



PERMANENT MISSION OF ESTONIA
GENEVA

Mr. Special Rapporteur,

I have the honour to respond to your letter of 21 February 2014 concerning the deplorable allegations of glorification of Nazism in my country.

It is regrettable that there are those who wish to use the tragic events that took place more than sixty years ago in order to portray Estonia as a country that favours Nazism. Residents of Estonia suffered under the occupations of both Nazi Germany and the Soviet Union, making the glorification of totalitarian regimes in Estonian society unthinkable and such accusations groundless. The Republic of Estonia has repeatedly condemned the crimes against humanity committed by the totalitarian regimes of Nazi Germany and the Soviet Union that occupied Estonia. As a member of the International Holocaust Remembrance Alliance, Estonia helps to preserve the memory of victims of the Holocaust and promote Holocaust education.

In Estonia, all manifestations of Nazism, racism and xenophobia are treated very seriously. The incitement of racial and ethnic hatred is prohibited and punishable by law.

I would hereby like to refer to the Special Rapporteur's country report on Estonia, document no A/HRC/7/19/Add.2, which contains a brief overview of historical and political context relevant to the current issue: *"Estonia's history, as that of the other Baltic and Eastern-European States, was severely affected by the outbreak of the Second World War. The Molotov-Ribbentrop Pact in 1939 assigned Estonia to the Soviet sphere of influence, prompting the beginning of the first Soviet occupation in 1940. A Soviet government was set up and mass deportations started to take place, affecting a large part of the population. During the first year of occupation, around 60,000 people are believed to have been deported – 10,000 of whom during a single night in 14 June 1941. Soviet control was briefly substituted by a Nazi occupation after the end of the non-aggression pact between Germany and the Soviet Union and the advance of German troops. Many Estonians were forcefully conscripted by the Nazi in the war against the Soviet Red Army, whereas many others were guided by the failed expectation that a Nazi victory would lead*



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to independence. In particular, as the German-Soviet front reached the region of Narva, massive mobilization carried out by the Nazi and their Estonian collaborators led to the formation of the twentieth Waffen Grenadier Division of the SS and several other units in 1944, formed by Estonians.

After the German defeat in 1944, the second Soviet occupation started and Estonia became a Soviet republic. The first decade of the occupation, under Stalin, was particularly repressive, as Moscow attempted to implement a policy of Russification of the Baltic States, directly affecting education and cultural activities, including language. Between 1945 and 1953, it is believed that around 80,000 Estonians were deported, mainly to Siberia and Central Asia. The war casualties, massive deportations and migrations from other parts of the Soviet Union drastically changed the ethnic makeup of the population. While before the war 90 per cent of the residents were ethnic Estonians, this proportion fell to 60 per cent by 1990. Most of the political leadership, particularly in the first decades, was made of non-Estonians."

In reply to Special Rapporteurs specific questions I would like to respond as following:

1. Are the facts alleged in the summary of the case accurate?

Estonia denounces these allegations of glorification of Nazism. The facts are not accurate. Mr [REDACTED] was buried on 10 January 2014 as a retired Captain of the Estonian Defence Forces, entitled to a Defence Forces funeral arranged in accordance with military funeral protocol. In 1994, [REDACTED] was awarded the rank of retired Captain as an honorary member of the Pärnu section of the Defence League for his contribution to the re-establishment of the Defence League in the 1990s.

Mr [REDACTED] had been awarded a variety of Estonian decorations by several defence-related agencies for services rendered in the re-establishment of the Defence League. At the funeral, all of the military decorations Mr [REDACTED] received during his



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lifetime were on display according to common military funeral protocol and not as a sign of any ideology.

2. *Please provide the details, and where available the results of any investigation, judicial or other inquiries which may have been carried out in relation to this case. If no inquiries have taken place, or if they have been inconclusive, please explain why.*

The funeral ceremony held was not contrary to Estonian law.

The atmosphere at the funeral was calm; no expressions or demonstrations reflecting any kind of incitement of hatred were registered. No complaints were filed with Estonian authorities concerning the event. Therefore no enquiries or investigations have taken place.

3. *Please indicate how Estonia ensure that all those who disseminate ideas based on racial superiority or hatred are prosecuted and how it is engaged in fighting the commemoration of persons who fought in the Waffen SS and collaborated with the Nazi regime.*

Estonia takes all occurrences of Nazism, racism and xenophobia very seriously and brings to justice any individuals who incite racial and ethnic hatred, including collaborators of occupational regimes, who have committed crimes against humanity.

In Estonia, incitement of hatred is clearly prohibited by Estonian Penal Code section 151, <https://www.riigiteataja.ee/en/eli/511032014001/consolide>.

In conclusion, allow me to assure you that I am always at your disposal to meet and provide further information and clarification.

Jüri Seilenthal
Ambassador, Permanent Representative