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Non-Citizens in Estonia and Latvia: Time for Change in Changing Times?

Introduction

Amidst the 2014 events in Ukraine, international media attention quickly turned to another region bordering the Russian Federation: the Baltic states. Cities like Daugavpils and Narva suddenly appeared in the bylines of stories featuring phrases like “the next Crimea” and “little green men”. Some high-level Western officials, including NATO Secretary General Anders Fogh Rasmussen, openly commented on the potential for Russia to intervene in the Baltic States,¹ and the US and other NATO allies were swift in providing verbal and tangible reassurances of their commitment to the region’s security. On a visit to Tallinn in September 2014, US President Barack Obama declared: “We’ll be here for Estonia. We will be here for Latvia. We will be here for Lithuania. You lost your independence once before. With NATO, you will never lose it again.”² Parallels were drawn not only by the Western media and political leaders but also by politicians in the Baltic region. As Ainars Latkovskis, chairman of the Latvian parliamentary defence and interior affairs committee, said in March 2014: “We must realize that Russia’s interference in Ukraine is part of Russia’s broader geopolitical strategy in the region which also includes Latvia. It is possible to draw parallels between the influence Russia has been exerting on Ukraine’s society for decades and its policy in Latvia.”³

It was natural for much of the world’s focus to fall on Estonia and Latvia. Not only are they the only EU and NATO member states that share borders with “mainland” Russia, but both countries have Russian minorities that make up about a quarter of their population, and an even larger percentage of residents who fall under the broader category of “Russian speakers”. Adding another layer of complexity – and, arguably, vulnerability – to the situations of Estonia and Latvia are their populations of “non-citizens”, most of whom are ethnic Russians. Non-citizens make up about twelve per cent of the population in Latvia, numbering about 250,000; in Estonia, where the official

Note: The views contained in this contribution are the author’s own and do not necessarily reflect the positions of the OSCE High Commissioner on National Minorities.

- 1 Ambrose Evans-Pritchard, Putin could attack Baltic states warns former Nato chief, in: *Daily Telegraph*, 5 February 2015, at: <http://www.telegraph.co.uk/news/worldnews/europe/russia/11393707/Putin-could-attack-Baltic-states-warns-former-Nato-chief.html>.
- 2 Tim Hanrahan, Obama Transcript: NATO Will Defend Estonia, Latvia Lithuania, in: *The Wall Street Journal*, 3 September 2014, at: <http://blogs.wsj.com/washwire/2014/09/03/obama-transcript-nato-will-defend-estonia-latvia-lithuania>.
- 3 Baltic News Service, 3 March 2014.

term is “persons of undetermined citizenship”, they number about 82,000, or about six per cent of the population.⁴ These are former USSR citizens and their descendants who have not received citizenship automatically, obtained citizenship through naturalization or other means, or taken another country’s citizenship since the restoration of Estonian and Latvian independence. Furthermore, Latvia and Estonia are home to large numbers of Russian Federation citizens who are permanent residents: According to official figures, there are approximately 40,000 of these in Latvia and more than 90,000 in Estonia.⁵

While the UN Refugee Agency (United Nations High Commissioner for Refugees, UNHCR) and other international bodies categorize non-citizens as “stateless”, they are not generally referred to as such by the Estonian or Latvian authorities, in light of the option they have to naturalize and the access they enjoy to many of the same benefits as citizens, including consular protection abroad. The Russian Federation has long been vocal in its criticism of Estonia and Latvia over their citizenship policies (as well as other policies affecting national minorities), including calling for international institutions to more vigorously take up the situation of non-citizens. Against the backdrop of the situation in Ukraine, including the illegal annexation of Crimea, it is inevitable that questions have arisen such as: How connected do Russian minorities feel to the Estonian and Latvian states where they reside, especially where some have never obtained citizenship? How real are their grievances and could they be vulnerable to attempts at mobilization or radicalization? How would they react if Russia were to step up pressure, invoking the need to defend its “compatriots”?

The non-citizen issue is undeniably an important element in the mix. Citizenship is, of course, one of various aspects of identity that can play a role in integration. But, as stated in the *Ljubljana Guidelines on Integration of Diverse Societies* drawn up by the OSCE High Commissioner on National Minorities (HCNM), citizenship has an important symbolic value as a signal of common belonging on the part of both the holder and the granter of citizenship. The Guidelines also warn that “The long-term presence of a significant number of persons without citizenship in a State runs counter to the integration of society and potentially poses risks to cohesion and social stability.”⁶ The experience in other OSCE participating States has shown how “passport politics” can be used to pursue political and even military aims.

4 For the Latvian figures, see: Ministry of Foreign Affairs of the Republic of Latvia, *Naturalisation*, at: <http://www.mfa.gov.lv/en/policy/society-integration/citizenship/naturalisation>; The Estonian figures are from: Estonia.eu, *Citizenship*, at: <http://estonia.eu/about-estonia/society/citizenship.html>.

