



Office for Democratic Institutions and Human Rights

ESTONIA

PARLIAMENTARY ELECTIONS

3 March 2019

ODIHR NEEDS ASSESSMENT MISSION REPORT

13-15 November 2018



Warsaw
16 January 2019

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ODIHR Needs Assessment Mission Report

I. INTRODUCTION

In accordance with its mandate and in anticipation of an official invitation to observe the 3 March 2019 parliamentary elections in Estonia, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 13 to 15 November 2018. The NAM included Steven Martin, ODIHR Senior Adviser on New Voting Technologies, and Ulvi Akhundlu, ODIHR Election Adviser.

The purpose of the mission was to assess the pre-election environment and preparations for the parliamentary elections. Based on this assessment, the NAM should recommend whether to deploy an ODIHR election-related activity for the forthcoming elections and, if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions as well as with representatives of political parties, the media and civil society. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs for its assistance and co-operation in organizing the NAM. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and for sharing their views.

II. EXECUTIVE SUMMARY

On 2 December, the President of Estonia called parliamentary elections for 3 March 2019. Voters will elect 101 members of parliament by proportional representation from 12 multi-member constituencies. To be eligible for seat allocation, a party must obtain at least five per cent of valid votes nationwide.

The legal framework has not changed substantially since the last parliamentary elections, but was since amended on several occasions to facilitate structural changes within the election administration and to further detail provisions on Internet voting. Although most ODIHR NAM interlocutors expressed overall satisfaction with the election legislation, prior ODIHR recommendations related to the disenfranchisement of citizens imprisoned for criminal offences, the prohibition of outdoor political advertisement, lacunas in party and campaign finance regulations, and limitations on the participation of national minorities remain unaddressed.

Following an administrative reform in 2017, elections are managed by two structures: the National Election Committee and three levels of election offices, headed by the State Electoral Office (SEO). Election preparations are already underway, including logistical arrangements, training, and voter education, including on proper cyber-hygiene practices. Apart from casting ballots in polling stations, voting mechanisms include advance, Internet, and out-of-country voting. All ODIHR NAM expressed full trust in the election administration's ability to oversee and organize the elections professionally and transparently.

Citizens over 18 years of age are entitled to vote. Voter registration is passive and voter information is extracted from the Population Register maintained by the Ministry of Interior. ODIHR NAM interlocutors did not raise any concern over the voter registration process and positively assessed the voter registration system.

All voters have the possibility to vote remotely via the Internet during early voting. ODIHR NAM interlocutors noted high levels of confidence in the Internet voting system and in the technical capacity and extent of coordination of different authorities led by the SEO. However, some also stressed that while all critical procedures appeared to be in place, some aspects of the process could benefit from a more formal approach as well as enhanced efforts to develop institutional knowledge and make available documentation on implementation.

Candidates may stand through nomination by a registered political party or independently. Overall, women remain underrepresented on party lists, especially in winnable positions. While party representatives informed the ODIHR NAM that they encourage women candidates, no quotas are used on party lists to ensure women's participation.

The electoral campaign commences 45 days before and ends one day prior to election day. Regulation of campaign activities is limited, except for an explicit ban on outdoors political advertisement during the official campaign period. Many ODIHR NAM party representatives emphasized the importance of preventing and responding to possible foreign interference in the campaign and noted concerns with potential cyber threats to their electronic infrastructure.

The legislation does not limit donations to parties and candidates or campaign expenditures. All electoral contestants are required to submit campaign finance reports to the Political Parties Financing Surveillance Committee. ODIHR NAM interlocutors emphasized the lack of reporting requirements on advertising on the Internet, including in social media. While ODIHR NAM stakeholders considered the Committee impartial, they noted its limited effectiveness given its narrow oversight and ability to follow up on potential campaign finance violations.

The media environment is pluralistic and a variety of public and private television channels and radio stations, as well as range of newspapers offers diverse views. Internet-based news services and social media are growing in popularity, and will serve as important channels of information in the upcoming campaign. Some ODIHR NAM interlocutors raised concerns that this trend may facilitate the spread of misinformation. Overall, party representatives that the ODIHR NAM met with expressed no specific concerns with media access or campaign coverage and stressed the important role played by media with fact checking to hold parties accountable.

