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# Parliamentary Assistance for Estonia

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by Tõnu Onu

*Canada recognized the need to provide assistance to the whole of Eastern Europe when it created a Task Force on Eastern and Central Europe (now the Bureau for Assistance for Central and Eastern Europe) within the Department of External Affairs. The Parliament of Canada also made a significant effort to increase knowledge about parliamentary democracy in these countries by organizing seminars on how the Canadian government and Parliament function. The Senate and House of Commons have received delegations from the parliaments of several East European countries for varying lengths of time with a view to giving their parliamentary staff a better understanding of how our system works. In 1992 a report prepared for the Task Force suggested several areas where Canada could assist the Baltic Parliaments including office procedure, human resources management, the budget process, annual seminars, parliamentary operations, and the translation of laws. This article describes one Canadian's first hand experience in assisting the Estonian Parliament.*

**A**mong the significant recent changes in the political landscape of Eastern Europe has been the independence of the three Baltic States, Estonia, Latvia and Lithuania. The three were forcibly annexed to the Soviet Union during World War II. The re-establishment of independence in 1991 was met with unbounded euphoria and great expectations in the three states. The change in political status brought with it the responsibility and challenge of creating the political, social and economic infrastructures needed to rebuild their societies. Despite the motivation, skills and good intentions of the people, the task of rebuilding is not one that these countries can achieve alone.

I met the Estonian delegation to the seminar organized by the Canadian Parliament in May 1992. It made me reflect on what practical assistance might be provided from our Parliament to the Parliament of Estonia. I

subsequently had an opportunity to discuss the question with individuals from the Parliamentary Centre for Foreign Affairs and Foreign Trade and the Bureau of Assistance for Central and Eastern Europe. From these discussions it became apparent that the most urgent and well-defined need was in the area of translation of legislation. Subsequently I received an invitation from the Ministry of Foreign Affairs of Estonia to assist in translating and revising translations of legislation and to provide advice on the establishment of a translation centre. The invitation came from the Foreign Ministry since its translation bureau had, for all intents and purposes, evolved into the main centre for translation of legislation. I did learn later that some legislation was also translated at the State Chancellery but none at the Parliament itself.

The desire of the Estonian authorities to translate legislation into English is based on two factors:

- there is little experience in legislative drafting as we know it, and legislation is often presented by parliamentary committees as well as the government. Therefore, the review of and

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commentary on draft as well as adopted legislation by foreign legal experts is perceived as crucial to the development and improvement of the process of drafting legislation;

- as the government promotes and develops political and economic relations with other countries, it is necessary to publish legislation and other information in English, if not in other languages.

With co-operation from the Senate administration and encouragement from Senator William Kelly and the Canada-Europe Parliamentary Group which assisted with travel expenses, I was able to spend November 1993 working with the Estonian Parliament.

### Tasks in Estonia

Although there has been some sporadic assistance from individual Canadians in the area of translation, much if not all of translation into English is done by Estonian translators. The latter, despite their general proficiency and competence in English, find legal translating a particularly challenging task. During my stay in Estonia I was the only person in the translation bureau of the Foreign Ministry with English as a first language.

The subject matter of the documents and legislation that I translated included: citizenship, language, cultural autonomy for ethnic minorities, withdrawal of Russian troops from Estonia and trade and commerce. In addition, I revised the work of other translators and provided advice and information on terminology, particularly with respect to government and parliamentary vocabulary. As a bonus, one afternoon I was asked to accompany and act as an interpreter for a correspondent from the *New York Times* who had come to interview the Estonian Minister responsible for Citizenship and Immigration and other officials.

