and lived on the territory of Estonia their whole lives. In their view the citizenship should have been granted to them automatically and unconditionally. Politicians that were running to the European Parliament on behalf of Russian-speaking population of Estonia also intended to call on to make Russian language the working language of the EU and the creation of a separate body under authority of the European Parliament that would be responsible for the minority issues and the improvement of the conditions of the stateless community.<sup>34</sup> Martin Nutt from the Estonian Pro Patria and Res Publica Union (IRL) had been especially active in his criticism of all the initiatives initiated by the Russian Estonians and, especially, that of the special polling boxes for the non-citizens at the referendum. According to him, “only Estonian citizens can participate at parliamentary elections and referendums,” and all such suggestions can be only regarded as populism.<sup>35</sup> However, impossibility to further avoid the “Russian issue” at the European level with such members of this discussion as Valentina Võssotskaja or Viktor Andrejev that represented the parliamentary fractions of Eestimaa Ühendatud Rahvapartei (Estonian United People's Party - EÜRPP) or Konstitutsioonierakond (Constitution Party - KP) - the party consisted of/was supported by Russian minority – was fully realized and feared by some Estonians.

Another round of discussions of the EU accession period had taken place in regards to the question of the free movement and other benefits that would come together with the future membership. According to Paul-Eerik Rummo, former Estonian Minister of Population Affairs, so far thousands of Estonian residents “have not felt any practical need to learn the local language and to apply for citizenship, because same rights are applied to them as to citizens, except the opportunity to have a say in elections and the obligation to serve in the armed forces”<sup>36</sup>. Now these stateless persons will have a definite stimulus to do so. Ms Ojuland also discussed the advantages of applying for Estonian citizenship as the full range of EU advantages – mainly to move and work freely – can only be obtained by the member state citizens.<sup>37</sup> She assured that the overall situation of non-citizens will not deteriorate with the accession but pointed out, that if Estonia becomes part of the EU, stateless people

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<sup>34</sup> “Vene kandidaadid tahavad vene keele ELi töökeeleks muuta” (“Russian candidates want Russian language to become the working language of the EU”), Postimees, May 19, 2004. Available online: <http://www.postimees.ee/1414581/vene-kandidaadid-tahavad-vene-keele-eli-tookeeleks-muuta>

<sup>35</sup> “Vene kodanikud tahavad euroreferendumile” (“Russian citizens want to take part of Euro-referendum”), Postimees, June 09, 2003

<sup>36</sup> “Eesti pääs euroliitu tõukab muulasi kodakondsust taotlema” (“Estonian accession to the European Union pushes aliens to apply for citizenship”), Postimees, November 26, 2003. Available online: <http://www.postimees.ee/1385979/eesti-paas-euroliitu-toukab-muulasi-kodakondsust-taotlema>

<sup>37</sup> Kristiina Ojuland. “Euroopa Liidu kodakondsus annab liikumisvabaduse” (“Citizenship of European Union provides freedom of movement”), Põhjarannik, June 29, 2002. Available online: <http://arhiiv.pohjarannik.ee/article.php?sid=1615>

would benefit more of the accession if they would become Estonian citizens (which can be viewed as a call for stateless people to apply for citizenship)<sup>38</sup>.

Realization of benefits coming together with naturalization had shown in the numbers of applications<sup>39</sup>. Former director of the Citizenship and Migration Board, Mari Pedak, had the following explanation for this trend: “The main reason behind this [dynamic] is that, finally, our non-citizens started to believe that European Union does not come here and does not order us to grant citizenship to everyone by force.”<sup>40</sup> According to him, it is positive, that there are many young people among the applicants. “They understand, that their opportunities in Europe are much greater as citizens of European Union”, added Pedak.<sup>41</sup>

Despite the fact that national referendum on EU membership in Estonia managed to pass, it was the lowest “yes” of all of the post-Communist accession states. The win was guaranteed by only 66,8 per cent of votes in favour of the referendum of the 555,835 voters that took part in it (which represented only 64,1 per cent of the number of all eligible voters (867,714)).<sup>42</sup> At the same time, for the naturalization dynamics, the pre-accession period shown to have had a positive effect. In 1992, according to the Citizenship and Migration Board, there were 494,000 stateless persons (rounded). In 2004, there were around 160,000 stateless persons. Thus, the percentage of statelessness shrunk from 32 per cent to approximately 12 per cent of the total population.<sup>43</sup>