5 Figures from Latvia as of 1 January 2015, according to data from the Central Statistical Bureau of Latvia, *Population Register*, available at: <http://www.csb.gov.lv>. Figures from Estonia as of 1 August 2015, according to data from Estonia.eu, cited above (Note 4).

6 OSCE High Commissioner on National Minorities, *The Ljubljana Guidelines on Integration of Diverse Societies*, November 2012, at: <http://www.osce.org/hcnm/96883>, p. 43.

Even though their numbers are declining, the fact remains that non-citizens in Estonia and Latvia constitute a sizeable group of people who, despite other deep bonds they may have to the states where they reside, lack the practical and symbolic bond between individual and state that citizenship provides. As such, their situation continues to attract external scrutiny and presents an ongoing internal challenge to the integration process. This article will seek to focus on the non-citizen populations in Estonia and Latvia, reflecting on what their situation means for the Estonian and Latvian authorities in the current security context and what might be done to address internal and external vulnerabilities linked to it.

Non-Citizens: The Current Situation

“Russian minorities” in the Baltic states are often painted in broad strokes, but these groups have their own degree of diversity, including in terms of citizenship. Non-citizens are in fact a minority within a minority, as most persons belonging to national minorities in Estonia and Latvia are also citizens of the countries in which they reside. There is a certain degree of ethnic diversity among non-citizens as well. Russians make up about 66 per cent of non-citizens in Latvia and about 80 per cent in Estonia. Other groups represented among the non-citizen populations include ethnic Belarusians, Ukrainians, and Poles.⁷

The number of non-citizens has declined significantly since the restoration of Estonian and Latvian independence and will continue to do so, but the issue is not going away on its own, mostly because of slow naturalization rates. Projections in Latvia vary between estimates that there will be no non-citizens in twenty years and more realistic forecasts that the number could fall as low as 74,000.⁸ Estonia’s newest integration strategy, “Integrating Estonia 2020”, projects that the number will decline to about 82,000 by 2020.⁹ The numbers are declining for various reasons, including measures to facilitate citizenship for children, naturalization, migration, and acquisition of citizenship of another state (usually the Russian Federation) by non-citizens.

7 According to the Central Statistical Bureau of Latvia, the total non-citizen population at the start of 2015 included 159,804 ethnic Russians, 24,448 Belarusians; 23,178 Ukrainians, 8,703 Poles, and 6,186 Lithuanians, with smaller numbers of non-citizen Roma, Jews, and other ethnicities; see Central Statistical Bureau of Latvia, cited above (Note 5). The Statistics Estonia database provides specific figures only for Estonians and Russians, with other ethnicities grouped under “other ethnic nationalities”; see Statistics Estonia at: <http://www.stat.ee/en>.

8 Cf. Baltic Institute of Social Sciences, *Analysis of Integration of Latvian Non-Citizens*, Riga 2014, pp. 78-79, at: http://www.biss.soc.lv/downloads/resources/nepilsoni/BISS_Noncitizens_2014.pdf.

9 Cf. Estonian Ministry of Culture, *The Strategy of Integration and Social Cohesion in Estonia, “Integrating Estonia 2020”*, no place of publication, 2014, at: http://www.kul.ee/sites/default/files/integrating_estonia_2020.pdf.

Non-citizens are also an aging group overall, so some of the decrease is occurring for natural reasons.

Efforts have been made in Estonia and Latvia to facilitate naturalization opportunities and especially to address the situation of non-citizen children, but the fundamental approach to citizenship has changed little in the last 15 years, reflecting the mainstream political consensus. While citizenship legislation was amended in 2013 in Latvia and in 2015 in Estonia, the laws were also opened up for discussion because of an interest in liberalizing rules on dual citizenship, a topical issue for both countries given their demographic situations.

The 2013 amendments to Latvia's 1994 Law on Citizenship marked the first time the law was amended since 1998. The amendments ease naturalization procedures for certain categories of non-citizens, such as those who have completed more than half of the basic educational programme in the Latvian language, and provide for children of non-citizens to be registered as Latvian citizens at birth with an application submitted by only one of the parents. The provision also applies retroactively to children under the age of 15. While not automatic per se – the process still requires a parent to file an application – the amendments still represent an improvement over the previous situation, and have had a clear effect in terms of increasing the percentage of children born to non-citizens who receive Latvian citizenship. In fact, this increase had already begun as the result of changes to cabinet of ministers regulations in 2011, which provided that parents could apply for Latvian citizenship for their children at the same time as registering their birth. The OSCE HCNM Astrid Thors noted this positive trend of children of non-citizens being registered as Latvian citizens during her visit to Latvia in autumn 2014.

