



# **EMN FOCUSSED STUDY 2018**

## **Impact of visa liberalisation on countries of destination**

### **Estonian national report**

**Tallinn 2018**

***Impact of visa liberalisation on countries of destination***

*Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the EMN Focussed Study on Impact of visa liberalisation on countries of destination. The contributing EMN NCP have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.*

*This document was produced by Barbara Orloff the expert of EE EMN NCP. This report was compiled based on public and available information. Furthermore, experts of this topic were consulted.*

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# Impact of visa liberalisation on countries of destination

## *Common Template of EMN Study 2018*

**Version: May 2018**

**Subject:** Common Template for the EMN Study 2018 on the "***Impact of visa liberalisation on countries of destination***"

**Action:** EMN NCPs are invited to submit their completed Common Templates by **31 August 2018**. If needed, further clarifications can be provided by directly contacting the EMN Service Provider (ICF) at [emn@icf.com](mailto:emn@icf.com)

## 1 STUDY AIMS, SCOPE AND BACKGROUND

### 1.1 TARGET AUDIENCE

The target audience is national and EU officials/practitioners concerned with legal and illegal mobility and migration, including but not limited to cooperation with third countries on return and readmission, asylum trends and border control.

The results of the study will assist the target audience to take decisions on the need (or otherwise) to amend current policies and practices used to prevent and combat misuse and/or abuse of the visa-free regime<sup>1</sup>, as well as identify the positive impact on Member States (MS) achieved since the introduction of visa liberalisation.

### 1.2 LEGAL FRAMEWORK

The border-free Schengen Area<sup>2</sup> cannot function efficiently without a common visa policy which facilitates the entry of visitors into the EU. The Treaty on the Functioning of the European Union (TFEU) makes a distinction between short stay and long stay for third-country nationals (TCN), covering short stays in the Schengen acquis in Article 77(2) and long stays as part of a Common Immigration Policy in Article 79(2), thus excluding long stays from the scope of this study

The EU has established a common visa policy for transit through or intended stays in the territory of Schengen States of no more than 90 days in any 180-day period. The Visa Code<sup>3</sup> provides the overall framework of EU visa cooperation. It establishes the procedures and conditions for issuing visas for short stays in and transit through the territories of EU countries. It also lists the non-EU countries

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<sup>1</sup> The misuse of the visa-free regime e.g. entry and stay for purposes other than the intended short-term travel to the EU, overstay etc.

<sup>2</sup> To date the Schengen Area encompasses most EU States, except for Bulgaria, Croatia, Cyprus, Ireland, Romania and the United Kingdom. In some cases, a visa requirement may still be in place for the third countries analysed in this study (e.g. in Ireland and UK).

<sup>3</sup> Regulation (EC) No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code)

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whose nationals are required to hold an airport transit visa when passing through the international transit areas of EU airports and establishes the procedures and conditions for issuing such visas.<sup>4</sup>

According to the Visa Code<sup>5</sup> '*Bilateral agreements concluded between the Community and third countries aiming at facilitating the processing of applications for visas may derogate from the provisions of this Regulation*'. In line with this provision, Regulation (EC) No 539/2001<sup>6</sup> establishes the visa requirements and visa exemptions for non-EU nationals entering the EU in view of a short stay. It also provides for exceptions to the visa requirements and visa waivers that EU countries may grant to specific categories of persons.

The regulation provides a common list of countries whose nationals must hold a visa when crossing the external borders of a (Member) State and a common list of those who are exempted from the visa requirement.

The two lists are regularly updated with successive amendments to Regulation (EC) No 539/2001. The decisions to change the lists of non-EU countries are taken on the basis of a case-by-case assessment of a variety of criteria also known as visa liberalisation benchmarks. Those include, *inter alia*:

- migration management;
- public policy and security;
- social benefits;
- economic benefit (tourism and foreign trade);
- external relations including considerations of human rights and fundamental freedoms; and
- regional coherence and reciprocity.

Notably, these decisions are sometimes taken as a result of successful visa liberalisation dialogues with the third countries concerned.<sup>7</sup> Furthermore, Regulation 1289/2013 establishes a suspension mechanism to respond to emergency situations such as abuse resulting from Visa exemption. In this regard, the instrument sets out conditions under which Visa requirements can be temporarily reintroduced.

### **1.3 LITERATURE REVIEW AND AIM OF THE STUDY**

Visa policies are considered a major instrument to regulate and control mobility and cross-border movements. Border policies dealing with short-term mobility represent the bulk of cross-border movement of people. While on the one hand migration policies have received considerable attention from comparative researchers, much less is known about global shifts in border policies dealing with short term mobility.<sup>8</sup> Visa requirements often reflect the relationships between individual nations and generally affect the relations and status of a country within the international community of nations.<sup>9</sup>

In the adopted strategy for "A credible enlargement perspective for and enhanced EU engagement with the Western Balkans", the European Commission stated that visa liberalisation, which fosters mobility, has improved regional cooperation and creates more open societies. The Commission shall monitor the continuous fulfilment of the specific requirements, which are based on Article 1 of Regulation (EC) No 539/2001 as amended by Regulation (EU) No 509/2014 and which were used to

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<sup>4</sup> Based on Regulation 539/2011

<sup>5</sup> Recital 26

<sup>6</sup> Council Regulation (EC) No 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.- Official Journal L 081, 21.03.2001.

<sup>7</sup> Visa requirements for non-EU nationals -<http://eur-lex.europa.eu/legalcontent/EN/TXT/?uri=LEGISSUM:jl0031>.

<sup>8</sup> Mau, Steffan, Gulzau, Fabian, Laube, Lene and Zaun Natascha (2015) The global mobility divide: How visa policies have evolved over time. *Journal of Ethnic and Migration Studies* 41, (8) pp. 1192-1213. ISSN 1369-183X

<sup>9</sup> See: <http://www.henleyglobal.com/citizenship/visa-restrictions/> (accessed October 23, 2009)

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assess the appropriateness of granting visa liberalisation, by the third countries whose nationals have been exempted from the visa requirement when travelling to the territory of Member States as a result of a successful conclusion of a visa liberalisation dialogue conducted between the Union and that third country.<sup>10</sup>

Finding actual evidence concerning the effects of visa liberalization appeared to be a difficult task.<sup>11</sup> Studies conducted in the past have revealed that visa restrictions were costly, they carried an administrative burden and required additional personnel. The imposition of travel requirements did not reduce only inflows but also outflows, and thus, overall movement of persons.<sup>12</sup> In 2016, the Western Balkan region's total trade with the EU was over EUR 43 billion, up 80% since 2008.<sup>13</sup> The importance of the visa liberalisation agreements has been demonstrated also by research that was pursued prior to the visa waiver agreements in light of the political commitments between the EU and its eastern neighbours, given the growing need for less division on the European continent.<sup>14</sup> Furthermore, analysis showed that the prospects of visa liberalisation agreements constitute a powerful incentive for far-reaching reforms in the policy areas of freedom, security and justice.<sup>15</sup> What has not been addressed thoroughly however, was whether measures affecting the granting of short-term visas could have an impact not only on short term travel but also on longer-term immigration and residence of foreign nationals.<sup>16</sup> EU Member States have been facing different challenges caused by visa liberalisation, such as persisting irregular migration, and issues related to prevention and fight against organised crime.<sup>17</sup>

Whereas the limited research done in this field proved that there were clear benefits for the EU to conclude such agreements with third countries, the overall impact of visa liberalisation agreements with the Western Balkan and the Eastern Partnership countries remains vastly under-researched. Methodological challenges, such as research conducted in a fragmentary manner or the lack of uniform data across (Member) States had so far not allowed for a comparable analysis of the impact of visa liberalisation on the countries of destination.

Consequently, this EMN study aims to offer a comparative overview of (Member) States experiences with the functioning of visa-free regime. It will identify challenges, best practices and positive experience in different Member States and Norway, and provide up-to-date information on the latest tendencies in this area of migration policy. The study will cover Western Balkan and Eastern Partnership countries which have successfully concluded visa liberalisation dialogues according to the relevant action plans and roadmaps.

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<sup>10</sup> Councils Regulation (EC) Nr. 539/2001 1a(2b).

<sup>11</sup> Forecasting migration between the EU, V4 and Eastern Europe, impact of visa abolition, Centre for Eastern Studies, 2014, [https://www.osw.waw.pl/sites/default/files/migration\\_report\\_0.pdf](https://www.osw.waw.pl/sites/default/files/migration_report_0.pdf)

<sup>12</sup> The Effect of Visa Policies on International Migration Dynamics (2014), Working Papers, Paper 89, April 2014, University of Oxford, <https://pdfs.semanticscholar.org/23ae/89f7acdecb909aaa601210519ef48848917e.pdf>

<sup>13</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A credible enlargement perspective for and enhanced EU engagement with the Western Balkans - Strasbourg, 06.02.2018 COM(2018) 65 final.- [https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/communication-credible-enlargement-perspective-western-balkans_en.pdf)

<sup>14</sup> Consequences of Schengen Visa Liberalisation for the Citizens of Ukraine and the Republic of Moldova, Migration Policy Center, 2012, <http://cadmus.eui.eu/bitstream/handle/1814/23497/MPC-RR-2012-01.pdf?sequence=1&isAllowed=y>

<sup>15</sup> The Impact of Visa Liberalisation in Eastern Partnership Countries, Russia and Turkey on Trans-Border Mobility, CEPS Paper in Liberty and Security, 2014, <https://www.ceps.eu/publications/impact-visa-liberalisation-eastern-partnership-countries-russia-and-turkey-trans-border>

<sup>16</sup> Forecasting migration between the EU, V4 and Eastern Europe, impact of visa abolition, Centre for Eastern Studies 2014, [https://www.osw.waw.pl/sites/default/files/migration\\_report\\_0.pdf](https://www.osw.waw.pl/sites/default/files/migration_report_0.pdf)

<sup>17</sup> Report from the Commission to the European Parliament and the Council First Report under the Visa Suspension Mechanism - Brussels, 20.12.2017 COM (2017) 815 final.- [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/20171220\\_first\\_report\\_under\\_suspension\\_mechanism\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/20171220_first_report_under_suspension_mechanism_en.pdf)

*Impact of visa liberalisation on countries of destination***1.4 SCOPE OF THE STUDY**

While there are 60 countries around the world that benefit from visa-free travel to the EU, in some cases, decisions on visa-free access to the Schengen Area may follow from bilateral negotiations (i.e. visa liberalisation dialogues).<sup>18</sup> The visa liberalisation dialogues were successfully conducted between the EU and the **former Yugoslav Republic of Macedonia, Montenegro** and **Serbia** (2009), **Albania, Bosnia and Herzegovina** (2010) as well as **Moldova** (2014), **Ukraine** (2017) and **Georgia** (2017). They resulted in granting visa-free travel to citizens of these countries.

This study will focus on those **Western Balkan and Eastern Partnership countries** which have successfully reached visa liberalisation agreements according to the relevant action plans and roadmaps, and more specifically on the **impact of visa liberalisation** on countries of destination. The visa-free regime is the most tangible benefit for the citizens of the Western Balkan countries in the process of their integration into the EU and one of the core objectives for the Eastern Partnership countries.

This study will consider the policies and practices of EU Member States and Norway following changes in migration flows raised by visa exemptions in the mentioned third countries. The scope of the study includes the period **2007-2017** and focuses on the immediate years prior to and after the visa waiver agreements entered into force.

Thus, the subjects of the study are third-country nationals<sup>19</sup> from:

- Former Yugoslav Republic of Macedonia (19/12/2009);
- Montenegro (19/12/2009);
- Serbia (19/12/2009);
- Albania (15/12/2010);
- Bosnia and Herzegovina (15/12/2010);
- Moldova (28/4/2014);
- Georgia (28/3/2017); and
- Ukraine (11/6/2017).

This study will limit itself in three respects: First, it investigates the impact of short-term Visa liberalisation and thus excludes effects of long-stay residence and Visa permits. Notwithstanding this limitation, the study may display medium and long-term impact on countries of destination ensuing from short-term Visa liberalisation.<sup>20</sup>

Second, the study is based on the presumption that Visa liberalisation yields effects on cross-border mobility.<sup>21</sup> Where it relies on quantitative data on short-term Visa mobility, it cannot establish a causal link between Visa liberalisation and cross-border mobility but rather indicates a correlative effect between the two.

Third, the study will not differentiate between TCNs from Visa exempt states who made use of the Visa free regime and those who entered the Union on a conventional short-term Visa regime. This limitation follows from the fact that Visa exemption is exclusively granted to TCNs who provide

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<sup>18</sup> See: [http://europa.eu/rapid/press-release\\_MEMO-17-5364\\_en.htm](http://europa.eu/rapid/press-release_MEMO-17-5364_en.htm)

<sup>19</sup> Holders of biometric passports. The visa-free regime is valid for a period of maximum 90 days in any 180-day period.

<sup>20</sup> By doing so, the study tests the hypothesis of Czaika and De Haas who review short and long-term effects of Visa policies, including Visa waivers, on cross border mobility: Czaika, Mathias; De Haas, Hein: The Effect of Visas on Migration Processes. In: International Migration Review, Vol. 51, No. 4, pp. 893-926.

<sup>21</sup> Which corroborates the findings of Landesmann, Leitner and Mara. Available at: <https://wiiw.ac.at/should-i-stay-should-i-go-back-or-should-i-move-further-contrasting-answers-under-diverse-migration-regimes-dlp-3561.pdf>

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biometric passports and available data does not state the procedure pursuant to which (s)he entered the state of destination.

#### 1.5 POLICY CONTEXT

At the political level, the Stockholm Programme underlined that the Visa Code “will create important new opportunities for further developing the common visa policy”. The Programme envisaged that “the access to the EU territory has to be made more effective and efficient” and that the visa policy should serve this goal.<sup>22</sup> Visa liberalisation is one of the Union's most powerful tools in facilitating people-to-people contacts and strengthening ties between the citizens of third countries and the Union. At the same time, visa regimes are instrumental to restrict unlimited and unwanted migration and trans-border organised crime. Visa liberalisation is therefore granted to countries that are deemed safe and well-governed, meeting a number of criteria in various policy areas.

The EU has conducted bilateral negotiations with the Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Moldova, Georgia and Ukraine.<sup>23</sup> Those dialogues were built upon ‘Visa Liberalisation Roadmaps’ for the Western Balkan countries and ‘Visa Liberalisation Action Plans’ (VLAP) for the Eastern Partnership countries. They included four blocks of requirements which the countries had to fulfil. These benchmarks related to document security, including biometrics; border management, migration and asylum; public order and security; and external relations and fundamental rights. These elements impinged both upon the policy and institutional framework (legislation and planning) as well as the effective and sustainable implementation of this framework.

During the visa liberalisation dialogues, the European Commission closely monitored the implementation of the Roadmaps and Action Plans through regular progress reports. It assessed the progress of all five Western Balkan countries in meeting the visa roadmap requirements first on 18 November 2008 and then on 18 May 2009.<sup>24</sup> Likewise, it has delivered progress reports on the implementation of the Action Plans on Visa Liberalisation for the Eastern Partnership countries.<sup>25</sup>

Third countries that have concluded visa facilitation agreements with the EU should not only meet the benchmark criteria in advance, but continue complying with the visa liberalisation requirements after the agreement is reached. The Commission has the duty to monitor this compliance and report on those matters to the European Parliament and the Council, at least once a year in accordance with Article 1a (2b) of Regulation (EC) No 539/2011.

The European Commission published its First Report under the Visa Suspension Mechanism in December 2017. It focused on specific areas identified for each country where further monitoring and actions were considered necessary to ensure the continuity and sustainability of the progress achieved in the framework of the visa liberalisation process.<sup>26</sup>

Visa liberalisation with third countries is linked to the return and readmission policy, as well as to asylum applications and border controls. The Frontex alert mechanism is crucial in this regard, providing a detailed analysis of the dynamic migration inflow trends from the two regions. The Frontex alert reports are instrumental for better understanding the phenomenon of the abuse of visa liberalisation, assessing its development and identifying concrete measures to tackle the

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<sup>22</sup> The Impact of Visa Liberalisation in Eastern Partnership Countries, Russia and Turkey on Trans-Border Mobility, CEPS Paper in Liberty and Security - <https://www.ceps.eu/publications/impact-visa-liberalisation-eastern-partnership-countries-russia-and-turkey-trans-border>

<sup>23</sup> An overview of the progress reports for Moldova, Georgia and Ukraine can be found here: [http://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia\\_en](http://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia_en)

<sup>24</sup> Available at: <http://www.esiweb.org/index.php?lang=en&id=353>

<sup>25</sup> Available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia\\_en](https://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia_en)

<sup>26</sup> Available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/20171220\\_first\\_report\\_under\\_suspension\\_mechanism\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-is-new/news/20171220_first_report_under_suspension_mechanism_en.pdf)



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challenges.<sup>27</sup> The contribution of the (newly adopted) Entry-Exit System is expected to be also significant as, among others, it aims at increasing the efficiency of (border) controls towards third-country nationals.

In this context, the following EMN products are relevant for this study:

- 2017 EMN Study "Challenges and practices for establishing the identity of third-country nationals in migration procedures"<sup>28</sup>
- 2016 EMN Study "Illegal employment of third-country nationals in the European Union"<sup>29</sup>
- 2015 EMN Study "Information on voluntary return: how to reach irregular migrants not in contact with the authorities?"<sup>30</sup>
- 2012 EMN Study "Visa policy as migration channel"<sup>31</sup>
- 2011 EMN Inform "Migration and Development"<sup>32</sup>

## 2 METHODOLOGICAL CONSIDERATIONS

The National Reports should be primarily based on secondary sources. In particular, information on national policies and approaches will be a key source of information, while available evaluations and view of experts should provide evidence of good practices and challenges in existing approaches regarding visa liberalisation.

