

National Report

EMN Annual Report on Migration and Asylum

Estonia 2018



European Migration Network

ANNUAL POLICY REPORT ON MIGRATION AND ASYLUM
ESTONIA 2018

Author: Eike Luik, European Migration Network

Design: Pauline Marie Korp, PauPau Design

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Estonian National Contact Point for the European Migration Network

Tallinn University

Narva rd 25, 10120 Tallinn, Estonia

emn@tlu.ee

<http://emn.ee>

European Migration Network website:

https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network_en

The European Migration Network (EMN), established by the Council of the European Union in 2008 and co-ordinated by the European Commission, is a network for information collection and exchange on migration and asylum issues, comprised of National Contact Points (EMN NCPs) and national networks of relevant stakeholder organisations. The EMN plays a key role in providing up-to-date, objective, reliable and comparable information on migration and asylum topics to policy makers (at EU and Member State level) and the general public.



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The European Migration Network (EMN) is co-ordinated by the European Commission with National Contact Points (EMN NCPs) established in each EU Member State plus Norway.

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Acronyms

AMIF	ASYLUM, MIGRATION AND INTEGRATION FUND
PBGB	POLICE AND BORDER GUARD BOARD
UNHCR	.....	UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES
EMN	.....	EUROPEAN MIGRATION NETWORK
FRONTEX	.....	EUROPEAN BORDER AND GUAST GUARD AGENCY
IOM	.....	INTERNATION ORGANISATION FOR MIGRATION
SIS	.....	SCHENGEN INFORMATION SYSTEM
TCN	.....	THIRD COUNTRY NATIONAL
THB	.....	TRAFFICING IN HUMAN BEINGS
EU	.....	EUROPEAN UNION

Statistical disclaimer

The statistical data used in this report is based on the Statistical Annex, into which input has been obtained from the Estonian Police and Border Guard Board. Provided stactical data may slightly different from the publicly available data, as the data collected for Statistical Annex is collected on the standards of Eurostat.

Statistics not based on the Annex are indicated separately.

Executive summary

This report aims to outline **the most significant developments in 2018 in the area of migration and asylum in Estonia**. This includes providing an overview of statistics, legislative and policy changes, as well as third sector, public initiatives and debates.

There were no major overarching changes in the national migration and asylum system in Estonia, the plans and strategies established in previous years were continued. Since 2013, Estonia has been actively reforming and simplifying its legislation to attract qualified foreign workers. In 2018, the government, however, began the process of reviewing and developing new national strategies and action plans in the field of migration, asylum and integration – the Government Office initiated the strategy “Estonia 2035”, the Ministry of the Interior began working on the Internal Security Action Plan for the period of 2020-2030, while the Ministry of Culture was working on the development plan Integrating Estonia 2030. This strategic documents are expected to be finalised and adopted during 2019-2020.

In Estonia, there were some changes in population and migration statistics. According to Statistics Estonia initial data¹ the population of Estonia was 1 323 820 as of 1 January 2019, which is 4690 people more than the year before. Due to negative natural population decrease (the number of deaths (15670) exceeded the number of births (14270)), the population decreased by 1400 person; yet, due to positive migration rate (more people immigrated to (13 030) than emigrated from Estonia (6940)), the population increased by 6090 persons. **Altogether, in 2018, the population of Estonia grew by 0,4%.**

The number of issued residence permits by the Police and Border Guard Board has been growing year by year. Compared to 2017, **the number of first temporary residence permits grew by 20%, with altogether 5 073 residence permits issued in 2018**. There were increases across all types of permits, but the most significant growths concerned residence permits issued on the basis of family migration (1787 first permits, constituting a 39% increase compared 2017) and labour migration (1791 first permits, constituting a 17% increase compared 2017).²

There was **a substantial increase in the short-term employment registrations**

¹ Estonian Statistics publishes more detailed population statistics on 9th May 2019.

² The statistical data is consistent with the Statistical Annex of this document.

in 2018 compared to 2017, when numbers are tripled (19 858 short-term employment registrations), 80% of whom were citizens of Ukraine.

There was a decrease in the number of beneficiaries of international protection (incl. those granted international protection in the framework of the European Agenda on Migration). In 2018, international protection was granted in 35 cases, amounting to a 3,4-time decrease from 2017. Just as in the previous two years, international protection was granted most often to Syrian citizens.

