

CONFIRMED: 2030 IS THE End-Date of The Russian-Language Education in Estonia



CONFIRMED: 2030 IS THE End-Date of The Russian-Language Education in Estonia

DR ZORA POPOVA

he right to citizenship of non-Estonian speakers and the use of the Russian language in the public and political life of the state have been hot socio-political issues since 1991 when Estonia regained its independence. Although, at the time, the state explicitly acknowledged that the Russian language is the mother tongue of some citizens of the country¹ and the first democratic laws outlined the right to Russian language education,² for the past 30 years Estonia has been continuously limiting the language rights of Russian speakers. Since the late 1990s, aligning the educational policy with the priority of the Integration Policy to "increase social cohesion through the integration of people from different linguistic and cultural backgrounds",3 the Estonian government started promoting openly cultural unification (i.e. assimilation of the population with diverse ethnic backgrounds). Targeting the Russian-speaking community exclusively, the decades-long political line of action is affecting directly and discriminating against a significant percentage of Estonian citizens belonging to the Russian minority. Despite the claim to contribute to a cohesive Estonian society where people enjoy equal opportunities in life, the reforms in the field of education divert from the fundamental EU values of tolerance and respect for diversity and challenge the EU educational priority of multilingualism, based on the principle of "mother tongue plus two".4

On 12 December 2022, the Estonian Parliament adopted "The Amendment Law to the Basic School and Gymnasium Law and Other Laws (Transition to Estonian-Language Education) 722 SE",⁵ The law establishes that the transition to Estonian-language education will start in 2024 and be finalised by 2030.⁶ As the NGO Russian School of Estonia has alerted the international community, this legal act seems the ultimate step of the decades-long targeted efforts towards forced assimilation of the Russian minority in the country. The new law not only violates the rights to language, culture and identity of the 20% of Estonian citizens with a Russian ethnic origin and Russian speakers, as well as of another ca 5-10% of the population belonging to the Russian minority community but with no Estonian citizenship.

¹ The Development of Education, National Report of Estonia by the Ministry of Education (August 2001), submitted to the International Bureau of Education, UNESCO http://www.ibe.unesco.org/fileadmin/user_upload/archive/International/ICE/natrap/Estonia.pdf

Republic of Estonia Education Act (Rt 1992, 12, 192), Article 2, https://www.riigiteataja.ee/en/eli/524042014002/consolide/current

³ Republic of Estonia Ministry of Culture and Research, Löimumisprogramm 2021-2024, https://kul.ee/media/438/download

⁴ Recommendation of the European Parliament and the Council on key competences for lifelong learning, 18.12.2016 (2006/962/EC), http://data.europa.eu/eli/reco/2006/962/oj

Republic of Estonia Amendment Law to the Basic School and Gymnasium Law and Other Laws (Transition to Estonian-Language Education) 722 SE https://www.riigikogu.ee/tegevus/eelnoud/eelnoud/1e58a907-7cd0-41b9-b898-aa8eee5e94bf/P%C3%B5hikoo-li-+ja+g%C3%BCmnaasiumiseaduse+ning+teiste+seaduste+muutmise+seadus+%28eestikeelsele+%C3%B5ppele+%C3%BCleminek%29

⁶ Republic of Estonia Ministry of Education and Research, "Transition to Estonian-language education", (January 2023) https://www.hm.ee/en/node/234 and "Minister Tonis Lukas: Transition to Estonian-language education will happen" (December 2022) https://www.hm.ee/en/news/minister-tonis-lukas-transition-estonian-language-education-will-definitely-happen

Furthermore, it breaches the European Union TEU (Article 3)⁷ and the commitments to the Council of Europe Framework Convention for the Protection of the National Minorities (FCN-M),⁸ to which Estonia has been a State-party since 1997.⁹

Some Preceding Developments (2021)

- In January 2021, the newly formed government coalition between the Reform and the Center parties signed an agreement containing a clause which provided that a transition to a unified Estonian-language education system would be launched. The Ministry of Education formed a working group to elaborate a detailed plan for the complete transition of the envisaged transition.
- In her speech on the Independence Day of Estonia on 24 February 2021, Estonian President Kersti Kaljulaid addressed the people and demanded the elimination of Russian-language education in the country.¹⁰ In their shadow report to the Council of Europe, the NGO Human Rights Défense Centre "Kitezh" has indicated ¹¹that this was not the first time the President had made such a statement.
- On 23 April 2021, the working group, under the leadership of the Ministry of Education and Research, tasked with drawing up an action plan for the transition of the education system to the Estonian language as the only language of instruction, met for the first time.¹²
- > In November 2021, the Estonian government adopted Education Strategy 2021-2035 to guide the developments in the area for the upcoming years. As Estonian media reported, the Action Plan 2035, put forward by the Minister of Education, Ms Liina Kersna, envisages fundamental changes in the current set-up of the multilingual system. According to the Plan, until 2035, when all-Estonian education has to be in place, the proportion of subjects taught in Estonian in the schools offering instruction in Russian will increase in increments, first to 40%, then to 60 %, and 75%. As the latest developments suggest, however, the end date of Russian-language education would come even earlier in 2030.
- The Consolidation reform in the field of education in Estonia followed the territorial-administrative reform of 2016-2017, intending to optimise the school system in the country but also in line with the "Integrating Estonia 2020" plan.¹³ In 2019, 9 small schools (between 100 and 530 pupils each) were consolidated. The children could choose between learning only in Estonian or bilingually under the model 60% Estonian to 40% Russian. The consolidation, therefore, has led to two curricula running in parallel the so-called "2

⁷ Treaty on European Union, Consolidated version 2012, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012M/TXT

⁸ Estonia signed the Council of Europe Framework Convention for the Protection of the National Minorities (FCNM 1995, https://rm.coe.int/16800c10cf) in 1996. It entered into force as of 1998

⁹ Council of Europe State parties to the FCNM, https://www.coe.int/en/web/minorities/etats-partie

¹⁰ Estonia, Administration of the President - official website https://president.ee/ru/official-duties/speeches/14994-24-2019/index.html

¹¹ NGO Human Rights Defense Centre "Kitezh" (September 2021) Alternative Report for the Advisory Committee on the Framework Convention for the Protection of National Minorities

¹² ERR.EE (April 2021) Состоялась первая встреча рабочей группы по переходу системы образования на эстонский язык https://rus.err. ee/1608190003/sostojalas-pervaja-vstrecha-rabochej-gruppy-po-perehodu-sistemy-obrazovanija-na-jestonskij-jazyk

¹³ Report on the implementation of the implementation plan of the development plan "Integrating Estonia 2020", 2019 (https://kul.ee/media/425/download), pp 24-30

in 1" schools. 14 The "Integrating Estonia 2020" plan also envisaged that the Russian-only gymnasiums in Estonia introduce the bilingual model of 60/40 Estonian to the Russian language. In some rural areas, inhabited predominantly by the Russian minority population, the 60/40 model required by law could not be applied due to the lack of specialists to teach in Estonian. For example, this was the situation in the tiny town of Mustvee, wherein in the local school, there were just 42 students in grades 10 to 12.

- According to Estonian law, the language of instruction in upper secondary schools is Estonian. Still, the law provides that the language of instruction may be another in municipal upper secondary schools or single classes thereof. The Government of the Republic can grant such permission or approve a bilingual model of studies based on an application submitted by a rural municipality or city government.¹⁵ The fact that the Estonian government provided an exception to the 60 % rule for the Tallinn German Upper Secondary School but refused to make a similar exception for several other schools can be seen as discrimination based on ethnicity.¹⁶
- Throughout 2021, in line with the Consolidation reform, some schools in Russian-speaking villages and cities delivering education in the Russian language or bilingual Estonian-Russian education were closed. The students were automatically transferred to local Estonian-only schools with the promise that there would be an opportunity for Russian language classes until the children's graduation. In many cases, such a possibility was not offered. However, for first-grade children from Russian-speaking communities, such an option was not envisaged, and they were enrolled in Estonian-only classes. As the NGO Russian Schools reports, several families decided to move from Keila to Tallinn, where there are still schools offering Russian language or bilingual education.
- According to representatives of the Russian-speaking community, the educational reform aims not only at optimising the school system but at the gradual eradication of Russian education in Estonia. Apart from the fear of forced assimilation, the local communities see the closing of small schools in Russian-speaking areas as a social catastrophe. In the cases of Ämari, Keila, and Kallaste, affecting access to education negatively, the closing has led to internal migration. The distance to the schools offering Russian-language education forced families to move to the bigger cities, where they could sign-up their children in Russian-language or bilingual schools. Furthermore, particularly concerning for the minority is that it is not only small schools that have been "optimised" but also schools with more than 200 students, such as the one in Kiviõli, that might have the same fortune. Although the Russian-language school in Kiviõli is still functioning, the community is worried about the fact that at the level of the local government, there have already been discussions about its future optimisation with no consultations conducted with the concerned population.