### 2.1 AVAILABLE STATISTICS

- **Eurostat data**<sup>33</sup>: available period 2008 – 2017
  - Number of third-country nationals found to be illegally present – annual data (rounded) [migr\_eipre]
  - Number of third-country nationals refused entry at the external borders – annual data (rounded) [migr\_eirfs]
  - Number of third-country nationals ordered to leave – annual data (rounded) [migr\_eiord]
  - Number of third-country nationals returned following an order to leave – annual data (rounded) [migr\_eirtn]
  - Number of return decisions [migr\_eiord];
  - Number of return decisions effectively carried out [migr\_eirtn];
  - Number of voluntary and forced returns [migr\_eirt\_vol];
  - Number of asylum applications (monthly and yearly) [migr\_asyappctzm and migr\_asyappctza];

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<sup>27</sup> Available at:

[http://www.europarl.europa.eu/registre/docs\\_autres\\_institutions/commission\\_europeenne/sec/2011/1570/COM\\_SEC\(2011\)1570\\_EN.pdf](http://www.europarl.europa.eu/registre/docs_autres_institutions/commission_europeenne/sec/2011/1570/COM_SEC(2011)1570_EN.pdf)

<sup>28</sup> Available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00\\_eu\\_synthesis\\_report\\_identity\\_study\\_final\\_en\\_1.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_synthesis_report_identity_study_final_en_1.pdf)

<sup>29</sup> Available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00\\_eu\\_illegal\\_employment\\_synthesis\\_report\\_final\\_en\\_0.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/00_eu_illegal_employment_synthesis_report_final_en_0.pdf)

<sup>30</sup> Available at: [https://emnbelgium.be/sites/default/files/publications/info\\_on\\_return\\_synthesis\\_report\\_20102015\\_final\\_0.pdf](https://emnbelgium.be/sites/default/files/publications/info_on_return_synthesis_report_20102015_final_0.pdf)

<sup>31</sup> Available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/migration-channel/00b\\_synthesis\\_report\\_visa\\_policy\\_as\\_migration\\_channel\\_final\\_april2013\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/migration-channel/00b_synthesis_report_visa_policy_as_migration_channel_final_april2013_en.pdf)

<sup>32</sup> Available at: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european\\_migration\\_network/reports/docs/emn-studies/emn-informs/0a\\_emn\\_inform\\_apr2011\\_migration-development\\_january2013\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/networks/european_migration_network/reports/docs/emn-studies/emn-informs/0a_emn_inform_apr2011_migration-development_january2013_en.pdf)

<sup>33</sup> Available at: <http://ec.europa.eu/eurostat/data/database>

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- Number of rejected asylum applications [migr\_asydcfsta];
  - Number of first residence permits, by reason [migr\_resfirst]:
    - Number of first residence permits for family reasons;
    - Number of first residence permits for study reasons;
    - Number of first residence permits for the purposes of remunerated activity.
  - Third-country nationals who have left the territory by type of assistance received and citizenship [migr\_eirt\_ass]
  - Third-country nationals who have left the territory to a third country by type of agreement procedure and citizenship [migr\_eirt\_agr]
  - Third-country nationals who have left the territory to a third country by destination country and citizenship [migr\_eirt\_des]
- **Frontex data**<sup>34</sup>: available period 2009 – 2017
    - Number of detections of illegal border-crossings by sea and land
  - **Europol data**<sup>35</sup>: available period 2007 – 2017
    - Data on criminal proceedings, investigations or suspects of criminal acts
  - **European Commission, DG HOME Schengen Visa statistics**<sup>36</sup>: available period 2010-2016
    - Uniform visas applied for in Schengen States' consulates in third countries;
    - Total uniform visas issued (including multiple entry visas) in Schengen States' consulates in third countries;
    - Total uniform visas not issued in Schengen States' consulates in third countries.
- **National data**

The Study also requests national-level data (see study section tables). Any statistical indicator that does not have EU level data (e.g. Eurostat) will rely on national data (e.g. year 2007 for which Eurostat data is not available). Should the requested statistics not be available in (Member) State, EMN NCPs are asked to indicate this and specify, to the extent possible, the reasons why this is the case.

- **Other relevant datasets**

The European Visa Database:

<http://www.mogensholth.dk/evd/default.aspx>

University of Oxford's International Migration Institute:

<https://www.imi.ox.ac.uk/data/demig-data>

Aggregated data on the Schengen area as a whole:

<https://www.schengenvisainfo.com/schengen-visa-statistics-third-country-2016/>

The World Bank's World Development Indicators - Movement of people across borders:

<http://wdi.worldbank.org/table/6.13>

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<sup>34</sup> Available at: <http://frontex.europa.eu/trends-and-routes/migratory-routes-map/>

<sup>35</sup> Available at: <https://www.europol.europa.eu/activities-services/main-reports>

<sup>36</sup> Available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy\\_en#stats](https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats)

## 2.2 DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary 5.0 (2017) and should be considered as indicative to inform this study.

When discussing about illegal or irregular migration there is no unified terminology concerning foreigners. The UN and EU recommend using the term irregular rather than illegal because the latter carries a criminal connotation and is seen as denying humanity to migrants. Entering a country in an irregular manner, or staying with an irregular status, is not a criminal offence but an infraction of minor offences or administrative regulations. As a result, referring to Resolution 1509 (2006) of the Council of Europe Parliamentary Assembly, 'illegal' is preferred when referring to a status or process, whereas 'irregular' is preferred when referring to a person.

**Asylum seeker** – In the global context, a person who seeks protection from persecution or serious harm in a country other than their own and awaits a decision on the application for protection under the Geneva Convention of 1951 and Protocol of 1967 in respect of which a final decision has not yet been taken.

**Country of destination** – The country that is a destination for migration flows (regular or irregular).

**European Border Surveillance System** – A common framework for the exchange of information and for the cooperation between EU Member States and the European Border and Coast Guard Agency (Frontex) to improve situational awareness and to increase reaction capability at the external borders for the purpose of detecting, preventing and combating irregular immigration and cross-border crime, and contributing to ensuring the protection and saving the lives of migrants.

**Facilitators of the unauthorised entry, transit and residence** – Intentionally assisting a person who is not a national of an EU Member State either to enter or transit across the territory of a Member State in breach of laws on the entry or transit of aliens, or, for financial gain, intentionally assisting them to reside within the territory of a Member State in breach of the laws of the State concerned on the residence of aliens. Definition is based on Article 1(1)(a) and (b) of Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence.<sup>37</sup>

**Fraudulent travel or identity document** – Any travel or identity document: (i) that has been falsely made or altered in some material way by anyone other than a person or agency lawfully authorised to make or issue the travel or identity document on behalf of a State; or (ii) that has been improperly issued or obtained through misrepresentation, corruption or duress or in any other unlawful manner; or (iii) that is being used by a person other than the rightful holder.

**Illegal employment of third-country nationals** – Economic activity carried out in violation of provisions set by legislation.

**Illegal employment of a legally staying third-country national** – Employment of a legally staying third-country national working outside the conditions of their residence permit and / or without a work permit which is subject to each EU Member State's national law.

**Illegal employment of an illegally staying third-country national** – Employment of an illegally staying third-country national.

**Irregular entry** – In the global context, crossing borders without complying with the necessary requirements for legal entry into the receiving State. In the Schengen context, the entry of a third-country national into a Schengen Member State who does not satisfy Art. 6 of Regulation (EU) 2016/399 (Schengen Borders Code).

**Irregular migration** – Movement of persons to a new place of residence or transit that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for

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<sup>37</sup> Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0090:EN:NOT>

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example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country.

**Irregular stay** – The presence on the territory of a Member State, of a third-country national who does not fulfil, or no longer fulfils the conditions of entry as set out in Art. 5 of Regulation (EU) 2016/399 (Schengen Borders Code) or other conditions for entry, stay or residence in force in that Member State.

**Overstay(er)** – In the global context, a person who remains in a country beyond the period for which entry was granted. In the EU context, a person who has legally entered but then stayed in an EU Member State beyond the allowed duration of their permitted stay without the appropriate visa (typically 90 days), or of their visa and / or residence permit.

**Passport** – One of the types of travel documents (other than diplomatic, service/official and special) issued by the authorities of a State in order to allow its nationals to cross borders<sup>38</sup>. All third-country nationals subject to the visa-free regime have to carry a biometric passport to qualify for visa-free travel in the EU (except for UK and Ireland). Non-biometric passport holders from the visa-free third countries require a Schengen visa to enter the EU.

**Pull factor** – The condition(s) or circumstance(s) that attract a migrant to another country.

**Push factor** – The condition(s) or circumstance(s) in a country of origin that impel or stimulate emigration.

**Refusal of entry** – In the global context, refusal of entry of a person who does not fulfil all the entry conditions laid down in the national legislation of the country for which entry is requested. In the EU context, refusal of entry of a third-country national at the external EU border because they do not fulfil all the entry conditions laid down in Art. 6(1) of Regulation (EC) No 399/2016 (Schengen Border Code) and do not belong to the categories of persons referred to in Art. 6(5) of that Regulation. Regulation (EU) 2017/458 subsequently amended the Schengen Borders Code to reinforce the rules governing the movement of persons across borders and the checks against relevant databases at external borders.

**Regularisation** – In the EU context, state procedure by which irregularly staying third-country nationals are awarded a legal status.

**Return decision** – An administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

**Schengen Borders Code** – The rules governing border control of persons crossing the external EU borders of the EU Member States.

**Short - stay visa** – The authorisation or decision of a Member State with a view to transit through or an intended stay on the territory of one or more or all the Member States of a duration of no more than 90 days in any 180-day period.

**Third-country national** – Any person who is not a citizen of the European Union within the meaning of Art. 20(1) of TFEU and who is not a person enjoying the European Union right to free movement, as defined in Art. 2 (6) of Regulation (EU) 2016/399 (Schengen Borders Code).

**Third-country national found to be illegally present** – A third-country national who is officially found to be on the territory of a Member State and who does not fulfil, or no longer fulfils, the conditions for stay or residence in that EU Member State.

**Travel document** – A document issued by a government or international treaty organisation which is acceptable proof of identity for the purpose of entering another country.

**Visa** – The authorisation or decision of a Member State required for transit or entry for an intended stay in that EU Member State or in several EU Member States.

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<sup>38</sup> Available at: [http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52011XC0722\(02\)](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52011XC0722(02))

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**Visa Code** – Regulation outlining the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Schengen Member States not exceeding 90 days in any 180-day period.

### 3 TEMPLATE FOR NATIONAL CONTRIBUTIONS

The template outlines the information that should be included in the National Contributions to this Study in a manner that makes the contributions reasonably comparable. The expected maximum number of pages to be covered by each section is provided in the guidance note. For national contributions the total number of pages should **not exceed 30 pages**, excluding the statistics.

A description of how each section will appear in the Synthesis Report is included at the beginning of each section so that EMN NCPs have an indication of how the contributions will feed into the Synthesis Report.

A limit of **40 pages** will apply to the Synthesis Report, in order to ensure that it remains concise and accessible.

## Common Template of EMN Study 2018

# Impact of visa liberalisation on countries of destination

### **National Contribution from Estonia<sup>39</sup>**

*Disclaimer: The following information has been provided primarily for the purpose of contributing to a Synthesis Report for this EMN Study. The EMN NCP has provided information that is, to the best of its knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of the EMN NCPs' (Member) State.*

### Top-line "Factsheet"

*National Contribution (one page only)*

*Overview of the National Contribution – drawing out key facts and figures from across all sections of the Study, with a particular emphasis on the elements that will be of relevance to (national) policymakers. Please add any innovative or visual presentations that can carry through into the synthesis report as possible infographics and visual elements.*

Current study focuses on what impact visa liberalization with specific countries has had on Estonia. The subjects of the study are third-country nationals from Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina, Moldova, Georgia and Ukraine.

The first section of this study provides a description and scale of Estonian experiences after the visa-free regime and analyses trends after the visa-free regime entered into force. It appeared that the visa liberalization with the Balkan countries (FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina) has not had a significant impact on Estonia. The biggest trend concerning these countries is the growth of external border crossings.

Regarding the Eastern Partnership countries there are some noticeable trends drawing out. As the visa liberalization is relatively new with these countries, the trends are not long-term. At the same time it is somewhat difficult to assess if the changes in statistics are solely linked to the visa liberalization. The statistics show that there has been a significant increase in external border crossings for nationals of Moldova, Ukraine and Georgia. Additionally Estonian labour market has seen the biggest impact due to the visa liberalization with the Eastern Partnership countries, especially Ukraine. This manifests in increase of short-term employment applications, but also an increase in detection of violation of working conditions. At the same time visa liberalization with Ukraine, Moldova and Georgia has not influenced Estonian asylum system, although there has been a small increase of asylum applications from Georgians in 2017.

There are no specific pull factors for nationals from the Balkan countries to come to Estonia. At the same time there are many possible pull-factors for Eastern Partnership countries – e.g. family ties, diaspora in Estonia, cultural similarities including knowledge of Russian language. Additionally one of the pull factors is unemployment in Ukraine and the possibility to receive a bigger salary in Estonia.

The second section of current study aims to analyse the positive impact of visa liberalization on Estonia and third-country nationals. Visa liberalization with Western Balkan countries has not had any significant impact on Estonia. Estonia is not on a typical migration route for Western-Balkan countries and there has not been any significant increase in migration in that sense, except for growth in border-crossings.<sup>40</sup> Immigration from Eastern Partnership countries has increased and one positive

<sup>39</sup> Replace highlighted text with your **(Member) State** name here.

<sup>40</sup> Interview with a PBGB expert on 23.08.2018

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impact associated with the visa liberalization is that it facilitates employment in Estonia and Estonian labour market is in need of employees. With regards to Ukraine, there has also been an increase in the number of tourists.

The third section gives an overview of the migratory risks and challenges since the introduction of visa-free regimes. It emerged that there are a few challenges that can be linked to the visa liberalization, but there may have been other variables (e.g. legislative changes) that have contributed to some of these trends. The identified challenges were: TCNs staying longer in Estonia than entitled with the visa liberalization agreement; growth in illegal employment; using forged documents; violation of working conditions and tax evasions. Additionally an increase in administrative burden has been witnessed by Police and Border Guard Board (PBGB) as there has been an increase in the number of applications for short-term employment and long-term visas. Additionally the PBGB faces bigger burden due to the more thorough and time-consuming border control procedure as for nationals from countries with visa liberalisation there has been no previous verification from the embassies or consulates. Thirdly the PBGB has witnessed an increase in administrative burden as with the increase of illegal employment there is a bigger need for targeted inspections.

The aim of the fourth section was to evaluate the measures put in place to deal with the possible misuse of visa-free regimes. Many recent measures were identified in this section. There were instructions given to the border guards for thorough checks at the border, the number of inspections have increased due to the growth of violations of employment conditions, a consultation service has been established to provide trustworthy advice on migration. Additionally new amendments have been introduced to the national legislation (e.g. rising the fines, broadening the obligation to register the short-term employment). In order to more efficiently prevent and tackle illegal employment and tax evasion, a new action plan was adopted by the Ministry of the Interior.<sup>41</sup> One of the mentioned measures was that the PBGB has cooperated with the media in Ukraine in order to provide information in the Ukrainian media about the employment regulations in Estonia.<sup>42</sup> As for planned measures one aim is to facilitate information exchange between the authorities and the enterprises. For that reason the plan is to develop a new system for registering the foreign workers. Currently the PBGB, Tax and Customs Board and the Labour Inspectorate gather the different data. Additionally the aim is to facilitate the procedure for employing a foreign worker, organize information days and produce informative materials for employers.

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<sup>41</sup> Ministry of Interior webpage, Action plan to Fight illegal Employment:  
<https://www.siseministeerium.ee/et/eesmark-tegevused/kodakondsus-ja-ranne/tegevuskava-ebaseadusliku-tootamise-ennetamiseks>

<sup>42</sup> Interview with a PBGB expert on 20.06.2018



## Impact of visa liberalisation on countries of destination

### Section 1: The National Framework

#### National Contribution (max. 6 pages, excluding statistics)

The aim of this Section is to provide an insight into the scale and scope of Member States experiences after the visa-free regime at national and EU level, as evidenced by quantitative and qualitative information. The section will also analyse the short and long-term trends after the visa-free regime entered into force, pull factors and links between the countries of origin and destination.

The synthesis report will aim to include infographics and visuals, therefore please take that into account when answering the questions / filling the tables by adding any innovative or visual presentations in your national reports that can carry through into the synthesis report. We also welcome any photos/images which are captioned, relevant and (data) protected with your national contribution.

When answering the questions in this section please consider the statistical data as presented in the tables listed below and detailed in Section 1.2:

Table 1.2.1: Total number of external border-crossings (persons) by nationals of visa-free countries;

Table 1.2.2: Total number of detections of irregular border-crossings from nationals of visa-free countries;

Table 1.2.3: Total number of short-stay visa applications by third country;

Table 1.2.4: Total number of short-stay visa application refusals by third country;

Table 1.2.5: Total number of asylum applications received from visa-free countries;

Table 1.2.6: Total number of positive decisions on asylum applicants from visa-free countries;

Table 1.2.7: Total number of negative decisions on asylum applicants from visa-free countries;

Table 1.2.8: Total number of positive and negative decisions on asylum applicants (top five nationalities, not limited to visa-free countries);

Table 1.2.9: Total number of residence permits applications (all residence permits) by third country;

Table 1.2.10: Total number of identity document fraud instances by third country;

If you do not have data as requested in the above tables, please explain why this is the case after each table in the relevant box.

Please do not leave any answer box or table cell blank or empty and insert N/A, NI or 0 as applicable.<sup>43</sup>

#### SECTION 1.1: DESCRIPTION OF NATIONAL SITUATION

**Q1.1** Please provide an analysis of the short term (within two years) and long-term (beyond two years) trends which appeared in your Member State after the commencement of visa-free regimes disaggregated by region and third countries of interest.<sup>44</sup>

Please answer this question by making a link with the data presented in Tables 1.2.1, 1.2.2, 1.2.3, 1.2.4, 1.2.5 and 3.2.2.

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

There are no significant trends regarding the visa liberalization with FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina. Only the number of external border-crossings has increased.

<sup>43</sup> N/A – not applicable, NI – no information, 0 - collected data resulted in 0 cases.

<sup>44</sup> Please use information such as: increase of entries, number of asylum applications, refusals of entry, return and removal decisions in your answers.



***Impact of visa liberalisation on countries of destination***Albania

The number of external border-crossings have increased from year to year with 15 border crossings registered in 2010 and 329 in 2017. In year 2014 there was the biggest number of external border crossings from Albanians (335). There have been no irregular border-crossings from nationals of Albania detected in the referenced time period. The number of Albanians staying illegally in the country or overstaying were minimal. There has been a small increase in the number of asylum applications in the recent years, but this cannot be considered a general trend - in 2016 there were 10 applications submitted and in 2017 there were 5 applications submitted compared to none in 2011 and 2012 although the visa liberalization came into force in 2010.

FYROM

The number of external border-crossings has increased yearly with 14 registered border crossings in 2009 when visa liberalization came into force and 418 external border-crossings in 2017. There have been no irregular border-crossings from nationals of FYROM detected in the referenced time period. Nor have there been any nationals of FYROM staying in Estonia illegally or overstaying. There have been no asylum application submitted nor return decisions issued to the nationals from FYROM in the referenced time period.

Montenegro

The number of external border-crossings by nationals of Montenegro has increased yearly with 7 registered border crossings in 2009 when visa liberalization came into force and 328 external border-crossings in 2017. There have been no irregular border-crossings from nationals of Montenegro detected in the referenced time period nor have there been any nationals of Montenegro staying in Estonia illegally or overstaying. There have been no asylum application submitted nor return decisions issued to the nationals of Montenegro in the referenced time period.