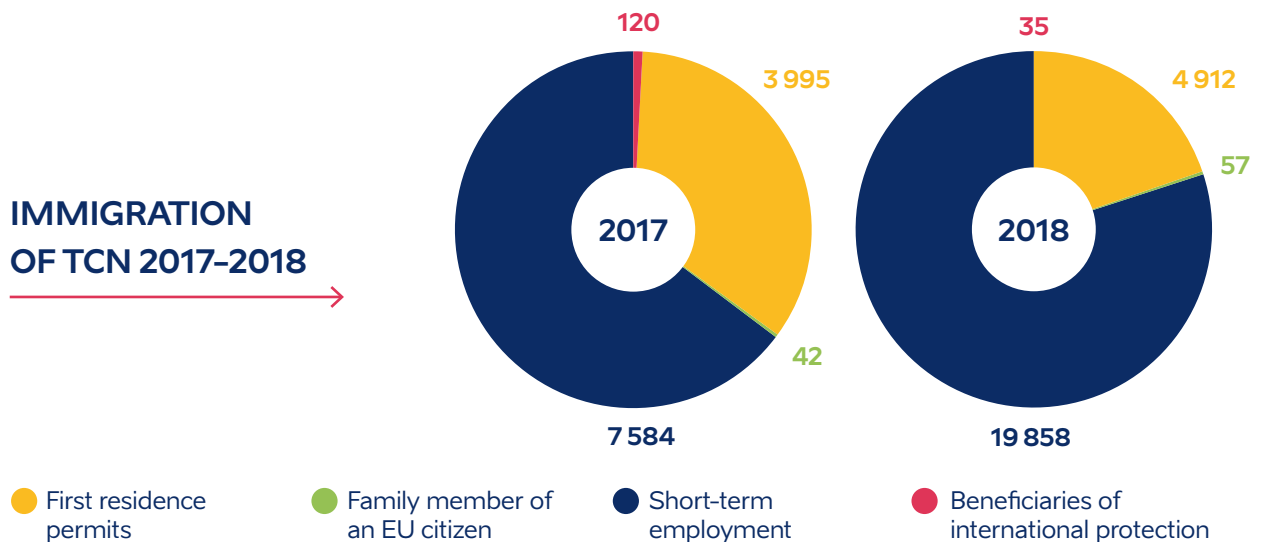


Figure 1. Situation of total immigration in 2017 (incl. first temporary residence permits, first residence permits of family member of an EU citizen, beneficiaries of international protection, registrations of short-term employment)
Source: Overview of migration statistics 2014-2018, Ministry of the Interior

Figure 2. Situation of total immigration in 2018³ (incl. first temporary residence permits, first residence permits of family member of an EU citizen, beneficiaries of international protection, registrations of short-term employment)
Source: Overview of migration statistics 2014-2018, Ministry of the Interior

In 2018, short-term employment amounted to almost 80% of the overall immigration, thus reducing the share of other types of immigration.

In 2018 Police and Border Guard ordered to leave and returned 652 persons of voluntary departure and 143 persons of forced returns, 45 persons returned taking a part of an assisted voluntary programme. Estonia has been rather successful in returning TCNs who have no legal basis for staying in the country, the return rate remained about 85% in 2018.⁴

³ According to the PBGB publicly available data for 2018: Compared to 2017, **the number of first temporary residence permits grew by 23%, with altogether 4969 residence permits issued in 2018.** There were increases across all types of permits, most significant growths concerned residence permits issued on the basis of **family migration (1662 first permits, constituting a 40% increase compared 2017)** and **labour migration (1850 first permits, constituting a 23% increase compared 2017)**

⁴ According to the PBGB publicly available data for 2018: In 2018 Police and Border Guard issued 738 return decisions of voluntary departure and 154 forced return decisions, **in total 892 return decisions.**

Introduction

In accordance with Article 9(1) of Council Decision 2008/381/EC establishing the EMN, each National Contact Point is required to provide every year a report describing the migration and asylum situation in the Member State, which shall include policy developments and statistical data.

