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# The System of Factors Determining the Prevention and Counteraction of Corruption in Estonia

## Abstract

The aim of the paper is to develop a system of factors that have influenced anti-corruption processes in Estonia. The factors that have contributed to the progress and the factors that hinder Estonia from achieving zero corruption are identified. Special aspects of anti-corruption reforms in Estonia at the institutional level are identified. The methodological basis of the research is neo-institutionalism and axiological analysis; they allowed to construct a system of factors of two types: (1) those that contributed/contribute to the anti-corruption progress of Estonia (2) those that hamper Estonia's advance towards zero corruption.

**KEYWORDS:** Estonia, corruption, prevention and counteraction of corruption, anti-corruption policy, anti-corruption values

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## 1 | Introduction

Nowadays, Estonia is not only the most successful country in the region of Central and Eastern Europe and the post-Soviet space in terms of numerous development parameters, but it is also rapidly strengthening its position

in the EU. This state of affairs, as evidenced by a number of indices of democratic transformation, expresses mainly upward dynamics. Certain problems of adjustment to democratic standards are now evident in Estonia but the large-scale progress made over the last three decades cannot be disregarded.

One of the areas where Estonia is making advances is the prevention and combat of corruption. This refers primarily to petty, bureaucratic corruption, and to a lesser extent – political corruption, high-level corruption. Progress in anti-corruption is consistent and steady, which makes Estonia a unique case, as in most of the new EU Member States in Central and Eastern Europe, as well as in the post-Soviet states, the progressive dynamic is either insignificant or volatile. In many countries, the anti-corruption progress made in certain years has been replaced by recession or prolonged stagnation.

Estonia's progress in fighting corruption is best illustrated by its position in the Corruption Perceptions Index. Almost every year, Transparency International records an improvement in Estonia's position. If in 2012 Estonia scored 64 points, in 2020 – already 75 points. However, according to the results of 2021, the positions worsened (74 points; for comparison, the EU average is 66 points out of 100 possible). The case of Estonia in 2021 is special, because although the country lost one point in a year, it still made progress against the background of other countries: Estonia rose from the 17th to 13th place in the ranking. However, this rise is not so much the result of Estonia's progress as it is the result of the stagnation of other countries that were previously in higher positions than Estonia (Australia, Austria, Belgium, Canada, etc.). According to the results of the 2022 index, Estonia dropped to 14th place, although the result (74 points) was maintained.

In the 2023 Corruption Perceptions Index, Estonia achieved its highest score since 2012 and is currently ranked 12th in the world. In a European comparison, Estonia is one of the two countries whose score has slightly improved in one year. Estonia scored 76 points. This is a very high score, especially considering that in 2023 anti-corruption efforts either stagnated or regressed in more than three-quarters of the countries assessed.

Despite these fluctuations in the Corruption Perceptions Index, Estonia can be included in the small group of countries that have made progress in preventing and fighting corruption over the past decade<sup>[1]</sup>. This is

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<sup>1</sup> Anatolijs Krivins, Andrejs Vilks, Aldona Kipane, „Corruption perception trends: European Union countries. Access to science, business, innovation in the

important because, on a global scale, progress in combating corruption is not observed; even the most successful democracies have delayed the anti-corruption progress, especially in the public sector.

Nonetheless, Estonia manages to control corruption better than not only other young EU democracies in Central and Eastern Europe, but also countries with long-term EU membership and developed democratic traditions (Greece, Italy, Spain, Portugal, France, etc.). Certainly, neither the small territory of the state (45 thousand sq. km) nor the small population (1.3 million people) can explain this. The explanation of Estonia's success story should be sought in a number of reasons, first and foremost institutional and value-based.

Estonia is currently positioned as a state that has „demonstrated a remarkable transition from highly corrupt regimes to less corrupt environments”<sup>[2]</sup>. The fact that the problems exist, even if they seem insignificant against the background of failed anti-corruption strategies of many countries, may be evidenced by the message of former Estonian Kersti Kaljulaid: „Let us make an honest, caring, corruption-free and self-confident Estonia”. She called on Estonia to release itself of corruption and said: „Corruption cripples development, and government leaders” concessions to chummy businesspeople drives away honest entrepreneurs. In the end, we lose both our own and those who once praised Estonia's fair business climate and moved their operations here because of it”<sup>[3]</sup>. It is clear from these messages that corruption-free Estonia is so far a goal, but not yet a reality, although the achieved anti-corruption successes may give the false impression of the already stable high standards of integrity of government, business and citizens.

An objective analysis involves identifying not only the factors of success, but also the factors that slow down the movement towards zero corruption. Evidently, even in such a successful country as Estonia today, there are vulnerable zones to corruption, legislative gaps, some problems with tolerating corruption, etc. It is important to take into account the fact that

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digital economy” *ACCESS Journal: Access to Science, Business, Innovation in Digital Economy*, No. 1 (2024): 63.

<sup>2</sup> Aleksander Kupatadze, „Accounting for Diverging Paths in Most Similar Cases: Corruption in Baltics and Caucasus” *Crime, Law and Social Change*, No. 2 (2017): 188.

<sup>3</sup> Helen Wright, *Let us make an honest, caring, corruption-free and self-confident Estonia*, <https://news.err.ee/1608121357/let-us-make-an-honest-caring-corruption-free-and-self-confident-estonia>.

corruption is taking on new forms, which must be properly addressed by both state and non-state actors.