*As of my first day and during my whole stay I found myself faced with a flood of requests for English translations, not only of legislation but also other government documents that were being sent abroad.*

During my stay in Estonia I had the opportunity of attending the ceremonies marking the 75th Anniversary of the Foreign Ministry. At those events I met the President, Lennart Meri, the Prime Minister, Mart Laar and the Minister of Culture and Education, Paul-Eerik Rummo. It might be noted that the President is one of Estonia's best known writers, the Minister of Culture and Education, one of the best known poets and the Prime

Minister a historian of some repute. Lest it appear that the Estonian government consists only of writers and intellectuals, it should be pointed out that it also includes some people with technical expertise and training acquired in other countries such as Sweden and Canada. For example, the Minister of Energy was formerly a senior official with Ontario Hydro.

The Ministry of Foreign Affairs had a Canadian desk as part of its Northern Countries Branch and I had an opportunity to provide some information on Canada and the recent elections to the person at that desk. In fact, while I was there, preparations were being made for a proposed meeting between the Estonian Foreign Minister, Trivimi Velliste and Canada's new Foreign Minister, André Ouellet. Canada has a small consular office in Tallinn which I visited. It is staffed by persons hired in Estonia. The consulate for the three Baltic countries is located in Riga, Latvia and is attached to the Canadian Embassy in Stockholm, Sweden.

### The Estonian Parliament (Riigikogu)

Since I had met some members and the clerk of the Estonian Parliament at the seminar organized in May 1992 by our Parliament, I visited the clerk and had an opportunity to attend sittings of the Parliament. I also had an opportunity to meet and speak with some members of Parliament.

The Estonian Parliament is unicameral and consists of 101 members elected on a proportional voting system. The present Parliament was elected in September 1992 and it was the first one to be elected after the re-establishment of independence in August 1991. A President was elected at the same time and it is the President who appoints and asks the Prime Minister to form a government. The President is elected by a direct vote, but if no one candidate receives 50% of the vote, the Parliament elects one of the two candidates having received the most votes. Members of Parliament, once appointed as ministers must resign their seat. Ministers do, however, come before Parliament to present and defend their bills. In addition, ministers and a select number of high ranking government officials may be called before Parliament for questioning. The date and subject of the questions are established ahead of time and the process seems to allow for a more exhaustive questioning of a minister than does our question period.

Among the characteristics of the Estonian Parliament worth noting is an electronic voting system with 20 seconds given for each vote. A screen is located in the chamber itself where results of the vote are shown and speakers identified. Legislation is presented not only by ministers but members of Parliament and often by



**The Estonian Parliament Building in Tallinn**

parliamentary committees. There are ten standing committees. In the particular case of a bill on cultural autonomy for ethnic minorities that I was translating, I was able to meet with the deputy chairman of the committee that had drafted the legislation to receive explanations on the bill. At another sitting that I was able to attend, members were debating and adopting amendments presented by the Finance Committee to the Government's budget. In other words, members had an opportunity for input into the government's budget. However, as one member pointed out to me there was a certain unreality to the exercise since members could vote amounts for items into the budget knowing that the government really did not have the resources to meet all such commitments.

There are eight factions in Parliament at the present time from various parties that appear to coalesce and disintegrate continually. While I was there, a motion of non-confidence was presented by the opposition, primarily because of questions related to an arms deal with Israel. The government survived the vote without too much difficulty. From what I could gather, it should remain in power until the next election in the fall of 1995, despite the resignation of some ministers over the past few months. These seem more related to the lack of political and administrative experience of the ministers concerned rather than any scandalous behaviour on their part.

While talking to some of the members of Parliament they raised the question of establishing a Canada-Estonia or Canada-Baltic Parliamentary Group. Canada is

considered as a country whose geo-political characteristics have some resemblance to those of Estonia and therefore, is perceived as more understanding of Estonia and its situation than a country such as the United States. They did, however, recognize the severe financial limitations they face in attempting to carry out any exchanges.