Since then this trend has been, however, fading out and reached its lowest point in 2010 when only 1184 persons gained citizenship through naturalization procedure. As of 1 February 2015, 84.3% of Estonia’s population held Estonian citizenship, 9.4% were citizens of other countries, and 6.3% were of undetermined citizenship<sup>44</sup>. These downside trend definitely requires better understanding and analysis and is also one of the reasons behind the analysis that I undertake in the next session of the current paper. Before turning to it, however, it is important to recapitulate the main finding of the inquiry of the pre-accession period in regards to the main metanarratives related to the human rights.

If compared to the ideal types identified in the previous section dedicated to the European Union, it is possible to say that connotations with *Responsibility* were almost non-existent.

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<sup>38</sup> Ibid.

<sup>39</sup> Estonia.eu portal. Citizenship. Available online: <http://estonia.eu/about-estonia/society/citizenship.html>

<sup>40</sup> “Halli passiga eestimaalased püüvad massiliselt kodanikuks” (“Estonian residents with a grey passport are pushing for a citizenship en masse”), Postimees, April 26, 2004. Available online: <http://www.postimees.ee/1410501/halli-passiga-eestimaalased-purivad-massiliselt-kodanikuks>

<sup>41</sup> Ibid.

<sup>42</sup> Mole, Richard. The Baltic States from the Soviet Union to the European Union: Identity, Discourse and Power in the Post-Communist Transition of Estonia, Latvia and Lithuania. Routledge 2012

<sup>43</sup> “Kodakondsuseta isikute arv kahaneb” (“Number of stateless person is decreasing”), Delfi.ee, May 24, 2004 <http://www.delfi.ee/news/paevauudised/eesti/kodakondsuseta-isikute-arv-kahaneb?id=7892054>

<sup>44</sup> Estonia.eu portal. Citizenship. Available online: <http://estonia.eu/about-estonia/society/citizenship.html>

Much more can be found in line with *Obligation* and they were restated by both the Estonian leaders that were ready to prove its dedication to the Western values and norms as well as the representatives of the Russian-speaking community that were positive about the effects that the EU membership might have on their position. Nevertheless, it is possible to extract another discursive point in Estonia that was much more visible which is possible to define as *Conciliation*. Simplification of the citizenship policies and, thus, improvement of the human rights situation in Estonia had been seen as a possible remedy to the aching problem of the lack of the integral social cohesion in Estonia that resulted from the identity politics of the early nineties. Another conceptualisation largely present in Estonia in relation to the human rights discussions, I would like to term as a *Burden*. Pressure coming from the European Union to comply with the Copenhagen regulations and grant more rights to the national minorities in Estonia bumped into a forceful resistance of some Estonians to further include Russian-speaking community into Estonian political processes.

### **Unpacking the discourses in the wake of the Ukrainian crisis**

After identifying the potential ideal types based on the accession period I am moving to the analysis of the current dominant discourses on human rights in Estonia. For these purposes, I have chosen to study effects that the Ukrainian crisis had on the public debate on the human rights issue in Estonia. Having in its core the whole range of such topics as nationalism, statehood, ethnicity, discrimination etc., Euromaidan of 2014 that rapidly evolved into the civil war (with Russia's prominent role in it) had sparked debates and reopened discussions of citizenship and human rights protection in the post-Soviet space and beyond. Long-standing human rights concerns coupled with complicated shared history with Russia, returned Baltic States and their national minority issues back to the spotlight. Estonia had found itself repeatedly mentioned in regards to the conflict also because of the alarming lack of the Border Treaty with Russia. At the same time, events in Ukraine that coincided with the "decade in the EU"-milestone set off discussions of human rights and minority protection in Estonia. Have these issues changed in the public discourse and how? This chapter aims to study various Internet sources covering position of Russophone minority and their human rights in the aftermath of the Ukrainian events in Estonia. It will, thus, unveil the prevailing discourses on the human rights protection which I will then compare to the types identified earlier. It is important to stress that this article does not present itself as a broader analysis of the Ukrainian crisis discussions in the Estonian media. Rather it focuses explicitly on the human rights discussions that it evoked.