Therefore, on the one hand, it is necessary to explain the nature of such steady progress of Estonia in the fight against corruption against the background of less successful strategies of other states. On the other hand, it is essential to find out the reasons that hinder Estonia's achievement of zero tolerance for corruption. A number of research questions arise. What factors have positively/negatively influenced the processes of preventing and combating corruption in Estonia? Are these factors unique, characteristic of the Estonian case only? What are the problems in the field of corruption and counteraction to it in Estonia today? Are the actions of the Estonian state and non-state actors sufficient to counteract corruption challenges? Do the values of Estonians meet the democratic standards regarding intolerance for corruption? In general, several open issues on corruption and anti-corruption in Estonia actualize the study of the country's experience and evaluation of its anti-corruption policy.

## 2 | Research methodology

The study of Estonia is an important part of the comparative analysis of democratic transformation in the post-totalitarian states of Central and Eastern Europe. The methodological basis of the study is primarily neo-institutionalism and axiological analysis. Neo-institutionalism provides an opportunity to assess the extent of corruption and the effectiveness of mechanisms to minimize it through the efforts of state and non-state actors in Estonia. Axiological analysis is used to study the representation of anti-corruption values in the political and legal culture of Estonians. Therefore, the research aims to clarify the specifics of institutional reforms in Estonia in terms of preventing and combating corruption, as well as to examine how values at the level of the establishment and the population influence/influence the effectiveness of anti-corruption strategies, the emergence of new corruption challenges. The synthesis of neo-institutionalism and axiological analysis made it possible to construct a system of factors of two types: (1) those that contributed/contribute to Estonia's anti-corruption progress; (2) those that slow down Estonia's movement towards zero corruption.

The analysis of historiography shows that Estonia has been studied primarily in the context of democratic transition, fulfilment of the Copenhagen criteria, and adaptation to EU standards. Corruption as an important component of these processes has also been the focus of research, but the study of Estonia's anti-corruption experience needs to be deepened, especially in the context of the dynamic emergence of new corruption risks.

### 3 | Anti-corruption reforms of the post-Soviet transformation period and fulfilment of EU membership criteria

Estonia has long positioned itself as part of the West. This has happened historically. Let us consider at least a few facts. Estonian peasants were freed from serfdom at the beginning of the 19th century, much earlier than in the Russian Empire; by the mid-19th century they were already establishing their own farms. Estonia's democratization has been influenced by its long-standing relations with Finland and the possibility (since 1958) of watching Finnish television. In addition, during the Soviet period there was a regular ferry service for Finnish tourists to Tallinn. All this was a small window to Europe that other Soviet republics did not have<sup>[4]</sup>.

The scale of corruption that existed in the early 1990s, and schemes for obtaining undue benefits inherited from the USSR, could become a tangible deterrent to the democratization of Estonia. There were risks of such a threatening trend for young democracies as state capture<sup>[5]</sup>, one of the most dangerous manifestations of political corruption. However, it should be noted that the risks of state capture in Estonia were still lower than in Latvia<sup>[6]</sup> and Lithuania. The Baltic region also faced the problem of

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<sup>4</sup> Li Bennich-Björkman, „State Capture in the Baltics: Identity, International Role Models and Network Formation”, [w:] *The Baltic Sea Region: Cultures, Politics, Societies*, red. Witold Maciejewski (Uppsala: The Baltic University Press, 2002), 345-369.

<sup>5</sup> Ibidem.

<sup>6</sup> Khoma Nataliia, Ihor Vdovychyn, „Slow Strengthening of Latvia's Resilience in Preventing and Combating Corruption: an Analysis of Causes” *Przegląd Wschodnioeuropejski*, No. 1 (2023): 87-100.

the shadow economy (grey area) for years<sup>[7]</sup> and Estonia had to respond to this challenge.

The potential benefits that Estonia and its communities could gain after proclaiming independence, through minimizing corrupt practices, were clear<sup>[8]</sup>. Critical assessments of Estonia by the West were taken into account, as a result of which the country was quickly described as a success story<sup>[9]</sup>. Consequently, Estonia began to be considered a state that rapidly moved from particularism to transparent governance<sup>[10]</sup>. The prospect of Estonia's EU membership was particular stimulus for anti-corruption reforms.

There was a consensus in the Estonian political establishment that the window of opportunity for the state would close fast, therefore the changes should be as quick and radical as possible. Immediately from the beginning of the development of an independent state, the Estonian government was consistent in its task of transforming Estonia into a European state with a free market economy, liberal way of governing, and strong emphasis on individual freedom. Certainly, there was little intra-elite polarization in the political elite at various stages of the development of the independent state, but consensus was reached on Estonia's main goals and vectors of development.

The situation with systemic corruption in Estonia was changed by the framework conditions for the functioning of the state apparatus, initiated by Prime Minister Mart Laar in 1992-1995. The status of the Estonian language as the state language changed the requirements for civil servants. Large-scale personnel changes took place: Russian-speaking officials brought up under the Soviet regime were replaced by young and resolutely pro-European Estonians. This destroyed decades-old Soviet corruption networks. Simultaneously, a rigorous judicial reform was carried out, as a result of which most of the „old” judges were replaced. Laar

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<sup>7</sup> Frank Wadsworth, Swartz Brenda, Jerry Wheat, „Corruption in the Baltic State Region” *International Business & Economics Research Journal*, No. 2 (2010): 109-116.

