



REPORT
ON THE PARLIAMENTARY ELECTIONS IN
ESTONIA
5 MARCH 1995

1. Conclusions

These were the second parliamentary elections since Estonia re-established her independence in September 1991.

The electoral law was passed 7 June 1994 and amended 14 December 1994. The citizenship law was passed 19 January 1995 and proclaimed as law by the President of the Republic 31 January.

The electoral law provides the citizens with good conditions for free and fair elections.

On all levels the electoral authorities implemented the law in a competent manner.

Only Estonian citizens have the right to put forward candidates, stand as a candidate and vote in parliamentary elections. A large number of persons who live permanently in Estonia do not have citizenship of any state. Most of these persons are of Russian origin.

Based on its findings the Delegation concludes that the elections were carried out in a free and fair manner. Estonia has established herself as a European parliamentary democracy.

The Delegation's statement on the elections which was unanimously approved was published on 6 March 1995. (Annex 1)

2. Delegation

The Delegation of the OSCE Parliamentary Assembly monitored the parliamentary elections in Estonia at the invitation of Riigikogu, Estonian Parliament. The Delegation was composed of the following parliamentarians:

Are NAESS	Norway, Head of Delegation
Vaclav CUNDLER	Czech Republic
Jan DECKER	Czech Republic
Jaromir KALUS	Czech Republic
Tomas STERBA	Czech Republic
Kurt ROSSMANITH	Germany
Velta PURINA	Latvia
Maris ZVAIGNE	Latvia
Aud GAUNDAL	Norway
Ionel ROMAN	Romania
Feric EMERIC	Romania
Andrey ZAHAROV	Russia
Michail VAKULENKO	Russia
Viktor DAVYDKIN	Russia
Irina ZUBKEVICH	Russia
Georgiy MANCHULENKO	Ukraine
Boris KOZHEVNIKOV	Ukraine

The Delegation was accompanied by

Pentti VÄÄNÄNEN, Deputy Secretary General of the Parliamentary Assembly,
Stig KJELDSEN from the Secretariat and
Marina SVIRINA, Advisor to the Russian Delegation.

3. Programme

The Programme (Annex 2) was prepared together with the Estonian Delegation to the OSCE Parliamentary Assembly. In the preparations the Parliamentary Assembly also cooperated with the OSCE Mission to Estonia and with the ODIHR.

Other international observers attended several meetings in the Delegation's programme.

4. Background

Estonia re-established her independence in September 1991 in connection with the events leading to the collapse of the former Soviet Union. Since then the country has gone through great changes. During the last 2 ½ years Riigikogu has passed 427 new laws. With this new legislation the foundations for an independent and democratic state have been laid.

There seems to be a wide consensus that economic reforms must be continued. Differences between the major political parties concern mainly details and the pace of the reforms and to what extent and how the state should take into account the negative side-effects of these reforms. There is also debate on such issues as citizenship, powers of the President of the Republic and also on some aspects of foreign policy.

In addition to the OSCE, Estonia has joined such international organizations as the United Nations and the Council of Europe. Estonia is about to conclude a free trade agreement with the European Union. The agreement does not include any transitional period. The idea of eventually joining the EU has wide support. Estonia has joined the Partnership for Peace and the possibility of membership of NATO is being debated.

Estonia has developed close relations with other Baltic and the Nordic countries.

There are some open questions concerning Estonia's relations with Russia. Estonia feels that the Tartu peace treaty from 1920 is still valid and they hope to reach an agreement on the borders from that basis. However, several leading politicians seem to agree that a compromise should be reached on this issue and that it is important for Estonia to build good relations with Russia.

The economy was the main issue in the elections. There has been economic growth in 1994. Although inflation has decreased it was still about 40 % in 1994.

The question of citizenship has created some tension between the majority of the population, which is of Estonian origin, and the mostly Russian minority. However, this tension is not on a level which could disturb the stability of the society. There are more than 500 000 persons of Russian origin living permanently in Estonia. There are also smaller numbers of Ukrainians, Belorussians and others. Great majority of these persons moved to Estonia during the Soviet occupation. Some 60 000 persons of Russian origin have taken Russian citizenship. Some 110 000 have received Estonian citizenship. Some 380 000 persons do not have citizenship of any state.