There is rationale behind the choice of analyzing online rather than other existing channels (print, radio and television). Firstly, Internet had been defined as the “most rapidly growing and evolving branch in the media industry” in the recent years. It is estimated that already in 2011 around 71 percent of households in Estonia have had a direct connection to the Internet.<sup>45</sup> Secondly, it allows to encompass the rest of the media channels as the predominant majority of Estonian newspapers now publish contents of their print edition with the larger newspapers – such as *postimees.ee* and *ohtuleht.ee* - having the online news-service with constant updates.<sup>46</sup> It is also important to mention *delfi.ee* – major Internet channel in Estonia – that also offers Russian language version of its portal. Last but not least, it allowed to include some other important web-sites and blogs beyond major public and private media groups (such as Ekspress Grupp, Schibsted or Estonian Public Broadcasting).

In order to systematize my inquiry, I divided my search into 3 main streams: 1) major Estonian media channels<sup>47</sup> 2) major media channels of the Russophone Estonian community<sup>48</sup>; 3) Other sources (blogs, web-sites and internet communities). I have complemented this inquiry by running the search through Russian channels since they are also followed (especially by the stateless community in Estonia). The latter however, is outside of the main scope of this study and was mainly of interest in order to compare the discourses across the border. The following subchapters are focused on the main finding of the undertaken analysis.

### *Estonian Media*

Post-Crimean media coverage of the minority problem in Estonia revealed its various angles. One of the main lines of discussion focuses on the criticism of the failed integration in Estonia. Living more than 25 years under the same roof, Estonians and Russian-speaking Estonians failed to form one integral community and create mutual understanding. It is notable that one of such expressions comes from Yana Toom – naturalized Estonian who won a seat at the European Parliament at the last elections with the most votes than any other candidate from her party (The Estonian Center Party) – who is considered to be one of the most prominent pro-Russian Estonian politicians there is. In her interview to the *Põhjarannik* she reflects on the emergence of such gap between the two communities and blames the Estonian politics: “25 years ago, one day after Estonian independence referendum, Saar Poll [reputable

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<sup>45</sup> Naaber, Meelis. The Media Landscape of Estonia. Konrad-Adenauer-Stiftung e.V., December 2011. Available online at [http://www.kas.de/wf/doc/kas\\_35638-1522-2-30.pdf?131007100348](http://www.kas.de/wf/doc/kas_35638-1522-2-30.pdf?131007100348)

<sup>46</sup> Ibid

<sup>47</sup> *Delfi.ee*, *Epl.ee*, *Ekspress.ee*, *Err.ee*, *Postimees.ee*, *ohtuleht.ee*, *Aripaev.ee*

<sup>48</sup> *Postimees.ee* (Russian), *Delfi.ee* (Russian). *Vesti dnya*, *Molodezh Estonii*

social/marketing research company] conducted a poll and 52% of the Russians supported Estonian independence. But how many of them got citizenship? 17%! Those 40%, who were insulted, have not disappeared".<sup>49</sup>

In another interview, Yana Toom said that there is no military solution to the conflict in Ukraine, the solution must be political. She also presented the results of a new Saar Poll, which she commissioned herself. According to the poll, 5% of the Estonian population is afraid of war with Russia. 21% of the people consider war a theoretical possibility. Additionally, the study showed that 10.9% of Estonians believe that citizens of Russia and stateless people [in Estonia] pose a threat to the security of Estonia. 55.5% of Estonians believe that they can pose a threat under certain circumstances.<sup>50</sup>

Another topic that was largely discussed in Estonia in relation to Ukraine crisis, especially after the Crimean status referendum in 2014, is the possibility of so-called "Narva referendum". Narva is a largest town in predominantly Russian-speaking North-East Estonia, an administrative center of Ida-Viru County. Could Russia organize a referendum in Narva region, inviting people to join Russian Federation and claim its legitimacy based on the stalemate in which Estonian politicians found themselves in terms of minority integration. These sentiments were mainly expressed by the IRL (Isamaa ja Res Publica Liit/ Pro Patria and Res Publica Union) – National Conservative Party which that has a reputation for often voting against any simplifications in regards to the Estonian citizenship acquisition. Such stand had been criticized by Savisaar Edgar, current chairman of the Estonian Center Party: "Recently, a subject of a hypothetical referendum, where residents of Narva could state their opinion about joining Russian Federation, gathers momentum in Estonian mass media. Representatives of IRL are queuing up to tell us about it, scaring people with Russian aggression and stories of "Crimean scenario" repeating itself.[...] 100,000 stateless residents and Russian citizens living in Estonia are treated as a fifth column in a context of these discussions".<sup>51</sup> Possibility of dangerous repercussions of such paranoia around Ida-Viru County had been alluded to by Vitali Belobrovstsev, Russian and East European Studies lecturer at Tallinn University. "We can use different words to name