<sup>8</sup> Beverley Earle, „Bribery and Corruption in Eastern Europe, the Baltic States, and the Commonwealth of Independent States: What is to be Done Beverley Earle” *Cornell International Law Journal*, No. 3 (2000): 483-513.

<sup>9</sup> Anton Steen, „Do Elite Beliefs Matter? Elites and Economic Reforms in the Baltic States and Russia”, [in:] *Comparative Studies of Social and Political Elites*, ed. Fredric Engelstad, Trygve Gulbrandsen (Bingley: Emerald Group Publishing Limited, 2006), 79-102.

<sup>10</sup> Alina Mungiu-Pippidi, *Corruption as Social Order, World Development Report Background Paper* (Washington: World Bank, 2017).

recalls in his memoirs that old apparatchiks found it hard to adapt to the new requirements:

If you have based your entire career not on honest work but on lies and deceit, then it is unrealistic to expect that you will now start to change. The state apparatus [...] can only transplant corruption and „telephone rights” from the old system to the new one<sup>[11]</sup>.

As there was a huge public demand in Estonia for the removal from power of Soviet-born personnel, Prime Minister Laar’s reforms under the slogan „Prats puhtaks!” („Clear the place!”), were supported and became the basis for preventing and combating, above all, bureaucratic, judicial corruption. Therefore, such changes became possible due to the political will of the Estonian leadership to replenish the country’s leading elite with personnel not related to corruption and the old elite, as well as due to public support for these processes.

An important factor in the success of the reforms was the fact that at the beginning of post-totalitarian modernization in Estonia, the elite was quite nationally oriented, despite the fact that the Soviet government had carried out continuous repression. Particularly, one of the largest purges against the Estonian national elite took place in 1949-1953, as part of the Sovietization of the Baltic states<sup>[12]</sup>. However, as of the end of the 1980s, ethnic Estonians held 82.2 percent of administrative managerial positions<sup>[13]</sup>. For comparison: at the same time in Latvia, only 63.1 percent of administrative managerial posts were held by ethnic Latvians<sup>[14]</sup>.

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<sup>11</sup> Mart Laar, *Little country that could* (St. Edmundsbury: St. Edmundsbury Press, 2002).

<sup>12</sup> Romuald Misiūnas, Rein Taagepera, *The Baltic States. Years of Dependence. 1940–1990* (London: Hurst and Company, 1993); Aleksandras Shtromas, „The Baltic States as Soviet Republics: Tensions and Contradictions”, [in:] *The Baltic States: The National Self-Determination of Estonia, Latvia and Lithuania*, ed. Graham Smith (New York: St. Martin’s Press, 1994), 86-117.

<sup>13</sup> Aleksander Kupatadze, „Accounting for Diverging Paths in Most Similar Cases: Corruption in Baltics and Caucasus” *Crime, Law and Social Change*, No 2 (2017):198.

<sup>14</sup> Graham Smith, Assland Aadne, Richard Mole, „Statehood, Ethnic Relations and Citizenship in the Baltic States. The National Self-Determination of Estonia, Latvia and Lithuania”, [w:] *The Baltic States: The National Self-Determination of Estonia, Latvia and Lithuania*, ed. Graham Smith (New York: St. Martin’s Press, 1994), 181-205.

After the collapse of the USSR, the Estonian elite was still relatively young and therefore more courageous in its decisions, willing to take risks, with strong motivation and the ability to see alternative solutions. It was a new type of elite, most of whom had little management experience, and they made mistakes. Yet, that elite was not long captive to the Soviet past, did not preserve or reproduce examples of Soviet political and legal culture. In our opinion, the small number of representatives of the old nomenklatura elite in the power of independent Estonia became a decisive factor in the further anti-corruption progress of this state.

It is worth noting the importance not only of the young Westernized reformers coming to power, but also of their solidarity. The Estonian elite set itself the task of moving away from „Sovietness” and any resemblance to Russia. The strong integration of the national elite was not least due to the Estonians’ fear of a possible restoration of the supremacy of Russia in the former empire. Thus, successful reforms in Estonia were led by a structurally and ideologically cohesive, young political elite without a communist legacy. This ensured a consensus on the goals and a high level of organization within the elite<sup>[15]</sup>.

The personnel reform in Estonia was complemented by other innovations, including: (1) the introduction of proportional taxation, which simplified tax administration, economically stimulated the reduction of shadow operations, and consequently the elimination of destructive informal practices of corruption; (2) the transition from the authorization model of regulating the activities of business agents (the powers of the official are almost unlimited in terms of issuing permits for a particular activity) to notification and control (most permits are issued by „tacit” consent, and the control functions of officials are clearly and comprehensively defined by law).

The level of corruption in Estonia was also influenced by lustration. It was not carried out in its pure form, but after 1991 the model of national-state lustration was actually implemented through the legislative regulation of the institution of citizenship. The de-sovietization and de-nomenclature of state power was carried out through national-state lustration, which created the conditions for a comprehensive fight against corruption.

The presence of a large Estonian diaspora in the Nordic countries, especially Sweden, was also a favorable factor for successful democratic

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<sup>15</sup> Aleksander Kupaťadze, „Accounting for Diverging Paths in Most Similar Cases: Corruption in Baltics and Caucasus” *Crime, Law and Social Change*, No 2 (2017): 199.



transformation. This facilitated adaptation to Western models during the transition period of the 1990s<sup>[16]</sup>. The Estonian diaspora in the Scandinavian countries was much larger than that of Latvians or Lithuanians. This also promoted more „Nordic identity” of Estonia and political elites often emphasized that „Estonia is a Nordic country”<sup>[17]</sup>.