This unfortunate situation is partly due to the high requirements of Estonian citizenship law. It requires i.a. 6 years permanent residency in Estonia, knowledge on Estonian legislation and a fairly high knowledge of the Estonian language. No language tests are required of persons over 60 years of age. The language requirement is a problem for many persons.

The situation is also partly due to the fact that many Russian have not decided whether to apply for Estonian or Russian citizenship. It is very easy for them to obtain Russian citizenship if that is what they wish.

(The citizenship law and further information on this matter is available from the Secretariat.)

The Estonian authorities and representatives of the Russian population have cooperated positively with the OSCE in solving these matters. There is an OSCE Mission in Estonia and the High Commissioner on National Minorities has been involved.

There are 30 registered political parties in Estonia. 9 of them presented their candidates in these elections. The other 21 parties had joined 7 electoral unions. Therefore there were altogether 16 different lists in these elections. There were also some independent candidates.

5. Observations

5.1. Electoral law

5.1.1. Electoral committees

There are electoral committees on three levels:

1. National Electoral Committee
2. 17 Territorial Electoral Committees; 15 counties, City of Tallin and City of Tartu
3. 688 Polling District Committees

Decisions of the National Electoral Committee are binding on the Territorial and Polling District Committees. Complaints are dealt with by the courts.

The National Electoral Committee consists of 18 members appointed by the Riigikogu. Candidates to the Committee are put forward by county governors and mayors of Tallinn and Tartu.

Territorial Electoral Committees consist of up to 13 members. They are appointed by the county governor amongst the candidates put forward by municipal councils. In Tallinn and Tartu they are appointed by the mayors.

Polling District Committees consist of up to 9 members appointed by the municipal councils.

5.1.2. Candidates

Candidates to Riigikogu can be put forward by registered political parties, electoral unions or individual Estonian citizens.

Political parties can present their own lists or form electoral unions with other parties. Individual candidates can stand on their own list or join an electoral union.

5.1.3. System of counting votes and distribution of seats

Estonia is divided into 11 electoral regions. There are 101 seats in the Riigikogu. They are distributed amongst the electoral regions in accordance with the number of their registered voters.

The electoral system is based on proportional representation and the results are determined in three rounds of counting.

On a ballot the voter writes the registration number of one candidate. In the first round of counting a candidate who receives the same or more votes than the "simple quota" is considered elected. The simple quota is the number of valid ballots cast in the electoral region divided by the number of mandates allocated for that region.

In the second round of counting mandates are awarded to candidates on a list of a party or an electoral union which has received more than 5 % of vote nationally. On the list the candidates are ranked according to the number of their personal votes. However, a candidate who receives less than a fixed minimum amount of votes is considered ineligible.

In the third round of counting all mandates which are left over are distributed as compensation mandates to national lists. This distribution is done according to a modified d'Hondt system.

(The electoral law and more detailed information is available from the Secretariat.)

Estonian law provides the Estonian citizens with good conditions for free and fair elections. Citizens have adequate possibilities to participate in the electoral process; putting forward candidates, standing as candidates, and voting for parties and candidates of their choice. The counting system produces a parliament which appears to reflect the will of the electorate.

The procedures in polling stations are clear and easy to understand.

5.1.4. Register of voters

All Estonian citizens who have the right to vote are registered. On 15 February 1995 there were 795 334 registered voters. That included some 19 000 Estonians living abroad.

When the Delegates visited polling stations it appeared that there were a number of Estonian citizens who were not registered. However, this appeared not to be a problem since all those who could prove their citizenship with an Estonian passport were added on the register and they were able to vote. Their number seemed to be approximately 2-3 % of the voters. Those who only presented their old Soviet passport were not able to vote since that is not considered proof of citizenship.