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<sup>49</sup> Korsten, Teet. Põhjarannik.ee. "Populaarne eurosaadik tahaks Ukraina teema külmutamist", March 22, 2015  
<http://pr.pohjarannik.ee/?p=12862>

<sup>50</sup> Mihelson, Helen, and Prozes Erik. Postimees.ee. "Yana Toom: Ukraina konflikti lahendus peab olema poliitiline, mitte sõjaline", February 7, 2015  
<http://www.postimees.ee/3084001/yana-toom-ukraina-konflikti-lahendus-peab-olema-poliitiline-mitte-sojaline>

<sup>51</sup> Savisaar, Edgar. Delfi.ee. "Edgar Savisaar Ukraina kriisist: mitte keegi ei vaidlusta, et üheksa kümnest Krimmi kodanikust tegi valiku Venemaa kasuks", March 19, 2014  
<http://www.delfi.ee/news/paevauudised/arvamus/edgar-savisaar-ukraina-kriisist-mitte-keegi-ei-vaidlusta-et-ueksa-kumnest-krimmi-kodanikust-tegi-valiku-venemaa-kasuks?id=68274139>

this and it is easy to understand and possible to explain given the history and mentality of Estonians, but also with this that somewhere, in the back of their minds, people understand that at the time, now less, Russians have been mistreated in Estonia".<sup>52</sup> He noted that if Estonian government would have learned from the events of the Bronze Night, representatives of Russian-speaking community would not have had to come to the [TV] studio, in order to discuss if Crimean scenario could be repeated in Ida-Viru County. According to Belobrovstsev, Russians sense Government's attitude towards them, they will remember it and take it to heart. He sees including more Russians into Estonian politics and electoral lists, as a solution.<sup>53</sup>

There is no clear-cut when it comes to support or at least justification of Russian course in Ukraine by the Russophone minority in Estonia. Eagerness to be counted and viewed as sharing same views on the Russia's wrongdoings in Ukraine had been expressed by some representatives of the Russian-speaking community. On April 9, 2015, group of not ethnically Estonian residents of Estonia published a statement titled "Memorandum 14" claiming that: "We, Estonian residents, who have signed this document – Estonian citizens and citizens of other countries, also stateless permanent residents [of Estonia], are following events in Ukraine with grief and concern (...) We do not need protection from the outside; we consider interference into Estonian internal politics by third countries unacceptable; we do not support separatist statements made in the name of Estonian Russian-speaking community"<sup>54</sup>.

There are, however, different opinions coming from some of the gray passport holders. Ukrainian crisis managed to revive some of the ingrained historic sentiments within the stateless community: "My children attend Estonian public high school and are citizens of Estonia. I work here, pay taxes – why cannot I be a citizen of Estonia? I do not oppose Estonian regime. I am not a criminal. I want to speak Estonian. I like Estonians. At the time, I did not attend any protest meetings, for that, I got a permanent residence permit. But why I cannot be granted Estonian citizenship for this instead? I would really want to become a citizen of Estonia. But probably never will. We would have much better attitude towards

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<sup>52</sup> Nikolajev, Jüri. Err.ee. "Jüri Nikolajev: Narvas ei usuta, et Krimmis juhtunu võiks Eestis korduda", March 11, 2014  
<http://uudised.err.ee/v/eesti/9434ac19-5e78-42bb-9591-86056bdf522e>

<sup>53</sup> Nikolajev, Jüri. Err.ee. "Jüri Nikolajev: Narvas ei usuta, et Krimmis juhtunu võiks Eestis korduda", March 11, 2014  
<http://uudised.err.ee/v/eesti/9434ac19-5e78-42bb-9591-86056bdf522e>