As the reported facts suggest, the trend toward reducing the opportunities for pursuing Russian language education in Estonia has been increasing over recent years. The following paragraphs project the case against the country's demographic set-up and legal and normative framework.

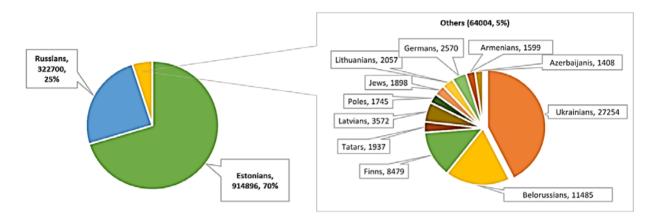
¹⁴ The Estonian Experiment: How Tallinn Deals with its Russian Schools, REBALTICA.LV, 2019: https://en.rebaltica.lv/2019/02/the-estonian-experiment-how-tallinn-deals-with-its-russian-schools/

¹⁵ REBALTICA.LV, "The Estonian Experiment: How Tallinn Deals with its Russian Schools, 2019: https://en.rebaltica.lv/2019/02/the-estonian-experiment-how-tallinn-deals-with-its-russian-schools/

¹⁶ Estonian Court Confirmed the Ban on Teaching in the Russian Language in Russian Schools, 26 August 2016, https://www.loc.gov/item/global-legal-monitor/2016-08-29/estonia-court-confirms-russian-not-a-school-language.

Ethnic Composition of Estonia & National Minorities (Census 2021)

According to the Population Register 2021, Estonia has 1,339,361 inhabitants, of which 1,133,954 are citizens of the Republic of Estonia and 136,415 non-resident nationals registered in Estonia (the most significant share are citizens of the Russian Federation - 84,952 people, followed by Ukrainian citizenship persons, 11 416 people). Another 68,992 (5.2% of the population) do not have citizenship status in Estonia.¹⁷



Source: Statistical Database Estonia Census 2021, https://andmed.stat.ee/en/stat

According to the 2021 Census results, 25% of the population of Estonia (322,700 people) identify themselves as of Russian background (20% of which are also citizens of Estonia). However, the total number of the Russian-speakers is higher since the language is the mother tongue of members of other minorities (e.g., Ukrainians, Belarusians). The **Russian-speaking** population is concentrated in the North and North-East part of Estonia: Harju (43.4%; Tallin), Ida-Viru (13.4%), Tartu (19.1%), and Jogeva (9.6%).

Estonia is one of the few countries in Europe that has adopted an official definition of national minorities. Ratifying the Council of Europe Framework Convention for the Protection of National Minorities, the Estonian Parliament outlined the legal frameworks of the term in a declaration. ¹⁸The definition, introduced after that to the National Minorities Cultural Autonomy Act (NMCA Act, Chapter 1/Article 1)¹⁹ provides that:

A national minority shall mean Estonian citizens who:

- reside in the territory of Estonia;
- have long-term, sound, and permanent ties with Estonia;
- differ from Estonians by their ethnic belonging, cultural characteristics, religion or language;
- are led by their wish to collectively maintain their cultural customs, religion or language, which are the basis for their common identity.

¹⁷ Source: Cohesion Development Plan 2030, https://kul.ee/media/3473/download

¹⁸ Republic of Estonia State Gazette (Riigi Teataja) RT II 1996, 40,154, https://www.riigiteataja.ee/akt/25083

¹⁹ Republic of Estonia National Minorities Cultural Autonomy Act (Rt | 1993, 71, 1001, amended 2002/Rt | 2002, 62, 376), https://www.riigiteataja.ee/en/eli/519112013004/consolide

As the definition outlines, the state recognises that the members of the national minorities are Estonian citizens of different ethnic backgrounds driven by their interest in preserving and maintaining their identity. Reaffirming this recognition, the Constitution of Estonia²⁰ provides legal grounds for national minorities to pursue their collective rights through established self-governing agencies under conditions and pursuant to a procedure provided by a law on cultural autonomy for national minorities" (Article 50). The NMCA Act, in its turn, specifies that the minority cultural autonomy bodies (NMCA Act, Article 2(1)) are allowed to "organise studying in the mother tongue and supervise the use of the assets prescribed for such purpose" (Article 5(1)). Referring to the "wish to collectively maintain their ... common identity", the Constitution and the NMCA Act imply that the "national minority" status is associated with the collective identity, which the registration of a Cultural Autonomy establishes. Nevertheless, none of the laws revokes the individual cultural and minority rights of the Estonian citizens belonging to national minorities. However, although there is no direct reference that a "national minority" can be considered only a community registered under the NMCA Act, the legal definition has become a tool for restricting the rights of minorities in the country.²¹ However, it is essential to note that the regulated by law use of languages in Estonia and especially the use of languages in education, although intersecting, is not always bound by the legal provisions establishing the rights of the "national minorities" in the state. Moreover, as the facts reveal, the lack of registered Cultural Autonomy is not a direct impediment to the enjoyment of the cultural rights of minorities.

In contrast to the only two established NMCAs (of the Ingrian Finns since 2004 and the Estonian Swedes), the nationalities living in Estonia (about 190) have approximately 300 cultural societies actively engaged with the preservation of their culture and traditions.²² To enable ethnic minorities to study their mother tongue and culture, in the autumn of 2007, the Minister of Education and Research established by a decree the principles of the basic financing of the Sunday Schools (proceeding from the Hobby Schools Act.²³). In the academic year 2014/2015, the established by the government Integration Foundation²⁴funded the work of 23 Sunday schools; in 2015/2016, the work of 29 Sunday schools; and in 2017/2018, the activities of 30 different Sunday schools in the total amount of 135,713 euros.²⁵ By 2019, nearly 40 Sunday schools have been registered in Estonia, teaching children of different nationalities the culture, language, and traditions of their country of origin.

²⁰ Republic of Estonia Constitution (Rt 1992, 26, 349), https://www.riigiteataja.ee/en/eli/ee/rhvv/act/530102013003/consolide

²¹ Minority Education, National Focal Point Estonia, Tatjana Evas, Alesandr Dusman, Merle Haruoja, Karin Suidre, Raivo Vetik, Analytical Report PHARE RAXEN_CC/Eesti Pagulasabi, Vienna 2004, https://fra.europa.eu/sites/default/files/fra_uploads/271-edu_estonia_final.pdf

²² National Minorities and Their Cultural Activity, Ministry of Culture of Estonia, https://www.eesti.ee/en/culture-and-leisure/culture/nation-al-minorities-and-their-cultural-activity (Last modified 01.09.2021)

²³ The Hobby School Act (2007) defines a hobby school as an educational establishment operating in the area of youth work which creates an opportunity for the acquisition of hobby education and the diverse development of the personality, including the cultivation of one's language and culture, in different areas of hobby education (§ 3) https://www.riigiteataja.ee/en/eli/520122013002/consolide/current

²⁴ The Estonian government founded the Integration Foundation on 31 March 1998 under the Non-Estonians Integration Foundation.

Between 2008 and 2009, it was known simply as the Integration Foundation. On 1 January 2010, the Integration Foundation merged with the Estonian Migration Foundation, founded on 10 June 1992. The Foundation supports the ethnic minorities living in Estonia to preserve, study and showcase their native languages and cultures. It assists the functioning of the national minority Sunday schools and the organisation of study trips to their countries of origin (Source: https://integratsioon.ee/en)

²⁵ Estonia's Fifth Report on The Implementation of The Council Of Europe Framework Convention For The Protection Of National Minorities, 2019 https://rm.coe.int/5th-sr-estonia-en/1680994327

The Cultural Autonomies in Estonia*

The 1993 Law has re-established the NMCA, introduced as early as 1925. Under the 1925 Law, Germans, Russians, Swedes, Jews and other national minority groups of more than 3000 members residing in Estonia were granted the right to establish their cultural self-government. Their competencies were: 1) to organise, administrate and monitor public and private educational institutions in their native language; 2) to attend to the respective national minority's other cultural needs and administrate institutions and enterprises established for that purpose. Article 2(1) of the 1993 NMCA Act reinstalled the provisions, and in 2004, the Ingrian Finns established the first Cultural Autonomy. In 2007, the Estonian Swedes also registered one.