The Delegation concludes that although all citizens seemed to be able to vote, the register of voters should be improved.

5.1.5. Voters' cards

A "voters' card" was mailed to all registered voters prior to the elections. This card was a useful piece of information of the fact that the person was registered. It also informed him/her about the elections and about the polling station where he/she could vote.

There were some complaints that all registered voters had not received such cards. It was not possible for the Delegation to verify such complaints.

The Delegation feels that these voters cards are most useful and the authorities should make sure that all registered voters receive them.

5.2. The media

The Estonian state owns a TV and radio station. In addition there are private TV and radio stations. The press is privately owned.

The Riigikogu has established rules for the state TV and radio in order to guarantee equal opportunities in the elections. All registered parties received an equal amount of time free. In addition it was possible for parties and candidates to buy additional time.

The private TV and radio channels as well as most newspapers have also decided about their own rules in order to guarantee equal opportunities.

The Delegation heard no complaints that the media would have been biased or influenced by the authorities.

The Delegation feels that the media was free and open and it was not restricted in its work.

5.3. Observations at polling stations

On 5 March the Delegation was divided into 3 groups which visited some 50 polling stations in different parts of the country; Tallinn, Tartu, Narva and several other places, including rural areas (Annex 3).

The Delegation feels that, in general, the polling stations functioned in a good manner. The officials appeared to implement the law in a competent manner. Good order was maintained, polling booths were safe and the ballot boxes were secure and well guarded.

However, the Delegates observed some minor irregularities and breaches of proper procedure:

In some cases there were two or more voters at the same time in the same booth. In most of these cases they seemed to be married couples or other members of the same family.

In a few cases voters filled in their ballots outside the booths.

In many cases the curtains of booths were not properly closed. In some cases there were no curtains at all. This could have compromised secrecy, in particular, where the polling stations were crowded.

In some cases the voter did not fold the ballot. This could also have compromised secrecy.

There were different seals on ballot boxes. Most seals were only stamped pieces of white paper. Such seals could easily have been opened and replaced. (The Delegation has no reason to suspect that this would have happened.)

There appeared to be different information at different polling stations regarding the possibilities for observers of Estonian political parties to be present.

The Delegation emphasizes that these irregularities were not frequent. They seemed not to have been intentionally made by any official and they did not have an effect on the results of the elections. The reason for these irregularities was most likely lack of experience and they can best be corrected in future by proper information.

5.4. Counting of votes

The Delegation only monitored the beginning of the counting of votes in polling stations.

Counting of votes was done in a reliable manner.


6. Recommendations

It is important that **(1) the problem of non-citizenship** be resolved. In this respect the OSCE must continue to keep its services available to the parties concerned. The authorities should promptly deal with all applications for citizenship. At the same time non-citizens should decide which citizenship they wish to choose.

The officials should continue to inform citizens on different issues concerning election procedures. It is important to emphasize **(2) the issue of secrecy**. In this respect the voters should be advised that **there must not be more than one person in a booth at the same time** and that **the ballots must be filled inside a booth**. **The booths should be designed in a manner that they are secure**. It might also be helpful to **pre-fold the ballot papers** to make it easier to guarantee secrecy. **The officials should be instructed to interfere and advise voters** if they see violations of proper procedures.

Some measures could also be considered to strengthen **(3) security**. There should be **a safe seal on all ballot boxes**. It would also be useful to allow observers of Estonian political parties to be present at all polling stations.

The quality of **(4) the register of voters** should be further improved to cover all citizens of Estonia. In this respect it is also important that the **citizens themselves are active** and promptly inform the authorities if they find out that they are excluded from the register.



Are Naess
Head of Delegation



Parliamentary Assembly of the Conference on Security and Cooperation in Europe

OSCE PARLIAMENTARY ASSEMBLY

PRESS RELEASE 6.3. 1995

Parliamentary elections in Estonia

A delegation of the OSCE Parliamentary Assembly monitored the elections in Estonia on 5 March 1995 at the invitation of Riigikogu, the Estonian parliament. The delegation, which was led by Mr. Are Naess, Member of the Norwegian parliament, included 17 parliamentarians from 7 countries: Czech Republic, Germany, Latvia, Norway, Romania, Russia and Ukraine.

