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The Constitution of the Republic of Estonia

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RT 1992, 26, 349

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[Amended by the following legal instruments](#)

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25.02.2003	RT I 2003, 29, 174	17.10.2005
05.10.2003	RT I 2003, 64, 429	06.01.2004
12.04.2007	RT I 2007, 33, 210	21.07.2007
13.04.2011	RT I, 27.04.2011, 1	22.07.2011
06.05.2015	RT I, 15.05.2015, 1	13.08.2015
26.03.2025	RT I, 11.04.2025, 1	09.07.2025, in part 01.03.2026

With unwavering faith and a steadfast will to strengthen and develop the state, which is established on the inextinguishable right of the people of Estonia to national self-determination and which was proclaimed on 24 February 1918, which is founded on liberty, justice and law, which is for the defence of internal and external peace, and is a pledge to present and future generations for their social progress and general welfare, which shall guarantee the preservation of the Estonian nation, language and culture through the ages,

the people of Estonia, on the basis of § 1 of the Constitution which entered into force in 1938, and by a referendum held on 28 June 1992, adopted the following Constitution. [RT I 2007, 33, 210 - entry into force 21.07.2007]

Chapter II

FUNDAMENTAL RIGHTS, FREEDOMS AND DUTIES

§ 48. Everyone has the right to form non-profit organisations and associations. Only Estonian citizens may belong to political parties.

The establishment of organisations and associations which possess weapons, are militarily organised or perform military exercises requires prior permission, for which the conditions and procedure of issuance shall be provided by a law.

Associations, organisations and political parties the aims or activities of which are directed at a violent change of the constitutional order of Estonia, or are otherwise in conflict with the law providing for criminal liability, shall be prohibited.

Only a court may terminate or suspend the activities of, or impose a fine on, an organisation, association or political party for a violation of the law.

Chapter III THE PEOPLE

§ 56. Supreme power shall be exercised by the people through citizens with the right to vote:

- 1) by electing the Riigikogu;
- 2) through referendums.

§ 57. Estonian citizens who have attained eighteen years of age have the right to vote.

Estonian citizens who have been divested of legal capacity by a court shall not have the right to vote.

§ 58. Participation in voting may be restricted by a law for Estonian citizens who have been convicted by a court and are serving a sentence in a penal institution.

Chapter IV THE RIIGIKOGU

§ 59. Legislative power shall be vested in the Riigikogu.

§ 60. The Riigikogu shall be comprised of one hundred and one members. Members of the Riigikogu shall be elected in free elections on the principle of proportional representation. Elections shall be general, uniform and direct. Voting shall be secret.

Every Estonian citizen who has attained twenty-one years of age and has the right to vote may be a candidate for the Riigikogu.

Regular elections of the Riigikogu shall be held on the first Sunday in March of the fourth year following the preceding Riigikogu election year.

Extraordinary elections of the Riigikogu shall be held in the cases prescribed in §§ 89, 97, 105 and 119 of the Constitution not earlier than twenty and not later than forty days after the elections are declared.

The procedure for election of the Riigikogu shall be provided by a law on election of the Riigikogu.

§ 61. The mandates of the members of the Riigikogu shall commence on the day the results of the elections are announced. The mandates of the members of the preceding Riigikogu shall terminate on the same day.

Before assuming his or her duties, a member of the Riigikogu shall take an oath of office to remain loyal to the Republic of Estonia and its constitutional order.

§ 62. A member of the Riigikogu shall not be bound by his or her mandate, nor bear legal liability for votes cast or political statements made in the Riigikogu or in any of its bodies.

§ 63. A member of the Riigikogu shall not hold any other public office.

A member of the Riigikogu shall be exempt from the duty to perform mandatory service in the defence forces during his or her mandate.

§ 64. The mandate of a member of the Riigikogu shall be suspended upon his or her appointment as a member of the Government of the Republic, and shall be restored upon release from his or her duties as a member of the Government.

The mandate of a member of the Riigikogu shall terminate prematurely:

- 1) upon his or her assumption of another public office;
- 2) upon the entry into force of a conviction by a court against him or her;
- 3) upon his or her resignation, pursuant to a procedure provided by a law;
- 4) if the Supreme Court decides that he or she is permanently incapable of performing his or her duties;
- 5) upon his or her death.