Thus, even at the start of post-Soviet democratization, it was possible to dramatically reduce the influence of the old guard in the post-transition milieu and hence to neutralize its destructive capability to openly or latently undermine reforms. The rapid transition from particularism to transparent methods of governance was due to the destruction of Soviet corruption networks in the 1990s, nation-state lustration, large-scale staff rotation, and the cleansing of the judiciary. Subsequently, bureaucratic corruption was minimized through the introduction of e-government.

Estonia’s radical break since independence with all that was associated with the USSR and Russia contributed to a significant weakening of the collusive and corrupt networks that linked top politicians and big business. The break with the past opened up opportunities for the younger generation to take leadership positions in government and accelerate the pro-democratic transformation of state and society. In addition, the then relatively young Estonian elite was characterized by ideological solidarity, a high level of interpersonal trust, a democratic political and legal culture, and a strong political will to build a democratic state. This was crucial not only for the design of reforms, but also for their practical implementation.

Estonia’s success in preventing and combating corruption is conditioned by the government’s strong separation from the Soviet past and its focus on integration with the West. For Estonia, the desire to join the EU became a major catalyst for reforms in all spheres of life, including the fight against corruption<sup>[18]</sup>.

The transition to e-government has had a significant impact on minimizing corruption in Estonia. Researchers have repeatedly pointed out the link between corruption and digital technology and demonstrated the

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<sup>16</sup> Ole Nørgaard, Lars Johannsen, Mette Skak, H. Sørensen René, *The Baltic States after Independence* (Cheltenham: Edward Elgar Publishing, 1999).

<sup>17</sup> Aleksander Kupatadze, „Accounting for Diverging Paths in Most Similar Cases: Corruption in Baltics and Caucasus” *Crime, Law and Social Change*, No. 2 (2017): 202.

<sup>18</sup> Mert Kartal, „Accounting for the bad apples: the EU’s impact on national corruption before and after accession”. *Journal of European Public Policy*, No 6 (2014): 941-959.

influence of e-government in reducing corruption<sup>[19]</sup>. The main argument is e-government. E-government ensures high transparency and thus reduces corruption. E-government drives out corrupt officials, at least middle and lower level officials. According to the former president of Estonia T.H. Ilves „you can't bribe a computer”<sup>[20]</sup>. However, we must keep in mind that e-government is about minimizing one type of corruption – bureaucratic.

The decentralized X-Road data exchange system has been operating in Estonia since 2001. Thanks to it, 99 percent of public services are now available to individuals and legal entities online; you can use more than 3 thousand types of public services. The most important result of the X-Road project in terms of reducing corruption is the creation of a decentralized system, where no official or institution can fully control the system on its own. Citizens interact directly with the authorities in the virtual online dimension, where corrupt schemes are not allowed. The e-government introduced by Estonia became a model for other countries to choose a governance model that would minimize corruption schemes. The EU has long recognized the unconditional benefits of e-government long ago, both in terms of fighting corruption and preventing various inequalities<sup>[21]</sup>. Let us agree that e-government does prevent corruption in Estonia<sup>[22]</sup>, but this was made possible primarily by the increased importance of the rule of law.

It is equally important to pay attention to the technological tools developed in Estonia to prevent and combat corruption. These include digital public services, crowdsourcing platforms, whistleblowing tools, transparency portals, distributed ledger technology, and artificial intelligence, etc.

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<sup>19</sup> Thomas Andersen, „E-Government as an anti-corruption strategy” *Information Economics and Policy*, No. 3 (2009): 201-210; Nars G. Elbahnasawy, „E-Government, Internet Adoption, and Corruption: An Empirical Investigation” *World Development*, 57 (2014): 114-126; Jaannus Karv, *E-Government and its ability to reduce corruption. The case of Estonia* (Lund: Lund University, 2015); Chon-Kyun Kim, „Anti-Corruption Initiatives and E-Government: A Cross-National Study” *Public Organizations Review*, No. 3 (2014): 385-396; Krishan Satish, Teo Thompson S.H., Vivien K.G. Lim, „Examining the Relationships Among E-government Maturity, Corruption, Economic Prosperity and Environmental Degradation: A Cross-Country Analysis” *Information & Management*, No. 8 (2013): 638-649.

<sup>20</sup> The Estonian Example – Q&A with Toomas Hendrik Ilves *The Ripon Forum*, No. 1 (2013): 8.

<sup>21</sup> Commission of the European Communities, *i2010 eGovernment Action Plan: Accelerating eGovernment in Europe for the Benefit of All* (Brussels: European Commission, 2006).

<sup>22</sup> Seiam Dina Ali, Doaa Salman, „Examining the Global Influence of E-Governance on Vorrption: a Panel Data Analysis” *Future Business Journal*, No. 29 (2024): 1-13.

However, while positively assessing their potential, it should be taken into account that the same technologies „can also provide new corruption opportunities through the dark web, cryptocurrencies, or the misuse of technologies such as centralised databases”<sup>[23]</sup>. The mere fact that Estonia applies new technological tools would not automatically lead to strong anti-corruption results. Successful prevention and counteraction of corruption is a complex process that today requires a system of reforms (technological, institutional, value-based).