The EMN Annual Policy Report consists of two parts and a statistical annex. Part I and the statistical annex are intended to inform policy-makers within the European Commission about national developments. Part II, however, is aimed at a wider audience interested in an overview of the asylum and immigration situation in Estonia.

This report is structured to provide an overview of all aspects of migration and asylum in Estonia, covering the period from 1 January to 31 December 2018. However, in some instances, it will also refer to some developments that planned to begun in 2019. This is the thirteenth report by the Estonian National Contact Point.

1.1 METHODOLOGY

The Estonian National Contact Point of the European Migration Network produced this report in accordance with the network's general research guidelines. The terminology used in the report is based on the EMN Glossary published and maintained by the European Migration Network. The structure and headings of the report are based on a model jointly agreed on by the European Migration Network. The division into topics follows the structure used by the European Commission, which has also been adopted by the European Migration Network.

Report is based on both primary and secondary data obtained from the Estonian key stakeholders in the field of migration and asylum. Where necessary, report uses publicly available information, such as policy papers, statistics, reports, news and public websites. The majority of information was collected from our stakeholders through formal inquiries and interviews, in order to gather more detailed information.

Stakeholders involved in the making of this report include the relevant ministries: the Ministry of the Interior, Ministry of Social Affairs, Ministry of Foreign Affairs, Ministry of Justice and Ministry of Education and Research. One of the main sources of information and statistical data is the Estonian Police and Border Guard Board.

Other contributing agencies and organisations are Estonian Unemployment Insurance Fund, Social Insurance Board, Estonian Tax and Customs Board, Enterprise Estonia's "Work in Estonia" program, IOM, UNHCR, Integration Foundation, Tartu Folk High School, AS Hoolekandeteenused, Tartu University, Estonian Academy of Security Sciences, The Institute of Baltic Studies, Archimedes, Red Cross Estonian Office, NGOs like Estonian Refugee Council, Johannes Mihkelson Centre, Mondo, Living for Tomorrow, Estonian Human Rights Centre. The information and data presented in this report were obtained from these organisations unless specified otherwise.

ESTONIA

Institutional Framework for migration and asylum*



*Please note that this institutional chart provides an indicative overview of the migration and asylum system in Estonia in January 2019.

1.2 THE STRUCTURE OF MIGRATION RELATED MINISTRIES/ ORGANISATION AND LEGAL SYSTEM

THE INSTITUTIONAL FRAMEWORK

The primary institution responsible for migration and asylum policy-making is **the Estonian Ministry of the Interior**. These policies are mainly implemented by the **Police and Border Guard Board** (hereinafter PBGB), subordinated by the ministry, which is involved in processing of all applications of TCN s (including asylum seekers, persons staying in the country illegally, as well as applicants for residence permits and applying Estonian citizenship) and citizens of the European Union. Although the decision-making capacity (e.g., granting a residence permit, etc.) lies with the PBGB, the decisions are taken in close cooperation with the Estonian Ministry of the Interior, **the Estonian Internal Security Service, Ministry of Foreign Affairs, Estonian Unemployment Insurance Fund** etc.

The **Ministry of Social Affairs** is responsible for policy-making regarding services for the beneficiaries of international protection, unaccompanied minors as well as victims of trafficking in human beings. Its subordinate organisation the **Social Insurance Board** coordinates those services.

The **Ministry of Justice** coordinates policy-making in relation to victims of human trafficking and non-discrimination.

In close cooperation with the Ministry of the Interior, the **Ministry of Economic Affairs and Communications** develops policies in relation to skilled migration.

The **Ministry of Education and Research** gives its input to **Ministry of Interior** concerning study migration and researcher's mobility.

Their respective subordinate agencies responsible for executing these policies are Enterprise Estonia (responsible for talent attraction and retention) and Archimedes Foundation (responsible for academic and professional recognition).

The **Ministry of Foreign Affairs** is responsible for visa issues, development cooperation and humanitarian aid policy, and via the diplomatic corps, advances relations with third countries.

The **Ministry of Culture** is the main institution responsible for developing integration policies. Its subordinate institution Integration Foundation offers for example various language learning possibilities.