Despite the three attempts (in 1996, 2006, and 2009), the Russian minority did not achieve establishing Cultural Autonomy. The NMCA requirement that applicants provide "nationality lists" containing personal data of the individual minority members (Article 7 and Article 8) is seen among the impeding factors due to the past negative experience of people.

*Smith, D. (2019) The "Quadratic Nexus" Revisited: Nation-Building in Estonia Through the Prism of National Cultural Autonomy, Cambridge University Press

The "Foreign Languages" in Education

Although the Estonian Constitution establishes that only Estonian is the official language of the state and hence of all public institutions and services in the country (Article 6),²⁶ **nominally it allows the public use of non-Estonian languages.** Article 51 specifies that "compactly living national minorities" refers to localities where min 50% of the permanent residents belong to a particular minority community. Article 52 states, "In localities where the language of the majority of the residents is not Estonian, local authorities may... use the language of the majority of the permanent residents ... as their internal working language." ²⁷

The Language Act is the primary law regulating language use in the country. Although it establishes the languages of national minorities as "foreign" (Article 5(1)) and outlines the dominant position of the Estonian language, it emphasises its protection as a priority. The law also reaffirms that the national regulations shall comply with international agreements (Article 2(3)). As the Language Act defines, a language of a national minority is a **foreign language traditionally used by** "Estonian citizens, who belong to a national minority" (Article 5(2)). It establishes the linguistic difference as an identity marker of a national minority member (Article 5(3)). Hence, although the law places all non-Estonian languages under the category of "foreign languages", it makes a clear difference between the languages spoken by Estonian citizens from diverse cultural backgrounds from the languages used by foreigners, temporary residents, or immigrants.

²⁶ Republic of Estonia Constitution (Rt 1992, 26, 349), Article 6, https://www.riigiteataja.ee/en/eli/ee/rhvv/act/530102013003/consolide

²⁷ Republic of Estonia Constitution (Rt 1992, 26, 349), Article 51 and Article 52, https://www.riigiteataja.ee/en/eli/ee/rhvv/act/530102013003/consolide

 $^{28 \}qquad \text{Republic of Estonia Language Act (Rt I, 18.03.2011, 1), https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/506112013016/consolide} \\$

The Language Act regulates the use of minority languages in the state's public administration and public services at all levels. However, it does not cover the field of education. The use of languages in the Estonian education system is regulated by the NMCA Act and the set of laws providing the normative basis for the different educational levels.

The National Minority Cultural Autonomy Act²⁹ is the piece of legislation that specifies the individual and collective rights of the national minorities in Estonia. Even though it introduces Cultural Autonomy as an institution of cultural self-administration, which entitles minorities to certain advantages as a community, it also delineates the rights of individuals with a minority background. The NMCA Act recognises that persons belonging to national minorities have the right to

- » maintain their "ethnic belonging, cultural customs, mother tongue and religion" (Article 3(1))
- "form and support national cultural and educational institutions and religious communities" (Article 4(1))
- » to "use their mother tongue in public administration <u>within limits established by the Language Act"</u> (Article 4(4))
- » "disseminate and exchange information in their mother tongue" (Article 4(7)).

Entitling the national minorities to have their institutional bodies, the NMCA points out that the main objective of the Cultural Autonomies is to "organise studying in the mother tongue and supervise the use of the assets prescribed for such purpose" (Article 5(1)). This provision empowers the minorities to establish and manage their minority "educational institutions where studies are conducted in the national language or which offer intensive studies of national culture (preschool child care institutions and schools)" (Article 24(1)), but at it also clearly stipulates that the work of the minority schools and classes "shall be organised pursuant to the procedure provided by the Private Schools Act" (Article 25). Hence the possibility that national minorities are offered to open and run their educational institutions is associated with the condition that they operate the minority schools (classes) as private structures. Private schools in Estonia, however, are entitled to the same amount of funds allocated to the public schools based on the same level of subsidy per student subsidy that the municipal schools receive from the national government. At the same time, local governments are legally obliged to provide private schools with funding at the average level of the operating costs of the other schools.³⁰

The Estonian set of laws regulating the education sector establishes the possibility of non-Estonian languages being used as a language of instruction (in schools and particular classes). It does not make this conditional upon the "national minority" status of the language bearers. Acknowledging that creating favourable conditions for **ethnic minorities** is among the objectives of education (Education Act, Article 2(3)),³¹ through the particular references in several regulatory documents to the possibilities for using non-Estonian languages in schools and classes (namely – the Russian language), besides the affirmation of the Estonian language as the official language of instruction, the state recognises linguistic diversity as an underlying principle of the Estonian education.

²⁹ Republic of Estonia National Minorities Cultural Autonomy Act (Rt | 1993, 71, 1001, amended 2002/Rt | 2002, 62, 376), https://www.riigiteataja.ee/en/eli/519112013004/consolide

³⁰ OECD Reviews of School Resources: Estonia 2016 (https://www.oecd-ilibrary.org/docserver/9789264251731-5-en.pdf?expires=164518 7886&id=id&accname=guest&checksum=067141960D233C935E6739831FDBA30D. The Basic Schools and Upper Secondary Schools Act also provides that the private schools in Estonia may expect from the state budget is the "support for covering the school lunch expenses of students acquiring basic and secondary education" (Article 42(2))

³¹ Republic of Estonia Education Act (Rt 1992, 12, 192), Article 2, https://www.riigiteataja.ee/en/eli/524042014002/consolide/current

The Basic Schools and Upper Secondary Schools Act³² reaffirming that the official language of education is Estonian outlines the conditions under which, in municipal basic and upper secondary schools or single classes thereof, a non-Estonian language can be used in teaching (Article 21(2) and Article 21(3)). It provides that the schools can organise language and cultural teaching if requested by a minimum of 10 students (Article 21(5)). The act sets the frameworks of the National curricula. Pointing out explicitly the differences between the Estonian-medium and Russian-medium schools (Article 15), it specifies that non-Estonian students are allowed to have their basic or upper secondary graduation exam in *Estonian as a foreign language* (Article 30 and Article 31). These provisions introduce multilingualism as a standard form in the Estonian education system and acknowledge the position of the Russian language in particular.

Similarly, with a clear emphasis placed on the primary position of the Estonian language, the **Preschool Child Care Institutions Act**³³ provides that learning and teaching at a preschool institution or group "may be conducted in another language based on a decision of the local government council" (Article 8(1)).

The **Vocational Educational Institutions Act**,³⁴ also provides that a non-Estonian "language of instruction of another curriculum shall be decided by the manager of school" (Article 29(2)). The adopted in 2013 law reflects the official policy of fostering integration in Estonian society. ³⁵Besides the requirement that the school curriculum must ensure "proficiency in Estonian at a level necessary for working in the acquired profession" (Article 29(3)), it establishes that schools "shall ensure the transition to the language of instruction in Estonian in the curricula of vocational secondary education no later than by 1 September 2020" (Article 57(1)). Nevertheless, the opportunity for pupils "studying according to the curriculum of vocational secondary education, whose language of instruction is not Estonian" to pass the state examination of Estonian as a second language for the completion of their studies has been preserved (Article 57(2)).

The **Private Schools Act**³⁶ however, allows the educational institutions to decide upon the language of instruction (Article 15) but provides that in schools and vocational schools, whether this language is non-Estonian, "Estonian language instruction shall be compulsory to the extent determined by the national curriculum" (Article 15 (2), (3)). Defining hobby schools as "educational establishment operating in the area of youth work which creates an opportunity for the acquisition of hobby education and the diverse development of the personality, including cultivation of one's language and culture, in different areas of hobby education" (Article 3), the Hobby School Act³⁷ establishes the conditions under which the minority Sunday schools and other non-formal educational structures can be legally registered and operated.