Serbia

The number of external border-crossings by Serbians has increased considerably since the visa liberalization in 2009 with 16 registered border crossings in 2009 and 3493 external border-crossings in 2017. There have been no irregular border-crossings from Serbians detected in the referenced time period nor have there been any nationals of Serbia found to be staying in the country illegally. There have been no asylum application submitted nor return decisions issued to Serbians in the referenced time period.

Bosnia and Herzegovina

The number of external border-crossings from nationals of Bosnia and Herzegovina has increased yearly with 31 registered border crossings in 2010 when visa liberalization came into force and 568 external border-crossings in 2017. There have been no irregular border-crossings detected from nationals of Bosnia and Herzegovina nor have there been any nationals of Bosnia found to be staying in the country illegally. There have been no asylum applicants nor return decisions issued to the nationals of Bosnia and Herzegovina in the referenced time period.

Eastern Partnership - Moldova, Georgia, Ukraine:

Regarding the Eastern Partnership countries there are some changes in the statistics, but it is difficult to state if the changes are solely linked to the visa liberalization.

Moldova

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There has been an increase in external border crossings from the nationals of Moldova. When in 2012 there were 2021 registered border crossings and in 2014, when the visa liberalization came into force, there were 3468 border crossings then the numbers have increased significantly with 16 526 registered border crossings in 2017. There have been no irregular border-crossings from nationals of Moldova detected in the referenced time period. There has been an increase in the number of Moldavian nationals founds staying in the country illegally or having overstayed their visa-free period. When in 2012 there were no illegally present Moldavian nationals found, then in 2017, there were 30 persons illegally staying in Estonia with 24 persons having overstayed their visa-free period. There have been a few short-stay visa applications submitted also after the visa liberalization in 2014, but none of these have been refused. There have been no asylum application submitted in the referenced time period, hence the visa liberalization had no effect on the asylum system in Estonia. In recent years an increase in the number of return decision can be seen as in 2014 there were no return decisions issued to the nationals from Moldova, but in 2017 there were 30.

As there has been an increase in the border crossings from Moldavians, there has also been an increase in the number of nationals from visa-free countries refused entry at the external borders. When in 2014 20 persons were refused entry at the border, than in 2017 the number was 170. According to the Police and Border Guard Board, the nationals from Moldova are one of the biggest group currently being refused entry at the border.<sup>45</sup> There has also been a small increase in illegal employment of Moldavians, who were staying in Estonia legally, but whose employment did not comply with the requirements. When in 2015 only 1 Moldavian was in violation of the working conditions, in 2017 the number was 16.

#### Georgia

As the visa liberalization with Georgia is relatively new, it is difficult to point out any long-term trends. The external border crossings in 2016 and in 2017 have stayed in a similar level with no detections of irregular border crossings. As one might expect, the number of short-term visa applications decreased in 2017 as the visa liberalization came into force. The number of persons found staying illegally has not increased, though a slight increase can be reported for persons having overstayed their visa-free period. If in 2016 there were no overstayers then in 2017 8 persons overstayed. There was a small increase in asylum applications as in 2016 there were 5 asylum applications submitted compared to 15 in 2017. According to the Police and Border Guard Board Georgians travel though Estonia with the aim to reach the Nordic countries.<sup>46</sup> There has also been a very small increase in illegal employment of Georgians who were staying in Estonia legally, but whose employment did not comply with the requirements. When in 2015 only 1 Georgian was in violation of the working conditions, than in 2017 the number was 3.

#### Ukraine

There are some recent trends regarding Ukrainians, but it is difficult assess whether it is only due to the visa liberalization or did the changes in the national legislation also contribute to this trend.

Immigration to Estonia has grown since the visa liberalization with Ukraine. Ukrainians enter Estonia and while in Estonia apply for long-term visa or residence permit. Although there is a direct flight from Ukraine to Estonia, most of the migrants arrive on land and the external border crossings do not demonstrate the accurate situation.<sup>47</sup> At the same time there has not been a growth in the asylum applications submitted by Ukrainians. The peak of asylum applicants from Ukraine was in

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<sup>45</sup> Interview with a PBGB expert on 10.08.2018

<sup>46</sup> Interview with a PBGB expert on 10.08.2018

<sup>47</sup> Interview with a PBGB expert on 20.06.2018

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2014 (60) and 2015 (95) due to the Ukrainian crisis and has stayed relatively low in 2016 (10) and 2017 (10).

The number of Ukrainians staying in Estonia illegally has increased significantly over the years. If in 2012 the number was 35, then in 2016 it was 110 and in 2017 already 145 Ukrainians were found staying illegally in the country. At the same time it must be emphasized that these numbers also include those Ukrainian citizens whose legal ground to stay in the country has been terminated due to violation of working conditions. Additionally the number of return decisions issued to nationals from Ukraine has showed a small rise with 105 return decisions issued in 2016 and 145 respectively on 2017.

On the other hand visa liberalization with Ukraine has influenced Estonian labour market.<sup>48</sup> When in 2016 the number of Ukrainians found to be staying in Estonia legally, but violating the working conditions was 86, then in 2017 the number was already 242. In the first 6 months of 2018 there have been 73 Ukrainians found to be violating the working conditions. Also the number of Ukrainians staying and working in Estonia illegally has increased slightly. If in 2016 the number was 5, then in 2017 the number was 15. Additionally in 2018 (first 6 months) 17 cases of Ukrainians staying and working illegally in Estonia has been detected.<sup>49</sup>

Also, 2017 saw a growth in identity document fraud instances with 8 registered cases. According to PBGB the reason for document fraud is to demonstrate being a national of the EU in order to gain easier access to labour market.<sup>50</sup>

**Q1.2.** What are the main links between the countries of origin and your Member State or the applicable 'pull factors'<sup>51</sup> disaggregated by region and third countries of interest?

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

There are no specific links between Estonia and the Western Balkans, but rather some more general links between these countries and Estonia.

FYROM

Defence co-operation between Estonia and Macedonia began in 2004 and has been fairly regular. Over the years Estonia has supported Macedonia in implementing many projects in the field of development co-operation. These have primarily been geared towards developing Macedonia's e-government. Economic relations between Estonia and Macedonia are modest, but have seen growth over the past few years.<sup>52</sup>

Montenegro

Estonia was the first country in the world to conclude diplomatic relations with Montenegro, doing so on 13.06.2006. Estonia has supported the development of Montenegro's public administration primarily by sharing know-how with the country. Montenegro, along with Georgia, Ukraine and Afghanistan was one of Estonia's priority partner countries for defence-related aid. Estonia carried out defence-related aid consulting for Montenegro mainly within the framework of a project led by Norway as part of the Nordic-Baltic initiative.<sup>53</sup>

<sup>48</sup> Interview with a PBGB expert on 10.08.2018

<sup>49</sup> PBGB 31.08 response to a query

<sup>50</sup> Interview with a PBGB expert on 10.08.2018

<sup>51</sup> These may include: presence of diaspora, historical links between countries, social assistance received by asylum seekers, probability of receiving a residence permit/long-term visa, schemes (tourism, family ties, business) for attracting certain categories of migrants using visa-free regime.

<sup>52</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/macedonia?display=relations>

<sup>53</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/montenegro?display=relations>

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On 9 November 2011, the implementation protocol on the agreement for the return of illegally residing persons was signed.

In 2017, Serbia ranked 59<sup>th</sup> among Estonia's trade partners, with the trade turnover of 12.8 million euros, an increase of 25% compared to the previous year.

For many years, the curriculum of Tartu University's Slavic Philology Department has included the subject of Western and Southern Slavic culture. It has also been possible to study the Serbian language.<sup>54</sup>

Albania

Trade relations between the two countries have been rather modest. Defence-related contacts between Estonia and Albania have been quite sparse to date. The memorandum of mutual understanding for bilateral defence-related relations was concluded in February of 2005 at the Munich Security Conference. Development co-operation between Estonia and Albania has a long history and has taken place in many different sectors. Estonia has advised Albania and given the country aid in developing its border guard, court system, and prisons. In recent years the majority of co-operation has taken place in the area of e-government. Estonia has provided scholarships for diplomats from Albania to attend the Estonian School of Diplomacy. An Albanian student attended the school during the 2015/2016 academic year.<sup>55</sup>

Bosnia and Herzegovina

Protocol on the implementation of the agreement on the readmission of persons residing without authorisation (came into force 6 December 2010).The agreement on the avoidance of double taxation in in work.

Estonia's economic relations with Bosnia and Herzegovina are relatively modest. Through the years Estonia has supported the building of the state of Bosnia and Herzegovina and the development of many sectors. Support has been given within the framework of defence-related co-operation—soldiers from Bosnia and Herzegovina have studied at the Baltic Defence College and officials from the country's foreign ministry have become acquainted with the organization of Estonia's higher national defence courses. Training courses and study visits have been organised for officials from Bosnia and Herzegovina in the areas of border patrol, e-government, taxes, auditing, statistics, environmental protection, and press freedom. Estonian servicemen participated in peace-keeping operations in Bosnia and Herzegovina starting in 1996.<sup>56</sup>

## Eastern Partnership - Moldova, Georgia, Ukraine:

Moldova

According to the population census carried out in 2011 there were 502 Moldavians living in Estonia.

Moldova has been a key partner for Estonian development cooperation in the eastern neighborhood of the EU. The continued interest of Moldova in Estonian reform experience and their gradual EU

<sup>54</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/serbia?display=relations>

<sup>55</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/albania?display=relations>

<sup>56</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/bosnia-and-herzegovina?display=relations>

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rapprochement has created a fruitful soil for continued cooperation. In addition to its co-operation with the Foreign Ministry, successful co-operation with Moldova has also taken place through other Estonian ministries and institutions (Ministry of Social Affairs, Ministry of the Interior, Ministry of Agriculture, Ministry of the Environment, Ministry of Education and Research, the National Audit Office, Academy of Security Sciences, and the Border Guard Board). Estonia has supported activities related to Moldova since 2000, and as of 2006 Moldova has been one of Estonia's priority partner countries.<sup>57</sup>

The Estonian-Moldovan Society was established in 1989 with the purpose of preserving the language, culture and contacts with the homeland. In the framework of the International Association of National Cultural Societies of Estonia "Lyra", the Moldovan Cultural Society "Luchaferul" is active.<sup>58</sup>

Estonia carries out many education-related development co-operation projects with Moldova. Since 2010 the Foreign Ministry has supported the master's and doctoral studies of Moldovan students in Estonian universities and research and development institutions. The Estonian School of Diplomacy contributes to the training of young Moldovan diplomats. In October 2011 ministers Rein Lang and Mihail Sleahitchi signed an agreement on co-operation in education, culture, youth affairs and sports, and in November 2011 Youth and Sport Minister Ion Cebanu came to Estonia in order to become acquainted with Estonia's youth policies.<sup>59</sup>

Georgia

The main pull factors are cultural similarities including knowledge of Russian language. According to the population census carried out in 2011 there were 471 Georgians living in Estonia.

Relations with Georgia are a foreign policy priority for Estonia, and Estonia's political support for the country has been consistent. Estonia supports Georgia's territorial integrity and is contributing to rebuilding Georgia after the war. As an EU member state, Estonia was in support of the Eastern Partnership initiative, which went underway in the first half of 2009 and gave Georgia additional integration opportunities with the EU. Within the framework of Eastern Partnership and the Association Agreement, Georgia has the opportunity to conclude a Deep and Comprehensive Free Trade Agreement (DCFTA) with the EU. Estonia has been prepared to share its reform experiences through development co-operation projects. Georgia has been and will remain in the near future the recipient of the largest portion of Estonia's bilateral aid and one of the development co-operation priority countries, along with Ukraine, Moldova, Belarus and Afghanistan.<sup>60</sup>

Cultural relations have traditionally been active, a number of musicians from Estonia have performed in Georgia in recent years, and a number of exhibitions of Estonian artists have been organised. Georgian opera and ballet artists, as well as choirs, have visited Estonia. In March 2017 Programme of Cultural Cooperation between the Ministry of Culture of the Republic of Estonia and the Ministry of Culture and Monument Protection of Georgia for 2017-2020 was signed between Indrek Saar, the Estonian Minister of Culture and Mikheil Giorgadze, the Georgian Minister of Culture and Monument Protection. The 2013 joint Georgian-Estonian film "Tangerines" has been a success story in Georgia, Estonia and at international film festivals.<sup>61</sup>

Within the Georgian territory of Abkhazia are villages established in the 1880s by emigrants from Estonia. Best known are the villages of Ülem- and Alam-Linda, Salme, Sulev and Punase-Lageda. These settlements spurred the development of Estonian and Georgian consular relations during the pre-World War II period. At the beginning of the 1920s, an Estonian consulate operated in Tbilisi and for a short period, vice consulates in Batumi and Sochi. The consulates were closed down in 1923, because the Soviet government in Georgia withdrew its recognition of Estonian diplomats. At

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<sup>57</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/moldova?display=relations>

<sup>58</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/moldova?display=relations>

<sup>59</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/moldova?display=relations>

<sup>60</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/georgia?display=relations>

<sup>61</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/georgia?display=relations>

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the beginning of the 1990s, the situation in Abkhazia, where the Estonian villages are located, grew turbulent. Since 1992, about 500 people have been repatriated to Estonia. Solving the problems faced by the Estonians in Abkhazia is still an Estonian foreign policy issue in its relations with Georgia.<sup>62</sup>

Ukraine

The main pull factors are family ties, diaspora in Estonia, cultural similarities including knowledge of Russian language. Additionally one of the pull factors is unemployment in Ukraine and the possibility to receive a bigger salary in Estonia.<sup>63</sup>

Good relations exist between Estonia and Ukraine and close co-operation is done in many different areas. Ukraine is and will remain one of Estonia's foreign policy priorities and Estonia supports Ukraine's Euro-Atlantic integration. Ukraine is one of Estonia's development co-operation priority countries. The main objective of humanitarian aid is to help alleviate the effects of the serious conflict, which began in 2014. The first agreement between Estonia and Ukraine was signed on 25.11.1921. Since 1991, 20 intergovernmental agreements have been concluded between Ukraine and Estonia, which have created a strong basis for the successful development of bilateral relations. In addition to these, many bilateral co-operation agreements have also been concluded between various institutions. Ukraine has been one of Estonia's development cooperation priority countries for over 10 years.<sup>64</sup>

Many Estonian and Ukrainian regions have established or are presently establishing direct contacts, signing respective co-operation agreements and carrying out mutual visits. Some examples of direct contacts: Tallinn-Kiev, Tallinn-Odessa, the County of Tartu and Ivano-Frankivsk, the County of Hiiumaa and the Kherson district, and the County of Valgamaa and the Shatskyi region.<sup>65</sup>

The approximate number of Estonians living in Ukraine is 3 000. In 1994, the Ukrainian Estonian Society was founded in Kiev. In June 1998, the first Estonian Summer Days were organised in Krasnodarka, the Estonian village in Crimea, and they have become a tradition. In September 2001, the 2nd Ukrainian Estonian Summer Days were held on the Crimean west coast in the township of Beregove, the first village founded by Estonians. In September 2011, the 150th anniversary of Estonians in Crimea was celebrated. From August 2002-2014, a teacher was from Estonia assigned to the Aleksandrovka High School in Crimea to teach Estonian to local children of Estonian descent.<sup>66</sup>

There are about 23 000 Ukrainians living in Estonia. Ukrainians form the second largest ethnic minority group after the Russians. In the vast majority, they are people of the working fields. Mostly they are concentrated at the largest cities of Estonia – Tallinn, Tartu, Pärnu, Maardu. At the same time, a significant number of Ukrainians are living in the north-eastern region of Estonia (Narva Sillamae, Kohtla-Järve, Johvi), where the chemical industry specialists and coal miners from Ukraine were sent in Soviet times.

Representatives of the Ukrainian diaspora in the Estonian Republic are united in more than twenty Ukrainian national-cultural societies. Some of them are part of the Ukrainian Congress of Estonia and the Association of Ukrainian organizations in Estonia. Another part of the organizations are working as independent units. These communities are working as independent regional organizations. They are not numerous accounting no more than 50-70 members.

The main area of organizations activity of the Ukrainian diaspora in Estonia is to the cultural and educational field. To preserve national culture and language, customs and traditions of the Ukrainian people the following events are organised: concerts, exhibitions, lectures on the history

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<sup>62</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/georgia?display=relations>

<sup>63</sup> Interview with a PBGB expert on 20.06.2018

<sup>64</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/ukraine?display=relations>

<sup>65</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/ukraine?display=relations>

<sup>66</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/ukraine?display=relations>

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of Ukraine, literary-musical evening dedicated to the anniversaries of prominent Ukrainian leaders and memorable dates in the history of the Ukrainian people.

For many years, The Ukrainian Friendly Association of Estonia was the only Ukrainian organization in the country who meets the cultural and educational needs of Ukrainians in Estonia preserving their language and folk customs. It was established in 1988. In 2002 the Ukrainian Friendly Association of Estonia was incorporated into the newly formed Congress of Ukrainians in Estonia. Today it comprises more than ten organizations. The Congress of Ukrainians in Estonia are gathered around the Ukrainian Greek Catholic Church, which is located in the same building with the Ukrainian Cultural Centre. The Ukrainian Sunday School, School Crafts and also small Library are located on the base of the Church.

The Ukrainian Friendly Association «Vodogray» in Sillamäe was founded in May 1999. The main activity is devoted to working with children and young people. The Ukrainian Sunday School was established on the base of Association's premises. The School's activity is now supported by the Integration Foundation in Estonia, the governing body of Sillamäe, the Embassy of Ukraine in Estonia. It is the first entity among the Ukrainian Sunday schools in Estonia who received the licence of the Ministry of Education and Science of the Republic of Estonia on the right to teach their native language. From September 2004 the optional class of the Ukrainian language learning was provided in the Sillamäe Secondary School.

Among the art groups of the Ukrainian diaspora in Estonia is known the Folk Ensemble «Zhurba», established in 1992. Its activity is focused on the revival of Ukrainian folk songs, their



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popularization among the Ukrainian and Estonian general public, as well as to acquaint the people of Estonia with Ukrainian folk clothing, rites and traditions.<sup>67</sup>

**Q1.3.** Which national institutions and/or authorities are involved in implementing the visa liberalisation process and what is their respective role in this process?<sup>68</sup>

The Ministry of Foreign Affairs represents Estonia in the process of visa liberalisation and in cooperation with Ministry of Interior makes the decision whether Estonia supports the visa liberalisation. The Ministry of the Interior together with the Police and Border Guard Board and Estonian Internal Security Service gives the evaluation for the decision taking into account different aspects (e.g. public order, visa trends, migration surveillance, migration trends, security issues) with regard to the nationals of the potential visa liberalisation country.<sup>69</sup> After the visa liberalization the border guards are thoroughly briefed on the issue.