Amendments to Estonia's 1995 Citizenship Act were adopted in January 2015. The most significant amendments concerning non-citizens relate to non-citizen children and naturalization applicants over 65 years of age. According to the amendments, children born in Estonia to persons of undetermined citizenship will receive citizenship by naturalization at birth if the parent or parents meet the relevant criteria and do not decline Estonian citizenship for their child within one year; the provision applies to children up to the age of 15. In addition, naturalization applicants over age 65 are released from the written portion of the Estonian-language part of the naturalization exam. (Previously this exemption applied only to applicants born before 1930.) Even if the numbers of non-citizens may not see a large decrease as a result of the amendments, the changes are in line with recommendations of international institutions and, as in Latvia, will help to address the perpetuation of statelessness in future generations.

Naturalization Trends

All but a small number of non-citizens (for example, individuals who are deemed to threaten state security) are eligible to obtain citizenship through naturalization. The Latvian ministry for foreign affairs website states: “All preconditions for a successful naturalization process have been created. Furthermore, the naturalisation process in Latvia is amongst the most liberal in Europe.”¹⁰ According to official Estonian government information, “the Estonian Government actively promotes the acquiring of Estonian citizenship through naturalisation, thus reducing the number of persons with undetermined citizenship. The Government is constantly dealing with this matter and has made the acquisition of Estonian citizenship easier in many ways, especially for children.”¹¹ In reality, however, the naturalization rate in both countries has stagnated. In Estonia, the number of people naturalizing per year has not surpassed 2,000 since 2008. In 2013 the figure was 1,316, going up slightly to 1,589 in 2014, before dropping to 884 in 2015.¹² The slowdown of the naturalization process is mentioned as one of the central problems in the area of integration in Estonia’s latest integration strategy. In Latvia, 777 people naturalized in 2015, 939 people in 2014, and 1,732 in 2013 (the first year the number dropped below 2,000).¹³ The head of the Naturalization Board told Latvian National Television that naturalization applications dropped by 40 per cent in 2014 amidst the events in Ukraine.¹⁴ In Estonia, the latest integration report expresses concern about a sizeable third generation of non-citizens, noting that as many as 19 per cent of people of other (non-Estonian) ethnicities who were born in Estonia, and whose parents were born in Estonia, are still non-citizens.

For many non-citizens, the decision not to naturalize is a pragmatic one. A 2014 government-sponsored survey in Latvia found that 81 per cent of respondents had no plans to obtain Latvian citizenship in the next year, with most giving the reason that they have no need for Latvian citizenship.¹⁵ This reinforces the findings of other studies, which indicate that practical considerations dominate decisions about whether or not to naturalize, rather than a

10 Ministry of Foreign Affairs of the Republic of Latvia, *Citizenship*, at: <http://www.mfa.gov.lv/en/policy/society-integration/citizenship>.

11 Estonia.eu, cited above (Note 4).

12 Cf. Ibid.

13 Cf. Latvijas Republikas Iekšlietu Ministrijas, Pilsonības un Migrācijas Lietu Pārvalde [Ministry of the Interior of the Republic of Latvia, Office of Citizenship and Migration Affairs], *Statistika: Naturalizācija* [Statistics: Naturalization], at: <http://www.pmlp.gov.lv/en/home/statistics/naturalization.html>.

14 Cf. Baltic News Service, *Non-citizens' interest in getting Latvian citizenship has dwindled – official*, at: <http://www.bns.lv/en/topic/1905/news/49892376>.

15 Cf. SKDS, *Piederības sajūta Latvijai, Mazākumtautību Latvijas iedzīvotāju aptauja, 2014.gada maijs – jūnijs*, [Sense of Belonging to Latvia, Minority Latvian population survey, May-June 2014], p. 25, at: http://www.mk.gov.lv/sites/default/files/editor/ataskaite_piederiba_08_2014.pdf.

sense of belonging (or not belonging) to Latvia.¹⁶ In Estonia, the latest government-sponsored report on the integration of Estonian society notes “a lack of strong motivators” for undertaking the naturalization process, such as the feeling among non-citizens that non-citizen status does not hinder them from living in Estonia and eases travel to Russia and other CIS countries.¹⁷ (Non-citizens from both Estonia and Latvia are able to travel without visas within the EU and, since 2008, to the Russian Federation as well.)