³² Republic of Estonia Basic Schools and Upper Secondary Schools Act, (RT I 2010, 41, 240) https://www.riigiteataja.ee/en/eli/525062014005/consolide?current

³³ Republic of Estonia Preschool Child Care Institutions Act (Rt I 1999, 27, 387), https://www.riigiteataja.ee/en/eli/520122013003/consolide/current

³⁴ Republic of Estonia Vocational Educational Institutions Act (Rt I, 02.07.2013, 1) https://www.riigiteataja.ee/en/eli/505022014002/consol-ide/current

³⁵ Republic of Estonia State Programme "Integration in Estonian Society 2000-2007", Approved by the Government of Estonia (2000) https://ec.europa.eu/migrant-integration/library-document/integration-estonian-society-2000-2007_en

³⁶ Republic of Estonia Private Schools Act (Rt I 1998, 57, 859), https://www.riigiteataja.ee/en/eli/520122013001/consolide?current

³⁷ Republic of Estonia Hobby Schools Act (Rt I 2007, 4, 19) https://www.riigiteataja.ee/en/eli/520122013002/consolide/current

The Reforms in the Field of Education

As early as 2001, discussing the foreseen sector developments in its report to the UNESCO International Bureau for Education, 38 the Estonian government explicitly outlined that alongside the official Estonian language, Russian is one of the main languages in the country³⁹ and a mother tongue. 40 In pursuit of the Estonian goal of unified education and societal integration based on the official Estonian language, already in 1997, an earlier version of the Basic Schools and Upper Secondary Schools Act set the year 2007 as a start of a transition to Estonian-language instruction in Russian language schools at the upper secondary level. 41 Aligning with the Integration Policy, which was launched in the late 1990s to increase social cohesion through the integration of people from different linguistic and cultural backgrounds, 42 the activities were embedded into the "Development Plan for the General Education System for 2007-2013".43 In addition to the language immersion and other bilingual education models, which began in the 1990s, the transition to 60% Estonian instruction in Russian-medium state and municipal upper secondary schools began in 2007.44 To foster the transition process for the 62 Russian-language upper secondary schools, the government provided financial incentives to schools, implementing more Estonian language instruction than required by the NC. According to the 2007 plan, the owners of basic schools (the local government, in most cases) could choose the language of instruction. 45

Regardless of the emphasis placed on the role of the Estonian language and the Estonian identity(building) for the achievement of a cohesive society, the four integration state programs between 2000 and 2024 acknowledge the right of the society members with a diverse backgrounds to preserve and maintain their ethnic differences and to equal opportunities:

- Integration in the Estonian Society 2000- 2007:46 "The programme is based on the understanding that integration in Estonian society is shaped by two processes: 1/ the social harmonisation of society around a strong common core based on knowledge of the Estonian language and Estonian citizenship; and Two/ the opportunity to maintain ethnic differences based on the recognition of the cultural rights of ethnic minorities."
- » Integration Plan 2008-2013:⁴⁷ "Its main goal was to create equal opportunities for all Estonian residents to participate in society, regardless of nationality or mother tongue."
- Integrating Estonia 2020:⁴⁸ "The overall goal of integration policy is to increase the cohesion of society and to involve people with special language and cultural backgrounds in society. The development plan is the basis for the integration policy (2014-2020), setting the goals of: ... preservation of cultures of national minorities..."

³⁸ The Development of Education, National Report of Estonia by the Ministry of Education (August 2001), submitted to the International Bureau of Education, UNESCO http://www.ibe.unesco.org/fileadmin/user_upload/archive/International/ICE/natrap/Estonia.pdf

³⁹ Ibid, p.4

⁴⁰ Ibid, p.47

⁴¹ Teichmann, Mare & Läänemets, Urve & Ruutmann, Tiia & Neudorf, Reet. (2014). Education System in Estonia, p.5

⁴² Republic of Estonia Ministry of Culture and Research, Lõimumisprogramm 2021-2024, https://kul.ee/media/438/download

⁴³ Teichmann, Mare & Läänemets, Urve & Ruutmann, Tiia & Neudorf, Reet. (2014). Education System in Estonia, p.5

⁴⁴ Republic of Estonia Development Strategy of the Estonian Language 2004–2010. Development Plan of the ESTONIAN LANGUAGE 2011–2017 https://www.hm.ee/sites/default/files/eestikeelearengukavainglise.indd.pdf

⁴⁵ Teichmann, Mare & Läänemets, Urve & Ruutmann, Tiia & Neudorf, Reet. (2014). Education System in Estonia.

⁴⁶ Republic of Estonia State Programme Integration in the Estonian Society 2000- 2007, https://kul.ee/media/439/download

⁴⁷ Republic of Estonia Integration Plan 2008-2013, https://kul.ee/media/444/download

⁴⁸ Republic of Estonia Development Plan "Integrating Estonia 2020", https://kul.ee/kultuuriline-mitmekesisus-ja-loimumine/stratee-ailised-dokumendid/loimuv-eesti-2020

» Integration Plan 2021-2024:⁴⁹ "The general goal of the integration plan is a socially cohesive Estonian society, in which people with different languages and from various cultural backgrounds take an active part in society and share democratic values."

Although the official statements in the integration strategies correspond to the overall objectives of the FCNM - to foster not only respect for the minorities and their rights but also to enable the establishment of cohesive, stable and peaceful societies based on mutual respect for diversity, tolerance and acceptance - they appear to be somehow disconnected from the Estonian reality and the actual implementation of the programmes. In this light, the document - the Cohesion Development Plan 2030⁵⁰ - reflects better the de-facto situation and the activities of the state over the past 20 years. Although the aim that by 2030 the Estonian people will be sharing "a common cultural space and feel cohesive, regardless of their mother tongue or cultural background" can have integrative connotations, the idea of the engineering of a "unified Estonian identity" is rather provocative. The respect for diversity and for the right of people to develop and maintain their cultural identities is a fundamental precondition for enabling people to develop an overarching civic identity based on shared democratic values. However, the Estonian approach towards building a unified identity disregards the possibility of a multicultural inter-counter for the forced Estonianisation of the population with diverse cultural backgrounds. The Development Plan 2030 appears to be an articulation of the governmental assimilation policy that has been explicitly or implicitly underlying decisions and acts, especially in the field of education and especially concerning the Russian-speaking citizens of Estonia.

In the same line, the "Estonian Language Strategy 2021-2035"⁵¹ and the associated with it, "Education Strategy 2021-2035",⁵² pursue the leading policy line to preserve and develop the Estonian culture and language and to build a unified cultural space around the dominant Estonian identity, completely disregarding the minority languages and, especially, the mother tongue of more than 25% of the Estonian citizens – the Russian language. The two official documents do not openly state that the Russian-medium schools will be negatively affected. Nevertheless, the political statements and the implemented consolidation reform of the educational infrastructure, ⁵³ raise concerns among the Russian-speaking minorities that the real goal of the government is not to enable people with diverse cultural backgrounds to increase their competences in the Estonian language but to enforce gradually all-Estonian education.⁵⁴

The implementation of the governmental integration plans aiming at advancing the knowledge of the Estonian language of the non-Estonian (and mainly ethnic Russian) population through the introduction of a bilingual form of education started with the transformation of the

⁴⁹ Republic of Estonia Integration Plan 2021-2024 https://kul.ee/media/438/download

⁵⁰ Republic of Estonia Cohesion Development Plan 2030 https://kul.ee/media/3473/download

⁵¹ Republic of Estonia Language Strategy 2021-2035, https://www.hm.ee/sites/default/files/htm_eesti_keele_arengukava_2020_a4_web_en.pdf

⁵² Republic of Estonia Education Strategy 2021-2035, https://www.hm.ee/sites/default/files/haridusvaldkonna_arengukava_2035_kinnit-taud_vv_enq.pdf

 $^{53 \}qquad \text{European Committee of the Regions, https://portal.cor.europa.eu/divisionpowers/Pages/Estonia-Introduction.aspx} \\$

⁵⁴ ERR.EE (January 2021) The Estonian Government Is Not Planning To Close Russian-Language Schools https://news.err.ee/1608089914/minister-government-has-no-plan-to-close-russian-language-schools; The Baltic Times (January 2021) Minister: Estonian govt has no plan to close Russian-language schools, https://www.baltictimes.com/minister_estonian_govt_has_no_plan_to_close_russian-language_schools/; ERR.EE (December 2021) Center Does Not Support Estonian-Language Education Action Plan https://news.err.ee/1608427820/minister-center-does-not-support-estonian-language-education-action-plan

upper-secondary schools.⁵⁵ Between 2007 and 2012, most Russian-medium schools adopted the model of 60% Estonian to 40% Russian as languages of instruction.⁵⁶ Between 2013 and 2020, at the upper secondary level, only the vocational schools were allowed to retain full Russian-language programmes. Pursuant to Article 57(1) of the Vocational Education Institutions Act⁵⁷ of 2013 however, all Russian-medium professional schools transferred to the 60/40 bilingual model by 1 September 2020.

