
Constitutional Committee of the Parliament of Estonia

Lossi plats 1a
Tallinn 15165

An official letter from the American Chamber of Commerce Estonia on the proposed changes to the Aliens Act.

01.06.2018

Based on the recommendation from the Estonian Government, the Parliament of Estonia is now discussing the possible changes to the Aliens Act that would establish the A2 level Estonian language requirement for the citizens of the third countries who are holding a residence permit for working in Estonia, who have been staying here for at least 5 years and would like to extend their residence permit for working.

The American Chamber of Commerce Estonia (AmCham) finds that this proposal is not serving the long-term interest when it comes to the development of the country. Estonia has set the strategic goal of increasing the standard of living of the people and also the economic growth of the country through the development of internationalization and knowledge-based economy. This is reflected in a number of important strategy documents that have been adopted over the past few years by the Government of Estonia and the ministries¹.

The attraction of top specialists and experts has been one of the most important goals of the Estonian migration policy and based on that there has been a significant number of changes adopted to the Aliens Act that would make the process of bringing the highly paid and qualified workforce to Estonia easier. Those actions have also shown a measurable positive impact – Estonia's economic growth in 2015-2017 has been above the EU average and Estonia has become one of the world leaders in innovation and IT solutions. To a large extent, all this has been achieved based on the fact that Estonia has become an exciting and self-achieving environment for experts in their fields, where immigration regulations encourage entrepreneurship and the „inflow of knowledge“.

The proposed inclusion of the A2 language requirement would take us in the opposite direction:

- The proposed measure does not apply to the EU citizens and therefore causes strange and unjustified discrimination. For a lot of people who are currently based in Estonia on the same purposes (working), the language requirement would not apply.
- People living in Estonia with a temporary residence permit for work, do that on a „temporary“ basis.

¹ For example, the Estonian Research, Development and Innovation Strategy 2014-2020 „Knowledge-based Estonia“ and the Competitiveness Plan „Estonia 2020“

Mostly they are connected to a certain work related task and are not planning to tie themselves with Estonia for a long time. Those, who have decided to choose Estonia, as their country of residence, will sooner or later apply for a permanent residence permit that would anyway require the B1 level.

- The draft of the law only applies to temporary residence permit for working. The language requirement would not apply to any other type of residence permit (spouses, children, students etc.) The situation, where the language requirement only applies to the foreigners' group that actually needs it the least, is illogical and controversial to the country's development goals.
- The Adjustment Program of the Ministry of the Interior is already offering free language courses for those foreigners who would like to learn Estonian. The enforcement of the language requirement would not increase the motivation of the foreign workforce to learn Estonian. The effect would be the opposite.

Based on the above, we propose to the Constitutional Committee of the Parliament not to support the proposal to establish the A2 level language requirement to the foreigners who would like to extend the residence permit after 5 years of working.

AmCham Estonia is willing and open to meet with the committee to explain its views in depth.

Sincerely,



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AmCham Acting President



Jüri Jõema
ITL Managing Director