The low naturalization rate cannot be solely attributed to non-citizens’ pragmatic choices, however. State language proficiency of minorities, although continuing to improve in both countries, is linked to the naturalization situation. According to a study by the Baltic Institute of Social Sciences (BISS), there is a strong correlation between high self-assessment of language skills and intention to obtain Latvian citizenship during the next year, while poor Latvian skills represent a significant obstacle for non-citizens over 40. The report summarizes its findings as follows: “Altogether it must be concluded that availability of Latvian language courses (free of charge or with very little co-payment) in Latvia is still topical.”¹⁸ Language proficiency may be a barrier to naturalization among some young people, too: In a survey of non-citizen high school students in Riga, most indicated a lack of Latvian language skills as their primary obstacle to naturalization.¹⁹

The language issue also looms large for potential naturalization applicants in Estonia. The latest government-sponsored survey to monitor the integration of Estonian society, Estonian Society Monitoring 2015, found that the majority of non-citizens wish to obtain Estonian citizenship, but an inability to learn Estonian was mentioned as the main obstacle to doing so.²⁰ One factor may be that Estonia was later than Latvia in introducing bilingual education in Russian-language schools. A ministry of education study publicized in early 2015 found that one-third of Russian-language primary school graduates did not have sufficient language skills to begin studying subjects in Estonian at the secondary level.²¹ The limited Estonian-language environment in Narva, where less than half of the city’s population have Estonian citizenship, is a particular challenge to Russian speakers living there who seek to learn and use the state language.

16 Cf. Baltic Institute of Social Sciences, cited above (Note 8), p. 43.

17 Raivo Vetik/Kristina Kallas/Jüri Kruusvall/Ellu Saar/Jelena Helemäe/Cenely Leppik/Laura Kirss/Külliki Seppel/Kats Kivisitik/Pille Ubakivi-Hadachi, *Estonian Society Monitoring 2015*, p. 3, at: http://www.kul.ee/sites/default/files/news-related-files/kokkuvote_eng.pdf.

18 Baltic Institute of Social Sciences, cited above (Note 8), p. 50.

19 Cf. LSM.LV, Public broadcasting of Latvia, *Special Report: Twenty Years of Naturalization*, at: <http://www.lsm.lv/en/article/societ/society/special-report-twenty-years-of-naturalization.a117307>.

20 Cf. Vetik et al., cited above (Note 17), p. 3.

21 Cf. news-err.ee, Estonian Public Broadcasting, *Third of Russian-language school students failed to reach required Estonian level*, 15 January 2015, at: <http://news.err.ee/v/education/b4b0c6eb-ecbc-4c5f-b510-1633c6076007>.

Non-Citizens and Integration Challenges

Public opinion polls about the attitudes of minorities in Estonia and Latvia amidst the Ukraine crisis have not raised red flags that they dream of being rescued by Russia or consider this a likely scenario. A government-sponsored poll of persons belonging to national minorities in Latvia showed that more than 60 per cent consider themselves to be patriots of Latvia.²² Overall, the number of minorities who say that they are proud to be citizens or residents of Latvia has continued to increase since the first such survey in 2009. Most respondents did not support the authorization to use Russian forces on Ukrainian territory.²³ The Estonian Society Monitoring 2015 survey found that all but about one-fifth of ethnic Russians reported having a moderate or strong national identity. A public opinion poll commissioned by an Estonian member of the European Parliament in early 2015 found that more than 90 per cent of non-Estonians did not consider a conflict with Russia to be possible, compared to about 60 per cent of Estonians.²⁴

At the same time, there is clearly potential to enhance integration through greater outreach to and inclusion of minorities, especially non-citizens. There are signs that non-citizens risk remaining on the margins amidst ongoing progress in the integration of the Estonian and Latvian societies. Non-citizens in the Latvian government-sponsored poll were less likely to report being proud of being a citizen/resident of Latvia (50 per cent) than persons belonging to national minorities who are citizens (63 per cent). Non-citizens are also less likely to take part in political or civic activities than their fellow minorities who are citizens. The aforementioned 2014 BISS study of non-citizens in Latvia cites 2013 survey results showing that two-thirds of Latvian non-citizens feel “very closely” or “closely” connected to Latvia, although this figure had declined compared to 2010. The number of non-citizens who feel proud of being inhabitants of Latvia has declined since 1997 to 44 per cent, while an increased number (51 per cent) stated that they are not proud of being inhabitants of Latvia.²⁵ A significant number of non-citizens interviewed in the study reported that even if they do not experience discrimination as non-citizens in their own lives, they resent the status of non-citizen, having spent all or most of their lives in Latvia.

In Estonia, minorities have lower levels of trust in state institutions than ethnic Estonians, with non-citizens having the least trust in any institution.²⁶

22 Cf. Latvijas Republikas Ministru kabinets [Cabinet of Ministers of the Republic of Latvia], *Government urges to strengthen the national minorities' sense of belonging to Latvia*, 26 August 2014, at: <http://www.mk.gov.lv/en/aktualitates/government-urges-strengthen-national-minorities-sense-belonging-latvia>.

23 Cf. *ibid.*

24 Cf. news.err.ee, Estonian Public Broadcasting, *Survey organized by an Estonian MEP says that people skeptical about war with Russia*, 29 January 2015, at: <http://news.err.ee/v/politics/76400b2c-1bbb-4504-b330-0ed0bb205422>.