In addition, several **NGO**-s play a role by supporting the implementation of migration and asylum policies. The Estonian Refugee Council and Johannes Mihkelson

Center are responsible for providing the support person service to the beneficiaries of international protection, the Estonian branch of the International Organization for Migration (IOM) is responsible for providing the assisted voluntary return service for persons with no legal basis to stay.

THE LEGAL SYSTEM

The **Aliens Act** regulates the entry of aliens, their stay, residence and employment as well as the bases for legal liability of aliens. **Citizens of the European Union Act** regulates the bases for stay and residence of citizens of the European Union and their family members. **Act of Granting International Protection to Aliens** regulates granting international protection, the legal status and basis for stay. **Citizenship Act** regulates issues related to citizenship. **Obligation to Leave and Prohibition on Entry Act** provides the basis and procedures regarding obligations to leave, prohibition of entry and the regime for passage through Estonia. **State Borders Act** defines the state border, the border regime and the liability for violation and illegal crossing. All of the above mentioned legislation are passed by the Estonian Parliament and signed into law by the president. There are also numerous regulations of the ministers responsible for the area (e.g. the Welcoming Programme regulation, the Establishment of state register of granting international protection and statutes for maintenance of register, etc.)

Overview of migration and asylum policy developments in 2018

2.1 POLITICAL CHANGES IN 2018

In 2018, no significant macro-political developments took place in Estonia. The government coalition – formed by the left-leading Estonian Centre Party, Social Democratic Party and conservative right-wing Isamaa was stable also in 2018. In 2018 there was a change in Ministry of Interior position, former minister Mr Andres Anvelt from the Social Democratic Party, resigned and was replaced by Mrs Katri Raik who is also member of the Social Democratic Party.

2.2 MAIN HIGHLIGHTS ON MIGRATION AND ASYLUM SYSTEM IN 2018

LEGAL MIGRATION

The Directive (EU) 2016/8015 was transposed into Estonian legislation.

There was a **substantial increase in the short-term employment registrations in 2018** with 19 858 short-term employment registrations compared to 7584 registrations in the previous year. In 2018, the top three countries by nationality were Ukraine (80% of registrations), Belarus and Russian Federation.

Increasing numbers of person's enjoying **the programme of e-Residency**. In the period of 2014-2018, PBGB issued altogether 50 635 digital IDs. The number of digital ID recipients has sharply risen in the last years – downright 13 461 were issued in 2017 and 22 415 in 2018. In 2018, the top three countries of nationality of e-Residents were Japan, the Russian Federation and China.

The one-stop-shop service centre International House of Estonia was opened with the aim to provide consultation and public authority services mainly for international newcomers in Estonia and local employers.

⁵ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing

INTERNATIONAL PROTECTION AND ASYLUM

In 2018, **international protection** was granted to 35 persons (including those granted international protection in the framework of the European Agenda on Migration), **refugee status** was granted to 24 persons and **subsidiary protection** to 11 persons. Top nationalities of granted persons was Syria and Irak.

In total 206 persons are relocated and resettled to Estonia on the framework of European Agenda on Migration since 2016, of whom 86 persons are granted refugee status and 120 subsidiary protection.

INTEGRATION

Throughout 2018, Integration Foundation made preparations to **open Estonian Language Houses in Tallinn** by early January 2019 and **Narva by late 2019**. Foundation is one of the main language learning providers.

In 2018, several measures to enhance foreigners' language skills were launched. Beneficiaries of international protection are now **provided 300 h Estonian language lessons** by Tartu Folk High School to help them acquire A2 level Estonian proficiency (instead of 100 and A1 level).

ACQUISITION OF CITIZENSHIP

Simplification of acquisition of citizenship – since 1 January 2019, persons who have legally resided in Estonia for 5 years or more and are interested in acquiring Estonian citizenship can sign a language instruction agreement with Estonian Academy of Security Sciences, which makes them eligible for free language courses up to B1 level which is necessary to apply for citizenship. Additionally, the signee has the right for unpaid study leave for participating in language courses. The person who has been granted unpaid study leave for participating in the language course according to the language instruction agreement will be paid a compensation for 20 working days per one language skill level pursuant to their average salary. In return, they are obliged to complete the B1 level examination in Estonian and apply for citizenship in one year (or up to three years in special circumstances).