It is worth mentioning that unlike most Central and Eastern European countries, Estonia does not have a dedicated anti-corruption body. The Ministry of Justice is in charge of the preparation of the national anti-corruption strategy and oversees and coordinates the reporting on the Action Plan for the Anti-corruption Strategy. The Anti-Corruption Select Committee exercises parliamentary scrutiny over the implementation of anti-corruption measures and the Political Party Funding Supervision Committee oversees political parties' funding. The Corruption Crime Bureau of the National Criminal Police is a specialized unit responsible for carrying out investigations on corruption cases and the Internal Security Service is responsible for investigating corruption offences committed by higher state officials and higher local government officials in six larger municipalities. The Prosecutor's Office supervises and directs pre-trial criminal investigation proceedings on corruption offences and it represents the public prosecution in courts.

The Ministries of Justice and Finance, the police, the prosecutor's office, a special parliamentary committee, and other authorities are responsible for preventing and counteracting the informal destructive institution of corruption.

Along with the institutional reforms, it became clear that Estonians would have to rethink their values if they wanted to achieve the same high standard of living as the peoples of Northern and Western Europe<sup>[24]</sup>. This was especially relevant on the eve of Estonia's completion of the European integration process. Since 1995, the main focus was on institutional reforms aimed at meeting the Copenhagen criteria. Instead, attention to changes in

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<sup>23</sup> Adam Isabelle, Mihály Fazekas. „Are emerging technologies helping win the fight against corruption? A review of the state of evidence” *Information Economics and Policy*, 57, article 100950 (2021).

<sup>24</sup> Rein Taagepera, „Baltic values and corruption in comparative context” *Journal of Baltic Studies*, No. 3 (2002): 243-258.

the values of the population was insufficient, yet values change very slowly, and therefore require considerable attention from state and non-state institutions<sup>[25]</sup>. This resulted in a line of demarcation between Estonia (and other young democracies) and those EU Member States that had a strong democratic tradition.

## 4 | New challenges in preventing and combating corruption at the post-integration phase

It is noteworthy that Estonia did not stop anti-corruption reforms after joining the EU. In contrast, most of the Central and Eastern European countries that joined the EU in the last waves of enlargement show the opposite effect. Their control of corruption decreased after gaining the desired EU membership<sup>[26]</sup>.

After the great enlargement of the EU in 2004, it quickly became clear that the mere fact of Estonia's accession to the EU did not result in the complete destruction of corrupt practices, the overcoming of corruption pragmatism and the achievement of zero tolerance for corruption. After the completion of Estonia's accession to the EU, various destructive practices persisted to some extent, especially top-corruption, political corruption, functioning of various destructive networks, etc.<sup>[27]</sup>.

In this context, the results of the special 2020 Eurobarometer survey on corruption are informative. 60 percent of Estonian respondents consider corruption to be widespread (on average in the EU – 71 percent). 14 percent of respondents feel personally affected by corruption in everyday life (on average in the EU – 26 percent). 44 percent of business companies consider

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<sup>25</sup> Nataliia Khoma, Oleksii Kokoriev, „Deconsolidation of Liberal Democracy in the Baltic States. The Issue of Compliance with the EU Standards at Institutional and Value Levels” *Romanian Journal of European Affairs*, No. 1 (2021): 54.

<sup>26</sup> Mert Kartal, „Accounting for the Bad Apples: the EU's Impact on National Corruption Before and After Accession”. *Journal of European Public Policy*, No. 6 (2014): 941-959.

<sup>27</sup> Santiago Villaveces-Izquierdo, Catalina Uribe Burcher, *Illicit Networks and Politics in the Baltic States* (Stockholm: International Institute for Democracy and Electoral Assistance, 2013).

corruption to be widespread (63 percent on average in the EU), while 9 percent of companies consider corruption to be a problem in doing business (37 percent on average in the EU). 37 percent of respondents believe that there are enough successful mechanisms to deter people from corrupt practices (36 percent on average in the EU). 46 percent of companies believe that individuals and legal entities caught for bribing high-ranking officials are punished appropriately (31 percent on average in the EU)<sup>[28]</sup>.

One of the factors negatively affecting the further democratization of Estonia is external influences. This is mainly the destructive influence of Russia, its numerous poisonous propaganda campaigns<sup>[29]</sup>. The consequence of such influence is the increased vulnerability of the Baltic States to various destructive informal practices, one of which is corruption<sup>[30]</sup>. The Russian factor is rightly interpreted as a powerful obstacle to the liberation of young democracies from corruption in as short a time as possible. However, it is important to note that Russia's destructive influence, despite the force of its overt and covert pressure, a combination of hard and soft power tactics, has not been able to change Estonia's strategic direction – the democratic, pro-European one.

Despite its successes, Estonia still has some work to do in preventing and combating corruption, as evidenced by periodic revelations of corruption among top Estonian officials.. For example, at the end of 2020, the Minister of Education and Research of Estonia, a member of the Estonian Centre Party Mailis Reps resigned due to misappropriation of budget funds. Also at the beginning of 2021, the government of J. Ratas resigned against the background of allegations of corruption. There were numerous corruption cases in the Centre Party involving sponsors' funds in exchange for loans to support business in the pandemic. On January 12, 2021, the Centre Party as a legal entity, as well as five individuals were suspected of corruption. The prompt investigation of this case and the prosecution of the perpetrators are believed to be a reputable challenge for the Estonian authorities at the moment. Also in the context of the last mentioned corruption case, it is important to note that corruption and emergencies (such as the Covid-19

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<sup>28</sup> European Union, *Special Eurobarometer 502*. [https://data.europa.eu/data/datasets/s2247\\_92\\_4\\_502\\_eng?locale=en](https://data.europa.eu/data/datasets/s2247_92_4_502_eng?locale=en).