**Q1.4.** Were there changes in your national legislation in connection with the introduction of the visa-free regimes? If yes, please explain their scope and impact on nationals coming from the third countries analysed in this study?

Some amendments to the Aliens Act have facilitated the legal stay of TCNs from visa free countries.

According to the amendments to the Aliens Act<sup>70</sup> that came into force on 17.01.2017 in case a TCN is staying in Estonia legally, he or she may apply for a long-stay visa at the PBGB. Previously the TCN had to turn to the closest foreign representation of Estonia in order to apply for a long-stay visa. Hence, the amendment helped to avoid the need to travel to apply for long-stay visa.

Similarly, a TCN may apply for a temporary residence permit at the PBGB if the TCN has a legal basis for stay in Estonia or if the TCN who is staying in the state illegally and who is unable to apply for the issue of a temporary residence permit at a foreign representation of Estonia for good reason except in the case his or her obligation to leave is subject to compulsory enforcement.<sup>71</sup>

An additional amendment that came into force on 17.01.2017 stipulates that if a TCN has applied for the extension of the period of stay during the period of temporary stay, his or her stay in Estonia is deemed legal during the review of his or her application.<sup>72</sup>

Also, the time for allowed short-term employment in Estonia was prolonged permitting to work short term up to 365 days within 489 consecutive days unless otherwise provided in the Aliens Act.<sup>73</sup> The amendment gives TCNs the possibility to work in Estonia for a longer period than before without the need to apply for a residence permit for employment. At the same time, the TCNs from the visa free countries still have to follow that they do not overstay their visa free period.

There have been amendments to the national legislation enforced also after the visa liberalization that are indirectly connected to the growth in violations of working conditions.

<sup>67</sup> Embassy of Ukraine in the Republic of Estonia, <https://estonia.mfa.gov.ua/en/ukraine-ee/ukrainians-in-ee>

<sup>68</sup> For example: changes in instructions for border patrol agents and in equipment.

<sup>69</sup> Interview with a PBGB expert on 20.06.2018

<sup>70</sup> Aliens Act Article 91<sup>1</sup>

<sup>71</sup> Aliens Act Article 216

<sup>72</sup> Aliens Act Article 47

<sup>73</sup> Aliens Act Article 106 (1<sup>3</sup>)



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Starting from the 15<sup>th</sup> of August 2018 in case of posted workers the employer is obliged to submit to the Labour Inspectorate information about the employment before the beginning of the work. Up to now the employer was obliged to do that on the first working day.

Also starting from the 15<sup>th</sup> of August 2018, the employer is obliged to register the short-term employment of a TCN in Estonia if the employment of the TCN in Estonia is related to the assumption of the company, registered in another member state of the Schengen Convention, in Estonia related to the provision of services and the TCN has a visa or residence permit issued by a competent authority of such member state and he or she has the right for employment in the specified member state.<sup>74</sup> Up to now the employer did not have to register the employee at the PBGB in the abovementioned case.

**Q1.5.** Where there any public/policy debates related to the visa liberalisation process in you (Member) State? If yes, what were the main issues discussed and how did this impact national policy?

There were no substantial public/policy debates related to the visa liberalization process. There has been some policy debate related to the visa liberalization after the visa liberalization with Ukraine came into force. For example regarding Ukrainians and the increase of employment conditions violations.<sup>75</sup>

**Q1.6.** Do you have any other remarks relevant to this section that were not covered above? If yes, please highlight them below.

N/A

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<sup>74</sup> Aliens Act Article 106 (17)

<sup>75</sup> Interview with a PBGB expert on 10.08.2018

**Impact of visa liberalisation on countries of destination****SECTION 1.2: STATISTICAL INFORMATION**

*Please provide, to the extent possible, the following statistics (with their source) along with, if necessary, an explanatory note to interpret them in particular when the statistics provided are partial, had to be estimated (e.g. on the basis of available statistics that differs from the below, or of first-hand research) or when they reflect any particular trends (e.g. a change in policy). If statistics are not available, please try to indicate an order of magnitude and why they are not available. When available, statistics from Eurostat should be used and presented annually covering the period between 2008 and 2017 inclusive. For year 2007, national data should be provided, if available.*

*At a minimum please provide data two years before and after the waiver agreement date for each third country (as highlighted in green in each table). Ideally, the study aims to present data for the whole period if available (e.g. from Eurostat).*

**When filling in the tables please do not leave blank cells and follow these conventions:**

*N/A – not applicable, in cases where the question is not applicable to your (Member) State please insert N/A in relevant cells.*

*NI – no information, in cases where there is no data available please insert NI in relevant cells.*

*0 – insert 0 whenever you have collected data and the result was 0.*

*Impact of visa liberalisation on countries of destination*Table 1.2.1: Total number of external border-crossings (persons) by nationals of visa-free countries<sup>76</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
<b>Total number of external border-crossings (persons) by nationals of visa-free countries</b>													
<b>FYROM</b>	NI	NI	14	38	46	57	1164	1015	367	335	418	Police and Border Guard Board	
<b>Montenegro</b>	NI	NI	7	67	125	179	891	518	98	272	328	Police and Border Guard Board	
<b>Serbia</b>	NI	NI	16	1042	1105	1267	3164	1878	2740	3767	3493	Police and Border Guard Board	
<b>Albania</b>	NI	NI	16	15	27	26	170	335	119	220	329	Police and Border Guard Board	
<b>Bosnia and Herzegovina</b>	NI	NI	456	31	88	113	838	658	342	314	568	Police and Border Guard Board	
<b>Moldova</b>	NI	NI	865	808	1092	1465	2021	3468	8319	12378	16526	Police and Border Guard Board	
<b>Georgia</b>	NI	NI	408	406	365	3337	1093	1254	1693	1523	1582	Police and Border Guard Board	
<b>Ukraine</b>	NI	NI	39860	38496	43810	55841	75871	58251	50152	46867	49329	Police and Border Guard Board	
<b>Total</b>	NI	NI	41642	40903	46658	62285	85212	67377	63830	65676	72573		
<b>Total number of external border crossings (persons)<sup>77</sup></b>	NI	NI	428044 1 (271956 0)	37937 60 (2657 277)	400442 8 (3682 001)	38581 51 (4163 362)	458809 5 (5595 118)	66223 50 (4147 115)	64924 31 (3492 291)	6664267 (361922 6)	7401896 (3956228 )	The first number reflects all border-crossings and in brackets are the border-crossings of TCNs.	

<sup>76</sup> Information to be provided by inserting national data as gathered by competent authorities. The indicator refers to border-crossings at the external borders of the EU plus NO.<sup>77</sup> All nationalities apply, to calculate the proportion out of the total number of border crossings (persons)

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*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

In 2007-2009 the PBGB did not have a database to collect the data.

*Impact of visa liberalisation on countries of destination*Table 1.2.2: Total number of detections of irregular border-crossings from nationals of visa-free countries<sup>78</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
<b>Total number of detections of irregular border-crossings from nationals of visa-free countries</b>													
<b>FYROM</b>	N/A	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Montenegro</b>	N/A	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Serbia</b>	N/A	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Albania</b>	N/A	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	N/A	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Moldova</b>	N/A	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Georgia</b>	N/A	N/A	0	0	1	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Ukraine</b>	N/A	N/A	0	1	1	0	0	0	1	0	0	0	Police and Border Guard Board
<b>Total</b>			<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	Police and Border Guard Board
<b>Total number of detections of irregular border-crossings<sup>79</sup></b>				129	199	226	237	158	173	148	95		Police and Border Guard Board

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>78</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Frontex: Number of detections of illegal border-crossings by sea and land; Available at: <http://frontex.europa.eu/trends-and-routes/migratory-routes-map/>

<sup>79</sup> All nationalities apply, to calculate the proportion out of the total number of irregular border crossings.

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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

In 2007-2009 the PBGB did not have a database to collect the data.

*Impact of visa liberalisation on countries of destination*Table 1.2.3: Total number of short-stay visa applications by third country<sup>80</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	38	26	3	1	0	1	0	0	0	0	0	Police and Border Guard Board
<b>Montenegro</b>	52	32	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Serbia</b>	30	42	10	2	0	0	0	0	1	0	0	Police and Border Guard Board
<b>Albania</b>	8	18	5	4	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	13	9	1	2	2	0	0	0	0	0	0	Police and Border Guard Board
<b>Moldova</b>	105	13	70	188	73	63	75	27	7	8	2	Police and Border Guard Board
<b>Georgia</b>	108	251	972	2055	1766	2204	2480	1683	2268	2007	623	Police and Border Guard Board
<b>Ukraine</b>	1863	1575	5859	9754	12009	15236	17890	15299	16224	13227	5782	Police and Border Guard Board
<b>Total</b>	2217	1966	6920	12006	13850	17504	20445	17009	18500	15242	6407	Police and Border Guard Board
<b>Total number of short-stay visa applications – all third countries<sup>81</sup></b>	111866	98502	95645	122261	147513	178431	202553	172108	131175	124318	139476	The data comprises information from the Police and Border Guard Board as well as from the Ministry of Foreign Affairs

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>80</sup> See DG HOME Schengen Visa statistics, Available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy\\_en#stats](https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats). For MS that still apply visa requirements, please remove the N/A and complete the table in full.

<sup>81</sup> All nationalities apply, to calculate the proportion out of the total number of short-stay visa applications.

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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 1.2.4: Total number of short-stay visa application refusals by third country<sup>82</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of short-stay visa application refusals by third country</b>												
<b>FYROM</b>	1	1	2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Police and Border Guard Board
<b>Montenegro</b>	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Police and Border Guard Board
<b>Serbia</b>	1	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Police and Border Guard Board
<b>Albania</b>	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	0	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Police and Border Guard Board
<b>Moldova</b>	6	1	40	59	8	11	4	3	N/A	N/A	N/A	Police and Border Guard Board
<b>Georgia</b>	2	7	311	595	360	219	114	94	334	278	184	Police and Border Guard Board
<b>Ukraine</b>	19	38	192	557	405	247	391	275	783	240	57	Police and Border Guard Board
<b>Total</b>	29	47	545	1211	773	477	509	372	1117	518	241	
<b>Total number of short-stay visa application refusals – all third countries<sup>83</sup></b>	2509	2123	1986	2980	2362	2329	2468	1576	2060	1541	1671	The data comprises information from the Police and Border Guard Board as well as from the Ministry of Foreign Affairs

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>82</sup> See DG HOME Schengen Visa statistics, Available at: [https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy\\_en#stats](https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats). For MS that still apply visa requirements, please remove the N/A and complete the table in full.

<sup>83</sup> All nationalities apply, to calculate the proportion out of the total number of short-stay visa application refusals.

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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 1.2.5: Total number of asylum applications received from visa-free countries<sup>84</sup>

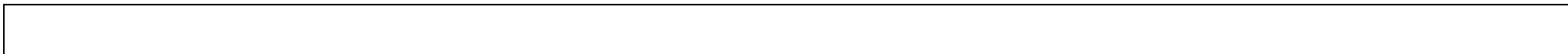
Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Albania</b>	0	0	0	0	0	0	5	0	0	10	5	Total 20 (Eurostat)
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Moldova</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Georgia</b>	0	0	5	0	5	35	10	5	10	5	15	Total 90 (Eurostat)
<b>Ukraine</b>	0	0	0	0	0	0	0	60	95	10	10	Total 175 (Eurostat)
<b>Total</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>5</b>	<b>35</b>	<b>15</b>	<b>65</b>	<b>105</b>	<b>20</b>	<b>30</b>	
<b>Total number of asylum applications – all third countries<sup>85</sup></b>	15	15	40	35	65	75	95	155	230	175	190	Total 1075 (Eurostat)

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>84</sup> See Eurostat: Asylum and first time asylum applicants by citizenship, age and sex Annual aggregated data (rounded) [migr\_asyappctza]. For Georgia and Ukraine, monthly date may be considered.

<sup>85</sup> All nationalities apply, to calculate the proportion out of the total number of asylum applications.



*Impact of visa liberalisation on countries of destination*Table 1.2.6: Total number of positive decisions on asylum applicants from visa-free countries<sup>86</sup>

Indicator	Period of interest (2007-2017) <i>(insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)</i>											Additional Information <i>(e.g. data source(s), explanation of trends and numbers for this indicator)</i>	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
<b>Total number of positive decisions on asylum applicants from visa-free countries</b>													
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Albania</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Moldova</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Georgia</b>	0	0	0	0	0	5	0	0	0	5	0	0	Total 10 (Eurostat)
<b>Ukraine</b>	0	0	0	0	0	0	0	0	60	20	10	0	Total 90 (Eurostat)
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>60</b>	<b>25</b>	<b>10</b>	<b>0</b>	<b>100</b>

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>86</sup> See Eurostat: First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) [migr\_asycdfsta]; Total positive decisions, including only refugee status and subsidiary protection, rounded up to the unit of 5.

*Impact of visa liberalisation on countries of destination*Table 1.2.7: Total number of negative decisions on asylum applicants from visa-free countries<sup>87</sup>

Indicator	Period of interest (2007-2017) <i>(insert all available data or at least 2 years prior and after the visa waiver agreement date)</i>											Additional Information <i>(e.g. data source(s), explanation of trends and numbers for this indicator)</i>	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
<b>Total number of <u>negative</u> decisions on asylum applicants from visa-free countries</b>													
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)
<b>Albania</b>	0	0	0	0	0	0	5	0	5	0	10	Total 20 (Eurostat)	
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)	
<b>Moldova</b>	0	0	0	0	0	0	0	0	0	0	0	Total 0 (Eurostat)	
<b>Georgia</b>	0	0	0	5	5	20	0	5	0	0	10	Total 45 (Eurostat)	
<b>Ukraine</b>	0	0	0	0	0	0	0	5	20	10	5	Total 40 (Eurostat)	
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>5</b>	<b>20</b>	<b>5</b>	<b>10</b>	<b>25</b>	<b>10</b>	<b>25</b>	<b>105</b>	

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>87</sup> See Eurostat: First instance decisions on applications by citizenship, age and sex, Annual aggregated data (rounded) [migr\_asydcfsta]

*Impact of visa liberalisation on countries of destination*Table 1.2.8: Total number of positive and negative decisions on asylum applicants (top five nationalities, not limited to visa-free countries)<sup>88</sup>

Indicator	Period of interest (2007-2017) (insert all available data)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)	
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017		
<b>Total number of <u>positive</u> decisions on asylum applicants (top five nationalities, not limited to visa-free countries)</b>													
<i>Syria</i>	0	0	0	0	0	0	0	5	0	45	70	Eurostat	
<i>Ukraine</i>	0	0	0	0	0	0	0	0	60	20	10	Eurostat	
<i>Iraq</i>	0	0	0	0	0	0	0	0	0	25	5	Eurostat	
<i>Russia</i>	1	0	0	5	5	0	5	0	0	10	0	Eurostat	
<i>Sudan</i>	0	0	0	0	0	0	0	5	15	5	0	Eurostat	
<b>Total</b>													
<b>Total number of <u>negative</u> decisions on asylum applicants (top five nationalities, not limited to visa-free countries)</b>													
<i>Georgia</i>	0	0	0	5	5	20	0	5	0	0	10	Eurostat	
<i>Russia</i>	4	0	0	5	5	5	10	5	5	0	10	Eurostat	
<i>Ukraine</i>	0	0	0	0	0	0	0	5	20	10	5	Eurostat	

<sup>88</sup> This is to provide a broader context; any nationality may be included in the top five. See Eurostat: First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) [migr\_asydcfsta]; Total positive decisions, including only refugee status and subsidiary protection, rounded up to the unit of 5.

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<b>Syria</b>	0	0	5	0	0	5	5	5	10	0	0	Eurostat
<b>Vietnam</b>	0	0	0	0	0	5	20	0	0	0	0	Eurostat
<b>Afghanistan</b>	0	0	0	10	5	0	0	0	10	0	0	Eurostat
<b>Armenia</b>	0	0	0	0	5	0	0	0	10	10	0	Eurostat
<b>Total</b>												Eurostat

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 1.2.9: Total number of residence permits applications (all residence permits) by visa-free country<sup>89</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
<b>Total number of residence permits applications (all residence permits) by visa-free country</b>													
<b>FYROM</b>	N/A	1	3	2	5	1	3	0	2	5	1	Police and Border Guard Board	
<b>Montenegro</b>	N/A	0	0	2	0	0	0	0	1	3	0	Police and Border Guard Board	
<b>Serbia</b>	N/A	1	5	3	3	4	6	4	10	8	16	Police and Border Guard Board	
<b>Albania</b>	N/A	1	1	4	2	6	4	9	6	15	5	Police and Border Guard Board	
<b>Bosnia and Herzegovina</b>	N/A	0	1	0	0	0	2	1	0	2	1	Police and Border Guard Board	
<b>Moldova</b>	N/A	25	26	16	20	17	17	17	15	18	19	Police and Border Guard Board	
<b>Georgia</b>	N/A	41	65	83	66	58	64	103	98	108	90	Police and Border Guard Board	
<b>Ukraine</b>	N/A	651	595	252	645	403	440	853	1447	1303	1236	Police and Border Guard Board	
<b>Total</b>												Police and Border Guard Board	
<b>Total number of residence permits applications (all residence permits)<sup>90</sup></b>	N/A											4380	Police and Border Guard Board
		3884	3777	2647	3408	2530	2496	3222	3984	4308			

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>89</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat - Number of first residence permits issued by reason, EU-28, 2008-2016 [migr\_resfirst]

<sup>90</sup> All nationalities apply, to calculate the proportion out of the total number of residence permit applications.

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

The first reference year was 2008.

*Impact of visa liberalisation on countries of destination*Table 1.2.10: Total number of identity document fraud instances by visa-free country<sup>91</sup>

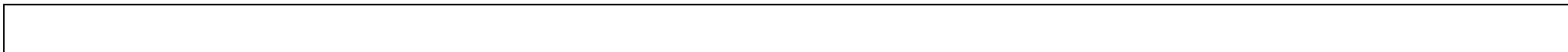
Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	N/A	N/A	N/A	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Montenegro</b>	N/A	N/A	N/A	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Serbia</b>	N/A	N/A	N/A	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Albania</b>	N/A	N/A	N/A	0	0	1	0	0	1	1	0	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	N/A	N/A	N/A	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Moldova</b>	N/A	N/A	N/A	0	0	1	0	2	0	5	7	Police and Border Guard Board
<b>Georgia</b>	N/A	N/A	N/A	1	0	3	0	1	4	2	1	Police and Border Guard Board
<b>Ukraine</b>	N/A	N/A	N/A	0	0	1	7	0	4	1	8	Police and Border Guard Board
<b>Total</b>	N/A	N/A	N/A	<b>1</b>	<b>0</b>	<b>6</b>	<b>7</b>	<b>3</b>	<b>9</b>	<b>9</b>	<b>16</b>	Police and Border Guard Board
<b>Total number of identity document fraud instances<sup>92</sup></b>	N/A	N/A	N/A	21	66	89	164	142	189	101	164	Police and Border Guard Board

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>91</sup> Information to be provided by inserting national data as gathered by competent authorities.