IRREGULAR MIGRATION

To prevent and tackle illegal employment **a new action plan `The Illegal employment prevention and prohibiting Action Plan`** was approved by the Government in 2018. The main reason for developing the action plan was significant increase of illegal employment, including violations of legal employment cases, in 2017. Part of the action plan was also to make amendments to national legislation.

According to amendments to Aliens Act in 2018, the fine for legal persons who enable illegal employment was raised up to 32 000 euros (before it was 3200 euros). Amendments were also made to the Public Procurement Act according to which the contracting authority does not make a public contract to a tenderer in case employer was violating the conditions of legal employment in Estonia. Action plan covers also other activities on the legislative and operational level.⁶

TRAFFICKING IN HUMAN BEINGS

In 2018, **the Istanbul Convention entered into force in Estonia**. This prompted an amendment to the Penal Code “criminalising the buying of sex from the victims of trafficking in human beings”. The objective of criminalisation is to discourage the demand leading to trafficking in human beings and to protect the rights of victims.

RETURN

In 2018, the Identity Documents Act amendment came into force allowing the PBGB to issue the European travel document for return in accordance with the Regulation (EU) 2016/1953.

In the end of 2018 **a new detention centre was opened in Rae municipality**, which replaced the previous detention centre in Harku. The new detention centre accommodates up to 123 returnees and asylum seekers, previous center had places for 80 persons and has more comfortable living conditions compared to the old centre.

‘**Database of foreigners staying or having stayed in Estonia illegally**’ was fully developed in 2018. This data system supports PBGB in return procedure. Also this system will enable exchange with other databases and increase the ability to perform statistical inquiries. The new system should start working by the end of 2019.

2.3 PUBLIC DEBATES ON MIGRATION IN 2018

PUBLIC DEBATES ON LEGAL MIGRATION

In 2018, media discussion and more general public debates in the field of migration focused mainly on **the UN Global Compact for Migration**. The compact was publicly debated by the Government, Parliament and on television. The state institutions that dominated the media on the issue were the Ministry of Foreign Affairs and Ministry of Justice. A FAQ-page was created on the website of the Ministry of

⁶ Ministry of Interior webpage, Action plan to Fight illegal Employment: <https://www.siseministeerium.ee/et/eesmark-tegevused/kodakondsus-ja-ranne/tegevuskava-ebaseadusliku-tootamise-ennetamiseks>

Foreign Affairs, providing information about the compact and the extent to which it is binding for Estonia.⁷ An analysis of the compact was ordered from the Chancellor of Justice.

Despite the active work by several ministries throughout the preceding year, the issue nevertheless generated a media storm in autumn 2018, when it was claimed that the society had not been sufficiently informed on the content of the compact and its expediency to Estonia.⁸ The compact was translated into Estonian and read out on the national public television.

Discussions came to an end on 26 November 2018, when Riigikogu (the Parliament) passed a statement in support of the UN Global Compact for Migration, with 41 members voting in favour, 27 against and 30 abstaining. According to the statement, Riigikogu of the Republic of Estonia supports the adoption of the UN Global Compact for Migration.⁹ The compact was adopted at a high-level UN conference in Marrakesh, which the President of Estonia Kersti Kaljulaid was initially supposed to attend; yet, her visit was subsequently cancelled and Estonia approved the compact on 19 December 2018 at the UN General Assembly instead, represented there by the Estonian Ambassador to the UN Sven Jürgenson as prescribed by the Foreign Relations Act.

PUBLIC DEBATES ON ILLEGAL EMPLOYMENT

Illegal employment is currently a hot topic in the Estonian media. The coverage focuses mainly on the Ukrainian citizens and possible violations of employment conditions by employers.¹⁰ Employers are using different „schemes, such

⁷ Ministry of Foreign Affairs, <https://vm.ee/et/uro-globaalne-randeraamistik-kkk/>