Despite initiatives to simplify naturalization, some 77,000 persons remain with undetermined citizenship, most of them of voting age and belonging to national minorities. Such individuals do not have the right to join a political party, to vote or stand as candidates in parliamentary elections, but otherwise enjoy full economic and social rights and protections. While many ODIHR NAM interlocutors noted positive trends with the integration of national minorities, minority representation in the public sector remains low, and politicians sometimes question the allegiance of political actors and activists from minority communities towards the state.

Interlocutors welcomed a potential ODIHR activity for the upcoming elections, underlining the value of an external review, but generally held the opinion that it was unnecessary. The ODIHR NAM noted full stakeholder confidence in the integrity of the electoral process and the professionalism and impartiality of the election administration. There is a high degree of

political pluralism and a diverse media landscape. No concerns were expressed by contestants with respect to their treatment by the authorities or access to the media. Considering the significance attributed by interlocutors to Internet voting, as well as the recent amendments introduced to regulate this method of voting, the ODIHR NAM sees benefit in undertaking a more in-depth assessment of Internet voting, accompanying legal provisions and their implementation, as well as the impact of recent changes of the overall structure of the election administration. In addition, the participation of national minorities in the electoral process may benefit from further scrutiny.

On this basis, the ODIHR NAM recommends deploying an Election Expert Team (EET) for the 3 March 2019 parliamentary elections, subject to the availability of resources, to follow the work of the revised structure of election administration, the implementation of Internet voting, and participation of national minorities in the electoral process. ODIHR also encourages the authorities to consider previous recommendations pertaining to the conduct and financing of electoral campaigns, many of which remain unaddressed.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

Estonia is a parliamentary republic with legislative powers vested in the 101-member parliament (*Riigikogu*). Executive power is exercised by the government, led by the prime minister. The president is elected by parliament for a five-year term and holds limited functions. On 2 December, the President of Estonia called parliamentary elections for 3 March 2019.¹

Following the last parliamentary elections in 2015, six parties gained representation in the parliament.² Having obtained the largest number of seats, the Reform Party initially formed a coalition government with the Social Democratic Party (SDP) and the Pro Patria and Res Publica Union (*Isamaa*). In November 2016, the minor coalition partners supported a motion of no-confidence in the prime minister's government. Subsequently, the Centre Party, the SDP and *Isamaa* formed a new coalition government led by the Centre Party. The current political context is characterized by an increasing fragmentation of the party system and an emergence of new anti-establishment parties.

ODIHR has observed four elections in Estonia since 1999.³ For the 2015 parliamentary elections, ODIHR deployed an Election Expert Team, which specifically assessed Internet voting, party and campaign finance, and the participation of national minorities.

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

Parliamentary elections are primarily regulated by the 1992 Constitution, the 2002 *Riigikogu* Election Act (amended in 2017), 1994 Political Parties Law Act (amended in 2015), 2010 Media Services Act (amended in 2015), and 2007 National Broadcasting Act (amended in 2014).⁴

¹ ODIHR received an invitation to observe these elections on 11 December 2018.

² The Estonian Reform Party (30 seats), the Estonian Centre Party (27), the Social Democratic Party (15), the Pro Patria and Res Publica Union (14), the Free Party (8), the New Conservative People's Party (7).

³ See [previous ODIHR election-related reports on Estonia](#).

⁴ Other applicable laws include the Constitutional Review Court Procedure Act, Penal Code and Code of Misdemeanour Procedure.

These are supplemented by resolutions and decrees of the National Electoral Committee (NEC). Estonia is party to major international and regional instruments related to the holding of democratic elections.⁵

The legal framework has not changed substantially since the last parliamentary elections, but was since amended on several occasions. In particular, the Election Act was amended to facilitate structural changes within the election administration and to further detail provisions pertaining to Internet voting. Although most ODIHR NAM interlocutors expressed overall satisfaction with the election legislation, prior ODIHR recommendations related to the disenfranchisement of citizens imprisoned for criminal offences, the prohibition of outdoor political advertisement, lacunas in party and campaign finance regulations, and limitations on the participation of national minorities in parliamentary elections remain unaddressed. The ODIHR NAM was informed of several legislative proposals and recommendations submitted by various government agencies and the Chancellor of Justice, which had not yet been fully considered by parliament.