<sup>92</sup> All nationalities apply, to calculate the proportion out of the total number of identity document fraud instances.



**Impact of visa liberalisation on countries of destination****Section 2: Positive impact of visa liberalisation on (Member) States****National Contribution (max. 6 pages, excluding statistics)**

The aim of this Section is to analyse the positive impact of short-term visa liberalisation on countries of destination (i.e. Member States) and third-country nationals as evidenced by quantitative and qualitative information.

The synthesis report will aim to include infographics and visuals, therefore please take that into account when answering the questions / filling the tables by adding any innovative or visual presentations in your national reports that can carry through into the synthesis report. We also welcome any photos/images which are captioned, relevant and (data) protected with your national contribution.

When answering the questions in this section please consider the statistical data as presented in the tables listed below and detailed in Section 2.2:

Table 2.2.1: Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries;

Table 2.2.2: Total number of first-time residence permit applications received from visa-free country nationals;

Table 2.2.3: Total number of first residence permits issued for remunerated activities reasons to visa-free country nationals;

Table 2.2.4: Total number of first residence permits issued for education reasons to visa-free country nationals;

Table 2.2.5: Total number of first residence permits issued to entrepreneurs (including self-employed persons) from visa-free countries.

If you do not have data as requested in the above tables, please explain why this is the case after each table in the relevant box.

Please do not leave any answer box or table cell blank or empty and insert N/A, NI or 0 as applicable.

**SECTION 2.1: DESCRIPTION OF NATIONAL SITUATION**

**Q2.1.** What impact did the visa liberalisation have on your (Member) State? Please provide a short description of your national situation.

Overall visa liberalization with the mentioned countries has had a relatively small impact on Estonia, with the exception of Ukraine, which has so far had the biggest influence on Estonia.

**Q2.1.1** If applicable, please categorise your answer to **Q2.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

Visa liberalization with Western Balkan countries has not had any significant impact on Estonia. Estonia is not on a typical migration route for Western-Balkan countries and there has not been any significant increase in migration in that sense, except for growth in border-crossings.<sup>93</sup>

Eastern Partnership - Moldova, Georgia, Ukraine:

Immigration from Eastern Partnership countries has increased, but it is difficult assess whether it is solely related to the visa liberalization. It is possible that the immigration to Estonia has increased

<sup>93</sup> Interview with a PBGB expert on 23.08.2018

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also due to the changes in the Aliens Act. One positive impact associated with the visa liberalization is that it facilitates employment in Estonia and Estonian labour market is in need of employees. On the other hand, a negative impact that may be associated with visa liberalization is that there has been an increase in violation of the working conditions, especially by the nationals of Ukraine.<sup>94</sup>

**Q2.2.** Did your (Member) State assess the impact of visa liberalisation as positive? If yes, please explain the reasons for your positive assessment and how this was reached (i.e. who was involved in the assessment and how they reached this conclusion). If no, explain why this is the case.

N/I

**Q2.2.1.** Did your collaboration with relevant third countries improve within the field of migration since the introduction of visa liberalisation?<sup>95</sup> If yes, please provide a short description and specific examples.

There have been very few cases of return to the Balkans. Estonia has not experienced significant improvements in the relations with Western-Balkan countries.<sup>96</sup>

The collaboration in the field of return with the Eastern Partnership countries has been good already before the visa liberalization.<sup>97</sup> In this sense there is no major change in the relations due to the visa liberalization.

**Q2.2.2.** Did your (Member) State identify specific economic benefits?<sup>98</sup> If yes, please list them and provide a short description for each.

There has been an increase of labour migration.<sup>99</sup>

**Q2.2.3.** Did your (Member) State experience a growth in tourism<sup>100</sup> from third-country nationals under the visa liberalisation regime? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 2.2.1.

Yes, according to the statistics, which is only available for Albania and Ukraine, there has been an increase in tourism. In 2010 there were 173 visitors from Albania staying in hotels and other accommodation establishments from the visa-free countries compared to 392 in 2017.

<sup>94</sup> Interview with a PBGB expert on 20.06.2018

<sup>95</sup> For example: in cases of return and readmission.

<sup>96</sup> Interview with a PBGB expert on 23.08.2018

<sup>97</sup> Interview with a PBGB expert on 10.08.2018

<sup>98</sup> For example: an increase in direct investments from the respective third countries to your (Member) State.

<sup>99</sup> Interview with a PBGB expert on 20.06.2018

<sup>100</sup> For example: third-country national visitors staying in hotels and other accommodation establishments increased.

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At the same time there were 12 716 visitors from Ukraine staying in Estonia in 2016 and the number had increased to 15 175 in 2017.

**Q2.2.4.** Did your (Member) State experience an impact on its labour market since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the link between visa free travel and access to the labour market in the national context.

Please answer this question by making a link with the data presented in Table 2.2.3.

There has been an increase from Ukrainians entering the labour market in Estonia. On the other hand it is difficult to assess whether the growth is a result of the visa liberalization or is also connected with the legal changes in the Aliens Act. Ukrainians are the main nationality group in labour migration to Estonia<sup>101</sup>.

There has been a small growth in issuing residence permits for remunerated activities for Ukrainians, but in general the number of residence permits issued for Ukrainians for remunerated activities has stayed on the similar level for the past three years. In 2018 there were 794 permits issued for remunerated activities for Ukrainians and in 2017 the number was 818 (which is 53,4 % of all residence permit issued on this ground in 2017).

At the same time there has been a substantial increase in registering short-term employment. In 2017 there were 5589 short-term work registration decisions for Ukrainians compared to 6636 in the first 6 months of 2018.<sup>102</sup> According to an expert from the Police and Border Guard Board the increase can be associated with the amendments to the Aliens Act, but at the same time visa liberalization has also facilitated the process of entering the labour market in Estonia.<sup>103</sup>

There has also been a growth in illegal employment by the Ukrainians<sup>104</sup>, which mostly manifests in Ukrainians, while being legally in Estonia, violate the employment conditions.

**Q2.2.5.** Did your (Member) State experience a growth in the number of students arriving from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 2.2.4.

There are many students coming to Estonia from Ukraine and Georgia. There have not been substantial changes in the numbers due the visa liberalisation. In 2016 about 12.7 % (141) and in 2017 about 9% (107) of all first residence permits for education reason were issued to nationals of Ukraine. In 2016 about 6.7 % (75) and in 2017 about 5.3% (64) of all first residence permits for education reason were issued to nationals of Georgia.

**Q2.2.6.** Did your (Member) State experience a growth of entrepreneurship, including of self-employed persons from third countries since the introduction of visa liberalisation? If yes,

<sup>101</sup> Interview with a PBGB expert on 20.06.2018

<sup>102</sup> PBGB reply to inquiry on 30.08.2018

<sup>103</sup> Interview with a PBGB expert on 23.08.2018

<sup>104</sup> Interview with a PBGB expert on 10.08.2018

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please provide a short description and specific examples, including background information on the access to self-employment from visa free regimes in the national context.

Please answer this question by making a link with the data presented in Table 2.2.5.

There has not been a substantial growth of entrepreneurship from the related countries. There were 8 (11.7 %) residence permits issued in 2017 to entrepreneurs with Ukrainian nationality compared to 5 (27.7%) in 2016.

**Q2.2.7.** Did your (Member) State experience a growth in trade with third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples (i.e. in which sectors / what type of goods or services).

Macedonia

Economic relations between Estonia and Macedonia are modest, but have seen growth over the past few years. In 2017 Macedonia was Estonia's 75th partner in volume of trade (in 2016 88th). Primary articles of export from Estonia to Macedonia in 2017 were machinery and equipment (80%), plastic and plastic products (5%), wood and foodstuffs (4%). Imports in 2017 were machinery and equipment (94%).<sup>105</sup>

**Trade between Estonia and Macedonia 2009-2017 (in thousands of EUR)**

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017
Export	50.3	128	397	172	195	169	213	1761	2405
Import	36.1	56	257	243	503	119	191	1137	3691
Balanc e	14.2	72	140	-71	-308	51	22	512	-1214

Source: Statistics Estonia

Montenegro

Estonia's and Montenegro's economic relations are very modest. The trade turnover in the last few years was around 0.5 million euros and exports accounted for the majority.

Estonia's primary export articles to Montenegro in 2017 were machinery and mechanical appliances – 42%, textiles and textile articles – 27%, articles of stone and similar materials – 15%. Primary imports to Estonia from Montenegro were mineral products – 98%.<sup>106</sup>

**Trade between Estonia and Montenegro 2009-2017 (in thousands of EUR):**

<sup>105</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/macedonia?display=relations>

<sup>106</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/montenegro?display=relations>



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	2009	2010	2011	2012	2013	2014	2015	2016	2017
Export	32	16	49	144	131	136	103	108	126
Import	13	0	0.3	11	0.3	0	42	0	42
Balanc e	20	16	49	133	131	136	61	108	84

Source: Statistics Estonia

Serbia

In 2017, Serbia ranked 59th among Estonia's trade partners, with the trade turnover of 12.8 million euros, an increase of 25% compared to the previous year.

In 2017, the main export articles from Estonia to Serbia were:

prepared food products - 25%

machinery and equipment - 23%

chemical products 20%.

The main products imported from Serbia to Estonia in 2017: metals and metal products – 19.5%, pulp and products made from pulp – 17.7%, and machinery and equipment – 17.2%.

According to Bank of Estonia data, as of 31.12.2017 Estonian direct investments in Serbia amounted to 1.8 million euros. Investments have mainly been made in the information and communication sector.

At the same time, Serbia's direct investments in Estonia totalled 1.5 million euros. The majority of investments have been in information and communication sector as well as in professional, scientific and technical activities.<sup>107</sup>

Trade between Estonia and Serbia 2009-2017 (millions of EUR):

	2009	2010	2011	2012	2013	2014	2015	2016	2017
Export	3.6	2.8	3.5	6.8	5.0	4.5	6	6	8.7
Import	1.1	1.1	1.1	2.8	2.1	2.8	2.7	4.2	4
Balanc e	2.5	1.7	2.4	4	2.9	1.7	3.2	1.8	4.8

Source: Statistical Office of Estonia

Albania

Trade relations between the two countries have been rather modest. The Estonian export to Albania has remained between 0.4 – 0.6 million euros over the past years. Between 2013 and 2015 the volume of exports was mainly made up of wood and wood products, food products, and machinery

<sup>107</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/serbia?display=relations>

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and equipment. Major export articles in 2016: animal products (20%), articles of plastics and rubber (17%), wood and articles of wood (16%). In 2015 eleven Estonian enterprises exported to Albania. In 2016 there was a considerable increase in the imports reaching nearly 3 million euros. The increase was registered mainly from the growth of prepared foodstuffs and beverages.

In 2016, Albania ranked 81th among Estonia´s trade partners (trade turnover of 3,3 million euros). In 2015, Albania ranked 107th among Estonia's trade partners.<sup>108</sup>

Trade between Estonia and Albania 2009-2017 (thousands of EUR)

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017
Export	77	110	13	187	609	385	605	376	393
Import	56	68	37	0	47	81	90	2971	5130
Balanc e	2	42	-24	187	515	304	515	-2594	-4737

Source: Statistics Estonia

**Bosnia**

Estonia´s economic relations with Bosnia and Herzegovina are relatively modest. In both years, in 2015 and 2016, Bosnia and Herzegovina was the 96th trade partner for Estonia. In 2017 Bosnia and Herzegovina was 101th trade partner. The primary articles of export in 2016 were wood and articles of wood (37,2%), transport equipment (26,6%), base metals and articles of base metal (17%). The volume of imports to Estonia has remained quite small compared to exports. The import consists mainly of miscellaneous manufactured article (98%).

There have been no significant direct investments from Estonia to Bosnia and Herzegovina, but there have been investments from Bosnia and Herzegovina registered in Estonia (since there were fewer than three investments per sector, the sum of the investments was not published).<sup>109</sup>

Trade with Bosnia and Herzegovina 2009 – 2017 (thousands of euros)

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017
Export	1431	1782	1261	1377	2150	1151	974	944	988
Import	7.9	2.3	178	413	316	323	261	254	184
Balanc e	1424	1779	1083	964	1834	833	713	690	804

<sup>108</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/albania?display=relations>

<sup>109</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/bosnia-and-herzegovina?display=relations>

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Source: Statistics Estonia

Georgia

Despite the good political relations between Estonia and Georgia, economic relations have been quite modest. As a country in the Baltic Sea economic region, Estonia is interested in transit-related co-operation with Georgia and providing services and know-how.<sup>110</sup>

Estonia-Georgia economic relations, which saw moderate growth after 2005, received a significant blow from the global economic crisis and events in August of 2008. The transitional period in internal politics following the parliamentary elections in 2012 and after the signing of the Association Agreement with the EU in June of 2014 new growth in entrepreneurial interest can be seen.<sup>111</sup>

**Trade between Estonia and Georgia 2009-2018 first 6 months (in million EUR)**

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Export	1	4.3	3.5	4.8	4.4	4.2	4.1	5.4	3.1	1.5
Import	0.8	0.8	1.1	2.3	1.5	1.9	2.4	2.5	2.3	0.8
Balanc e	0.2	3.5	2.4	2.6	2.9	2.3	1.7	2.9	0.8	0.6

Source: Statistics Estonia

Main export articles in 2016 (% of total volume):

Animal products - 31%

Animal and vegetable fats - 22%

Other industrial products - 11%

Machinery and equipment - 9%

Main import articles in 2016 (% of total volume):

Food products and beverages (wines) - 66%

Vegetable products - 19%

Georgia's investment in Estonia have been very modest (1,8 million euros). The main sector is wholesale and retail trade (55%).<sup>112</sup>

Moldova

In 2017 Moldova was Estonia's 43rd trade partner, 60th export partner and 64th import partner. Moldova is an agrarian-industrial nation. The primary agricultural articles of export are wine

<sup>110</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/georgia?display=relations>

<sup>111</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/georgia?display=relations>

<sup>112</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/georgia?display=relations>

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(including cognac) and there are about 300 000 people involved in Moldova's wine industry (mostly large national companies)

**Trade between Estonia and Moldova 2009-2017 (in millions EUR):**

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017
Export	4.8	7.3	9.9	5.8	5.1	5.1	5	4.8	5.5
Import	1.4	1.4	2.1	2.8	2	3.2	3.3	2.9	2.7
Balance	3.4	5.9	7.8	3	3	1,9	1.7	1.8	2.8

Source: Statistics Estonia

Main export articles in 2017:

Live animals and animal products – 33%

machinery and mechanical appliances – 27%

electrical equipment, television image and sound recorders and reproducers – 19%

Chemical products (carbolic acid; paints and varnishes based on dispersed synthetic or natural polymers) – 18%

Main import articles in 2017:

Food products and beverages (alcohol; confections; baked goods) – 49%

Beverages, fruit and nuts – 26%

textiles and textile articles – 8%

Trade turnover in 2017 totalled 7.42 million EUR, of which export made up 4.99 million EUR and import 2.42 million EUR.<sup>113</sup>

Ukraine

In 2015, Ukraine was ranked as Estonia's 24th trading partner. In the ranking, Ukraine was in 23rd place in terms of exports and 27th place among those importing to Estonia. For obvious reasons, Ukraine's current crisis has had a negative effect on Estonian-Ukrainian economic relations and trade dynamics for the second consecutive year.

In 2014, the total trade turnover with Ukraine was 123 million euros, of which exports accounted for 53%, or 66 million, and imports for 57 million euros. During the year, exports fell by 35% and imports by 34%. The trade balance was positive at 8 million euros.

During 2015, trade with Ukraine continued to decline. The total trade turnover was 83 million euros, of which exports accounted for 46 million (55%) and imports of 37 million euros. Exports fell 16%

<sup>113</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/moldova?display=relations>

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and imports 25%. The three most important groups of goods exported were as follows: 23% – animal products, 21% – chemical products, and 14% – machinery and equipment. Of imports, metals and metal products accounted for 27%, machinery and equipment for 22%, and timber and timber products for 13%.<sup>114</sup>

**Estonian-Ukrainian trade 2009-2018 first six months (in millions EUR)**

Year	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018 first 6 months
Export	72.3	88.4	105.6	118.5	101.2	65.7	55.4	71.4	75.9	39.3
Import	45.5	71.7	108.4	197	87.3	57.3	48	69.9	94.2	59.1
Balance	26.7	16.7	-2.8	-78.5	14	8.4	7.4	1.5	-18.2	-19.8

Source: Statistics Estonia

**Q2.2.8.** What other benefit (or positive impact) was identified by your (Member) State in relation to visa liberalisation that was not already captured in the previous questions, if applicable?<sup>115</sup>

One benefit is that establishing and managing a business in Estonia is easier for nationals from countries of visa liberalization. There is no need for a residence permit as it is possible to manage the business during the days of visa liberalisation. <sup>116</sup>

<sup>114</sup> Ministry of Foreign Affairs webpage: <https://vm.ee/en/countries/ukraine?display=relations>

<sup>115</sup> For example: agreements with third countries for exchange of students, scholars; social benefits (social assistance, social trust and cooperation).

<sup>116</sup> Interview with a PBGB expert on 20.06.2018

**SECTION 2.2 : STATISTICAL INFORMATION**

*Please provide, to the extent possible, the following statistics (with their source) along with, if necessary, an explanatory note to interpret them in particular when the statistics provided are partial, had to be estimated (e.g. on the basis of available statistics that differs from the below, or of first-hand research) or when they reflect any particular trends (e.g. a change in policy). If statistics are not available, please try to indicate an order of magnitude and why they are not available. When available, statistics from Eurostat should be used and presented annually covering the period between 2008 and 2017 inclusive. For year 2007, national data should be provided, if available.*

*At a minimum please provide data two years before and after the waiver agreement date for each third country (as highlighted in green in each table). Ideally, the study aims to present data for the whole period if available (e.g. from Eurostat).*

**When filling in the tables please do not leave blank cells and follow these conventions:**

*N/A – not applicable, in cases where the question is not applicable to your (Member) State please insert N/A in relevant cells.*

*NI – no information, in cases where there is no data available please insert NI in relevant cells.*

*0 – insert 0 whenever you have collected data and the result was 0.*

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Table 2.2.1: Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries<sup>117</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries</b>												
<b>FYROM</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
<b>Montenegro</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
<b>Serbia</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
<b>Albania</b>	113	159	94	173	198	303	162	180	184	224	392	Statistics Estonia <sup>118</sup>
<b>Bosnia and Herzegovina</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
<b>Moldova</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
<b>Georgia</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	
<b>Ukraine</b>	3 648	4 919	4 016	5 270	7 806	9 389	11 181	11 931	12 392	12 716	15 175	Statistics Estonia <sup>119</sup>
<b>Total</b>												
<b>Total number of visitors staying in hotels and other accommodation establishments<sup>120</sup></b>	1 380323	1433 346	1380540	1 563952	1 807919	1873 519	1940 130	1983 315	1929 164	2056 526	2156 147	All visitors excluding Estonian residents.