Upon the suspension or premature termination of the mandate of a member of the Riigikogu, he or she shall be replaced by an alternate member, pursuant to a procedure provided by a law. An alternate member has all the rights and duties of a member of the Riigikogu.

The mandate of the alternate member shall terminate upon the restoration of the mandate of the member of the Riigikogu.

§ 65. The Riigikogu shall:

- 1) adopt laws and resolutions;
 - 2) decide on the holding of referendums;
 - 3) elect the President of the Republic, in accordance with § 79 of the Constitution;
 - 4) ratify and denounce international treaties, in accordance with § 121 of the Constitution;
 - 5) authorise a candidate for Prime Minister to form the Government of the Republic;
 - 6) adopt the state budget and approve the report on its implementation;
 - 7) on the proposal of the President of the Republic, appoint the Chief Justice of the Supreme Court, the Chairman of the Supervisory Board of Eesti Pank², the Auditor General and the Chancellor of Justice to office;
- [RT I, 27.04.2011, 1 - entry into force 22.07.2011]
- 8) on the proposal of the Chief Justice of the Supreme Court, appoint justices of the Supreme Court to office;
 - 9) appoint members of the Supervisory Board of Eesti Pank;
 - 10) on the proposal of the Government of the Republic, decide on borrowing by the state and on the assumption of other pecuniary obligations by the state;
 - 11) issue statements, declarations and appeals to the people of Estonia, other states and international organisations;
 - 12) establish state decorations, and military and diplomatic ranks;
 - 13) decide on the expression of no confidence in the Government of the Republic, the Prime Minister or a minister;
 - 14) declare a state of emergency in the state, in accordance with § 129 of the Constitution;
 - 15) on the proposal of the President of the Republic, declare a state of war, and order mobilisation and demobilisation;
 - 16) resolve other affairs of state which the Constitution does not assign to the President of the Republic, the Government of the Republic, other state bodies or municipalities for decision.

§ 66. The first sitting of a new Riigikogu shall be held within ten days after the announcement of the results of the elections of the Riigikogu. The Riigikogu shall be convened for its first sitting by the President of the Republic.

§ 67. Regular sessions of the Riigikogu shall take place from the second Monday of January to the third Thursday of June, and from the second Monday of September to the third Thursday of December.

§ 68. Extraordinary sessions of the Riigikogu shall be convened by the President of the Riigikogu, on the proposal of the President of the Republic, the Government of the Republic, or not less than one-fifth of all members of the Riigikogu.

§ 69. The Riigikogu shall elect from among its members the President of the Riigikogu and two Vice-Presidents who shall organise the work of the Riigikogu pursuant to a law on the rules of procedure of the Riigikogu and a law on the internal rules of the Riigikogu.

§ 70. The quorum for the Riigikogu shall be provided by a law on the rules of procedure of the Riigikogu. In an extraordinary session, the Riigikogu shall have a quorum if more than one-half of all members of the Riigikogu are present.

§ 71. The Riigikogu shall form committees.

Members of the Riigikogu have the right to form parliamentary groups.

The procedure for the formation of committees and parliamentary groups, and their rights, shall be provided by a law on the rules of procedure of the Riigikogu.

§ 72. Sittings of the Riigikogu shall be public, unless the Riigikogu decides otherwise by a two-thirds majority.

Voting in the Riigikogu shall be public. Voting by secret ballot shall be held in the cases prescribed by the Constitution or by a law on the rules of procedure of the Riigikogu only upon the election or appointment of officials.

§ 73. Documents adopted by the Riigikogu shall be adopted by a majority of votes in favour, unless otherwise prescribed by the Constitution.

§ 74. Members of the Riigikogu have the right to address questions to the Government of the Republic and its members, to the Chairman of the Supervisory Board of Eesti Pank, the Governor of Eesti Pank, the Auditor General and the Chancellor of Justice. [RT I, 27.04.2011, 1 - entry into force 22.07.2011]

The questions shall be answered at a sitting of the Riigikogu within twenty session days.