Members of parliament are elected through a proportional open list system for four-year terms from 12 multi-member constituencies. To be eligible for seat allocation, a party must obtain at least five per cent of valid votes nationwide. The number of mandates per constituency is allocated by the NEC in proportion to the number of voters based on data provided by the Estonian Population Register. Some ODIHR NAM interlocutors noted possible issues regarding the accuracy of residency data related to students, internal migrants and Estonians living abroad, which may affect the number of mandates per constituency as well as the number of votes needed to elect candidates from different constituencies.

C. ELECTION ADMINISTRATION

Following an administrative reform in 2017, elections are managed by two structures: the NEC and three levels of election offices, headed by the State Electoral Office (SEO).⁶ The NEC is an autonomous institution responsible for overall electoral management, including issuing decisions and instructions to supplement the legal framework, candidate registration, the consideration of complaints and appeals, and the validation of election results.⁷ The NEC is led by a chairperson and a deputy, and supported by five members, all appointed for a four-year term. There are three women in the NEC's current composition.

The responsibility for operational preparations and the conduct of the elections is led by the SEO, and supported by 79 local electoral officials (LEOs) and some 550 voting district committees (VDCs). The SEO, established in 2017, has a wide range of responsibilities, including the organization of Internet Voting and supervision of the electoral officials. The head and deputy of the SEO are appointed by the Secretary General of the parliament based on a

⁵ Including the 1966 International Covenant on Civil and Political Rights, 1979 Convention for Elimination of All Forms of Discrimination against Women, 1965 International Convention on the Elimination of All Forms of Racial Discrimination, 2006 Convention on the Rights of Persons with Disabilities. Estonia has also ratified the 2001 Council of Europe Convention on Cybercrime.

⁶ Following the administrative reform, the middle level of election administration – 17 County and City Electoral Committees – has been abolished.

⁷ Members are appointed by the Chief Justice of the Supreme Court (two members), and one each from the Chancellor of Justice, the Auditor General, the Chief Public Prosecutor, the Secretaries of the Parliament Chancellery and of the State Chancellery.

proposal from the NEC. Other SEO officials are appointed in the same manner upon proposal by the Head of the SEO. Five of 11 SEO members are women.

The functions of LEOs during the parliamentary elections are performed by the secretaries of the city and rural municipalities.⁸ LEOs administer the elections at the municipal or city level, provide guidance to VDCs and decide on the costs of elections and remuneration of the members at the VDC level.

VDCs administer the elections at polling stations and include at least five members. The chairperson and half of the members are nominated by rural municipalities or city secretaries and the rest by parties taking part in the elections.⁹ A deputy chairperson is elected by VDCs from among its members. The law requires that members of the committee be proficient in Estonian and that the “principle of political balance” is observed during committee formation. ODIHR NAM interlocutors expressed full confidence in the impartiality and professionalism of the election administration at all levels.

The SEO informed the ODIHR NAM that election preparations were already underway, including logistical arrangements, training, and voter education, as well as on good cyber-hygiene practices in co-operation with other authorities. A range of efforts facilitate voting for persons with disabilities (mobile/Internet voting), although it was noted that not all polling stations may be fully accessible. The SEO website offers comprehensive information on the entire electoral process in Estonian, as well as limited information in Russian. Given the potential use and impact of misinformation in the elections, the SEO is monitoring online media in cooperation with other authorities and private companies such as *Facebook* and *Google*.

D. VOTER REGISTRATION

All citizens at least 18 years of age by election day are eligible to vote. Individuals who have been deprived of their legal capacity by a court decision and prisoners who have been convicted of any criminal offense are deprived of the right to vote.

Voter registration is passive and managed through a centralized electronic voter registry based on the Population Register, maintained by the Ministry of Interior. Voters are included in the register based on their registration in a given municipality 30 days prior to election day. Later changes are not accepted and voters changing their residence should vote in their previous municipality. After election day, if justified, contestants have the right to examine the voter register. As of November 2018, some 900,000 voters were registered. No later than 20 days before election day, the Ministry of Interior issues a voting card to each voter, which are also available in an electronic format. A voter who has not received their voting card by the fifteenth day before election day or whose card contains mistakes may request corrections that have to be addressed within three working days. ODIHR NAM interlocutors did not raise concern over the voter registration process and positively assessed the voter registration system.