Although the power to decide regarding the language of instruction in municipal educational institutions at lower secondary and pre-primary levels has been delegated to local government councils, the language immersion programme has been actively promoted and implemented over the past decades. The early immersion version envisaged that full Estonian language instruction starts in the final preschool years or Year 1 of the basic school, with only 10% Russian language instruction in Year 1 or Year 2, gradually increasing to when 44% in Year 6. The late immersion version (of 2003) aimed to increase the proportion of content taught in Estonian from Year 6 (33%) to the end of basic education - with 76% in Year and Year 8 and 60% in Year 9.58

Regaining its independence in 1991 and eager to overthrow the dominant Russian culture and language for the past 50 years, the Estonian state adopted some (somewhat radical) measures to promote and foster the building of the Estonian national identity. He Russian language was recognised as the mother tongue to a significant part of the Estonian population, for more than 20 years now, governmental policies have been gradually but steadily reducing its (merely only public) use as a language of instruction in education. In the 1990s, the Estonian language was introduced into the national curriculum as a compulsory subject in all educational institutions. After the year 2000, however, the field of education became one of the targeted integration areas, which logically has led to the elaboration of plans for establishing the Estonian language as the language of instruction also in Russian-medium schools. Besides the aim to achieve "social harmonisation of society around a strong common core based on knowledge of the Estonian language...", 60 since 2007, the targeted implementation of the reforms was also justified as addressing the problem of the lower students' attainment at Russian-language schools and their limited knowledge of Estonian.

In pursuit of the official integrational goal of enhancing the Estonian language skills of the ethnically diverse population in the country and the transition to curricula with a minimum of 60 % courses in Estonian, between 2008 and 2015, the model was gradually introduced to many Russian-language schools.⁶¹ In 2013/2014, Estonian literature, music, civic education, history and geography of Estonia were the five compulsory courses taught in Estonian, and schools were offering additional elective courses to meet the requirement

The decentralised school governance in Estonia involves two levels of administration: the central government (responsible for the upper-secondary (min 1 per county), VET, and higher education institutions) and the local government - municipalities (responsible for the nurseries, primary and secondary schools, hobby schools, and the transportation of students).

OECD Reviews of School Resources: Estonia 2016 https://www.oecd-ilibrary.org/docserver/9789264251731-5-en.pdf?expires=1 645187886&id=id&accname=guest&checksum=067141960D233C935E6739831FDBA30D

⁵⁷ Republic of Estonia Vocational Educational Institutions Act (Rt I, 02.07.2013, 1) https://www.riigiteataja.ee/en/eli/505022014002/consolide/current

⁵⁸ OECD Reviews of School Resources: Estonia 2016 https://www.oecd-ilibrary.org/docserver/9789264251731-5-en.pdf?expires=1 645187886&id=id&accname=guest&checksum=067141960D233C935E6739831FDBA30D

⁵⁹ The state policies regarding citizenship and language are among the radical measures adopted to legitimise and promote the supremacy of the Estonian culture and language within the borders of the re-established independent state.

⁶⁰ Republic of Estonia "Integration in the Estonian Society 2000- 2007", https://kul.ee/media/439/download

⁶¹ Estonia's Fifth Report on The Implementation of The Council of Europe Framework Convention for the Protection of National Minorities, 2019 https://rm.coe.int/5th-sr-estonia-en/1680994327

of the curriculum. Over the period, however, the lack of teaching materials adapted for the needs of the minority students and of teachers able to deliver special courses in Estonian (especially in the VET schools) has not only challenged the educational process but also has led to the change of schools' profiles. As a mechanism for addressing the problem, free-of-charge C1-level language courses were made available to teachers from Russian-medium schools. As an interim measure, those with an intermediate level of proficiency (which share in 2013/14 was estimated to be 7% of the teachers working in Russian-language schools) were allowed to continue teaching in Russian.⁶² Nevertheless, the implementation of the 60/40 model faced structural challenges. In some rural areas, where the Russian minority population was a majority, apart from the lack of teachers able to deliver special classes in Estonian, the small number of students at the upper secondary level also impeded the transition to the model required by law.⁶³

Another measure adopted by the state to facilitate the transition of minority children to Estonian language-based education was introduced to kindergartens in 2018/2019. The programme "Professional Estonian-speaking teacher in every kindergarten group with Russian as the language of instruction" established additional positions at the pre-primary institutions. The appointment of an Estonian teacher to each Russian language group is aimed at enabling children to acquire Estonian at an early age through games and Estonian-language activities, including all educational activities.⁶⁴

Accounting for the impact of the reforms, in 2019, the government reported:65

- » A decrease in the share of children in pre-primary Russian-language education (from 22% in 2009/10 to 16% in the 2019/20 academic year) as a result of the increased interest in the language immersion programmes (11,000 children from 37 schools and 70 kindergartens participated in the Program in 2019/2020 as compared to the 3295 students of general education schools in 2008)
- » A decrease in the share of children in basic schools acquiring exclusively Russian-language education (from 20% in 2010 to 17% in 2020), and 99% of students in full-time upper secondary schools with a curriculum offering a minimum of 60% of the courses in Estonian.
- » A transition of the VET schools with Russian as a language of instruction to a curriculum with min 60% of the subjects delivered in Estonian (by 1 September 2020), which measure envisaged to guarantee that the graduates will be competitive in the Estonian labour market and/or that they would be able to continue their further studies.
- » Improvement of the final examination results in Estonian as a second language of the graduates from basic and upper secondary schools (from average attainment of 67 and 72 points in 2014 to 69 and 75 points in 2019)⁶⁶

⁶² ibidem

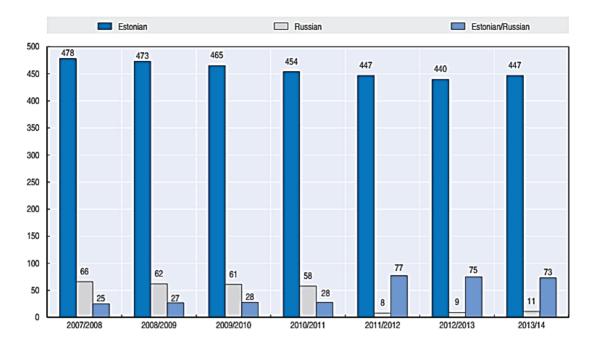
⁶³ REBALTICA.LV (2019) "The Estonian Experiment: How Tallinn Deals with its Russian Schools", https://en.rebaltica.lv/2019/02/the-estonian-experiment-how-tallinn-deals-with-its-russian-schools/

⁶⁴ EURYDICE- National Education Systems – Estonia, https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-20_en

⁶⁵ Report on the implementation of the implementation plan of the development plan "Integrating Estonia 2020", 2019, https://kul.ee/me-dia/425/download, pp 24-30; EURYDICE- National Education Systems – Estonia, https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-20 en

⁶⁶ In 2012, only 56.5% of the ethnic-Russian graduates took successfully B1 level examination in Estonian Language, Estonian Lifelong Learning Strategy 2020, https://www.hm.ee/sites/default/files/estonian_lifelong_strategy.pdf

The chart below illustrates the impact of the reform on the general education institutions in Estonia over the period 2007-2013.



The chart represents the data, as declared by the schools in their charters. As "Russian" schools are indicated, the basic schools, where Russian is the language of instruction.