§ 75. The remuneration of members of the Riigikogu and restrictions on the receipt of other employment income shall be provided by a law, which may be amended in respect of the next Riigikogu.

§ 76. Members of the Riigikogu shall have immunity. A member can be prosecuted under criminal law only on the proposal of the Chancellor of Justice, and with the consent of the majority of all members of the Riigikogu.

Chapter V

THE PRESIDENT OF THE REPUBLIC

§ 77. The President of the Republic shall be the head of state of Estonia.

§ 78. The President of the Republic shall:

- 1) represent the Republic of Estonia in international relations;
- 2) appoint and recall diplomatic agents of the Republic of Estonia, on the proposal of the Government of the Republic, and receive the credentials of diplomatic agents accredited to Estonia;
- 3) declare regular elections of the Riigikogu and, in accordance with §§ 89, 97, 105 and 119 of the Constitution, extraordinary elections of the Riigikogu;
- 4) convene the new Riigikogu, in accordance with § 66 of the Constitution, and open its first sitting;
- 5) propose to the President of the Riigikogu to convene an extraordinary session of the Riigikogu, in accordance with § 68 of the Constitution;
- 6) promulgate laws, in accordance with §§ 105 and 107 of the Constitution, and sign instruments of ratification;
- 7) issue decrees, in accordance with §§ 109 and 110 of the Constitution;
- 8) initiate amendment of the Constitution;
- 9) designate the candidate for prime minister, in accordance with § 89 of the Constitution;
- 10) appoint to and release from office members of the government, in accordance with §§ 89, 90, and 92 of the Constitution;
- 11) make proposals to the Riigikogu for appointments to the offices of Chief Justice of the Supreme Court, Chairman of the Supervisory Board of Eesti Pank, Auditor General and Chancellor of Justice;
[RT I, 27.04.2011, 1 - entry into force 22.07.2011]
- 12) on the proposal of the Supervisory Board of Eesti Pank, appoint the Governor of Eesti Pank to office;
- 13) on the proposal of the Supreme Court, appoint judges;
- 14) [repealed – RT I, 27.04.2011, 1 - entry into force 22.07.2011]
- 15) confer state decorations, and military and diplomatic ranks;

16) be the supreme commander of the national defence of Estonia;

17) make proposals to the Riigikogu to declare a state of war, to order mobilisation and demobilisation, and, in accordance with § 129 of the Constitution, to declare a state of emergency;

18) declare, in the case of aggression against Estonia, a state of war and order mobilisation, in accordance with § 128 of the Constitution;

[RT I, 27.04.2011, 1 - entry into force 22.07.2011]

19) by way of clemency, release convicted persons from serving a sentence or commute their sentences, at their request;

20) initiate the prosecution under criminal law of the chancellor of justice, in accordance with § 145 of the Constitution.

§ 79. The President of the Republic shall be elected by the Riigikogu or, in the case provided by paragraph four of this article, by the electoral body.

The right to nominate a candidate for President of the Republic shall rest with not less than one-fifth of all members of the Riigikogu.

An Estonian citizen by birth who has attained forty years of age may be nominated as a candidate for President of the Republic.

The President of the Republic shall be elected by secret ballot. Each member of the Riigikogu shall have one vote. The candidate in favour of whom a two-thirds majority of all members of the Riigikogu votes shall be declared elected. If no candidate receives the required majority, a new round of voting shall be held on the next day. Before the second round of voting, a new nomination of candidates shall be held. If no candidate receives the required majority in the second round of voting, a third round of voting shall be held on the same day between the two candidates who receive the greatest number of votes in the second round. If the President of the Republic is still not elected in the third round of voting, the President of the Riigikogu shall, within one month, convene the electoral body to elect the President of the Republic.

The electoral body shall be comprised of the members of the Riigikogu and representatives of the municipal councils. Each municipal council shall elect at least one representative to the electoral body, who must be an Estonian citizen.

The Riigikogu shall present the two candidates who receive the greatest number of votes in the Riigikogu to the electoral body as candidates for President. The right to nominate a candidate for President shall also rest with not less than twenty-one members of the electoral body.