<sup>54</sup> Maaleht. "Narvakas: Me ei vaja Venemaa ega USA kaitset", April 17, 2014  
<http://dea.digar.ee/cgi-bin/dea?a=d&d=maaleht20140417.2.3.2#>

Estonian authorities, if they would give us, who were born here and have lived here, citizenship. Currently, authorities indicate that we are nobody.”<sup>55</sup>

A lot of discussions took place on the better ways how government can decrease statelessness. In spring 2014 there were changes in Estonian Government and new coalition was formed by Estonian Reform Party and Estonian Social Democrats. New coalition agreement does not change the foundations of Estonian citizenship policy, but decided to update it slightly. The reproduction of non-citizens will end; citizenship applicants, who are over 65 years old, only have to pass an oral Estonian language exam; and it becomes impossible to strip minors of Estonian citizenship. IRL politician Mart Nutt does not believe that amending the citizenship law during such internationally tense times is a good idea: "In a sense, I was afraid of an even worse outcome, because, after all, current new coalition politicians have been talking quite a lot about the extension of dual citizenship, but coalition agreement did not include this."<sup>56</sup>. He believes that this decision has been influenced by the events in the Crimea, where Russia uses dual nationality in their imperialist interests.<sup>57</sup>

In the opinion of the current Estonian Social Democratic party's leader, Jevgeni Ossinovski, it is in the interests of the national security of Estonia, that all people living in Estonia would have a relationship with the state which is based on citizenship. "In a current geopolitical situation, I would say, that we should think more about how to exercise integration policy more effectively. And how to tie all people who live here to the Estonian state and society."<sup>58</sup>

There was another aspect of stateless Estonian community's integration mentioned in the aftermath of the Ukrainian events – that is the question of the lack of motivation. For example, Kristina Kallas, who is a researcher from Institute of Baltic Studies and also an aspiring politician, commented on difficulties in boosting inspiration of the gray passport holders to become Estonian citizens; especially, in case of older people. According to the research, there is an increase in the number of people who consider citizenship irrelevant. "Gray passport" does not prevent them from living and working in Estonia, but Estonian passport would complicate travelling to Russia and other CIS countries. According to her, Estonia has virtually no resources for motivating people to apply for a citizenship. "You cannot say: Take Estonian citizenship – you will receive these and these benefits. Gray passport still offers benefits, which would be lost with Estonian passport. People feel that

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<sup>55</sup> IBID

<sup>56</sup> Gavronski, Anna. Err.ee. "Koalitsioonileping toob kodakondsuspoliitikasse muudatusi", March 21, 2014 <http://uudised.err.ee/v/eesti/de5645e6-3e17-4a6b-b30e-11ebe99ca4fc>

<sup>57</sup> Ibid.

<sup>58</sup> Ibid

gray passport does not restrict them and they do not exert themselves for the colored passport."<sup>59</sup>

Nonetheless, gray passport continues to be the major issue of Estonia for international associations. According to Mart Nutt, at times, it is hard to explain in Europe, what is causing the problem in the first place, because Western Europe lacks the experience of forced resettlements in annexed areas under occupation regime. Today, in Nutt's opinion, the problem can only be solved if non-citizens themselves will get the desire to apply for the citizenship.<sup>60</sup> This rhetoric presents another aspect of the deadlock of statelessness issue in Estonia and that is the benefits coming with not opting for the country's citizenship. "In some ways, gray passport is a convenience passport. You can use it to travel freely without visa in European Union and Russia. Estonian citizens cannot travel to Russia without visa. Therefore, it is extremely difficult to break that motivation. Surely, another issue is how to strengthen Estonian language learning and to create a better inclusion network - what are the advantages of having Estonian citizenship," said Nutt.<sup>61</sup>

### *Estonian Russian Media*

Surprisingly, there was not much written on the human rights situation in Estonia in light of the Ukrainian crisis in the media channels that cater to the Russian speaking part of population in Estonia rather than the opinions that we have already seen studying the Estonian media. Events in Crimea, have, of course been fully covered but the effects of these events on situation in Estonia had either mirrored those that we had seen in the analysis of the Estonian media or had been touched upon with high cautiousness. There are only a few that are worth to mention that would be relevant for the purposes of the current analysis.