⁸ Following the administrative reform, there is a total of 79 municipalities, -14 urban and 65 rural.

⁹ Each party contesting the elections can nominate one member.

E. CANDIDATE REGISTRATION

Citizens at least 21 years of age who have the right to vote are eligible to stand as candidates either through nomination by a registered political party or independently.¹⁰ Candidate nomination begins on the next working day after the NEC's decision on mandate distribution and ends 45 days prior to election day.

Each party can nominate up to two more candidates per constituency list compared to the number of seats.¹¹ Candidates can stand in only one constituency. Every candidate is required to pay a deposit equalling a minimum monthly salary (EUR 500 in 2018).¹² ODIHR NAM stakeholders did not raise concern with the registration process and considered it inclusive.

Overall, women remain underrepresented on party lists, especially in winnable positions.¹³ While party representatives informed the ODIHR NAM that they fully encourage women candidates, no quotas are used on party lists to ensure women's participation.

F. INTERNET VOTING

Internet voting in Estonia has been used since 2005 and its use has steadily increased, accounting for some 30 per cent of voting in the last parliamentary elections. Internet voting is one of many digital services with a digital identity (ID card, and mobile and digital tokens). Despite potential security vulnerabilities identified with digital ID cards in 2017, ODIHR NAM interlocutors noted the swift response by the authorities to implement a solution and the continued trust in the use of e-services, including Internet voting.

The legal framework for Internet voting comprises the Election Law and several other laws and decisions of the NEC.¹⁴ In 2017, the Internet voting system underwent considerable structural and managerial modifications. The process for the voter remains the same as in the previous elections. Voters can cast multiple online ballots during Internet voting (21-27 February) or cancel it by casting a paper ballot during early voting; only the last vote is counted.¹⁵ The process is comparable to the 'double envelope' system used in postal voting. The voter is identified and authenticated through their digital identity and able to vote after downloading an application. The completed electronic ballot contains no information about the voter and is sealed (encrypted) in an electronic 'inner envelope'. This envelope is then sealed in an 'outer envelope', which contains information about the voter (digital signature).

Encrypted and signed votes are transferred and stored in an electronic vote collection process. The management of this component is now outsourced by the NEC owing to enhanced integrity and audit components. This change represents a shift in the role of the election administration from one of direct and technical towards more process management. After voter eligibility is confirmed, the outer envelope is opened electronically (digital signature removed) and the ballot

¹⁰ Persons with a conditional sentence are allowed to stand as candidates.

¹¹ The maximum number of candidates to be filed by a party throughout the country is 125.

¹² Deposits are returned if candidates are elected or receive at least half of the simple quota in the constituency or to a party that reaches the five per cent threshold.

¹³ Of 872 candidates in the 2015 parliamentary elections, 236 were women, and 24 were elected.

¹⁴ Other relevant laws include acts on digital signatures, personal data protection, and public information.

¹⁵ A nationwide Internet voting test was undertaken from 17 to 20 December.

is sorted and deposited in the electronic ballot box. Subsequently, encrypted votes are decrypted and counted through a multi-stage process.

Since 2015, voters have been able to confirm their online votes were cast and recorded correctly, referred to as individual verifiability. This is accomplished via a separate smart device that reads a QR code upon voting and temporarily displays the voter's choice. Since 2017, the authorities have introduced universal verifiability through mathematical checks of the process, including vote decryption and results tabulation, by an appointed data auditor. Together with individual verifiability, the authorities stated the possibility for end-to-end verification of the Internet voting system, which would address a previous ODIHR recommendation. While this adds an important layer of integrity, many ODIHR NAM stakeholders were unaware of this innovation.

Amendments that restructured the election administration also eliminated the Electronic Voting Committee, a body previously responsible to prepare and oversee Internet voting. Responsibilities that were not outsourced were transferred to an e-voting unit in the SEO. ODIHR NAM interlocutors noted that while this returned authority of Internet voting under the NEC, a lack of formal oversight on some aspects of operations may lessen accountability. The SEO publishes an array of information and instructions on Internet voting in Estonian, with some available in Russian and English, as well as the source code except for sensitive aspects that are reportedly independently audited.