<sup>117</sup> Information to be provided by inserting national data as gathered by competent authorities.

<sup>118</sup> <http://andmebaas.stat.ee/Index.aspx?lang=et&DataSetCode=TU131#>

<sup>119</sup> <http://andmebaas.stat.ee/Index.aspx?lang=et&DataSetCode=TU131#>

<sup>120</sup> All nationalities apply, to calculate the proportion out of the total number of tourism visitors staying in hotels and other accommodation establishments.

***Impact of visa liberalisation on countries of destination***

*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the box below:

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*Impact of visa liberalisation on countries of destination*Table 2.2.2: Total number of first-time residence permit applications received from visa-free country nationals<sup>121</sup>

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>(insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)</i>											
Total number of first-time residence applications received from the respective visa-free country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	0	0	2	1	6	0	6	0	4	5	10	Police and Border Guard Board
<b>Montenegro</b>	0	0	0	2	0	1	0	0	1	3	1	Police and Border Guard Board
<b>Serbia</b>	2	2	4	4	3	4	10	4	8	13	16	Police and Border Guard Board
<b>Albania</b>	2	2	1	4	2	10	5	15	5	11	7	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	1	1	2	0	0	0	2	1	0	3	2	Police and Border Guard Board
<b>Moldova</b>	19	31	26	15	24	25	19	21	25	28	19	Police and Border Guard Board
<b>Georgia</b>	33	60	76	94	100	85	78	131	120	120	126	Police and Border Guard Board
<b>Ukraine</b>	621	662	538	429	944	685	712	1206	1655	2083	2166	Police and Border Guard Board
<b>Total</b>	678	758	649	549	1079	810	832	1378	1818	2266	2347	Police and Border Guard Board
<b>Total number of first-time residence applications<sup>122</sup></b>	<b>2721</b>	<b>2807</b>	<b>2632</b>	<b>2818</b>	<b>3884</b>	<b>3187</b>	<b>3050</b>	<b>3846</b>	<b>4598</b>	<b>5514</b>	<b>6109</b>	Police and Border Guard Board

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>121</sup> Information to be provided by inserting national data as gathered by competent authorities.

<sup>122</sup> All nationalities apply, to calculate the proportion out of the total number of first-time temporary residence applications.

Data covers first time residence permits for family reasons, studying, employment and enterprise.

*Impact of visa liberalisation on countries of destination*Table 2.2.3: Total number of first residence permits issued for remunerated activities reasons to visa-free country nationals<sup>123</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of permits issued for remunerated activities reasons to visa-free country nationals</b>												
<b>FYROM</b>	N/A	0	0	0	1	0	0	0	0	1	0	Police and Border Guard Board
<b>Montenegro</b>	N/A	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Serbia</b>	N/A	0	2	2	0	2	3	1	3	2	4	Police and Border Guard Board
<b>Albania</b>	N/A	0	0	0	0	0	0	0	0	2	1	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	N/A	0	0	0	0	0	2	1	0	0	0	Police and Border Guard Board
<b>Moldova</b>	N/A	13	10	5	3	5	5	4	2	4	4	Police and Border Guard Board
<b>Georgia</b>	N/A	26	11	19	12	4	7	7	7	6	8	Police and Border Guard Board
<b>Ukraine</b>	N/A	496	448	145	458	236	235	516	865	794	818	Police and Border Guard Board
<b>Total</b>		<b>535</b>	<b>471</b>	<b>171</b>	<b>474</b>	<b>247</b>	<b>252</b>	<b>529</b>	<b>877</b>	<b>809</b>	<b>835</b>	<b>4365</b>
<b>Total number of permits issued for remunerated activities reasons<sup>124</sup></b>	N/A										1531	Police and Border Guard Board
		967	1135	769	1258	608	579	882	1279	1339		

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>123</sup> See Eurostat: Number of first residence permits issued by reason, EU-28, 2008-2016 [migr\_resfirst]

<sup>124</sup> All nationalities apply, to calculate the proportion out of the total number of permits issued for remunerated activities reasons.

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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 2.2.4: Total number of first residence permits issued for education reasons to visa-free country nationals<sup>125</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of permits issued for education reasons to visa-free country nationals</b>												
<b>FYROM</b>	N/A	0	1	1	3	1	2	0	2	4	0	Police and Border Guard Board
<b>Montenegro</b>	N/A	0	0	2	0	0	0	0	1	3	0	Police and Border Guard Board
<b>Serbia</b>	N/A	0	1	1	3	0	3	1	3	4	5	Police and Border Guard Board
<b>Albania</b>	N/A	0	0	3	1	4	2	5	5	6	1	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	N/A	0	1	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Moldova</b>	N/A	0	8	8	8	7	3	6	7	6	3	Police and Border Guard Board
<b>Georgia</b>	N/A	0	44	49	35	33	44	70	75	75	64	Police and Border Guard Board
<b>Ukraine</b>	N/A	0	26	22	25	26	32	72	164	141	107	Police and Border Guard Board
<b>Total</b>	<b>N/A</b>	<b>0</b>	<b>81</b>	<b>86</b>	<b>75</b>	<b>71</b>	<b>86</b>	<b>154</b>	<b>257</b>	<b>239</b>	<b>180</b>	Police and Border Guard Board
<b>Total number of permits issued for education reasons<sup>126</sup></b>	N/A										1193	Police and Border Guard Board
		339	383	399	395	424	498	777	986	1114		

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>125</sup> See Eurostat: Number of first residence permits issued by reason, EU-28, 2008-2016 [migr\_resfirst]

<sup>126</sup> All nationalities apply, to calculate the proportion out of the total number of permits issued for education reasons.

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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 2.2.5: Total number of first residence permits issued to entrepreneurs (including self-employed persons) from visa-free countries<sup>127</sup>

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>(insert all available data or at least 2 years prior and after the visa waiver agreement date)</i>											
Total number of first residence permits issued for entrepreneurs (including self-employed persons) from visa-free countries	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Serbia</b>	0	0	1	0	0	0	0	0	0	0	1	Police and Border Guard Board
<b>Albania</b>	0	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Moldova</b>	0	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Georgia</b>	0	0	0	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Ukraine</b>	0	4	1	5	15	11	11	2	7	5	8	Police and Border Guard Board
<b>Total</b>	<b>0</b>	<b>4</b>	<b>5</b>	<b>5</b>	<b>15</b>	<b>11</b>	<b>11</b>	<b>2</b>	<b>7</b>	<b>5</b>	<b>9</b>	
<b>Total number of first residence permits issued for entrepreneurs (including self-employed persons)</b> <sup>128</sup>	3	56	72	68	142	61	54	35	28	18	68	Police and Border Guard Board

<sup>127</sup> Information to be provided by inserting national data as gathered by competent authorities.

<sup>128</sup> All nationalities apply, to calculate the proportion out of the total number of first residence permits issued for entrepreneurs (including self-employed persons).

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*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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**Impact of visa liberalisation on countries of destination****Section 3: Challenges of visa liberalisation on (Member) States****National Contribution (max. 6 pages, excluding statistics)**

The aim of this Section is to investigate migratory risks since the introduction of visa-free regimes and the differences in the capacity of (Member) States to meet emerging challenges after the visa-free regimes were established as evidenced by quantitative and qualitative information.

The synthesis report will aim to include infographics and visuals, therefore please take that into account when answering the questions / filling the tables by adding any innovative or visual presentations in your national reports that can carry through into the synthesis report. We also welcome any photos/images which are captioned, relevant and (data) protected with your national contribution.

When answering the questions in this section please consider the statistical data as presented in the tables listed below and detailed in Section 3.2:

Table 3.2.1: Total number of nationals from the visa-free countries refused entry at the external borders;

Table 3.2.2: Total number of return decisions issued to nationals from the visa-free countries;

Table 3.2.3: Total number of voluntary returns (all types) by nationals of visa-free countries;

Table 3.2.4: Total number of forced returns by visa-free country;

Table 3.2.5: Total number of nationals from the visa - free countries found in illegal employment;

Table 3.2.6: Total number of smuggled persons from the visa-free countries (final court rulings);

Table 3.2.7: Total number of trafficked persons from the visa-free countries (final court rulings);

Table 3.2.8: Total number of identified facilitators of unauthorised entry, transit and residence from the visa-free countries (final court rulings);

Table 3.2.9: Total number of nationals found to be illegally present from the visa-free countries;

Table 3.2.10: Total number of overstayers from the visa-free countries.

If you do not have data as requested in the above tables, please explain why this is the case after each table in the relevant box.

Please do not leave any answer box or table cell blank or empty and insert N/A, NI or 0 as applicable.

**SECTION 3.1 : DESCRIPTION OF NATIONAL SITUATION**

**Q3.1.** Did your (Member) State face certain challenges (if any) since the introduction of visa liberalisation? Please provide a short description of your national situation.

Please answer this question by making a link with the data presented in Section 3.2, while specific challenges can be detailed in sub-questions **Q3.1.2** to **Q3.1.7**.

There are a few challenges that can be linked to the visa liberalization, but there may have been other variables (e.g. legislative changes) that have contributed to some of these trends.

1) Staying longer in Estonia than entitled with the visa liberalization agreement;<sup>129</sup>

<sup>129</sup> Interview with a PBGB expert on 20.06.2018

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2) Increase in processing and issuing long-term visas and increase in work load for the PBGB due the growth of short-term employment applications;<sup>130</sup>

3) Growth in illegal employment – it is easier to enter the country and stay in Estonia for the purposes of employment. There are more operations carried out in order to detect illegal employment meaning that more human resources are needed.<sup>131</sup>

4) Using forged documents<sup>132</sup>

5) Violation of working conditions and tax evasions<sup>133</sup>

**Q3.1.1** If applicable, please categorise your answer to **Q3.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

N/A

Eastern Partnership - Moldova, Georgia, Ukraine:

N/A

**Q3.1.2** Did your (Member) State encounter a rise in illegal employment since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.5.

Yes. According to the statistics there has been an increase in the illegal employment of nationals from Eastern Partnership countries, mainly from Ukraine. According to the statistics there were 257 nationals from Ukraine (about 70% of all cases) involved in illegal employment (those staying legally in Estonia, but violating the working conditions as well as those staying illegally and working) compared to 91 in 2016. The main sectors for illegal employment in 2017, according to the Police and Border Guard Board, were construction, manufacturing industry and agriculture.<sup>134</sup>

Most of the detected cases have been related to TCNs staying in Estonia legally, but violating the conditions for employment (e.g. arriving to Estonia visa free and immediately starting working in Estonia without the employer registering the short-term employment). Other detected violations of working conditions have been cases where the obligation to register the short-term employment has been performed, but employees are in violation of working conditions or while being employed in a Polish enterprise, TCNs are working as a posted worker in Estonia without paying taxes or registering employment in Estonia. One of the problems is also that the employer is sometimes unknown, hence avoiding liability.<sup>135</sup>

Additionally there have been cases where Ukrainians have stayed in Estonia longer than 90 days and have continued working. In 2016 there were 5 Ukrainians detected who had no legal grounds

<sup>130</sup> Interview with a PBGB expert on 20.06.2018

<sup>131</sup> Interview with a PBGB expert on 10.08.2018

<sup>132</sup> Interview with a PBGB expert on 10.08.2018

<sup>133</sup> Interview with a PBGB expert on 10.08.2018

<sup>134</sup> Interview with a PBGB expert on 10.08.2018

<sup>135</sup> Interview with a PBGB expert on 10.08.2018

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to stay and were working illegally compared to 15 in 2017 and 17 in the first six months of 2018. There were 2 criminal procedures commenced on the grounds of Article 260<sup>1</sup> of the Penal code against employers who have provided employment for TCNs staying in Estonia without legal basis.<sup>136</sup>

**Q3.1.3** Did your (Member) State encounter a rise in smuggled and/or trafficked persons from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Tables 3.2.6 and 3.2.7.

There is a rise in statistics, but not in correlation with the visa-free countries.<sup>137</sup>

**Q3.1.4** Did your (Member) State encounter a rise in the number of identified facilitators of unauthorised entry, transit and residence since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.8.

No.

**Q3.1.5** Did your (Member) State encounter a rise in the number of nationals found to be illegally present from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.9.

In relation to Ukraine Estonia has witnessed a small rise in the numbers of Ukrainian nationals found to be illegally present – 110 cases in 2016 and 145 cases in 2017. At the same time it should be beard in mind that the statistics comprise also those Ukrainians whose legal status has been terminated due to the fact that they have violated the employment conditions.

Additionally there has been a small increase in Moldavians found illegally present with a rise from zero in 2014 to 30 nationals in 2017. Altogether there were 365 cases of illegal migration in 2017 regarding nationals from Ukraine, compared to 124 in 2016. And there were 114 illegal migration cases by the nationals of Moldova registered in 2017 compared to 42 in 2016<sup>138</sup>.

**Q3.1.6** Did your (Member) State encounter a rise in the number of overstayers since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Please answer this question by making a link with the data presented in Table 3.2.10.

No significant increase in the number of overstayers have been witnessed.<sup>139</sup> For Moldova there has been a small increase from 5 cases in 2016 to 24 cases in 2017. For Georgia the numbers are 0 for 2016 and 8 for 2017.

<sup>136</sup> Interview with a PBGB expert on 23.08.2018

<sup>137</sup> Ministry of Justice 15.08.2018 response to EMN query

<sup>139</sup> Interview with a PBGB expert on 23.08.2018

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**Q3.1.7** Did your (Member) State encounter any signs of possible misuse of the visa liberalisation?<sup>140</sup> If yes, please provide a short description and specific examples.

Yes, there are a few signs of possible misuse of visa liberalisation. E.g. cases of Ukrainians entering the country legally but violating the working conditions; staying longer in Estonia than entitled with the visa liberalization agreement; using forged documents; using a forged border crossing stamp in order to demonstrate a previous exit.<sup>141</sup>

**Q3.2.** Did your (Member) State as a country of destination face any administrative burden<sup>142</sup> since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

Yes, additional administrative burden has been witnessed, but again it is difficult to point out if this is solely linked to visa liberalisation or it is rather linked to the changes in national legislation.<sup>143</sup> There has been an increase in the workload for the Police and Border Guard Board due to the increased number of applications for short-term employment and long-term visas.<sup>144</sup> Additionally the PBGB faces bigger burden due to the more thorough and time-consuming border control procedure as for nationals from visa liberalisation countries there has been no previous verification by the embassies or consulates.<sup>145</sup> Thirdly the PBGB has witnessed an increase in administrative burden as with the increase of illegal employment there is a bigger need for targeted inspections.<sup>146</sup>

As the same time although there has been no official assessment, it may be presumed that the administrative burden of embassies has decreased with the visa liberalisation.<sup>147</sup>

**Q3.2.1.** If applicable, please list the institutions that faced administrative burdens.

Police and Border Guard Board.

**Q3.3.** Did your (Member) State as a country of destination face any security risks since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

No.

<sup>139</sup> Interview with a PBGB expert on 23.08.2018

<sup>140</sup> For example, dealing with cases when persons enter the country legally but later become illegally employed, are staying in the country legally, but are working without a work permit or apply for asylum without reasonable grounds.

<sup>141</sup> Interview with a PBGB expert on 10.08.2018

<sup>142</sup> For example: significant increase of residence permit applications, increased demand for work permits, more time-consuming border control procedure due to the lack of visas. etc.

<sup>143</sup> Interview with a PBGB expert on 23.08.2018

<sup>144</sup> Interview with a PBGB expert on 20.06.2018

<sup>145</sup> Interview with a PBGB expert on 20.06.2018 (2)

<sup>146</sup> Interview with a PBGB expert on 10.08.2018

<sup>147</sup> Interview with a PBGB expert on 20.06.2018 (2)

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**Q3.3.1.** Did the visa liberalisation regime increase the security risks in your (Member) State? If yes, please provide a short description explaining why and provide examples.<sup>148</sup>

No.

**Q3.3.2.** If applicable, what types of offences<sup>149</sup> were committed by third-country nationals in your (Member) State after the commencement of the visa-free regime?<sup>150</sup> Where there any significant differences compared to the time before the visa-free regime started?

N/I

**Q3.3.3.** If applicable, what was the rate of offences (final court rulings) committed by third-country nationals<sup>151</sup> in your (Member) State after the commencement of the visa-free regime? Where there any significant differences compared to the time before the visa-free regime started?

N/I

**Q3.4.** What is the role and impact of irregular migration facilitators that provide their services to third-country nationals with an entry ban? Please provide a short description with specific examples about your (Member) State situation and make a clear distinction between people who assist migrants and people who are profiting from facilitation.

Please answer this question by making a link with the data presented in Table 3.2.6, 3.2.7 and 3.2.8.

There has been no role of irregular migration facilitators detected regarding third-country nationals with entry bans. According to Article 32 (1) of the Aliens Act the Ministry of the Interior or an authorised governmental authority within the area of government of the Ministry of the Interior shall revoke the entry ban or shorten the period of validity of the entry ban at the justified request of the alien or on the justified proposal of a governmental authority or a state agency administered by the governmental authority or at the request of the competent authority of a member state of the Schengen Convention, except Estonia, if the circumstances forming the basis for application of the prohibition on entry have changed or ceased to exist, as well as for humanitarian reasons if this does not pose a threat on national security or public order.

There have been a few cases of irregular migration facilitations where Ukrainians have been invited to work in Estonia without giving them the possibility to work legally and purposely giving out false information leaving these people in a vulnerable position.<sup>152</sup>

<sup>148</sup> For example: did your (Member) State identify any increased terrorism risks arising from the entry or residence of respective TCNs.

<sup>149</sup> Please use this pre-defined list of categories: cybercrime; drugs offences; economic and financial offences; illicit immigration; illicit trafficking (not drug related); offences against property; offences against public order and safety; offences against public trust (e.g. fraud, forgery, counterfeiting); offences against the person; sexual exploitation of children (including child pornography); sexual offences against adults; terrorism-related activity; trafficking in human beings and smuggling of migrants.

<sup>150</sup> This applies to third-country nationals who do not live your country, but visited (short stay of up to 90 days).

<sup>151</sup> See above.

<sup>152</sup> Interview with a PBGB expert on 10.08.2018

***Impact of visa liberalisation on countries of destination***

**Q3.4.1** How did the activities of irregular migration facilitators impact your (Member) State?<sup>153</sup>  
Please provide a short description with specific examples about your (Member) State situation.