There were discussions of how the question of the citizenship in light of the on-going dispute with Russia had been highly politicized. Thus, for example, statement of the Estonian Parliament Member, Mihhail Korb that "in the light of the events in Crimea, we should give people with undetermined citizenship, who are living in Estonia, Estonian citizenship as fast as possible and simplify the procedure", did not surprise journalist Katja Koort of *postimees.ee* as she linked it to the context of his political party. According to her, "by granting citizenship to those people would bring large number of new voters to Savisaar's

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<sup>59</sup> Ernits-Kaljuste, Imbi. Pealinn.ee. "Kristina Kallas: Eesti kodakondsus halli passi omanikke ei vaimusta", October 23, 2015

<http://www.pealinn.ee/newset/kristina-kallas-eesti-kodakondsus-halli-passi-omanikke-ei-vaimusta-n155223>

<sup>60</sup> Lepik, Indrek. Err.ee. "Euroopa Nõukogu: Eesti keele- ja kodakondsuspoliitika on liiga eesti keele kesksed", October 21, 2015

<http://uudised.err.ee/v/281600a3-582e-48c5-918e-f7f3560e309f>

<sup>61</sup> Ibid.

party [Estonian Center Party] and pave Center Party's way to Toompea. This, in turn, would provide support for Centre Party's cooperation partner United Russia and their expansion politics. As time has shown, holding an Estonian passport does not prevent one from undermining his country.”<sup>62</sup>

Another issue that was being discussed related to statelessness after the Ukrainian crisis are the conditions that need to be fulfilled in order to apply for Estonian citizenship. There were attempts to find out, how many stateless people in Estonia apply for Russian and other countries citizenship each year, but fails, because embassies do not release this information.<sup>63</sup>

### *Other Sources*

Analysis of the other media channels – mainly blogs of some prominent political activists have shown that they were either reflecting on the events in Crimea only or were reciting and repeating the sentiments that have been already spotted in the Estonian and Estonian Russian media channels. There were however some radical statements expressed here that were new. The most far-out thought was expressed in a blog with a name “Nationalist Club” of Kalvet Tõnu. He wrote that “As Russia's pretext for attacking Ukraine was the need to protect the rights of its citizens, Estonia should remove a possible use of this pretext by deporting all Russian citizens to Russia. Stateless people should take Russian citizenship (in cooperation with Russian authorities) and thereafter also leave to Russia.”<sup>64</sup> At the same time, the commentary on this post had shown that although such extreme ideas do indeed have some support inside the Estonian community, do represent only a very small part that it might be better not to overemphasize.

## **Conclusion**

Problem of statelessness in Estonia has its roots in the historical and political aspects of the years of the Soviet rule. During that controversial period – that had been regarded as an occupation by the Estonian officials since the regained independence – the ethnic composition of its territory had been significantly altered: from the 90% ethnically Estonian country that

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<sup>62</sup> Koort, Katja. Rus.postimees.ee. "Катя Коорт: Гражданство в подарок – не самая блестящая идея". March 18, 2014

Koort, Katja. Postimees.ee. "Katja Koort: kodakondsuse kinkimine pole hea mõte". March 17, 2014

<sup>63</sup> МК Эстония. Rus.delfi.ee. "Какие паспорта на руках у жителей Эстонии и от каких чаще всего отказываются", May 11, 2014

[http://rus.delfi.ee/press/mk\\_estonia/kakie-pasporta-na-rukah-u-zhitelej-estonii-i-ot-kakih-chasche-vsego-otkazyvayutsya?id=68647633](http://rus.delfi.ee/press/mk_estonia/kakie-pasporta-na-rukah-u-zhitelej-estonii-i-ot-kakih-chasche-vsego-otkazyvayutsya?id=68647633)

<sup>64</sup> Kalvet, Tõnu. rahvuslasteklubi.org. "Ukraina kriisi mõjust Eesti rahvastikule ja poliitmaastikule", March 31, 2014

<http://www.rahvuslasteklubi.org/tallinn/index.php/lv/raksti/167-2014-03-31-10-30-01>

it was before becoming part of the USSR it turned into the 62% -Estonian one with the proportion of the Russian-speakers reaching 30,3 % in 1989. On top of that, Russian language had had the place of the official language in all the Soviet republics, thus playing the dominant role in the life of the Estonians.