25 Cf. Baltic Institute of Social Sciences, cited above (Note 8), pp. 52, 55.

26 Cf. Vetik et al., cited above (Note 17), p. 3.

Estonia's integration policy, which has identified different target groups for integration ranging from "successfully integrated" to "not integrated", considers the "moderately or little integrated" group to mostly consist of non-citizens.²⁷ A report by the Estonian International Centre for Defence and Security in 2014 warned: "Today a large part of the more linguistically proficient, affluent, and active Russian-speaking community has become successful citizens. However, the less affluent or less active are becoming an excluded and alienated group of stateless people, with the rift between the groups having, if anything, grown deeper."²⁸ The report cites surveys showing that less than 40 per cent of non-citizens in Estonia would be ready to take part in defence activity in the event of an attack – an even lower percentage than after the 2007 Bronze Soldier crisis. (Still, more than half of non-citizen males under age 60 affirm their readiness to participate in the country's defence.)

Despite the resentment that some non-citizens may feel, attempts to organize around the non-citizens issue have not mobilized them in large numbers. The Congress of Non-citizens, established in Latvia in 2012, claims to have more than 7,000 members around the country, but appears to focus most of its outreach efforts on raising awareness among the international community. While maintaining an active online presence, primarily in the Russian language, the organization's effectiveness in advocating with the Latvian government will likely be limited, as the authorities consider its leadership to be radical and affiliated with Russian compatriot policy. A small group of activists in Estonia established a non-citizens group in 2014; as of August 2015 it had about 600 "likes" on its Facebook page.

External Vulnerabilities

Relevant bodies of the UN, Council of Europe, and OSCE have repeated concerns about the non-citizens issue over the years; the US State Department includes the issue in its annual human rights reports on Estonia and Latvia. However particularly persistent and vocal criticism has come from Moscow. Even before the Ukraine crisis, these critiques could not be seen in isolation from the broader Russia-West relationship, including Russian views towards NATO enlargement and Russia's role in its "near abroad" and the "Russian world".

The situation of Russian minorities in the Baltic states, and in particular the plight of non-citizens, is often cited in official Russian statements of con-

27 Cf. Estonia.eu, *Integration in Estonian Society*, 20 March 2014, at: <http://estonia.eu/about-estonia/society/integration-in-estonian-society.html>.

28 Juhan Kivirähk, *Integrating Estonia's Russian-Speaking Population: Findings of National Defense Opinion Surveys*, December 2014, p., 6, at: <http://www.icds.ee/publications/article/integrating-estonias-russian-speaking-population-findings-of-national-defense-opinion-surveys>.

cern for compatriots abroad. But amidst the continuing conflict in Ukraine, Russia's rhetoric has attracted more scrutiny, particularly for any signs of escalation in tone. President Vladimir Putin, addressing a joint meeting of the Council for Interethnic Relations and the Council for the Russian Language in May 2015, referred to countries that pursue a "tough, aggressive policy of linguistic and cultural assimilation", noting: "We see what this may lead to: the division of society into 'full-fledged' citizens and 'inferior' ones, into 'citizens' and 'non-citizens' and even to outright tragic internal conflicts."²⁹ Konstantin Dolgov, the Russian Foreign Ministry's Special Representative for Human Rights, Democracy, and the Rule of Law, told the Regional Conference of Russian Compatriots of Latvia, Lithuania, and Estonia, held in Riga in September 2014, that the problems of Russian compatriots in the Baltic states were at the centre of attention in the Russian ministry of foreign affairs, and referred to "mass deprivation of citizenship" in Estonia and Latvia as unacceptable.³⁰ In Foreign Minister Sergei Lavrov's address at a meeting with members of the World Coordination Council of Russian Compatriots in Moscow in May 2015, he spoke of Russia's Fund to Support and Protect the Rights of Compatriots Living Abroad: "The fund renders qualified legal aid to our compatriots abroad, primarily those in the Baltic states, when their legitimate rights are violated."³¹ In March 2015, the State Duma held a roundtable on the plight of non-citizens in Estonia and Latvia, during which non-citizens organizations requested Russian help. According to press reports, the MPs agreed to make a statement to the OSCE Parliamentary Assembly regarding the unacceptability of the violations of rights of non-citizens.