⁸ • 29 September 2017 – representatives of the Ministry of Interior and Ministry of Foreign Affairs introduce the compact to social partners, including the Estonian Refugee Council, Estonian Red Cross and Estonian Institute of Human Rights.
• February 2018 – the Ministry of the Interior and Ministry of Foreign Affairs draft the official Estonian position on the compact, coordinating it with the Ministry of Justice and other government institutions that make up the refugee policy coordination council (inc. the ministries of Social Affairs, Culture, Education and Research).
• 13 March 2018 - the Foreign Minister presents the position to the Foreign Affairs Committee of the Riigikogu.
• 22 March 2018 - the Ministry of Foreign Affairs presents the draft of the Estonian position to the Government. The Government approves the Foreign Minister's position on the UN Global Compact for Migration.
• 6 April 2018 – representatives of the Ministry of Interior and Ministry of Foreign Affairs introduce the compact to social partners, including Estonian Refugee Council, Estonian Red Cross and Estonian Institute of Human Rights.
• 12 November 2018 – Foreign Minister Sven Mikser is again summoned to the Riigikogu by the Foreign Affairs Committee in order to discuss the compact and the official Estonian position.

⁹ Riigikogu
<https://www.riigikogu.ee/pressiteated/taiskogu/riigikogu-vottis-vastu-uro-globaalse-randeraamistiku-avalduse/>

¹⁰ A number of news articles have been published on the topic, e.g.:

• Tabati järjekordsed Ukraina illegaalid, Virumaa Teataja 30.01.2018 https://virumaateataja.postimees.ee/4391519/tabati-jarjekordsed-ukrainlastest-illegaalid?_ga=2.118835529.1904986978.1540205766-588652571534246391/

• Ehitusel töötanud ukrainlased üritasid kontrolle põgeneda Postimees, 06.03.2018, <https://www.postimees.ee/4431221/galerii-ja-video-ehitusel-tootanud-ukrainlased-uritasid-kontrolle-margates-pogeneda/>

• Kõige problemaatilisem ehitusplats, Postimees, 01.06.2018 <https://leht.postimees.ee/4497554/koige-problemaatilisem-ehitusplats/>

• Ümbrikupalga eest töötanud ehitajad süüdistavad ettevõtjaid alatutes võttes, Äripäev, 23.07.2018 <https://www.aripeev.ee/uudised/2018/07/20/umbrikupalga-ees-tootanud-ehitajad-suudistavad-ettevotjaid-alamatutes-votetes/>

as posted workers, rental workforce” to avoid labour protection mechanisms and taxes. The criticisms are mainly directed at the employers in the construction sector who may have mistreated Ukrainian workers.

PUBLIC DEBATES ON CITIZENSHIP

The question of **dual citizenship of Abkhazian Estonians** – the Citizenship Act currently provides that if an Estonian citizen has acquired citizenship through naturalisation or has been granted it by a mistake, s/he must renounce his/her other citizenships in order to retain the Estonian one. However, the state *de facto* tolerates the dual citizenship of those who have acquired Estonian citizenship by birth, because the Constitution does not allow to take away Estonian citizenship acquired by birth. Thus, there have been debates over whether those who have been once already categorised as Estonian citizens or those whose ancestors did not follow through with the option are Estonian citizens by birth or not. In summer 2018, the Ministry of the Interior ordered an analysis from a working group of legal scholars in the University of Tartu, in which it was concluded that Abkhazian Estonians are not citizens by birth.¹¹

Minister of the Interior Mrs Katri Raik summarised the public debate: “We need to figure out how to proceed with the Estonian citizens residing in Abkhazia so that they would not have to renounce the other citizenship in order to retain the Estonian one. The situation needs to be addressed separately, because if you live in Abkhazia, it is extremely difficult to get by without a Russian Federation passport and yet, in order to visit your historical homeland, you need to have an Estonian citizenship”.¹² President Kaljulaid has also emphasised that Estonian legislation needs to change in order to accommodate their needs and protect the interests of Estonian citizens.¹³ The precise number of Estonian citizens residing in Abkhazia is not known, but it is estimated that there are a couple of hundred. Some have acquired the citizenship of the Russian Federation in addition to the Estonian one,