*Parliament seemed to be a curious mixture of people who, for understandable reasons had no parliamentary experience under the Soviet regime, such as writers, dissidents, academics and a few from the Estonian diaspora.*

A second issue they raised and which really must be dealt with by the Department of Foreign Affairs is the question of visa fees. Estonia no longer charges such fees to Canadians entering Estonia while Canada still charges \$50 to Estonians wishing to visit Canada. Unfortunately \$50 amounts to approximately 500 Estonian crowns which represents half a month's salary for many Estonians.

#### **Proposal for a Legislative Translation Centre**

Given the nature and scope of my assignment in Estonia I shall limit myself to comments on a proposal for a legislative translation centre. I had a number of

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discussions with Estonian officials and an American lawyer on assignment to the Estonian Ministry of Foreign Affairs on the need for and feasibility of establishing a translation centre and the resources it would require.

From these discussions it became clear that such a bureau would require from outside Estonia, at least one translator with strong skills in Estonian to English translation, a lawyer able to provide advice on legislative and legal terminology and drafting and a person to revise translations and manage the centre. In addition, the centre should include translators from Estonia who would be trained to run and manage the centre in the future with either minimal or no external assistance.

While everyone in Estonia agreed that the establishment of a centralized bureau for the translation of legislation was extremely important, in the same breath they stated that the Estonian Government simply did not have the resources to remunerate people with the required skills from outside Estonia.

Canada should give serious consideration to assisting in the establishment of a legislative translation centre in Estonia for the following reasons:

- the centre would further the development of the democratic parliamentary process by providing essential assistance to the improvement of legislative drafting;
- the centre would provide important legislative information in English to other countries and foreign enterprises wishing to develop relations and trade with Estonia;
- the centre has been defined as a priority by Estonian authorities themselves;
- the cost of the project would be relatively modest since the main expenditures would be the salaries of three people (manager-revisor, translator, lawyer-legal terminologist) for approximately a one year period;
- once established, further foreign assistance to the centre should be minimal since the Estonian government should be able to maintain it with local human and technical resources;
- assistance to establish the centre would provide excellent public relations for Canada at relatively little cost since it would be a clearly identifiable project meeting a practical need in Estonia.

## Conclusion

It would only be stating the obvious to say that Estonia, in addition to the task of developing its political and economic structures, faces urgent problems in areas such as cleaning up the environment, providing decent

minimal health care and housing to the population and ensuring public safety. All of these areas require vast resources and, ideally, foreign assistance for their solution. Therefore, it would be presumptuous of any outsider to claim priority for any one area of need. It is the responsibility of the Estonian Government and Parliament to define the priority problems and the specific foreign assistance required to solve them. At the same time, it is not unreasonable for Canada, as a provider of assistance, to expect projects to be well defined, relevant to the needs of the recipient country and to have some assurance of being successfully completed.

A general comment I heard in this regard a number of times from Estonian officials was that it would now be much more useful if foreign consultants could spend a considerable length of time on the spot, i.e., a minimum of a few months. Short exploratory visits, which may have been helpful in the past, are now seen as waste of time and resources of both Estonia and of the visiting country. The argument is that longer stays by foreign consultants would allow them to get a better understanding of the local situation and, therefore, to provide better and more relevant advice for the solution of local problems. Secondly, the Estonians would benefit from working beside the foreign consultants over an extended period of time and learn procedures and practices that often cannot be picked up in a few days or at one lecture.

Canada enjoys a good reputation and credibility in Estonia as a model society with a democratic parliamentary political system and market-based economy. These factors should permit Canada to play a greater role in Estonia's efforts to develop its political and economic infrastructures and stability. Canada has shown that there is a middle road between the excesses of "jungle" capitalism and the stifling bureaucracy of centralized socialism. Many Canadians are now questioning the capacity of the country and of the government to maintain this middle road that we have come to take for granted. There is undoubtedly a need to question some of our assumptions and seek new solutions to Canadian problems. By assisting and learning about countries such as those in Eastern Europe and the Baltics we may benefit as much as those we assist by coming to understand their problems and, perhaps in the process, gaining new perspectives on our own problems.