Source: Estonian Education Information System (Eesti Hariduse InfoSüsteem), www.ehis.ee

According to the official data communicated by the Estonian government to the Council of Europe in 2019, the number of educational institutions delivering full-time or partial (40%) education in Russian in the academic year 2017/18 was:

Language of instruction 2017/2018	Pre-school Education	Primary & Basic Schools	VET schools***
Estonian	516*	**	22
Estonian/Russian (60/40 model)		55	14
Russian	106	22	1
Other: English Estonian/English/Russian Estonian/English/Latvian	6 **	**	** 1 1

Source: Fifth Report submitted by Estonia to the ACFC, https://rm.coe.int/5th-sr-estonia-en/1680994327

Besides the content-related reforms, the structural reforms have also contributed to the reduction of the Russian-language educational options in the state. Between 2005 and 2013, about 9% of the educational institutions in the state were closed, while others were restructu-

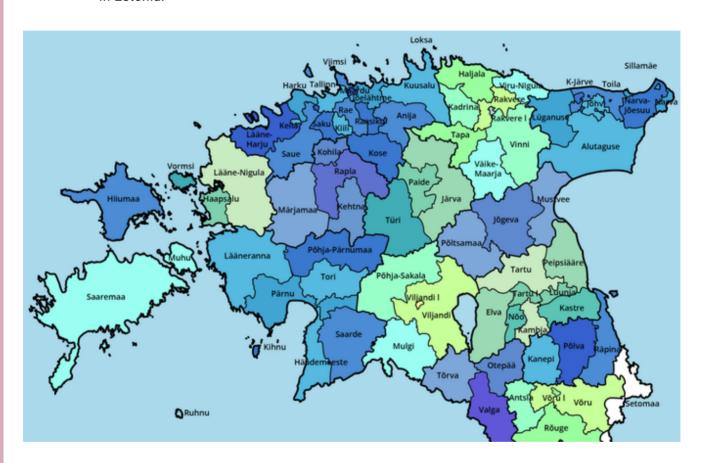
^{*} Including the preschool institutions offering immersion programmes

^{**} Data not provided in the report

^{***} VET institutions by type of ownership (2017/18): State – 26, Municipal – 3, Private – 4; State institutions of professional higher education – 6

red and/or merged.⁶⁷ The consolidation of the school network, however, picked up pace in the context of the plans for territorial and administrative reform, aiming to increase the viability and efficiency of the municipalities and ensure a more consistent regional development.

Provisioning that all local government units must have a minimum of 5,000 residents, the Administrative Act of 2016⁶⁸ placed a requirement that small municipalities merge. Local governments were given the possibility by the end of 2016 to negotiate a merger at their initiative. In 2017 however, the government enacted the reform for the municipalities that were not able or willing to complete the process.⁶⁹ As a result, Estonia's number of local government units decreased from 213 to 79, 15 of which were cities and towns, and only 15 municipalities remained with less than 5,000 residents (from 169 before the reform).⁷⁰ Although the 15 counties were preserved as territorial units, in 2017, the administrative reform abolished the county governments along with county governors, and their tasks were transferred to the municipalities. Hence, after 2018, the municipalities remained the only level of self-government in Estonia.⁷¹



Estonia's municipalities in 2017 (after the implementation of the Administrative Reform Act),

Source: Tagne Orav/ERR 2017, https://news.err.ee/638877/minister-estonia-s-administrative-reform-complete Further details: Ministry of Finance of Estonia, Regional Administration Policy Department, https://haldusreform.fin.ee/

⁶⁷ OECD, Shrinking Smartly in Estonia: Preparing Regions for Demographic Change, Chapter 4: The present and future provision of education in Estonia (School network geographical distribution and trends), OECD Library, https://www.oecd-ilibrary.org/sites/3a91a7c8-en/index.html?itemId=/content/component/3a91a7c8-en#section-d1e14721

⁶⁸ Republic of Estonia Administrative Reform Act, 2016, https://www.riigiteataja.ee/en/eli/514072016004/consolide

⁶⁹ European Committee of the Regions, https://portal.cor.europa.eu/divisionpowers/Pages/Estonia-Introduction.aspx

⁷⁰ ERR.EE (2017) "Minister: Estonia's administrative reform complete", Eesti Rahvusringhääling

https://news.err.ee/638877/minister-estonia-s-administrative-reform-complete

⁷¹ European Committee of the Regions, https://portal.cor.europa.eu/divisionpowers/Pages/Estonia-Introduction.aspx

The administrative reform had a direct impact on the structural changes in the school network of Estonia. Furthermore, the Estonian Ministry of Education decided by 2020 to reduce the number of upper secondary schools from 200 to 100 (with a minimum of 250 students each). The municipalities had to restructure the basic schools under their administrative powers - the state took over the control of the gymnasiums (Year 10-12).72 The goal of the reform was not only to consolidate small schools into larger, regional ones but also to ensure that by 2023, "each of Estonia's 15 counties will have one upper secondary school managed by the central government".73 A 2016 Ministry of Education document discussing the reforms in the educational sector justifies the need for optimisation of the school infrastructure with the significant decrease in the number of school-age children in the state (estimated at the level of 40% for the period in focus).74 Hence, in 2020, the educational infrastructure of Estonia encompassed 512 schools (173 fewer than in the year 2000), out of which 354 basic schools and 158 general education schools with an upper secondary level. Out of the total number, 33 schools were owned by the state, 59 were private, and 420 - the large majority - were owned by municipalities. 75% of the total number of pupils in 2020 (150 000) reside in urban areas.75

The Concerns

Considering languages as an expression of one's culture,⁷⁶ as early as with the Treaty on European Union (TEU),⁷⁷ the EU has required that the Member States respect linguistic diversity (Article 3, TEU) also when developing the European dimension in education (Article 165(2) of the Treaty on the Functioning of the European Union (TFEU)⁷⁸). In 2000, the legally binding Charter of Fundamental Rights of the European Union⁷⁹ of 2000, prohibiting discrimination on the grounds of language, affirmed the respect for linguistic diversity as an obligation (Article 21). In pursuit of the policy line, in 2002, the European Union Council meeting in Barcelona adopted the educational principle "mother tongue plus two [languages]",⁸⁰ acknowledging multilingualism as a mechanism that increases the mutual understanding between different cultures,⁸¹ economic progress, and social cohesion.⁸² The EU has made explicit, however, that promoting and developing this key competence through their educational policies,⁸³ the Member States shall ensure that learners do not lose touch with their language of origin.⁸⁴

⁷² OECD Reviews of School Resources: Estonia 2016 (https://www.oecd-ilibrary.org/docserver/9789264251731-5-en.pdf?expires=1645187 886&id=id&accname=guest&checksum=067141960D233C935E6739831FDBA30D

⁷³ Republic of Estonia National Center on Education and the Economy, https://ncee.org/country/estonia/

⁷⁴ Mihkel Lees (2016) Estonian Education System 1990-2016: Reforms and their impact, Estonian Ministry of Education and Research, http://4liberty.eu/wp-content/uploads/2016/08/Estonian-Education-System_1990-2016.pdf

⁷⁵ OECD (2022), Shrinking Smartly in Estonia: Preparing Regions for Demographic Change (Chapter 4: The present and future provision of education in Estonia), OECD Rural Studies, OECD Publishing, Paris, https://doi.org/10.1787/77cfe25e-en

⁷⁶ European Union Fact Sheets: Language Policy, https://www.europarl.europa.eu/factsheets/en/sheet/142/language-policy

⁷⁷ European Union, Treaty on the Functioning of the European Union, Consolidated version 2012, https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:12012E/TXT

⁷⁸ ibidem

⁷⁹ European Union, Charter of Fundamental Rights of the European Union, https://www.europarl.europa.eu/charter/pdf/text_en.pdf

⁸⁰ Recommendation of the European Parliament and the Council on key competences for lifelong learning, 18.12.2016 (2006/962/EC)

 $^{81 \}quad \hbox{European Union, Education Policy, https://ec.europa.eu/education/policy/multilingualism_en} \\$

⁸² European Commission (2017), Education and Training Monitor 2016, Luxembourg: EU Publication Office, p. 29

⁸³ European Commission (2018) Rethinking language education and linguistic diversity in schools: thematic report from a programme of expert workshops and peer learning activities (2016-17), L. Day and A. Meierkord, p.2, https://data.europa.eu/doi/10.2766/584023

⁸⁴ European Commission (2008), multilingualism: an asset for Europe and a shared commitment, COM(2008)566 final, https://eur-lex.euro-pa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008DC0566&from=EN

By placing a focus on learning a minimum of two foreign languages at school alongside mastering the mother tongue, 85 by acknowledging the role of diversity in all its Integration plans and aiming at enhancing equality and social cohesion, the Estonian state nominally adheres to the EU policy lines. Nevertheless, the Estonian laws appear to align with the EU requirements and with the international standards for the protection of the cultural rights of the national and ethnic minorities in Europe only nominally. The general state policy and long-term developments (over the decades) have placed the language and educational rights of the Russian minority under constant attack. The recent decisions of the Parliament are not only breaching the state's Constitution but also abolishing international commitments (CoE Framework Convention) and European regulations, policies, and fundamental values.