Overall, ODIHR NAM interlocutors noted high levels of confidence in the structural aspects of Internet voting and in the technical capacity of the authorities led by the SEO. However, some also stressed that while critical procedures appeared to be in place, some aspects of the process could benefit from a more formal approach as well as enhanced efforts to develop institutional knowledge and make available documentation on implementation.

Authorities noted that cybersecurity threats were addressed through a range of initiatives. In 2017, a more comprehensive risk assessment was introduced recognizing the range of threats to the Internet voting platform. In addition, the SEO will convene a taskforce that assembles representatives from various authorities and service providers to facilitate information exchange and possible incident management.¹⁶ The authorities noted a range of initiatives to promote good cyber-hygiene practices for voters as well as tools and trainings for parties and candidates.

G. ELECTION CAMPAIGN

The campaign commences 45 days before and ends one day before election day. Regulation of campaign activities is limited, except for an explicit ban on outdoors political advertisement during the official campaign period.¹⁷ Many ODIHR NAM interlocutors opined that contestants may circumvent this ban by erecting billboards as part of their campaign for the European Parliament (EP) elections in May 2019.¹⁸

Parties intend to centre campaign efforts around direct meetings with voters, leafleting and advertisements in print and broadcast media. In addition, they expect to rely heavily on online

¹⁶ This includes representation from the Estonian Information System Authority (RIA), including its Incident Response Department (CERT-EE).

¹⁷ In addition to billboards, the prohibition applies to materials on buildings, on public transport or taxis, although it is silent on campaign materials on private vehicles.

¹⁸ Outdoor political advertising is permitted during the EP election campaign.

media and platforms, including by targeting voters through social networks, such as *Facebook*, *Twitter* and *Instagram*. Many ODIHR NAM interlocutors opined that the campaign will centre on the economy, social welfare, migration, education, and foreign policy. Some ODIHR NAM interlocutors alleged that a misuse of administrative resources may occur in isolated instances, with reference to the use of local media by some municipal authorities.

Parties representatives that the ODIHR NAM met with noted their ability to campaign freely and convey their messages to the electorate. However, some ODIHR NAM political party interlocutors emphasized the importance of preventing and responding to possible foreign interference in the campaign and noted concerns with potential cyber threats to their electronic infrastructure. Several interlocutors raised concerns over potential foreign misinformation campaigns aimed to amplify campaign rhetoric.

H. CAMPAIGN FINANCE

The Political Parties Act regulates campaign finance, including public funding, sources of income and reporting requirements. The legal framework for party and campaign financing has not been amended since the last parliamentary elections and a number of previous ODIHR recommendations on campaign finance issues remain unaddressed.

State funding represents the primary source of party funding. Parliamentary parties as well as any party that obtained at least one per cent of votes in the last elections are eligible to receive state support.¹⁹ Some ODIHR NAM party interlocutors opined that the percentage allocated to non-parliamentary parties was insufficient. There is no limit on contributions to parties or candidates, or on party or candidate campaign expenditures. Donations from anonymous and national and foreign legal entities are prohibited. Cash donations are to be immediately registered and prohibited donations must be returned. In case a donation cannot be returned, the same amount has to be transferred to the state budget. Parties can take out loans only with a credit institution; non-repayment of a loan is considered an impermissible donation.

The financing of parties and campaigns is overseen by the Political Parties Financing Surveillance Committee (PPFSC). The Committee consists of part-time members, appointed for a renewable five-year term by parliamentary parties, and representatives of the Chancellor of Justice, the Auditor General and the NEC. ODIHR NAM interlocutors noted that various recommendations had been previously proposed by different institutions to enhance the campaign finance framework, but that they have not been formally considered by lawmakers.

Parties submit quarterly donation reports to the PPFSC and annual fiscal reports on income and expenditures.²⁰ Separate reports on campaign expenses are required from parties and independent candidates within 30 days of the elections and are made available on the PPFSC website. Third-party reporting on expenditures is not required. In particular, a number of ODIHR NAM interlocutors emphasized the lack of reporting requirements on Internet and

¹⁹ Parliament allocated some EUR 5.4 million to parties in 2018. Non-parliamentary parties with at least one or four per cent of votes at the last parliamentary elections are entitled to EUR 9,587 and EUR 15,978 yearly, respectively. The rest is divided among parliamentary parties in proportion to the number of seats held.

