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**National and international standardization of geographical names: Names
collection, office treatment, national authorities, features beyond a single
sovereignty and international cooperation[~]**

Changes in the Estonian Place Names Act

Submitted by Estonia**

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Summary

Basic principles in the standardization of Estonia's geographical names are laid down in the Place Names Act, originally adopted on December 11, 1996 and recently revised on December 1, 2020. Based on some of the earlier legal acts this Act incorporates all the main rules of names standardization.

This report gives a brief overview about the last revision of the Estonian Place Names Act.

Name disputes

The main aim of the last revision of the Place Names Act was to clarify the role of the Place Names Board in pre-court of justice name disputes. Before the revision, the Place Names Board was an out-of-court name dispute body if the parties to the name dispute were local governments or a local government and a natural or a legal person. After the revision, the task of the Place Names Board is to submit opinions in name disputes, even if it is handled by a local government or a court.

The previous status of the Place Names Board in fact meant that in certain cases the Board had the right to annul the decisions of the municipalities. There was one case in the local name dispute when this right was exercised, and as a consequence, the Board itself became a law suit target.

The Place Names Board was included in the revision process. The Board discussed the revision of the Place Names Act during its meetings and found that since the membership of Place Names Board is voluntary and the members of Place Names Board contribute to the Board's work beside their main job, the Board supported the revision of Place Names Act in terms of changing the role of the Place Names Board in pre-court of justice name disputes.

§ 24² of the revised Place Names Act states the following: *“(1) In its opinion the Place Names Board shall give recommendations and make proposals to ensure the compliance of the place name and establishment thereof with the requirements provided for in this Act. The opinion shall be submitted on the basis of the facts and the positions of the parties, or on the basis of the rights specified in § 22 of this Act. Adherence to the opinion of the Place Names Board is recommended, and it is not intended to create, modify or terminate the rights or obligations of persons.”*

Legal status of place name

The second aim of the revision of the Place Names Act was to clarify the legal status of place names due to some cases where one tried to acquire legal rights to object (e.g ports). The revised Place Names Act stipulates that a place name does not create any independent rights or obligations concerning the named feature, except in the cases provided by law.

Changes regarding the Place Names Register

At the beginning of 2019 the Ministry of Finance and Land Board started preparations for ordering a business analysis to Estonian Place Names Register. One of the aims of this was to analyse the division of roles between the Ministry of Finance and the Land Board. Before the revision of the Place Names Act the controller of the register was the Ministry of Finance and the processor of the national place names register was the Land Board. The compilers of the business analysis concluded that the situation is not sustainable whereby the register's activities are divided between two different areas of government and the Ministry of Finance finances the activities related to the register through an annual contract and the operations related to the register (place name entries, development of the register) are performed by the Land Board.

Therefore the authors of the business analysis proposed to give control of the register to the Land Board. Starting 1 December 2020 the controller of the place names register is the Land Board.

Requirements for the selection of place names

During the renewal process of the Place Names Act, the Estonian Parliament discussed a proposal to specify the requirements for the selection of place names due to some cases where the local government is reluctant to change the names that do not comply with the Place Names Act.

Before the revision of the Place Names Act § 13 (6) point 4 stated that place names which are incompatible with the history and culture of Estonia shall be avoided upon establishment of a place name.

Some MPs thought that the previously mentioned restriction is insufficient and they made a proposal to specify the requirements. The revised Place Names Act stipulates the following: *“The name of a person shall not be used as a commemorative name if that person has acted against the foundation of the Republic of Estonia, permanence of its constitutional order or restoration of the independence of Estonia.”*

The Group of Experts is invited to express its views on the report and discuss the issues raised in support of strengthening the operations and work of the Group of Experts. Particularly opinion sought on the recommended ways of solving name disputes in local governments and on the claimed rights based on the states of geographical names.