-
- Orjapidamine Eesti moodi: ukrainlastelt nõutakse topelttööd ja palka küsides ähvardatakse metsa viimisega
 - Seaduslikult Eestis töötavad ukrainlased seisavad hoolimata dokumentidest silmitsi maksmata palga, kahekordse töökoormuse ja tööandjate ähvardustega. Ärileht, 25.07.2018 <http://m.arileht.delfi.ee/article.php?id=83142911&fbclid=IwAR1smnzHgWTV4Lu89XcOjwLaT3ambVn1qrJU38Q59RxiPaxvCXMDcbK7o5I/>
 - Ukraina välistööjõu kadalipp. Miks töötajate töde õiguseks ei vormu? Ärileht, 26.07.2018 http://m.arileht.delfi.ee/article.php?id=83155601&fbclid=IwAR0_bOS8C6Acipil6a7IRVL5DK31g2gjiHPgbWLwx8CddKTafdcGI94A92qY/
 - “Ukraina ehitajad teevad orjatööd”, Ringvaade, 25 July 2018, <https://etv.err.ee/>

¹¹ Ruth Annus, head of the Citizenship and Migration Policy Department in the Ministry of Interior said that the analysis confirmed the current position of the state. «According to the analysis, descendants of optants who have not returned to Estonia are not citizens by birth in the current sense. This is because the rights and obligations that ensue from citizenship were very different for those who settled in Estonia and for those who did not,” said Annus. https://www.postimees.ee/6471838/tartu-ulikooli-õigusteadlaste-analuus-alli-rutto-ei-ole-sunnijargne-estli-kodanik?_ga=2.60135789.1136637750.1554286223-1610310826.1549453641/

¹² <https://www.siseministerium.ee/et/uudised/siseministri-tellitud-analuus-abhaasias-elavate-estli-kodanike-olukorra-lahendamise-kohta/>

¹³ <https://www.ohtuleht.ee/903652/kersti-kaljulaidil-on-abhaasia-estlase-kodakondsuse-sekelduste-parast-piinlik/>

as they need it to conduct their everyday business. Since at the moment, these persons are not entitled to an Estonian passport and relevant legislative changes are still being worked out. The purpose of the prospective legislative amendment is to rectify the situation of those who have been once already categorised as Estonian citizens or whose ancestors did not follow through with the option. Until that PBGB came up with a temporary solution of issuing these people two-year Estonian passports (standardly, passports are issued for ten years). In order to settle the issue, the Minister of the Interior has ordered the Ministry of the Interior to put together an analysis that would propose definite solutions to the situation of Abkhazian Estonians. The analysis is expected to be completed in April 2019.¹⁴

The issue of **reducing the number of persons with undetermined citizenship** was also occasionally raised in the public discussions in Estonia, but currently, no respective legislative changes are in sight.

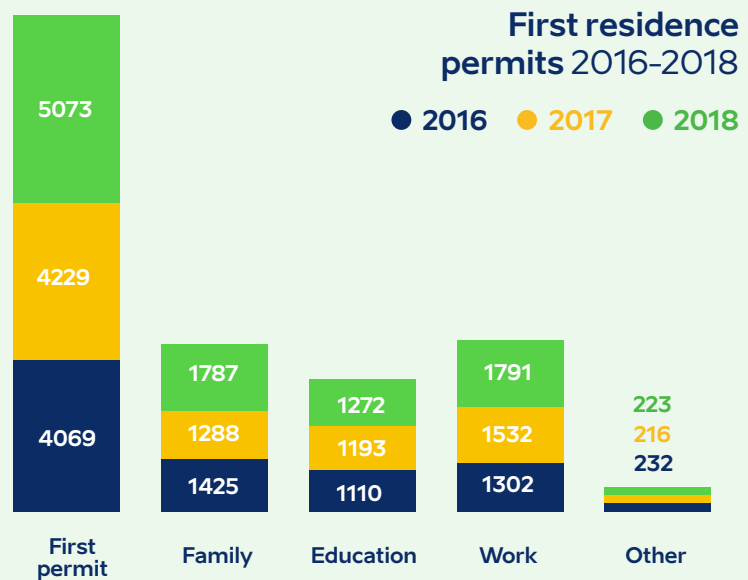
¹⁴ <https://www.siseministeerium.ee/et/uudised/siseministri-tellitud-analuus-abhaasias-elavate-eeesti-kodanike-olukorra-lahendamise-kohta/>