²⁰ Donation reports must contain names of donors and contribution amounts, including in-kind donations as well as the names of party members and their membership dues. Party expenses must be reported in specified categories, such as advertising, public relations, and publications, and audited by an accredited auditor prior to submission.

social media advertising, which could total substantial undisclosed amounts. While ODIHR NAM stakeholders considered the PPFSC impartial, they noted its limited effectiveness given its narrow oversight and ability to follow up on potential campaign finance violations.

I. MEDIA

Estonia's media environment is pluralistic and offers a diverse range of views. The broadcasting sector consists of about 90 businesses, and television is considered the primary source of political information, followed by Internet, radio and print media. Internet-based news services and social media are rapidly growing in popularity and some ODIHR NAM interlocutors raised concerns that this trend may facilitate the spread of misinformation.

The national broadcaster (ERR) comprises *Eesti Television* and *Eesti Radio* and is regulated by the National Broadcasting Act, which establishes a Broadcasting Council to oversee the ERR. The Broadcasting Council consists of members appointed by the parliament – each faction is represented by one council member and four other members are media experts. The National Broadcasting Act specifies that ERR programming is to be politically balanced, in particular during the official campaign period. The Broadcasting Council together with the Ombudsman of the ERR consider complaints on the activities of the public broadcaster, which in previous elections were infrequent. Disputes over media coverage by private outlets are addressed to the Press Council, a consultative body comprised of the chief editors of the major media outlets.

Freedom of expression is enshrined in the Constitution and generally respected. The coverage of campaigns in broadcast media is primarily regulated by the Media Services Act and the Public Broadcasting Act. Rules for covering elections by the ERR are approved by the Broadcasting Council and published after the elections are called. Political advertising on the ERR is prohibited and there are no provisions for free airtime for electoral contestants; these rules are to ensure the public broadcaster's editorial independence. The ERR is planning a number of thematic debates among parties contesting the elections as well as for party leaders, all of which will be repeated with Russian-language subtitles on the second channel of the ERR. The ERR plans to conduct interviews with candidates and upload them on its web platform.

Private media and a broad range of radio stations are largely regarding election and campaign coverage. A number of private media outlets, including television and radio stations, as well as online media, are also planning to organize debates among parties throughout the campaign. Overall, party representatives that the ODIHR NAM met with expressed no specific concerns with media access or campaign coverage and stressed the important role played by media with fact checking to hold parties accountable.

J. CITIZEN AND INTERNATIONAL OBSERVERS

The Election Act provides for full access of citizen and international observers throughout the electoral process. A coalition of civil society organizations – the Election Guards – are planning to assess specific aspects of the elections such as campaign finance and the campaign and have launched a code of good practice for campaigning, which has been signed by parliamentary and non-parliamentary parties. Some parties are also planning to deploy their agents to polling stations on election day. During the last local elections in 2017, several civil society organizations following voting at polling stations and reported some issues related to vote secrecy and the organization of voting.

K. NATIONAL MINORITIES

According to the 2011 Population and Housing Census, 180 ethnicities are represented in Estonia, with ethnic Estonians representing some 70 per cent of the population. The largest national minorities are Russians (25 per cent), Ukrainians (1.7 per cent) and Belarusians (1 per cent). Many ODIHR NAM interlocutors noted positive trends with the integration of national minorities. However, the representation of national minorities in the public sector remains low, and mainstream politicians sometimes question the allegiance of political actors and activists from minority communities towards the state. Parties highlighted to the ODIHR NAM various efforts to reach out to Russian-speaking voters, including campaign information in Russian and tailored campaign messages in areas predominantly populated by Russian-speaking minorities. Several parties have called on their opponents to avoid using divisive rhetoric concerning minority issues in the campaign.

Campaigning is permissible in foreign languages. However; the Language Act requires that if a foreign language is used in outdoor advertisements, the same text should be included in Estonian and should be no less visible than the other language. The Language Inspectorate oversees compliance with language laws and follows up complaints on possible violations, although in an electoral context this was not considered an issue.