The electoral body shall elect the President of the Republic by the majority of the electoral body members who participate in the voting. If no candidate is elected in the first round, a second round of voting shall be held on the same day between the two candidates who receive the greatest number of votes.

The specific procedure for the election of the President of the Republic shall be provided by a law on election of the President of the Republic.

§ 80. The President of the Republic shall be elected to office for a term of five years. No one shall be elected to the office of President of the Republic for more than two consecutive terms.

The regular election of the President of the Republic shall be held not earlier than sixty and not later than ten days before the end of the term of office of the President of the Republic.

§ 81. The President of the Republic shall assume office by swearing the following oath of office to the people of Estonia before the Riigikogu: "In assuming the office of President of the Republic, I (given name and surname), solemnly swear to steadfastly defend the Constitution and the laws of the Republic of Estonia, to exercise the power entrusted to me in a just and impartial manner, and to perform my duties faithfully with all of my abilities and to the best of my understanding, for the benefit of the people of Estonia and the Republic of Estonia."

§ 82. The mandate of the President of the Republic shall terminate upon:

- 1) his or her resignation from office;
- 2) the entry into force of a judgment of conviction by a court against him or her;
- 3) his or her death;
- 4) the assumption of office of the new President of the Republic.

§ 83. If the President of the Republic is permanently incapable of performing his or her duties as decided by the Supreme Court, or if he or she is temporarily unable to perform them in the cases specified by a law, or if his or her mandate has terminated prematurely, his or her duties shall temporarily transfer to the President of the Riigikogu.

During the time that the President of the Riigikogu is performing the duties of the President of the Republic, his or her mandate as a member of the Riigikogu shall be suspended.

The President of the Riigikogu, acting as President of the Republic, shall not have the right, without the consent of the Supreme Court, to declare extraordinary elections to the Riigikogu or to refuse to promulgate laws.

If the President of the Republic is unable to perform his or her official duties for longer than three consecutive months, or if his or her mandate has terminated prematurely, the Riigikogu shall elect a new President of the Republic within fourteen days, in accordance with § 79 of the Constitution.

§ 84. Upon assuming office, the mandate and duties of the President of the Republic in all elected and appointed offices shall terminate, and he or she shall suspend his or her membership in a political party for the duration of his or her term of office.

§ 85. The President of the Republic can be prosecuted under criminal law only on the proposal of the Chancellor of Justice, and with the consent of the majority of all members of the Riigikogu.

Chapter VII LEGISLATION

§ 105. The Riigikogu has the right to submit a bill or other affairs of state to a referendum.

The decision of the people shall be made by the majority of the participants in the voting.

A law which is adopted by a referendum shall be promptly promulgated by the President of the Republic. The decision of the referendum shall be binding on all state bodies.

If a bill which is submitted to a referendum does not receive a majority of votes in favour, the President of the Republic shall declare extraordinary elections of the Riigikogu.

§ 106. Issues regarding the budget, taxation, financial obligations of the state, ratification and denunciation of international treaties, the declaration or termination of a state of emergency, or national defence cannot be submitted to a referendum.

The procedure for holding referendums shall be provided by a law on referendums.

Chapter XIV LOCAL SELF-GOVERNMENT

§ 154. All local issues shall be decided and organised by municipalities, which shall act independently on the basis of laws.

Obligations may be imposed on a municipality only on the basis of a law or by agreement with the municipality. Expenditure related to obligations of the state imposed by the law on a municipality shall be funded from the state budget.

§ 155. Municipalities shall be rural municipalities and towns.

Other local self-government units may be formed on the bases and pursuant to a procedure provided by a law.

§ 156. The representative body of a municipality shall be the council which shall be elected in free elections for a term of four years. The term of the mandate of a council may be shortened by a law in relation to a merger or division of municipalities or the inability of a council to act. Elections shall be general, uniform and direct. Voting shall be secret.
[RT I 2003, 29, 174 - entry into force 17.10.2005]

In elections of municipal councils, Estonian citizens and stateless persons who reside permanently in the territory of the municipality and have attained sixteen years of age have the right to vote, under conditions prescribed by a law.
[RT I, 11.04.2025, 1 - entry into force 09.07.2025]