N/I

**Q3.4.2.** If applicable, please list and explain any challenges and risks identified by your country related to the activities of irregular migration facilitators, while making a clear distinction between people who assist migrants and people who are profiting from facilitation.

The risks are tax evasion and leaving TCNs in a vulnerable position as they are provided inaccurate information.<sup>154</sup>

**Q3.5.** What other challenge (or negative impact) was identified by your (Member) State in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

N/A

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<sup>153</sup> Did their activities lead to increases in irregular border-crossings, enhanced border controls or document fraud?

<sup>154</sup> Interview with a PBGB expert on 10.08.2018

**SECTION 3.2 : STATISTICAL INFORMATION**

*Please provide, to the extent possible, the following statistics (with their source) along with, if necessary, an explanatory note to interpret them in particular when the statistics provided are partial, had to be estimated (e.g. on the basis of available statistics that differs from the below, or of first-hand research) or when they reflect any particular trends (e.g. a change in policy). If statistics are not available, please try to indicate an order of magnitude and why they are not available. When available, statistics from Eurostat should be used and presented annually covering the period between 2008 and 2017 inclusive. For year 2007, national data should be provided, if available.*

*At a minimum please provide data two years before and after the waiver agreement date for each third country (as highlighted in green in each table). Ideally, the study aims to present data for the whole period if available (e.g. from Eurostat).*

**When filling in the tables please do not leave blank cells and follow these conventions:**

*N/A – not applicable, in cases where the question is not applicable to your (Member) State please insert N/A in relevant cells.*

*NI – no information, in cases where there is no data available please insert NI in relevant cells.*

*0 – insert 0 whenever you have collected data and the result was 0.*

*Impact of visa liberalisation on countries of destination*Table 3.2.1: Total number of nationals from the visa-free countries refused entry at the external borders<sup>155</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of nationals from the visa-free countries refused entry at the external borders</b>												
<b>FYROM</b>	N/I	0	0	0	0	0	0	0	0	0	0	Eurostat
<b>Montenegro</b>	N/I	15	0	0	0	0	0	0	0	0	0	Eurostat
<b>Serbia</b>	N/I	5	0	0	0	0	0	0	10	10	10	Eurostat
<b>Albania</b>	N/A	0	0	0	0	0	0	0	0	0	0	Eurostat
<b>Bosnia and Herzegovina</b>	N/I	0	0	0	0	0	0	0	0	0	0	Eurostat
<b>Moldova</b>	N/I	10	0	0	0	0	10	20	145	85	170	Eurostat
<b>Georgia</b>	N/I	0	0	5	5	10	0	5	30	10	20	Eurostat
<b>Ukraine</b>	N/I	20	35	30	30	35	30	45	130	55	85	Eurostat
<b>Total</b>	<b>N/I</b>	<b>50</b>	<b>35</b>	<b>35</b>	<b>35</b>	<b>45</b>	<b>40</b>	<b>70</b>	<b>315</b>	<b>160</b>	<b>285</b>	
<b>Total number third-country nationals refused entry at the external borders<sup>156</sup></b>	N/A											Eurostat
		2325	915	1665	2205	1915	1400	695	965	875	1175	

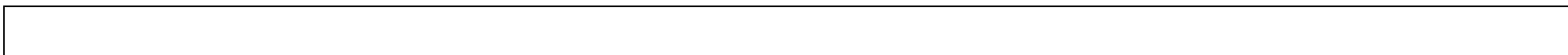
\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>155</sup> See Eurostat: Third-country nationals refused entry at the external borders - annual data (rounded) [migr\_eirfs]

<sup>156</sup> All nationalities apply, to calculate the proportion out of the total number third-country nationals refused entry at the external borders.





*Impact of visa liberalisation on countries of destination*Table 3.2.2: Total number of return decisions issued to nationals from the visa-free countries<sup>157</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of return decisions issued to nationals from the visa-free countries</b>												
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	Eurostat
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Albania</b>	0	0	0	0	0	0	0	0	5	0	5	10
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	0
<b>Moldova</b>	4	5	0	0	5	0	0	0	5	5	30	50
<b>Georgia</b>	6	10	5	5	15	40	15	15	15	10	15	145
<b>Ukraine</b>	24	30	10	10	35	35	45	55	120	105	145	590
<b>Total</b>	<b>34</b>	<b>45</b>	<b>15</b>	<b>15</b>	<b>55</b>	<b>75</b>	<b>60</b>	<b>70</b>	<b>145</b>	<b>120</b>	<b>195</b>	<b>795</b>
<b>Total number of return decisions issued to third-country nationals<sup>158</sup></b>												4320
	371	185	150	110	480	580	600	475	590	505	645	

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>157</sup> See Eurostat: Third-country nationals ordered to leave - annual data (rounded) [migr\_eiord]

<sup>158</sup> All nationalities apply, to calculate the proportion out of the total number of nationals ordered to leave.



*Impact of visa liberalisation on countries of destination*Table 3.2.3: Total number of voluntary returns (all types) by nationals of visa-free countries<sup>159</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of voluntary returns (all types) by nationals of visa-free countries</b>												
<b>FYROM</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	Eurostat
<b>Montenegro</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
<b>Serbia</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
<b>Albania</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	5	5
<b>Bosnia and Herzegovina</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0
<b>Moldova</b>	N/A	N/A	N/A	N/A	0	0	0	0	5	5	25	35
<b>Georgia</b>	N/A	N/A	N/A	N/A	0	0	0	10	20	10	10	50
<b>Ukraine</b>	N/A	N/A	N/A	N/A	0	0	0	35	140	90	125	390
<b>Total</b>	N/A	N/A	N/A	N/A	0	0	0	45	165	105	165	480
<b>Total number of voluntary returns (all types) – all third-country nationals<sup>160</sup></b>	N/A	N/A	N/A	N/A								
					0	0	0	175	475	370	495	1515

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>159</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Number of voluntary and forced returns [migr\_eirt\_vol];

<sup>160</sup> All nationalities apply, to calculate the proportion out of the total number of voluntary returns.



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Table 3.2.4: Total number of forced returns by visa-free country<sup>161</sup>

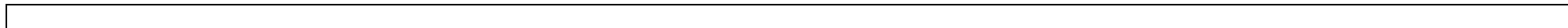
Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	Eurostat
<b>Montenegro</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	Eurostat
<b>Serbia</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	Eurostat
<b>Albania</b>	N/A	N/A	N/A	N/A	0	0	0	0	5	0	5	Eurostat
<b>Bosnia and Herzegovina</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	Eurostat
<b>Moldova</b>	N/A	N/A	N/A	N/A	0	0	0	0	5	0	5	Eurostat
<b>Georgia</b>	N/A	N/A	N/A	N/A	0	0	0	5	5	0	5	Eurostat
<b>Ukraine</b>	N/A	N/A	N/A	N/A	0	0	0	25	0	10	15	Eurostat
<b>Total</b>	N/A	N/A	N/A	N/A	0	0	0	30	15	10	30	
<b>Total number of forced returns - all third-country nationals<sup>162</sup></b>	N/A	N/A	N/A	N/A	0	0	0	335	100	105	165	Eurostat

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

<sup>161</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Number of voluntary and forced returns [migr\_eirt\_vol];

<sup>162</sup> All nationalities apply, to calculate the proportion out of the total number of forced returns.



*Impact of visa liberalisation on countries of destination*Table 3.2.5: Total number of nationals from the visa - free countries found in illegal employment<sup>163</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)		
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017			
<b>Total number of nationals from the visa-free countries found in illegal employment</b>														
<b>FYROM</b>	N/A				0	0	0	0	0	0	0	0	Please name the top 5 labour sectors where TCNs were illegally employed (see footnote list for pre-defined sectors). <sup>164</sup>	
		N/A	N/A	N/A										
<b>Montenegro</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0		Please see above.
<b>Serbia</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	1	0	0		Please see above.
<b>Albania</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0		Please see above.
<b>Bosnia and Herzegovina</b>	N/A	N/A	N/A	N/A	0	0	0	0	0	0	0	0		Please see above.
<b>Moldova</b>	N/A	N/A	N/A	N/A	1	2	0	0	7	12	16	16		Please see above.
<b>Georgia</b>	N/A	N/A	N/A	N/A	0	6	1	0	1	0	3	3	Please see above.	
<b>Ukraine</b>	N/A	N/A	N/A	N/A	10	7	21	12	39	91	257	257	Please see above.	
<b>Total</b>					11	15	22	12	47	104	276	276		

<sup>163</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr\_eipre]

<sup>164</sup> Agriculture, forestry and fishing; Mining and quarrying; Manufacturing; Electricity, gas, steam and air conditioning supply; Water supply; sewerage, waste management and remediation activities; Construction; Wholesale and retail trade; repair of motor vehicles and motorcycles; Transportation and storage; Accommodation and food service activities; Information and communication; Financial and insurance activities; Real estate activities; Professional, scientific and technical activities; Administrative and support service activities; Public administration and defence; compulsory social security; Education; Human health and social work activities; Arts, entertainment and recreation; Other service activities; Activities of households as employers; undifferentiated goods- and services-producing activities of households for own use; Activities of extraterritorial organisations and bodies.



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<b>Total number third-country nationals found in illegal employment<sup>165</sup></b>						<b>65</b>	<b>118</b>	<b>68</b>	<b>40</b>	<b>79</b>	<b>135</b>	<b>382</b>	
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*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

Statistics from PBGB. The statistics reflect employment of TCNs who are staying in Estonia without legal basis and also in case the TCNs have a legal basis to stay, but are in violation of conditions of employment in Estonia.

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<sup>165</sup> All nationalities apply, to calculate the proportion out of the total number third-country nationals found in illegal employment.

*Impact of visa liberalisation on countries of destination*Table 3.2.6: Total number of smuggled persons from the visa-free countries (final court rulings)<sup>166</sup>

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>(insert all available data or at least 2 years prior and after the visa waiver agreement date)</i>											
Total number of <u>smuggled</u> persons from the visa-free countries (final court rulings)	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Albania</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Moldova</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Georgia</b>	0	0	0	5	3	0	0	0	0	0	0	Ministry of Justice
<b>Ukraine</b>	0	0	0		0	0	0	0	0	0	0	Ministry of Justice
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Total number of <u>smuggled</u> persons from</b>	0	1	27	25	3	4	20	3	25	14	8	Most of the third country nationals smuggled to Estonia and from Estonia are from Vietnam,

<sup>166</sup> Information to be provided by inserting national data as gathered by competent authorities.

*Impact of visa liberalisation on countries of destination*

<b>third countries (final court rulings)<sup>167</sup></b>													Afganistan, also from Iraque, Iran and Nepal.
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*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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<sup>167</sup> All nationalities apply, to calculate the proportion out of the total number of smuggled persons from third countries.

Table 3.2.7: Total number of trafficked persons from the visa-free countries (final court rulings)<sup>168</sup>

Indicator	Period of interest (2007-2017)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	<i>(insert all available data or at least 2 years prior and after the visa waiver agreement date)</i>											
Total number of <u>trafficked</u> persons from the visa-free countries (final court rulings)	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Albania</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Moldova</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Georgia</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Ukraine</b>	0	0	0	0	0	0	0	0	0	0	0	Ministry of Justice
<b>Total</b>	0	0	0	0	0	0	0	0	0	0	0	
<b>Total number of <u>trafficked</u> persons from third countries (final court rulings)<sup>169</sup></b>	0	0	0	0	0	0	0	0	4	33	10	Most of the third country nationals trafficked to/from Estonia are from Vietnam.

<sup>168</sup> Information to be provided by inserting national data as gathered by competent authorities.

<sup>169</sup> All nationalities apply, to calculate the proportion out of the total number of trafficked persons from third countries.

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*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 3.2.8: Total number of identified facilitators<sup>170</sup> of unauthorised entry, transit and residence<sup>171</sup> from the visa-free countries (final court rulings)<sup>172</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of identified facilitators of unauthorised entry, transit and residence from the visa-free countries (final court rulings)</b>												
<b>FYROM</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Montenegro</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Serbia</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Albania</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Bosnia and Herzegovina</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Moldova</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Georgia</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Ukraine</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Total</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I
<b>Total number of identified facilitators of unauthorised entry, transit and residence (final court rulings)<sup>173</sup></b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I

<sup>170</sup> This refer to the nationality of the facilitators. EU nationalities can be provided in the second part of the table.

<sup>171</sup> Facilitators of the unauthorised entry, transit and residence - intentionally assisting a person who is not a national of an EU Member State either to enter or transit across the territory of a Member State in breach of laws on the entry or transit of aliens, or, for financial gain, intentionally assisting them to reside within the territory of a Member State in breach of the laws of the State concerned on the residence of aliens (see Article 1(1)(a) and (b) of Council Directive 2002/90/EC).

<sup>172</sup> Information to be provided by inserting national data as gathered by competent authorities.

<sup>173</sup> All nationalities apply, to calculate the proportion out of the total number of identified facilitators of unauthorised entry, transit and residence.

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<b>EU nationality 1</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	<i>Please add the number of identified facilitators of unauthorised entry, transit and residence from EU MS (top 5 EU nationalities).</i>
<b>EU nationality 2</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	<i>Please see above.</i>
<b>EU nationality 3</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	<i>Please see above.</i>
<b>EU nationality 4</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	<i>Please see above.</i>
<b>EU nationality 5</b>	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	N/I	<i>Please see above.</i>

*\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).*

If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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*Impact of visa liberalisation on countries of destination*Table 3.2.9: Total number of nationals found to be illegally present from the visa-free countries<sup>174</sup>

Indicator	Period of interest (2007-2017) (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of nationals found to be illegally present from the visa-free countries</b>												
<b>FYROM</b>	0	0	0	0	0	0	0	0	0	0	0	Eurostat and for the year 2007 PBGB
<b>Montenegro</b>	0	0	0	0	0	0	0	0	0	0	0	Eurostat and for the year 2007 PBGB
<b>Serbia</b>	0	0	0	0	0	0	0	0	0	0	0	Eurostat and for the year 2007 PBGB
<b>Albania</b>	0	0	0	0	0	0	0	0	5	0	5	Eurostat and for the year 2007 PBGB
<b>Bosnia and Herzegovina</b>	0	0	0	0	0	0	0	0	0	0	0	Eurostat and for the year 2007 PBGB
<b>Moldova</b>	6	5	0	0	5	0	0	0	5	5	30	Eurostat and for the year 2007 PBGB
<b>Georgia</b>	8	10	0	10	20	45	20	15	15	10	15	Eurostat and for the year 2007 PBGB
<b>Ukraine</b>	66	45	15	20	35	35	45	60	125	110	145	Eurostat and for the year 2007 PBGB
<b>Total</b>	<b>80</b>	<b>60</b>	<b>15</b>	<b>30</b>	<b>60</b>	<b>80</b>	<b>65</b>	<b>75</b>	<b>150</b>	<b>125</b>	<b>195</b>	Eurostat and for the year 2007 PBGB
<b>Total number of third-country nationals found to be illegally present<sup>175</sup></b>	1460	1050	860	860	1020	905	910	720	980	665	755	Eurostat and for the year 2007 PBGB

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>174</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr\_eipre]

<sup>175</sup> All nationalities apply, to calculate the proportion out of the total number of third-country national found to be illegally present.



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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

This table reflects nationals found being illegally present as well as those nationals who have had a legal basis to stay, but it has been terminated early by the PBGB.

Table 3.2.10: Total number of overstayers from the visa-free countries<sup>176</sup>

Indicator	Period of interest (2007-2017) (insert all available data or at least 2 years prior and after the visa waiver agreement date)											Additional Information (e.g. data source(s), explanation of trends and numbers for this indicator)
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
<b>Total number of overstayers from the visa-free countries</b>												
<b>FYROM</b>	N/A	N/A	N/A	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Montenegro</b>	N/A	N/A	N/A	0	0	0	0	0	0	0	0	Police and Border Guard Board
<b>Serbia</b>	N/A	N/A	N/A	0	0	0	0	0	1	1	0	Police and Border Guard Board
<b>Albania</b>	N/A	N/A	N/A	0	0	0	0	0	3	0	3	Police and Border Guard Board
<b>Bosnia and Herzegovina</b>	N/A	N/A	N/A	0	0	0	0	0	0	2	0	Police and Border Guard Board
<b>Moldova</b>	N/A	N/A	N/A	0	3	0	0	0	1	5	24	Police and Border Guard Board
<b>Georgia</b>	N/A	N/A	N/A	0	0	4	0	2	3	0	8	Police and Border Guard Board
<b>Ukraine</b>	N/A	N/A	N/A	15	23	23	28	38	83	83	86	Police and Border Guard Board
<b>Total</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>15</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>40</b>	<b>91</b>	<b>91</b>	<b>121</b>	Police and Border Guard Board
<b>Total number of third-country nationals overstayers<sup>177</sup></b>	N/A	N/A	N/A	203	289	286	278	255	344	355	423	Police and Border Guard Board

\*Visa waiver agreement dates: FYROM, Montenegro and Serbia (19/12/2009), Albania, Bosnia and Herzegovina (15/12/2010), Moldova (28/4/2014), Georgia (28/3/2017) and Ukraine (11/6/2017).

<sup>176</sup> Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr\_eipre]

<sup>177</sup> All nationalities apply, to calculate the proportion out of the total number of third-country national overstayers.

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If you do not have data as requested in the above table (e.g. for year 2007), please explain why this is the case below:

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**Impact of visa liberalisation on countries of destination****Section 4: Measures put in place to deal with possible misuse of visa-free regimes by (Member) States*****National Contribution (max. 6 pages)***

*The aim of this Section is to evaluate the measures put in place by Member States to deal with the possible misuse of visa-free regimes, how effective these measures were and more generally how did Member State respond and cooperate in cases of an influx of asylum seekers from the visa-free countries.*

*The synthesis report will aim to include infographics and visuals, therefore please take that into account when answering the questions by adding any innovative or visual presentations in your national reports that can carry through into the synthesis report. We also welcome any photos/images which are captioned, relevant and (data) protected with your national contribution.*

*Please do not leave any answer box empty and insert N/A or NI as applicable.*

**SECTION 4.1 : DESCRIPTION OF NATIONAL SITUATION**

**Q4.1.** Did your (Member) State implement certain measures (if any) to deal with the challenges that appeared after the commencement of the visa-free regime? Please provide a short description of your national situation.

Specific measures can be detailed in sub-questions **Q4.1.2** to **Q4.1.7**.

Yes.

There have been instructions given to the border guards for thorough checks at the border in order to verify if the TCNs from visa free countries are in possession of sufficient amount of money, know their aim of travelling etc. to make sure that the persons would not put themselves in a vulnerable position when entering Estonia.