<sup>29</sup> Nataliia Khoma, Oleksii Kokoriev, „Deconsolidation of Liberal Democracy in the Baltic States. The Issue of Compliance with the EU Standards at Institutional and Value Levels” *Romanian Journal of European Affairs*, No. 1 (2021): 55.

<sup>30</sup> Agnia Grigas, *Legacies, Coercion and Soft Power: Russian Influence in the Baltic States* (London: Chatham House, 2012).

pandemic) feed off each other. The large financial flows involved in fighting the pandemic, the need to disburse these funds quickly, etc., create a favorable environment for corruption.

Cases of top corruption are often the result of investigations by whistleblower journalists. For example, one of the recent cases was the investigation by the Estonian portal Eesti Ekspress (March 2024). It resulted in the resignation of the Estonian Minister of Justice Kalle Laanet and the initiation of an official investigation by law enforcement agencies. This example shows the importance of the role of non-state actors, especially the media, in preventing and countering corruption.

The Estonian government is currently implementing a long-term strategy until 2035<sup>[31]</sup>. It does not directly address the task of combating corruption, but the implementation of all its tasks is possible only with the transparency of decisions of state institutions and complete intolerance of corruption in its various forms. Also in early 2021, Estonia adopted a new anti-corruption strategy for 2021-2025<sup>[32]</sup>. It determines the areas of concern: transparency of state and local government, fair business environment, investigation of corruption cases, protection of whistleblowers, and awareness raising. Combating illicit funding is a priority for the Estonian government.

In recent years, Estonia has been at the epicenter of money laundering scandals involving foreign banks. Money that needed to be legalized from Russia, Azerbaijan, Uzbekistan and other post-Soviet countries entered the EU banking system through branches of European banks, including those in Estonia. Three large Nordic banks (Denmark's Danske Bank and Sweden's Swedbank and SEB) were involved in this situation. Therefore, it is obvious that one of the priority areas for the Estonian authorities in preventing and combating corruption should continue to be the improvement of anti-money laundering mechanisms and broader measures to combat financial crime.

The need to increase the transparency of the Estonian public administration is mainly due to gaps in the legislation. This was particularly evident during the Covid-19 pandemic and first manifested itself in the area of public procurement. Lobbying also remains semi-transparent,

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<sup>31</sup> Public of Estonia Government, *Estonia 2035*. <https://valitsus.ee/strateegia-eesti-2035-arengukavad-ja-planeering/strateegia/materjalid>.

<sup>32</sup> Ministry of Justice Republic of Estonia, *Anti-Corruption Action Plan 2021-2025*. <https://www.korruptsioon.ee/et/node/28774>.

although the government recently (March 2021) approved a rule requiring top officials to report on meetings with lobbyists. However, a number of issues related to lobbying remain unresolved, and the state does not assign responsibilities to lobbyists.

Gaps in Estonian legislation are gradually being closed. An example is the recent introduction of the „revolving doors” principle for those who completed public service. This amendment was made to the Civil Service Act. The law contains provisions according to which an official who is released from office may not become, within one year from the day of release, a connected person with a legal person in private law over which the official has exercised direct or constant supervision during the last year. Among the latest anti-corruption measures at the state level in Estonia, it is worth noting the creation of an open governance road map and the abolition of the so-called roof money.

In Estonia, there is a strong link between political parties and the companies that support them. A certain dependence of parties on business sponsors poses corruption risks. This aspect of political corruption in Estonia is noticeable as the costs of election campaigns are constantly increasing, but membership fees, donations from small sponsors (party, election crowdfunding) are not popular. There is also insufficient control over the financing of political parties, which requires a revision of the legislation on political parties.

There are also procedural problems. Not all corruption cases can be brought to a guilty verdict. In some cases, the prosecutor's office is unable to bring a high-level corruption case to trial, even when there is evidence to do so. The most notorious example of this is the corruption case of the former mayor of Tallinn, the leader of the Center Party, E. Savisaar. This refers to obtaining by E. Savisaar an illegal reward of about 300 thousand euros from four entrepreneurs for providing land for construction, procurement through the state budget, extending the contract with the city to rent real estate in the historic part of Tallinn and more. The politician himself believes that the case is a persecution of him as an „agent of influence” of Russia on Estonian politics. After a long trial, the case against E. Savisaar was closed (December 2018) due to the health condition of the defendant (while the health condition did not become an obstacle to participate in the local elections in 2021). It is known that only one person was prosecuted in this case, and the other defendants were acquitted. Most notably, the biggest corruption cases of 2021-2022 are connected with the Centre Party: suspicions about the former Minister of Education Mailis

Reps, and the already mentioned resignation of the government of Jüri Ratas due to corruption suspicions in the Centre Party, and the detention of the former Minister of Interior Ain Seppik, etc.

Also in the part of procedural problems it is worth to point out the difficulties with the seizure of property acquired through corruption at the stage of investigation, trial. During the proceedings, this property „disappears” or „significantly decreases”. This fact intensified the discussion on the expediency of initiating the procedure of seizing the assets of the person involved in the corruption case already at the stage of investigation.