According to the Ministry of Interior, as of 1 January 2018, there are some 77,000 residents with undetermined citizenship (some six per cent of all residents), most of voting age and belonging to national minorities.²¹ While non-citizens have the possibility to be naturalized, many lack incentives to do so or face difficulties passing naturalization exams.²² These persons do not have the right to vote or stand as candidates in parliamentary elections, but have the right to vote in local elections and enjoy full economic and social rights and protections. While they could participate in party activities and donate to parties or candidates, they lack the right to join a political party.

IV. CONCLUSIONS AND RECOMMENDATIONS

Interlocutors welcomed a potential ODIHR activity for the upcoming elections, underlining the value of an external review, but generally held the opinion that it was unnecessary. The ODIHR NAM noted full stakeholder confidence in the integrity of the electoral process and the professionalism and impartiality of the election administration. There is a high degree of political pluralism and a diverse media landscape. No concerns were expressed by contestants with respect to their treatment by the authorities or access to the media. Considering the significance attributed by interlocutors to Internet voting, as well as the recent amendments introduced to regulate this method of voting, the ODIHR NAM sees benefit in undertaking a more in-depth assessment of Internet voting, accompanying legal provisions and their implementation, as well as the impact of recent changes of the overall structure of the election

²¹ After the restoration of Estonian independence in 1991, citizenship was granted automatically to holders of Estonian citizenship prior to 16 June 1940 and their descendants. Long-term residents of Estonia and their descendants who did not receive Estonian citizenship automatically, obtain another citizenship, or naturalize as Estonian citizens, are referred to as persons of undetermined citizenship.

²² The naturalization rate stands at about 1,700 people per year. As of 2016, children born to non-citizens and children under 15 with non-citizen status receive Estonian citizenship by naturalization automatically, unless their parent(s) refuse within one year.

administration. In addition, the participation of national minorities in the electoral process may benefit from further scrutiny.

On this basis, the ODIHR NAM recommends deploying an Election Expert Team (EET) for the 3 March 2019 parliamentary elections, subject to the availability of resources, to follow the work of the revised structure of election administration, the implementation of Internet voting, and participation of national minorities in the electoral process. ODIHR also encourages the authorities to consider previous recommendations pertaining to the conduct and financing of electoral campaigns, many of which remain unaddressed.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Karmen Laus, Director, Division of International Organizations

Chancellor of Justice

Olari Koppel, Deputy Chancellor of Justice, Director of the Office

Kertti Pivlik, Head of International Relations and Organizational Development

Ministry of Interior

Veiko Kommusaar, Head of Public Order and Criminal Policy Department

Mairis Kungla, Deputy Head of Population Facts Department

Information System Authority

Tonu Tammer, Head of CERT-EE

Uku Särekanno, Director for Cyber Security

Lauri Tankler, Lead Analyst

Piret Urb, Head of International Relations

State Electoral Office

Priit Vinkel, Head

Arne Koitmäe, Deputy Head

Tarvi Martens, Head of Internet Voting

National Language Inspectorate

Ilmar Tomusk, Director General

Political Parties Financing Surveillance Committee

Liisa Oviir, Chairperson

Kaarel Tarand, Vice-Chairperson

Political Parties

Martin Helme, Member of Parliament, Conservative People's Party

Viktoria Ladonskaja-Kubits, Member of Parliament, Isamaa

Dmitri Dmitrijev, Member of Parliament, Centre Party

Andres HERKEL, Member of Parliament, Free Party

Kristina Kallas, Chairperson, Eesti200

Estonian Public Broadcasting

Peep Kala, Head of Current Affairs

Riina Rõõmus, Member of the Board

Tarmu Tammek, Ombudsman

Private media

Holger Roonemaa, Head of newsroom, Postimees

Civil Society and Academia

Kai Klandorf, Executive Director, Network of Estonian Non-profit Organizations

Vadim Poleshchuk, Legal advisor, Legal Information Centre on Human Rights

Carina Paju, Development Coordinator, Transparency International

Eha Reitelmann, Estonian Association of Women Organizations
Mare Abner, Chairperson, Estonian Association of Disabled Women
Asso Prii, Attorney, Suprema
Robert Krimmer, Professor of e-governance, Tallinn University of Technology
Aleksandrs Cepilovs, Project Manager, Tallinn University of Technology