Singing revolutions and the outcome independence of Estonia set a number of questions to-be-solved – transition to the market economy, democratisation, establishment of new institutions etc. One of the biggest concerns, however, was linked to the questions of state-building and citizenship. In contrast to its another Soviet Baltic neighbour, Lithuania, that granted citizenship to all persons residing on its territory after the time of the revolution (the so-called “zero-option” citizenship law), opted for the much less inclusive approach to citizenship. Instead, it introduced highly discriminatory Citizenship and Language laws, leaving around 450,000 people without citizenship and access to the full range of the human rights. At the same time, after “breaking away” from Russian influence, Estonia had been quite active in asserting its natural “European way”, claiming to get back to the West where it historically belonged. Question of European identity – although, highly contested – had been seen to be based on some basic foundations. Ian Manners in his original “Normative Power Europe” article (2002) had identified five core norms of the EU: peace, liberty, democracy, the rule of law, and human rights. These principles became a foundation of all major European Treaties and Declaration and had been constantly articulated by the European leaders. This article focused on the latter norm - protection of human rights - and presented a discourse analysis of the internalization of this norm in Estonia.

For better understanding, I firstly looked at the selected norm itself at the EU level. Here some ideal types of conceptualisations had been identified with the distinction being made between *Responsibility* and *Obligation*. Secondly current paper delved into the pre-accession period of Estonian history. Here, we had a full range of discussions taking place in regards to the rights of the stateless community in Estonia. Analysis of main lines of these public discussions showed that *Obligation* might be the only type with which it is possible to find a meaningful correlation, while the parallel with the *Responsibility* was quite insignificant. Two more types were identified, instead – *Conciliation* and *Burden*. First one was linked to hopes that the membership of Estonia in the European Union might put an end to the created gap of misunderstanding and mistrust between the two ethnic communities in Estonia. The second one related to the hesitance to accept the necessity to grant the full spectrum of human rights to Estonian non-citizens due to various reasons.

Third chapter of this article presented an inquiry into the current state of affairs in Estonia. It had presented an analysis of the repercussions of the on-going Ukrainian crisis that started

in 2014 on the statelessness *problematique* in Estonia. The major goal was to examine the state of *European-ness*, progress made in the country when it comes to accepting and imbedding of the human rights value. After more than two decades of being part of the European Union, Estonia kept being criticized for its high numbers of statelessness and the on-going discrimination against its national minorities. The inquiry had encompassed all the available online media sources in Estonia (including those in Estonian in Russian languages) in order to study the impacts of the events in Ukraine on the revitalization of the human rights violations and statelessness polemics in Estonia. The findings turned out to be quite interesting.

The prevailing conceptualisations of the human rights as a norm turned out to more or less echo the types that were identified at the pre-accession period of Estonia. There had been certainly more links to the *Obligation* coming together with the realisation of the inability to bring the two communities together under the roof of the European Union. At the same time, aspirations of *Conciliation* became less pronounced and were more and more replaced by those of a *Burden* in a realization of the depth of the marginalisation of Russophone community due to its limited representation set by the current Estonian legislation as well as the absence of stimuli to amend it since the main goal – i.e. membership in the European Union – had been achieved. It is reinforced by the apparent lack of motivation among non-citizens to undergo the naturalization process. It is would be possible to establish another possible conceptualisation of the human rights discussion in Estonia in light of the Russian-Ukrainian crisis that can be referred to as *Threat* stemming from the fears of whether the Russian-speaking non-citizen community can be viewed as danger to the Estonian political integrity and play the role of the fifth column. However, these fears can be said to have no solid ground and represent an opinion of rather limited and radical part of the Estonian community having much more to do with the fears of the future actions of Russia in order to regain its stands on the post-Soviet space.

To conclude, much more needs to be done in Estonia in order to guarantee social and political protection of stateless persons. Moreover, it is crucial to investigate the further potential of the European Union as a norms-setter in order to create motivation for its member states to improve the position of its national minorities. The change that is even more urgent, however, is that of perceptions. Only this way can these societies move from the simple coexistence towards creation of new, internally stable European states where there is no room for the ghosts of the past.