On 3 and 4 March the delegation met with the OSCE Mission to Estonia, officials who are responsible for organizing the elections, representatives of major political parties and the media. On 5 March members of the delegation visited some 50 polling stations in different parts of Estonia.

The delegation concludes that Estonian law provides the citizens with good conditions for free and fair elections. Citizens have adequate opportunity to participate in the political process. There are no restrictions for political parties or candidates in campaigning. The media is working in a free and responsible manner. On all levels the electoral authorities seemed to work in accordance with the law.

Based on its findings the delegation concludes that the elections were carried out in a free and fair manner.

The delegation is aware that a substantial number of persons living permanently in Estonia do not have citizenship of any state and hopes that this situation will be satisfactorily resolved. The services of the OSCE are available in this matter.

The delegation will give its report to the Standing Committee of the OSCE Parliamentary Assembly at its meeting 21 April in Copenhagen.

Further information can be obtained from Mr. Pentti Väänänen, Deputy Secretary General of the OSCE Parliamentary Assembly. Rådhusstræde 1, 1466-Copenhagen K, Tel. (+45) 33329400, Fax (+45) 33325505

**PROGRAMME FOR
ELECTION MONITORING IN ESTONIA
2-6 MARCH, 1995**

Thursday, 2 March 1995

21.30 Meeting of the delegation

Friday, 3 March 1995

09:00 Greeting by head of the Estonian Delegation to the OSCE Parliamentary Assembly, Mr. Vello Saatpalu

09:30 Briefing by the OSCE Mission to Estonia, Mr. Richard Samuel and Mr. Jens Erik Grøndahl Larsen

10:50 Meeting with representatives of the Constitutional Law Committee, Mr. Mart Nutt and Mr. Tiit Käben and representative of the Law Committee, Mr. Daimar Liiv

11:30 Meeting with the Chairman and Secretary of the Central Electoral Commission, Mr. Avo Blankin and Mr. Taavi Torgo

12:40 Meeting with representatives of the media, Mr. Peeter Sookruus (Radio), Mrs. Katrin Sax (TV) and Mrs. Mai Vöörmann (Newspaper)

13:20 Lunch given by Riigikogu

15:00 Meeting with representatives of the electoral union "Fatherland and Estonia National Independence Party", Mr. Tiit Arge and Mrs. Mari-Ann Kelam

16:00 Meeting with representatives of the electoral union "Moderates", Mr. Eiki Nestor and Mr. Vello Saatpalu

17:00 Meeting with representative of the Republican and Conservative People's Party, Mr. Reim Helme

19:30 Dinner given by the Estonian Delegation to the OSCE Parliamentary Assembly

Saturday, 4 March 1995

10:00 Meeting with representative of the Estonian Centre Party, Mr. Rein Veidemann

11:00 Meeting with representatives of the electoral union "Estonian Coalition Party and Estonian Rural Party", Mr. Vahur Glaase and Mr. Eino Tamm

- 12:00 Meeting with representatives of the Estonian Reform Party, Mr. Paul-Eerik Rummo and Mrs. Valve Kirsipuu
- 15:00 Meeting with representatives of the electoral union "My home is Estonia" representing the Russian Population, Mr. Sergei Kuznetsov, Mr. Viktor Andreyev and Mr. Andrei Zõbin
- 16:00 Meeting with representative of the Estonian Blue Party, Mr. Jaan Laas
- 17:15 Meeting of all international observers

Sunday, 5 March 1995

- 08:30 Visits to polling stations
- Group 1: Rakvere, Kohtla-Järve, Sillamäe, Narva
- Group 2: Paide, Tartu
- Group 3: Tallinn and surroundings

Monday, 6 March 1995

- 08:00 Meeting of the delegation
- 10:00 Meeting of all international observers
- 12:00 Press Conference