All the natural and legal persons providing employment are required to register the persons employed by them in the employment register, hence this data is a basis for all work related benefits offered by Estonian Health Insurance Fund, Estonian Unemployment Insurance Fund, Social Insurance Board etc. The employee himself can check from the register, if his working has been registered and if the payments have been declared and taxes paid.<sup>178</sup>

The numbers of inspections have increased due to the growth of illegal employment.<sup>179</sup>

Additionally with the aim to give personal and trustworthy advice on migration to Estonia and minimise illegal employment cases, a consultation service is offered by the PBGB to foreigners, employers and organisations who wish to employ foreigners. The service is available to foreigners who already live in Estonia or who are planning to live in Estonia, as well as to employers, universities, NGOs etc. Furthermore there is a general helpline on which it is possible to ask assistance or additional information.<sup>180</sup>

New amendments have been introduced to the national legislation in order to fight illegal employment. In order to more efficiently prevent and tackle illegal employment and tax evasion, a new action plan was adopted by the Ministry of the Interior.<sup>181</sup>

<sup>178</sup> Tax and Customs Board site: Working register. Available at: <http://palk.emta.ee/tootajaregistris>

<sup>179</sup> Interview with a PBGB expert on 10.08.2018

<sup>180</sup> Ministry of Interior webpage. Latest news. Available at: <https://www.siseministeerium.ee/et/uudised/siseministeerium-ning-politsei-ja-piirivalveamet-tootavad-valja-migratsioonialase>

<sup>181</sup> Ministry of Interior webpage, Action plan to Fight illegal Employment: <https://www.siseministeerium.ee/et/eesmark-tegevused/kodakondsus-ja-ranne/tegevuskava-ebaseadusliku-tootamise-ennetamiseks>

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Overview of the steps in the action plan:

- 1) One aim is to facilitate the Information Exchange between the authorities and the enterprises. For that reason the plan is to develop a new registration system for registering the foreign workers. Currently the PBGB, Tax and Customs Board and the Labour Inspectorate gather the different data.
- 2) The plan is to facilitate the procedure for employing a foreign worker, organize information days and produce informative materials for employers.
- 3) Starting from 15<sup>th</sup> of July 2018 there are 10 times bigger fines foreseen for legal persons who enable illegal employment. According to the new provisions of Aliens Act:
  - Enabling employment to a TCN who is staying in Estonia without legal basis if the employer has failed to perform obligations provided for in the Aliens Act is punishable by a fine of up to 300 fine units. The same act, if committed by a legal person, is punishable by a fine of up to 32,000 euros.<sup>182</sup>
  - If an employer enables violation of conditions of employment in Estonia of an alien, including employment of an alien that is not in compliance with the conditions determined on the legal basis, it is punishable by a fine of up to 300 fine units. The same act, if committed by a legal person, is punishable by a fine of up to 32,000 euros.<sup>183</sup>
  - The payment of the remuneration that is lower than the wage rate provided for in this Act for employment of an alien in Estonia by an employer or a failure to pay remuneration is punishable by a fine of up to 300 fine units. The same act, if committed by a legal person, is punishable by a fine of up to 32,000 euros.<sup>184</sup>
- 4) On 15<sup>th</sup> of July 2018 new provisions<sup>185</sup> of the Aliens Act came into force. The provisions foresee prohibition on economic activities of a physical or legal person pursuant to the General Part of the Economic Activities Code Act if he or she has systematically:
  - 1) enabled employment of an alien who is staying in Estonia illegally;
  - 2) enabled violation of conditions of employment in Estonia of an alien;
  - 3) paid to an alien for employment in Estonia the remuneration that is lower than the wage rate provided for in this Act or has failed to pay remuneration.
- 5) Additionally amendments were made to the Public Procurement Act according to which the contracting authority or entity does not award a public contract to a tenderer or a candidate and excludes from the procurement procedure a tenderer or a candidate who or whose member of an administrative, management or supervisory board or another legal representative or a contractual representative involved in the public procurement has been convicted by final judgment for enabling an illegal alien to work or for enabling a breach of the criteria applicable to the work performed by an alien in Estonia, including for payment of a salary below the statutory rate.<sup>186</sup>

Starting from the 15<sup>th</sup> of August 2018 in case of posted workers the employer is obliged to submit to the Labour Inspectorate information before the beginning of the work. Up to now the obligation to submit the data was on the first working day.

Also starting from the 15<sup>th</sup> of August 2018, the employer is obliged to register the short-term employment of a TCN in Estonia if the employment of the TCN in Estonia is related to the assumption of the company, registered in another member state of the Schengen Convention, in Estonia related to the provision of services and the TCN has a visa or residence permit issued by a competent

<sup>182</sup> Aliens Act Article 300

<sup>183</sup> Aliens Act Article 301

<sup>184</sup> Aliens Act Article 302

<sup>185</sup> Aliens Act Article 296<sup>1</sup>

<sup>186</sup> Public Procurement Act Article 95 (1) 2

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authority of such member state and he or she has the right for employment in the specified member state.<sup>187</sup> Up to know the employer did not have to register the employee at the PBGB in the abovementioned case.

**Q4.1.1** If applicable, please categorise your answer to **Q4.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

N/A

Eastern Partnership - Moldova, Georgia, Ukraine:

The PBGB has cooperated with the media in Ukraine in order to provide information in the Ukrainian media about the employment regulations in Estonia.<sup>188</sup>

**Q4.1.2.** If applicable, did your (Member) State implement measures to increase the efforts to promote voluntary return? If yes, for which nationalities and explain their impact.

No specific measures have been implemented for nationals of the countries covered in the study, since there has not been a need for it.<sup>189</sup> Voluntary return is promoted through the Voluntary Assisted Return and Reintegration programme from Estonia (VARRE) operated by the international Organization for Migration in Estonia. The nationals of Ukraine have been often the subjects to the programme in recent years. In 2016 14 Ukrainians returned with the help of VARRE programme, in 2017 the number was 24 and in 2018 (first eight months) 10 Ukrainians have returned through the programme. Also Georgians have received assistance in return through the programme. In 2016 2 Georgians returned through the programme and in 2017 7 persons. After the visa liberalization came into force with Moldova, also Moldavians have voluntarily returned through the VARRE programme (2015 -1; 2016 -1; 2017 - 4 and 2018 first 8 months 2 persons).<sup>190</sup>

**Q4.1.3.** If applicable, did your (Member) State implement measures to expand the legal possibilities of stay? If yes, for which nationalities and explain their impact.

Some amendments to the Aliens Act have facilitated the legal stay of TCNs from visa free countries.

According to the amendments to the Aliens Act<sup>191</sup> that came into force on 17.01.2017 in case a TCN is staying in Estonia legally, he or she may apply for a long-stay visa at the PBGB. Previously the TCN had to turn to the closest foreign representation of Estonia in order to apply for a long-stay visa. Hence, the amendment helped to avoid the need to travel to apply for long-stay visa.

Similarly, a TCN may apply for a temporary residence permit at the PBGB if the TCN has a legal basis for the stay in Estonia or if the TCN who is staying in the state illegally and who is unable to apply for the issue of a temporary residence permit at a foreign representation of Estonia for good reason except in the case his or her obligation to leave is subject to compulsory enforcement.<sup>192</sup>

An additional amendment that came into force on 17.01.2017 stipulates

<sup>187</sup> Aliens Act Article 106 (17)

<sup>188</sup> Interview with a PBGB expert on 20.06.2018

<sup>189</sup> Interview with a PBGB expert on 10.08.2018

<sup>190</sup> IOM Estonia 04.09.2018 response to EMN query

<sup>191</sup> Aliens Act Article 91<sup>1</sup>

<sup>192</sup> Aliens Act Article 216

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that if a TCN has applied for the extension of the period of stay during the period of temporary stay, his or her stay in Estonia is deemed legal during the review of his or her application.<sup>193</sup>

**Q4.1.4.** If applicable, did your (Member) State implement measures to fight illegal employment? If yes, please explain their impact and add specific examples.

Yes. See question 4.1.

**Q4.1.5.** If applicable, did your (Member) State implement measures to fight the smuggling and/or trafficking of persons from the visa-free countries? If yes, please explain their impact and add specific examples.

There are no special measures to fight smuggling/trafficking of the persons from visa-free countries, but there are measures available to prevent trafficking/smuggling. There is national strategy for preventing violence, including trafficking and internal security strategy, which covers boarder questions, including smuggling. Recently there has been a lot of help provided by the hotline service to the persons from third-countries (Ukraine especially), who have issues with labour exploitation in Estonia, but which cases hasn't reached yet to the court investigations and decisions.<sup>194</sup>

**Q4.1.6.** If applicable, did your (Member) State implement measures to fight the activities of facilitators of unauthorised entry, transit and residence? If yes, please explain their impact and add specific examples.

The PBGB has cooperated with the media in Ukraine in order to provide information in the Ukrainian media about the employment regulations in Estonia, hence reducing the need for services from the migration facilitators.<sup>195</sup>

**Q4.1.7.** If applicable, did your (Member) State implement measures to reduce the incidence of nationals found to be illegally present in your country? If yes, please explain their impact and add specific examples. Please also see **Q4.4** (on overstayers) before answering to avoid overlap.

See Q.4.1. Additionally the PBGB has performed outreach activities, e.g. informing the employers about the legal requirements for hiring a third-country national.

There have been first criminal cases initiated against employers for provision of employment for TCNs staying in Estonia without legal basis.<sup>196</sup>

**Q4.1.8.** If applicable, what was the effectiveness of the measures listed above and which of them were most successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

As many of the above-mentioned measures are relatively new, it is somewhat difficult to assess their effectiveness. The aim of the new action plan is to make the already existing measures more

<sup>193</sup> Aliens Act Article 47

<sup>194</sup> Ministry of Justice 16.08 response to EMN query

<sup>195</sup> Interview with a PBGB expert on 10.08.2018

<sup>196</sup> Interview with a PBGB expert on 10.08.2018

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effective in practice (e.g. enhance registration, increase the number of controls etc.). According to the Police and Border Guard Board the measures have not been effective enough up to now as the number of people coming to work and violating the working conditions has been too big. There should be a public agreement in construction sector as the employers can influence the situation.<sup>197</sup>

**Q4.2.** Did your (Member) State implement measures to deal with administrative burdens since the introduction of the visa-free regime?<sup>198</sup> If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

Yes, there were in-house administrative changes done in the PBGB in order to manage the administrative burden and bring the different legal migration procedures closer to the community.<sup>199</sup>

**Q4.3.** Did your (Member) State implement measures to deal with the possible misuse of visa liberalisation?<sup>200</sup> If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

Yes. See question 4.1.

**Q4.4.** How did your (Member) State deal with cases when third-country nationals entered the country legally, but did not legalize their stay after 90 days (overstayers)? Please provide a short description of such instances while highlighting any measures implemented by your country to deal with this. If applicable, what was the impact / effectiveness of these measures and are there any good practices / lessons learned you have identified?

In case a third-country national entered Estonia legally, but did not legalize their stay after 90 days, a return decision is issued. Depending on the circumstances an entry ban may be imposed together with the return decision. In practice there have not been problems with complying with the return obligation for the nationals covered by this study.<sup>201</sup>

**Q4.4.1** In the case of overstayers from the visa-free countries, does your (Member) State apply a different return procedure compared to the usual procedure? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

No.

<sup>197</sup> Interview with a PBGB expert on 10.08.2018

<sup>198</sup> For example: significant increase of residence permit applications, increased demand for work permits, more time-consuming border control procedure due to the lack of visas. etc.

<sup>199</sup> Interview with a PBGB expert on 10.08.2018

<sup>200</sup> For example, dealing with cases when persons enter the country legally but later become illegally employed, are staying in the country legally, but are working without a work permit or apply for asylum without reasonable grounds.

<sup>201</sup> Ministry of the Interior 30.09.2018



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**Q4.4.2** Does your (Member) State apply any special procedures in cases where overstayers have lost their identification documents or in instances where there are problems with their identification? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

There are no special procedures in place for overstayers who have lost their identification documents. With Ukraine and Georgia there is a good cooperation with the embassies. In case the identification document is lost, it is possible to identify the person using other documents (e.g driver´s licence). <sup>202</sup>

**Q4.4.3** If applicable, what was the effectiveness of these procedures (see **Q4.4.1** and **Q4.4.2**) and were they successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

N/A

**Q4.5.** How did your cooperation with the visa-free countries evolve over time in terms of assistance and information exchange, before and after the visa-free regime commencement?<sup>203</sup> Please provide a short description and specific examples of your national situation disaggregated by region and third countries of interest.

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

N/I

Eastern Partnership - Moldova, Georgia, Ukraine:

The cooperation in terms of assistance and information exchange was sufficient already before the visa liberalisation with Georgia and Ukraine. <sup>204</sup>

**Q4.5.1.** If applicable, how effective was the cooperation with third countries to reach your desired goals? Where there any particular differences in your interactions with different third countries and did you identify any good practices / lessons learned?

N/A

**Q4.6.** If applicable, how did your (Member) State respond to the influx of asylum seekers from the visa-free countries? Please provide a short description of the measures taken and any good practices / lessons learned you have identified.<sup>205</sup>

<sup>202</sup> Interview with a PBGB expert on 10.08.2018

<sup>203</sup> For example, in terms of information campaigns in the third countries working on the elimination of 'push factors' – unemployment, poverty, poor conditions in the national health system, assistance to visa-free countries from Member States and reintegration assistance to returnees.

<sup>204</sup> Interview with a PBGB expert on 10.08.2018

<sup>205</sup> For example, using the concept of safe country of origin.

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N/A

**Q4.6.1** If applicable, were the measures of your (Member) State effective to manage the influx of asylum seekers from the visa-free countries? Please provide a short description of your national situation highlighting any good practices / lessons learned you have identified.

N/A

**Q4.6.2** If applicable, how did your (Member) State cooperate with other (Member) States found in a similar situation (i.e. influx of asylum seekers from the visa-free countries)? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

N/A

**Q4.6.3** Did you receive assistance from the EU to deal with the influx of asylum seekers from the visa-free countries? If yes, how effective was the assistance in supporting your (Member) State? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

N/A

**Q4.7.** What other measure (or good practice / lesson learned) was adopted by your (Member) State in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

At the same time, are there any planned measures that will be adopted in the nearby future?<sup>206</sup>

Planned measures:

Entry-exit system (EES) as well as European Travel Information and Authorisation System (ETIAS) would be necessary to provide a better overview of TCNs currently staying in EU and Schengen area.

One aim is to facilitate the Information Exchange between the authorities and the enterprises. For that reason the plan is to develop a new registration system for registering the foreign workers. Currently the PBGB, Tax and Customs Board and the Labour Inspectorate gather the different data.

The plan is to facilitate the procedure for employing a foreign worker, organize information days and produce informative materials for employers.

<sup>206</sup> For example, in relation to Ukraine or Georgia for which the visa waiver agreement entered into force in 2017.

**Impact of visa liberalisation on countries of destination****Section 5: Conclusions****National Contribution (max. 3 pages)**

*The aim of this Section is to outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level.*

*The synthesis report will aim to include infographics and visuals, therefore please take that into account when answering the questions by adding any innovative or visual presentations in your national reports that can carry through into the synthesis report. We also welcome any photos/images which are captioned, relevant and (data) protected with your national contribution.*

*Please do not leave any answer box empty and insert N/A or NI as applicable.*

**Q5.1.** With regard to the aims of this Study, what conclusions would you draw from the findings reached in elaborating your National Contribution?

The EMN focussed study gives an overview of the impact of visa liberalisation in Estonia. The study focusses on trends, positive as well as negative impact and the measures taken to tackle the possible challenges. The study includes five Western Balkan countries (Serbia, Montenegro, FYROM, Albania and Bosnia and Herzegovina) and three Eastern Partnership countries (Moldova, Georgia and Ukraine). The time-period covered in this study was 2007 until 2017 with a few numbers also from the first half of the year 2018.

Regarding the general trends resulting the visa liberalization with the Western Balkan countries currently and base on the available statistics no significant impact on Estonia was identified. The most noteworthy trend concerning these countries is the growth of external border crossings. On the other hand with regards to the Eastern Partnership countries there are some noticeable trends drawing out, but there may have been other variables (e.g. legislative changes) that have contributed to some of these trends. The statistics show that there has been a significant increase in external border crossings for nationals of Moldova, Ukraine and Georgia. Additionally Estonian labour market has seen the biggest impact due to the visa liberalization with the Eastern Partnership countries, especially Ukraine. This manifests in increase of short-term employment applications, but also an increase in detection of violation of working conditions. At the same time visa liberalization with Ukraine, Moldova and Georgia has not influenced Estonian asylum system, although there has been a small increase of asylum applications from Georgians in 2017.

The second section of the study aimed to analyse the positive impact of visa liberalization on Estonia and third-country nationals. As Estonia is not on a typical migration route for Western-Balkan countries, the visa liberalization with these countries has not had any significant impact on Estonia. Immigration from Eastern Partnership countries has increased and one positive impact associated with the visa liberalization is that it facilitates employment in Estonia and Estonian labour market is in need of employees. With regards to Ukraine, there has also been an increase in the number of tourists, which may also be the case with other countries of the study, but due to the lack of statistics, it is not possible to make any conclusions.

The third section gave an overview of the migratory risks and challenges since the introduction of visa-free regimes. It emerged that there are a few challenges that can be linked to the visa liberalization. The identified challenges were: TCNs staying longer in Estonia than entitled with the visa liberalization agreement; growth in illegal employment; using forged documents; violation of working conditions and tax evasions. Additionally an increase in administrative burden has been witnessed by PBGB as there has been an increase in the number of applications for short-term employment and long-term visas. Additionally the PBGB faces bigger burden due to the more thorough and time-consuming border control procedure as for nationals from countries with visa liberalisation there has been no previous verification from the embassies or consulates. Thirdly the PBGB has witnessed an increase in administrative burden as with the increase of illegal employment there is a bigger need for targeted inspections.

***Impact of visa liberalisation on countries of destination***

The aim of the fourth section was to evaluate the measures put in place to deal with the possible misuse of visa-free regimes. Many recent measures were identified in this section. There were instructions given to the border guards for thorough checks at the border, the number of inspections have increased due to the growth of violations of employment conditions, a consultation service has been established to provide trustworthy advice on migration. Additionally new amendments have been introduced to the national legislation (e.g. rising the fines, broadening the obligation to register the short-term employment). In order to more efficiently prevent and tackle illegal employment and tax evasion, a new action plan was adopted by the Ministry of the Interior. One of the mentioned measures was that the PBGB has cooperated with the media in Ukraine in order to provide information in the Ukrainian media about the employment regulations in Estonia. As for planned measures one aim is to facilitate information exchange between the authorities and the enterprises. For that reason the plan is to develop a new system for registering the foreign workers. Currently the PBGB, Tax and Customs Board and the Labour Inspectorate gather the different data. Additionally the aim is to facilitate the procedure for employing a foreign worker, organize information days and produce informative materials for employers.