For now at least, the official rhetoric has been mostly "business as usual". Dolgov even had some cautiously positive words about the amendments to the Estonian Citizenship Act concerning non-citizens, tweeting about the proposed amendments in fall 2014: "If adopted, this would be an important palliative step, however delayed for 20 years, toward liquidating the institution of non-citizenship in Estonia. This is only the beginning of a

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- 29 President of Russia, *Joint meeting of Council for Interethnic Relations and Council for the Russian Language*, 19 May 2015, at: <http://en.kremlin.ru/events/councils/by-council/28/49491>.
- 30 Ministerstvo inostrannykh del Rossijskoi Federatsii [The Ministry of Foreign Affairs of the Russian Federation], *Vystuplenie Upolnomochennogo MID Rossii po voprosam prav cheloveka, demokratii i verkhovstva prava K.K. Dolgova na Regionalnoj konferentsii rossijskih sootchestvennikov Latvii, Litvy i Estonii, Riga, 13 sentyabrya 2014 goda* [Speech by Russian Foreign Ministry Commissioner for Human Rights, Democracy, and the rule of law K.K. Dolgova at the Regional Conference of Russian Compatriots in Latvia, Lithuania, and Estonia, Riga, 13 September 2014], 15 September 2014, at: http://archive.mid.ru//brp_4.nsf/newsline/0AD973C5C78C12B944257D5400382B03 (author's translation).
- 31 The Ministry of Foreign Affairs of the Russian Federation, *Sergey Lavrov's address at a meeting with members of the World Coordination Council of Russian Compatriots, Moscow, 28 May 2015*, 28 May 2015, at: http://archive.mid.ru//brp_4.nsf/0/D0EBAF7E4102908743257E54004A4F7B.

path to implement recommendations by international human rights institutions and dismantle the phenomenon of null citizenship disgraceful for Europe.”³²

In official statements, Russia often sticks to references to the recommendations of international institutions, as Foreign Minister Lavrov did following his meeting with Latvian Foreign Minister Edgars Rinkevics in January 2015. He stated that Russia insisted on compliance with the recommendations of the OSCE, the Council of Europe, and relevant UN committees concerning non-citizens: “Nothing more nor less”.³³ In principle, there is nothing inconsistent with such a statement and *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations*,³⁴ which encourage states to address their concerns for persons or situations within other states through international co-operation and full support of international human rights standards and mechanisms.

Understandably jittery, Estonian and Latvian officials have sought out stronger security guarantees from Western partners while downplaying possible risks linked to the integration situation. Estonian President Toomas Hendrik Ilves commented in January 2015 that a Russian incursion into Estonia was “fairly inconceivable”, stating that Russian speakers had strong incentives to remain in Estonia.³⁵ As political debates raged in Latvia over what the country’s response should be to the EU migration crisis, former Latvian President Vaira Vike-Freiberga warned: “If Latvia declares that it is not able to integrate other people in their country, we are too weak and unable, then it is the white flag saying that somebody has to come and arrange things here.”³⁶

The public annual reviews of both the Estonian and Latvian security services list Russia’s compatriot policy as one of the main national security threats, with some non-citizen advocates portrayed as closely connected to it. In Latvia, the leaders of the Non-Citizens Congress were named in the 2014 annual review of the Latvian security police as an instrument of Russian

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- 32 Baltic News Service, *Russia welcomes Estonia’s plan to simplify acquisition of citizenship*, 8 October 2014.
- 33 *Ministerstvo inostrannykh del Rossijskoi Federatsii [The Ministry of Foreign Affairs of the Russian Federation]*, *Russia’s Foreign Minister Sergey Lavrov addresses the media during a joint news conference with his Latvian counterpart Edgars Rinkevics summarising their talks. Moscow, 12 January 2015*, 12 January 2015, at: http://www.mid.ru/web/guest/maps/lv/-/asset_publisher/9RJVTExfWg7R/content/id/882287?p_p_id=101_INSTANCE_9RJVTExfWg7R&_101_INSTANCE_9RJVTExfWg7R_languageId=en_GB.
- 34 Cf. OSCE HCNM, *The Bolzano/Bozen Recommendations on National Minorities in Inter-State Relations & Explanatory Note*, June 2008, at: <http://www.osce.org/hcnm/33633>.
- 35 Quoted in: Dhara Ranasinghe, *How much should Russia’s neighbors fear Moscow?* CNBC, 23 January 2015, at: <http://www.cnbc.com/id/102363625>.
- 36 LSM.LV, Public Broadcasting of Latvia, *Former president decries “political circus” over refugees’ fate*, at: <http://www.lsm.lv/en/article/politics/former-president-decries-political-circus-over-refugees-fate.a140113>.

compatriot policy.³⁷ In early 2015, the organization's leader was reportedly barred from entering Estonia. However the security services also publicly downplay the risk that the instruments of compatriot policy will be effective in mobilizing people in large numbers. While the Latvian Security Police's 2014 annual report notes a continued increase in the role of Russian compatriot policy in Latvia in connection with the Ukraine crisis, it concludes: "Support to the activists of the Russian compatriot policy remains insignificant among the residents of Latvia, despite the intensive efforts to divide society."³⁸ The Estonian Internal Security Service (*Kaitsepolitseiamet*, KaPO) annual review for 2014 states that Russian "extremists" in Estonia are limited in number and that attempts to mobilize Estonia's ethnic Russians to support Russian activities in Ukraine were unsuccessful. The report states: "We do not have the manifestations of separatism that many foreign journalists came to look for in Estonia at the time of events in Ukraine. Now and then, websites appear in support of the idea of autonomy for Ida-Virumaa, predominantly the Russian-speaking county in north-eastern Estonia, but they lack any real content or support."³⁹