The practice reveals a trend of systematic and targeted implementation of measures, which do not contribute to social cohesion but facilitate the assimilation of Russian-speaking Estonian citizens, many of whom identify themselves as belonging to a national minority community. The reforms in education, the closure of Russian-medium schools, and the plans to shift to all-Estonian education are seen not only as a violation of the cultural and minority rights, protected by the FCNM. They are also viewed as a mechanism for eradicating the Russian ethnic consciousness of the young minority representatives through incentives or forced measures. The unequal approach of the Estonian government to granting an exception from the 60/40 rule to schools (e.g. such was provided to the Tallinn German Upper Secondary School but rejected to several Russian language schools) has been perceived by the Russian minority as another indicator of the discriminatory policy. The lack of efficient policy measures to expand opportunities for bilingual education and to increase opportunities for contact between the majority and the minority communities86 continue deepening the divides between Estonian and Russian language schools and contributing to segregation. Regardless that in 2013 Estonia started developing a two-way immersion programme (allowing children from Estonian and Russian backgrounds to study together and master their mother tongue while learning the other language), until 2020, its implementation was limited only to several kindergartens in the country.87

The concerns of the Russian community do not stem only from the flexible interpretation of the legal provisions regulating the field of education and their selective implementation but also from the constant political push to adopt an Estonian identity based on the Estonian language and culture. In this context, the school system's reform is not seen as positive and potentially bringing in the expected higher quality of education and equal opportunities in the labour market and life in general but as a mechanism to open the doors to gradual assimilation. Limiting the rights of Russian-speaking Estonians to pursue education in their mother tongue is a direct threat to the possibility that they preserve and maintain their cultural identity. The new policy strategic plans for eradicating the Russian-medium schools enhance the fears among the minority members.

⁸⁵ Republic of Estonia Ministry of Education and Research, Foreign language learning in Estonia, https://www.hm.ee/en/activities/estonian-and-foreign-languages/foreign-language-learning-estonia#:~:text=In%20Estonia%2C%20students%20traditionally%20learn,as%20 their%20first%20foreign%20language

⁸⁶ Estonia's Fifth Report on The Implementation of The Council of Europe Framework Convention for the Protection of National Minorities, 2019 https://rm.coe.int/5th-sr-estonia-en/1680994327

⁸⁷ Eurydice, National Country Reports: Estonia, https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-ed-ucation-20 en)

The international community shall pay attention to the Estonian government that the adopted approach to societal cohesion does not correspond with the human and minority rights standards. The reduction of educational opportunities in Russian language is challenging the linguistic rights not only of the linguistic rights of a national minority but also of EU citizens. A cohesive Estonian society can be achieved if all stakeholders put efforts together to find common ground for mutual understanding and to live together. Imposed integration, disregarding diversity, is nothing less than assimilation. Hence, the democratic way forward is for the Estonian government to involve Russian speakers in public debates on the issue and the decision-making process.

Can the spill-over effect be avoided?

The situation of the Russian minority in Estonia has already been addressed by four Resolutions of the Federal Union of European Nationalities (FUEN), 88 adopted by the Assembly of Delegates of the Member Organisations between 2018 and 2022. The latest developments raise additional concerns that the Estonian government is setting a negative precedent and that the forced assimilation model is likely to be soon adopted by neighbouring Latvia and Lithuania, where similar trends are observed.

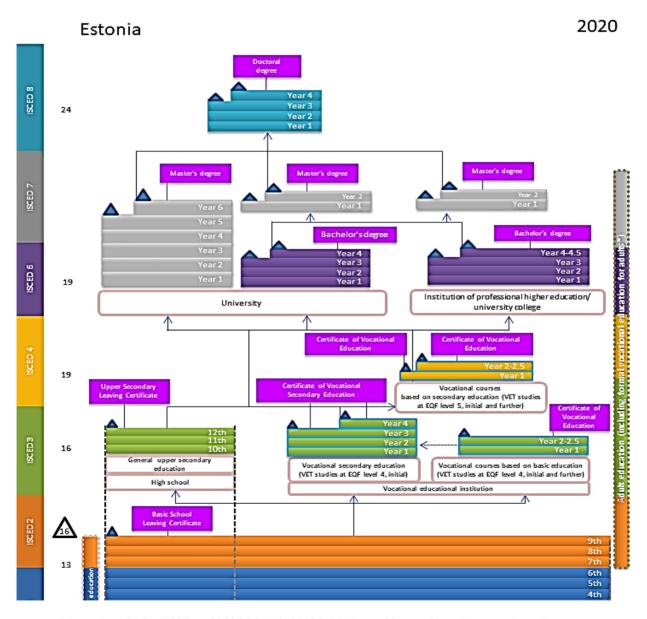
Concerned with the case of the violation of human and minority rights and with the potential spill-over effect resulting from the negative precedent set, FUEN is issuing the following policy recommendations:

To the EU, CoE and the policy and decision makers representing European and International institutions engaged with the protection and promotion of the cultural, educational and language rights (as an integral part of the human rights agenda) and of the rights of the national minorities:

- to take a firm position against the policy of Estonia concerning the Russian national minority and the attempts to enact forced assimilation, which contradicts the TEU (Art.3), the Framework Convention for the Protection of National Minorities (Art. 5, 14, 16 and others), the Hague Recommendations of the OSCE. Violating the rights to language, culture and identity of European citizens of diverse cultural backgrounds, the Estonian government acts against the fundamental values and principles of the EU.
- to require that the Estonian government respects and adheres to the European values of diversity and multilingualism in the field of education and to comply with the international standards and obligations, resulting from ratified legal instruments of the CoE, OSCE, UN, and the EU.

To the Government of Estonia:

- to comply with all articles of the Framework Convention for the Protection of National Minorities and adhere to the recommendations of international organisations (OSCE, ECRI etc.)
- to reconsider the policy of violating the educational and language rights of Estonian citizens of Russian ethnic origin and to end the policy of closing Russian-language schools without ensuring that the population is provided with equal educational opportunities in the cases of implemented reforms/optimisation of the school system.
- > to adhere to the key European value of multilingual education and to revise the Program for the development of the Estonian language 2021-2030, which aims at a full transition to Estonian-only education.



"Education GPS, OECD, 6/6/2022, 12:41:23 PM http://gpseducation.oecd.org" https://gpseducation.oecd.org/Content/MapOfEducationSystem/EST/EST 2011 EN.pdf

REFERENCES

Baltic Times (January 2021) Minister: Estonian govt has no plan to close Russian-language schools, https://www.baltictimes.com/minister_estonian_govt_has_no_plan_to_close_russian-language_schools/

Council of Europe Framework Convention for the Protection of the National Minorities (FCNM 1995) https://rm.coe.int/16800c10cf

Council of Europe State Parties to the FCNM, https://www.coe.int/en/web/minorities/etats-partie

ERR.EE (2017) "Minister: Estonia's administrative reform complete", Eesti Rahvusringhääling, https://news.err.ee/638877/minister-estonia-s-administrative-reform-complete

ERR.EE (April 21) Состоялась первая встреча рабочей группы по переходу системы образования на эстонский язык, https://rus.err.ee/1608190003/sostojalas-pervaja-vstrecha-rabochej-grup-py-po-perehodu-sistemy-obrazovanija-na-jestonskij-jazyk

ERR.EE (December 2021) Center Does Not Support Estonian-Language Education Action Plan https://news.err.ee/1608427820/minister-center-does-not-support-estonian-language-education-action-plan

ERR.EE (January 2021) The Estonian Government Is Not Planning To Close Russian-Language Schools https://news.err.ee/1608089914/minister-government-has-no-plan-to-close-russian-language-schools

Estonia's Fifth Report on The Implementation of The Council of Europe Framework Convention for the Protection of National Minorities, 2019 https://rm.coe.int/5th-sr-estonia-en/1680994327

Estonian Court Confirmed the Ban on Teaching in the Russian Language in Russian Schools, 26 August 2016, https://www.loc.gov/item/global-legal-monitor/2016-08-29/estonia-court-confirms-russian-not-a-school-language/

Estonian Education Information System (Eesti Hariduse InfoSüsteem), www.ehis.ee

European Commission (2008), multilingualism: an asset for Europe and a shared commitment, COM(2008)566 final, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52008D-C0566&from=EN

European Commission (2017), Education and Training Monitor 2016, Luxembourg: EU Publication Office

European Commission (2018) Rethinking language education and linguistic diversity in schools: thematic report from a programme of expert workshops and peer learning activities (2016-17), L. Day and A. Meierkord, https://data.europa.eu/doi/10.2766/584023

European Committee of the Regions, https://portal.cor.europa.eu/divisionpowers/Pages/Estonia-Introduction.aspx

European Union Fact Sheets: Language Policy, https://www.europarl.europa.eu/factsheets/en/sheet/142/language-policy