Not only institutional, but also value issues remain with regard to politicians, civil servants and ordinary citizens. There have been cases where the corrupt or unethical behavior of a candidate for elective office did not become an obstacle to being elected. In general, it seems that the issues of integrity of politicians, top officials, and political parties are often intensified not by the efforts of state institutions, but by public pressure and journalistic investigations.

The problems of various destructive practices also exist in local authorities. Conflicts of interest arise, which in the worst case can escalate into corruption. Corruption is often the result of ignorance on the part of local leaders. While various anti-corruption trainings are often held for officials in the capital, such events are less intensive for local government representatives, or participation at the local level is ignored.

The problems caused by the low political and legal culture with regard to corruption are exacerbated by insufficient control and supervision of local governments. Outside the capital, the public and the media do not exert such pressure as to preventing and combating corruption at the local level. Small municipalities are characterized by the lack of public pressure and even some concealment of illegal actions (toleration), which are qualified as corrupt. In general, many anti-corruption problems lie in the field of political and legal culture of the population, insufficient awareness of the qualification of certain actions as corruption. It is important to change the values of the population in the direction of the formation of a high political and legal culture of a democratic model, in which zero tolerance of corruption will take the lead.

The issue of adequate protection of whistleblowers remains acute. Currently, Estonian law provides for rather limited tools to protect whistleblowers, which cannot guarantee their privacy and the inadmissibility of pressure on whistleblowers and their families. Another problem is that the attitude of Estonian society towards whistleblowers is not very



favorable. It is assumed that the problem is rooted in the rejection of Soviet denunciation practices. The fact that Estonia has not yet implemented a comprehensive system of protection for whistleblowers was pointed out by the European Commission in a report on the rule of law in Estonia<sup>[33]</sup>.

There is still a problem of doing business that would meet the standards of ethics, integrity of business. At present, high ethical standards, the ability to manage risks, prevent conflicts of interest, etc. are more characteristic of companies that are subsidiaries, branches of Western (especially Nordic) business structures. Therefore, it is necessary to work on the implementation of high ethical standards of doing business, the formation of good corporate behavior.

Concurrently, some constructive steps have been taken to de-corrupt the business environment. In particular, at the government's initiative, local companies can conduct an online corruption risk assessment and receive recommendations on how to make their business more corruption-resistant. Also in 2019, the government launched a series of e-learning training projects to prevent conflicts of interest for public sector employees. The training materials are freely available on YouTube video hosting. It can be assumed that Estonia's anti-corruption policy is aimed at raising public awareness, although it does not currently fully cover all groups. This vector of anti-corruption policy is extremely important, because the success of institutional reforms depends on the values of the population.

A distinctive feature of Estonians is that most of them do not perceive corruption as part of their standards of conduct. This leads us to believe that the relatively low level of corruption in Estonia is due to the characteristics of the culture and values. Indeed, Estonia makes efforts to strengthen respect for the law and intolerance of all forms of corruption. Information on conflicts of interest, forms of corruption, opportunities to prevent and counteract them at the levels of both the citizen and the state is disseminated in various ways. Namely, the Estonian Anti-Corruption Strategy 2013-2020 prioritized the „promoting awareness of corruption” and further determined tasks such as the “improving transparency of decisions and actions”<sup>[34]</sup>.

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<sup>33</sup> European Commission, 2020 *Rule of Law Report Country Chapter on the rule of law situation in Estonia*. European Commission staff working document. [https://ec.europa.eu/info/sites/default/files/ee\\_rol\\_country\\_chapter.pdf](https://ec.europa.eu/info/sites/default/files/ee_rol_country_chapter.pdf).

<sup>34</sup> Estonian Ministry of Justice, *Estonian Anti-Corruption Strategy 2013-2020*. <https://www.korruptsioon.ee/en/anti-corruption-activity/anti-corruption-strategy-2013-2020>.

The overall corruption decline in Estonia caused a gradual reduction in public anxiety associated with corrupt practices. This is specified by the results of studies conducted by Eesti Uuringukeskus OÜ and Norstat Eesti AS<sup>[35]</sup>.

At the same time, the education of anti-corruption values among young people remains an important issue. Today's schoolchildren in democratic Estonia are fortunate not to have experienced corruption, unlike the older generations. Hence, corruption is not discussed in educational institutions in the way that could train young people to recognize it. Simultaneously, in order to increase the transparency of Estonian society and government, it is essential to raise young people's awareness of the nature, destructive effects of corruption, and the importance of civic activism.

According to the Estonian Ministry of Justice, the number of corruption crimes was declining for a long time, but in 2020 there was a slight increase in the number of illegal actions with a corruption component, most often in the field of medicine (corrupt links between doctors and manufacturers of pharmaceutical products or medical devices; corruption schemes of medical staff with patients, etc.). Most corruption offenses are recorded in the public sector and local governments<sup>[36]</sup>. Covid-19, in particular, has created new corruption risks and conflicts of interest, especially in the public sector. For example, the need to quickly purchase medical supplies, transport them to designated service points, ensure quick customs clearance of imported medicines, mobilize additional medical staff, etc. – all of which pose corruption risks. In Estonia, cases of forgery of vaccination certificates by healthcare workers in exchange for illicit benefits were also reported.