Of course it would be naive not to be watchful (as the authorities certainly are) for signals of a change in Russian posture, provocative or radical actions by local or outside groups or individuals, markedly more aggressive campaigns in the Russian media or on social networks, or other worrying developments. For the Estonian and Latvian authorities, it is more critical than ever to adhere to democratic and human rights principles while addressing suspected or potential security threats. Being too quick to brand any activism on behalf of non-citizens the work of Russian compatriot policy would send a negative message, as would a weak response to attempts to engage in divisive political rhetoric, fear-mongering, or hate speech aimed at non-citizens or minorities generally.

What Way Forward?

Even as the risks should not be exaggerated, it should not be denied that the issue of non-citizens remains a challenge both internally and externally for Estonia and Latvia. There are arguments that could be put forward for maintaining the status quo: Opportunities to access citizenship are available to those who want it, and the numbers of non-citizens will continue to go down, albeit slowly, regardless of measures taken. There is no serious internal political pressure to take up the non-citizens issue; issues related to non-citizens were little discussed in the most recent parliamentary elections in Estonia and

37 Cf. Drošības Policija Latvijas Republika [Security Police of the Republic of Latvia], *Security Police Annual Report 2014*, Riga, July 2015, available at: www.iem.gov.lv.

38 Ibid., p. 10.

39 Kaitsepolitseiamet [Internal Security Service], *Annual Review 2014*, p. 7, available at: [https://www.kapo.ee/sites/default/files/public/content_page/Annual Review 2014.pdf](https://www.kapo.ee/sites/default/files/public/content_page/Annual%20Review%202014.pdf).

Latvia. Changing Russia's visa policy is outside the control of the Estonian and Latvian authorities, making it difficult to overcome a major pragmatic consideration. But these should not be excuses for not taking more proactive measures to encourage non-citizens to become citizens and to facilitate their doing so. This should include not only addressing remaining practical and psychological obstacles to naturalization, but also promoting active citizenship in a broader sense.

This is not to say that these matters are not already on the agenda. Estonia's newest integration strategy features as its second sub-objective "The participation of less integrated permanent residents with a foreign background in society has increased through acquiring Estonian citizenship and through new social knowledge."⁴⁰ A number of measures are planned, including preparatory courses for naturalization exams and "flexible integration services". Latvia's *Guidelines on National Identity, Civil Society and Integration Policy (2012-2018)* name the reduction in the number of non-citizens as an important task for integration policy and envisage strengthening forms of participation and Latvian language skills among non-citizens. Such strategies and activities are important, but more robust approaches may be needed before any breakthroughs can be expected. This might include reconsidering the institutional approach to integration – which in the case of both countries is handled by relatively small departments within the respective ministry of culture – and the level of funding for integration activities.

Addressing obstacles related to state language knowledge should continue to be a priority, with an emphasis on expanding free or low cost language training opportunities. State-sponsored language learning opportunities may also reinforce perceptions of the state's commitment to promoting integration; persons belonging to national minorities surveyed by the Baltic Institute of Social Sciences in 2015 named Latvian language courses most often as an example of government-provided support for ethnic minorities.⁴¹ In Estonia, consideration could be given to changing the policy on language training to reduce or eliminate up-front costs rather than the current reimbursement system for naturalization applicants who successfully pass the exams.

Another important aspect is to involve non-citizens more in public life, recognizing their contributions to Estonian and Latvian societies and sending the message that they are wanted and needed as citizens, even if they do not choose to naturalize at the moment. In some ways non-citizens can be seen as "hidden patriots" – people who have made the choice not to take Russian or other citizenship or to leave the country. In the case of Latvia, an important step towards bringing non-citizens more into the fold of society and encouraging their participation would be to extend rights for non-citizens to vote in

40 Estonian Ministry of Culture, cited above (Note 9), p. 17.

41 Cf. Baltic Institute of Social Sciences, *Minority Participation in Democratic Processes in Latvia*, Riga 2015, p. 82.

local elections. This would not only fulfil a longstanding recommendation of international organizations but could help to win hearts and minds. The BISS report states, “Altogether Latvian non-citizens are quite united in their attitude and argumentation that non-citizens should be allocated rights to participate at the elections of local government.”⁴² Fears that this might bring radical elements into office might be overstated; in the October 2014 parliamentary elections, the Latvian Russian Union did not win enough votes to pass the five per cent threshold. In Estonia, lifting the restriction on political party membership for non-citizens, as recommended by the OSCE Office for Democratic Institutions and Human Rights (ODIHR), should be considered as a measure to encourage participation and send a message of inclusion.