European Union, Charter of Fundamental Rights of the European Union, https://www.europarl.europa.eu/charter/pdf/text_en.pdf

European Union, Education Policy, https://ec.europa.eu/education/policy/multilingualism_en

European Union, Treaty on European Union, Consolidated version 2012, https://eur-lex.europa.eu/le-gal-content/EN/TXT/?uri=celex:12012M/TXT

EURYDICE National Country Reports on Education Systems: Estonia, https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-20 en

FUEN Resolution 2018-02, https://fuen.org/assets/upload/editor/FUEN Resolutions 2018.pdf

FUEN Resolution 2019-03 - Resolution on the situation of the Russian national minority in Estonia https://fuen.org/assets/upload/editor/docs/doc_kh9bLA0l_FUEN_Resolutions_2019_EN.pdf

FUEN Resolution 2021-04 (Urgent Resolution), https://fuen.org/assets/upload/editor/docs/doc_lg-SIDMCb_Resolutions_2021_EN.pdf

FUEN Resolutions 2022-05, https://fuen.org/assets/upload/editor/docs/doc_m8FnA9r5_Resolutions_2022_EN_Q.pdf

Integration Foundation - official website, https://integratsioon.ee/en

Mihkel Lees (2016) Estonian Education System 1990-2016: Reforms and their impact, Estonian Ministry of Education and Research, http://4liberty.eu/wp-content/uploads/2016/08/Estonian-Education-System_1990-2016.pdf

Minority Education, National Focal Point Estonia, Tatjana Evas, Alesandr Dusman, Merle Haruoja, Karin Suidre, Raivo Vetik, Analytical Report PHARE RAXEN_CC/Eesti Pagulasabi, Vienna 2004, https://fra.europa.eu/sites/default/files/fra_uploads/271-edu_estonia_final.pdf

National Minorities and Their Cultural Activity, Ministry of Culture of Estonia, https://www.eesti.ee/en/culture-and-leisure/culture/national-minorities-and-their-cultural-activity (Last modified 01.09.2021)

NGO Human Rights Defense Centre "Kitezh" (September 2021) Alternative Report for the Advisory Committee on the Framework Convention for the Protection of National Minorities

OECD (2022), Shrinking Smartly in Estonia: Preparing Regions for Demographic Change (Chapter 4: The present and future provision of education in Estonia), OECD Rural Studies, OECD Publishing, Paris, https://doi.org/10.1787/77cfe25e-en

OECD Reviews of School Resources: Estonia 2016, https://www.oecd-ilibrary.org/docserver/9789264251731-5-en.pdf?expires=1645187886&id=id&accname=guest&check-sum=067141960D233C935E6739831EDBA30

OECD, Shrinking Smartly in Estonia: Preparing Regions for Demographic Change, Chapter 4: The present and future provision of education in Estonia (School network geographical distribution and trends), OECD Library, https://www.oecd-ilibrary.org/sites/3a91a7c8-en/index.html?itemId=/content/component/3a91a7c8-en#section-d1e14721

REBALTICA.LV (2019) "The Estonian Experiment: How Tallinn Deals with its Russian Schools" https://en.rebaltica.lv/2019/02/the-estonian-experiment-how-tallinn-deals-with-its-russian-schools/

Recommendation of the European Parliament and the Council on key competences for lifelong learning, 18.12.2016 (2006/962/EC), http://data.europa.eu/eli/reco/2006/962/oj

Report on the implementation of the implementation plan of the development plan "Integrating Estonia 2020", 2019, https://kul.ee/media/425/download

Republic of Estonia Administration of President - official website https://president.ee/ru/official-duties/speeches/14994-24-2019/index.html

Republic of Estonia Administrative Reform Act, 2016, https://www.riigiteataja.ee/en/eli/514072016004/consolide

Republic of Estonia Amendment Law to the Basic School and Gymnasium Law and Other Laws (Transition to Estonian-Language Education) 722 SE https://www.riigikogu.ee/tegevus/eelnoud/eelnou/1e58a907-7cd0-41b9-b898-aa8eee5e94bf/P%C3%B5hikooli-+ja+g%C3%BCmnaasiumise-aduse+ning+teiste+seaduste+muutmise+seadus+%28eestikeelsele+%C3%B5ppele+%C3%BCleminek%29

Republic of Estonia Basic Schools and Upper Secondary Schools Act (RT I 2010, 41, 240), Article 21(2) https://www.riigiteataja.ee/en/eli/525062014005/consolide?current

Republic of Estonia Cohesion Development Plan 2030 https://kul.ee/media/3473/download

Republic of Estonia Constitution (Rt 1992, 26, 349), https://www.riigiteataja.ee/en/eli/ee/rhvv/act/530102013003/consolide

Republic of Estonia Development Plan "Integrating Estonia 2020", https://kul.ee/kultuuriline-mitme-kesisus-ja-loimumine/strateegilised-dokumendid/loimuv-eesti-2020

Republic of Estonia Development Strategy of the Estonian Language 2004–2010. Development Plan of the ESTONIAN LANGUAGE 2011–2017, https://www.hm.ee/sites/default/files/eestikeelearengukavainglise.indd_.pdf

Republic of Estonia Education Act (Rt 1992, 12, 192), https://www.riigiteataja.ee/en/eli/524042014002/consolide/current

Republic of Estonia Education Strategy 2021-2035, https://www.hm.ee/sites/default/files/hari-dusvaldkonna_arengukava_2035_kinnittaud_vv_eng.pdf

Republic of Estonia Hobby School Act (2007), https://www.riigiteataja.ee/en/eli/520122013002/consolide/current

Republic of Estonia Integration Plan 2008-2013, https://kul.ee/media/444/download

Republic of Estonia Integration Plan 2021-2024 https://kul.ee/media/438/download Republic of Estonia Language Act (Rt I, 18.03.2011, 1), https://www.riigiteataja.ee/en/eli/ee/Riigiko-gu/act/506112013016/consolide

Republic of Estonia Language Strategy 2021-2035, https://www.hm.ee/sites/default/files/htm_eesti_keele_arengukava_2020_a4_web_en.pdf

Republic of Estonia Ministry of Culture, Lõimumisprogramm 2021-2024, https://kul.ee/media/438/download

Republic of Estonia Ministry of Education and Research (December 2022), "Minister Tonis Lukas: Transition to Estonian-language education will definitely happen", https://www.hm.ee/en/news/minister-tonis-lukas-transition-estonian-language-education-will-definitely-happen

Republic of Estonia Ministry of Education and Research (January 2023) "Transition to Estonian-language education", https://www.hm.ee/en/node/234

Republic of Estonia Ministry of Education and Research, Estonian Lifelong Learning Strategy 2020, https://www.hm.ee/sites/default/files/estonian_lifelong_strategy.pdf

Republic of Estonia Ministry of Education and Research, Foreign language learning in Estonia, https://www.hm.ee/en/activities/estonian-and-foreign-languages/foreign-language-learning-estonia#:~:-text=In%20Estonia%2C%20students%20traditionally%20learn,as%20their%20first%20foreign%20 language

Republic of Estonia National Center on Education and the Economy, https://ncee.org/country/estonia/

Republic of Estonia National Minorities Cultural Autonomy Act (Rt I 1993, 71, 1001, amended 2002/Rt I 2002, 62, 376), https://www.riigiteataja.ee/en/eli/519112013004/consolide

Republic of Estonia Preschool Child Care Institutions Act (Rt I 1999, 27, 387), https://www.riigiteataja.ee/en/eli/520122013003/consolide/current

Republic of Estonia Private Schools Act (Rt I 1998, 57, 859), https://www.riigiteataja.ee/en/eli/520122013001/consolide?current

Republic of Estonia State Gazette (Riigi Teataja) RT II 1996, 40,154, https://www.riigiteataja.ee/akt/25083

Republic of Estonia State Programme Integration in the Estonian Society 2000- 2007, https://kul.ee/media/439/download

Republic of Estonia Vocational Educational Institutions Act (Rt I, 02.07.2013, 1) https://www.riigiteata-ia.ee/en/eli/505022014002/consolide/current

Teichmann, Mare & Läänemets, Urve & Ruutmann, Tiia & Neudorf, Reet (2014). Education System in Estonia, https://kul.ee/media/438/download

UNESCO (2001), The Development of Education, National Report of Estonia by the Ministry of Education, submitted to the International Bureau of Education of UNESCO, http://www.ibe.unesco.org/file-admin/user_upload/archive/International/ICE/natrap/Estonia.pdf



www.fuen.org