It should also be borne in mind that not only are the mechanisms for preventing and combating corruption being modernized, but corruption itself is taking on new forms. This requires any state, even the one that is as successful in anti-corruption as Estonia, to possess the skills to quickly identify and respond to new illegal actions aimed at obtaining illicit benefits.

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<sup>35</sup> Eesti elanikkonna turvalisuse uuring. <https://www.politsei.ee/files/Uudised/2020/ppa-raport-0412.pdf?88f9c15a20>.

<sup>36</sup> Kuritegevus Eestis 2019. <https://www.kriminaalpoliitika.ee/kuritegevuse-statistika/korruptsioon.html>.

## 5 | Conclusion

Although Estonia ranks high in the Corruption Perceptions Index, the differences with the least corrupt countries (Denmark, Finland and Sweden) are striking. There is a clear need to address gaps in legislation that allow corruption and impunity. There is also a need to promote anti-corruption values more widely in society, and to raise awareness among different groups about corruption and how to respond to it. The most vulnerable sectors to corruption are public procurement, lobbying, money laundering and health care. There are also procedural difficulties, especially in the confiscation of property obtained through corruption. The whistleblower protection law has not yet been adopted, although it has been considered by the Estonian parliament for a long time. Also, amendments to the Political Parties Act and communication with lobbyists at the level of the Parliament and local governments are still to come.

It is evident that during all the years of independence, Estonia's state institutions were characterized by a strong political will to build a democratic state free of corruption. However, the main emphasis was put on institutional reforms, while the formation of a high anti-corruption culture among the population was given relatively less attention. Nevertheless, a sustainable result in minimizing corrupt practices can be achieved only if institutional reforms are synchronized with measures aimed at forming a developed democratic political and legal culture of the population. Otherwise, any significant political events (change of the ruling party, intensification of destructive external influences, etc.) may increase the risk of increasing corrupt practices (at all levels - from household to top-level corruption).

The analysis allowed modeling the system of factors that constructively and destructively influenced (after the declaration of independence) and influenced (at the stage of EU membership) the processes of preventing and combating corruption in Estonia.

Constructive factors contributing to the anti-corruption reforms in the period from the declaration of independence to EU accession include:

- the historically formed identification of Estonia and Estonians with the West;
- the public sphere in Estonia was not as repressed during the communist period as in other countries;

- the presence of a significant number of representatives of the Estonian national elite in the leadership during Gorbachev's perestroika, despite the repression of the Soviet period;
- the active removal from power of representatives of the former Soviet elite, which destroyed established corruption schemes, and the accession to power of the young Westernized political elite;
- strong political will of the Estonian elite to carry out reforms;
- use of the window of opportunity (radical reforms launched immediately in the first years of independence);
- rapid consolidation of the Estonian political elite on the vector of state development and the content of reforms, strong motivation to join NATO and the EU;
- support from the West and the large Estonian diaspora in the Nordic countries;
- the reluctance of the majority of Estonians to tolerate corruption.

Constructive factors that contributed to anti-corruption reforms at the stage of EU membership include:

- EU membership: ratification of anti-corruption legislative instruments established within the EU, implementation of the recommendations of the Group of States against Corruption, etc.;
- development of e-government. Today, Estonia is a leader in the development of e-government, which affects the level of corruption<sup>[37]</sup>;
- using of the potential of information technology as a tool for preventing and countering corruption. Estonia is constantly testing new tools and mechanisms to influence corruption risks<sup>[38]</sup>).

The destructive factors that hindered the anti-corruption progress during the interval between the independence and EU accession include:

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<sup>37</sup> Sheryazdanova Gulmira, Roza Nurtazina, Bibigul Byulegenova, Indira Rystina. „Correlation Between E-Government and Corruption Risks in Kazakhstan” *Utopía y Praxis Latinoamericana*, No. 7 (2020): 45.

<sup>38</sup> Halai Andrii, Viktoriia Halai, Roksolana Hrechaniuk, Kateryna Datsko. Digital Anti-Corruption Tools and Their Implementation in Various Legal Systems Around the World. *SHS Web of Conferences* 100, article 03005 (2021): 4.

- attention paid primarily to institutional reforms and relatively little to the formation of new values among citizens (anti-corruption values);
- external destructive influences, first of all from Russia (they remain to this day).

The destructive factors that slowed down the anti-corruption progress at the stage of EU membership include:

- the relationship between political parties and the business that sponsors them; underdeveloped electoral, party crowdfunding and other transparent forms of political party financing;
- the difficulty of eradicating political corruption (top-corruption, corruption among political parties);
- gaps in legislation (lobbying, public procurement, etc.);
- imperfections in criminal procedure law, which lead to the avoidance of liability of corruption suspects, difficulties in seizing the assets of those involved in corruption cases;
- problems in the political culture of Estonian voters, which are manifested in the electoral support of political actors suspected of corruption;
- low awareness among citizens, especially at the level of local self-government, of the risks of corruption and the qualification of certain actions as corrupt;
- insufficient state protection of whistleblowers, low public support for whistleblowers;
- issues of adherence to business ethics by business entities, non-compliance of business conduct with ethical standards of the competitive environment.

At first glance, it may seem that Estonia is an example of a successful rapid transition to transparent governance, honest business, maximum intolerance of corruption by citizens, and so on. In reality, however, Estonia's path to zero corruption, government transparency, and other high democratic standards is not complete. There are still unresolved issues in the area of preventing and combating corruption, and new challenges are emerging. These processes are far from complete and require great will and effort from both the public and private sectors.

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