Russian-language media is another critical aspect, not only in the information war over Ukraine but also as a tool to reach out to non-citizens. Efforts to expand locally and regionally produced Russian-language broadcasting offer new opportunities to do this. Discussions that began in spring 2014 about a joint Baltic Russian-language TV channel evolved into more modest plans by 2015 as Estonia and Latvia announced that they would co-operate on Russian-language media production. In 2014, the Latvian authorities expanded broadcasts of Russian-language Latvian public radio to eastern border areas, and the public broadcaster increased its programming in Russian, including with the addition of a weekly analytical programme and expansion of its Russian-language website. During her visit to Latvia in October 2014, the OSCE HCNM, Astrid Thors, praised these positive developments. Estonia’s public broadcaster launched its first Russian-language TV channel in September 2015.

While such efforts might be too little too late, they have the potential to help, and should be combined with other public information efforts to reach out to non-citizens. As noted by the Baltic Institute of Social Sciences, misinformation about the content of the naturalization exam, in particular the level of Latvian language knowledge required to pass, prevents some non-citizens in Latvia from pursuing naturalization, indicating that the level of awareness about naturalization procedures can be raised further. Svetlana Djackova of the Latvian Centre for Human Rights suggests that the increase in non-citizen parents registering their children as citizens demonstrates that there is interest among non-citizens in seeing their children become Latvian citizens and that more active efforts should be made to reach out to parents of children under 15 who have not yet received Latvian citizenship.⁴³

Russian-language media can also be used as a way to engage in a dialogue with non-citizens about their concerns and convey the message that they are valued as members of Estonian or Latvian society, as well as to en-

42 Baltic Institute of Social Sciences, cited above (Note 8), p. 74

43 Cf. Svetlana Djackova, *Statelessness among children in Latvia: current situation, challenges and possible solutions*, 29 September 2014, at: <http://www.statelessness.eu/blog/statelessness-among-children-latvia-current-situation-challenges-and-possible-solutions>.

courage their more active participation in public life. More creative efforts to reach non-citizens could make a difference in helping them to feel “wanted” and in turn stimulate interest in eventually obtaining citizenship. The need for positive messages should not be underestimated. A woman from Daugavpils told the Baltic Institute of Social Sciences interviewers: “In 1992, when it was necessary to vote, I voted for independent Latvia. In result it turned out that I am nobody.”⁴⁴

The Ukraine crisis has certainly prompted reflection in Estonia and Latvia about the state of integration and inspired rhetoric by politicians about the need to strengthen societal cohesion; however it remains to be seen how much this might translate into new measures to address the situation of non-citizens. In an environment where some political elements might seek to exploit minority issues, it is also important to avoid moves that send a negative message to non-citizens about their inclusion in society. Estonia’s Conservative People’s Party, which won seven parliamentary seats in the March 2015 election, has said that the party will try to promote legislation revoking the right of non-citizens to vote in local elections.

Sociologist Juhan Kivirähk suggests: “Twenty years after the Republic of Estonia was established in 1938, our country considered itself strong enough to waive the language requirement for naturalization of people who have lived in Estonia for over 10 years. Why couldn’t today’s Estonia offer citizenship to all 47,000 non-citizens who were born in Estonia?”⁴⁵ Such seemingly dramatic changes may not happen in the near future, but they could at least be discussed. Estonia’s minister of culture, Indrek Saar, has proposed having a dialogue about citizenship requirements, noting that the Estonian public is ready for such a discussion, even though his party’s coalition partners have downplayed the possibility of relaxing any requirements. Also positive is the expansion (with EU funding) of free basic- and intermediate-level Estonian language courses, which have so far proved popular. What look like small steps can help set a more constructive tone, such as Latvian President Raimonds Vējonis’s public encouragement to non-citizens who graduated schools with Latvian language of instruction before 1 October 2013 to acquire Latvian citizenship by registration before the 1 October 2015 deadline, as provided by a transitional provision in the Citizenship Law.

Conclusion

The term “hybrid warfare” has become fashionable, and reflections on vulnerabilities and readiness have become more topical. While one could argue that dealing with a complex combination of tactics and threats is nothing new for Estonia and Latvia, the approach to integration, including the question of

44 Baltic Institute of Social Sciences, cited above (Note 8), p. 45.

45 Kivirähk, cited above (Note 28).

non-citizens, needs to be multifaceted too. Using current events to invigorate the approach to non-citizens would not mean that previous efforts had failed, but would rather reflect that integration is an ongoing process requiring proactive policies and often demanding robust resources as well as brave political leadership. Estonia's and Latvia's international partners can help encourage this process, both in political messages and through targeted financial assistance, as another important aspect of strengthening security in the region.