LEGAL MIGRATION

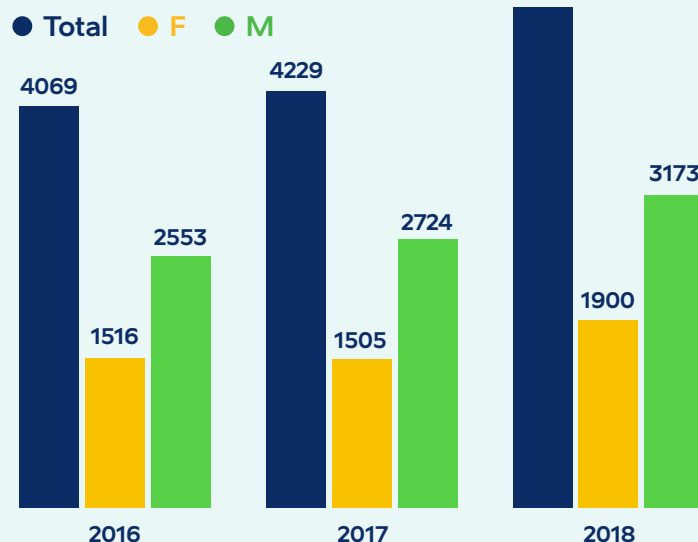
3.1 FIRST TEMPORARY RESIDENCE PERMITS IN NUMBERS

Compared to 2017, the number of first temporary residence permits issued by the PBGB in Estonia has grown by 20% – from 4229 residence permits in 2017 to 5073 permits in 2018¹⁵.

Figure 3. Total number of first temporary residence permits issued in 2016–2018
Source: PBGB



Total first permits by gender 2016–2018

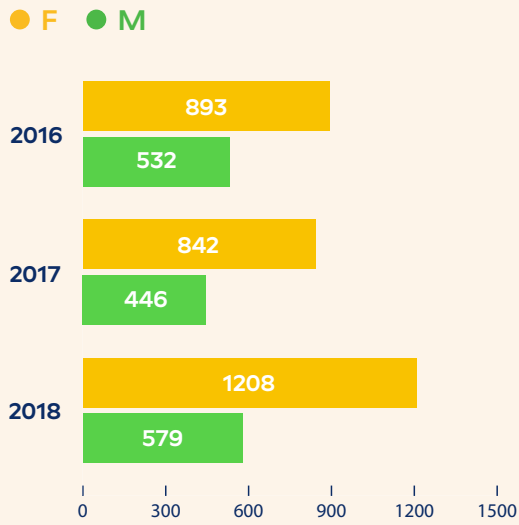


The gender proportion of first-time temporary residence permits issued has remained such that women tend to migrate for family purposes, while men tend to migrate for the purpose of employment or study.

Figure 4. Total number of first temporary residence permits issued, by gender, in 2016–2018
Source: PBGB

¹⁵ According to the PBGB publicly available data for 2018: Compared to 2017, **the number of first temporary residence permits grew by 23%, with altogether 4969 residence permits issued in 2018.** There were increases across all types of permits, most significant growths concerned residence permits issued on the basis of **family migration (1662 first permits, constituting a 40% increase compared 2017)** and **labour migration (1850 first permits, constituting a 23% increase compared 2017).** For educational reasons there were 1267 first residence permits, increase 4% and for business reasons 87 first permits.

First permits, family reason 2016-2018



First permits, employment reason 2016-2018

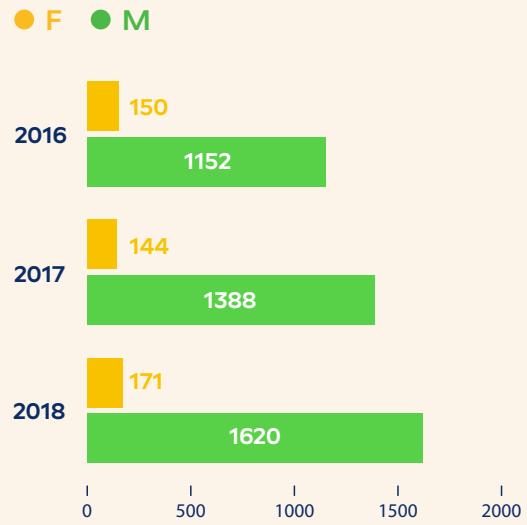


Figure 5. First-time permits for family migration by gender, 2016-2018

Figure 6. First-time permits for employment by gender, 2016-2018

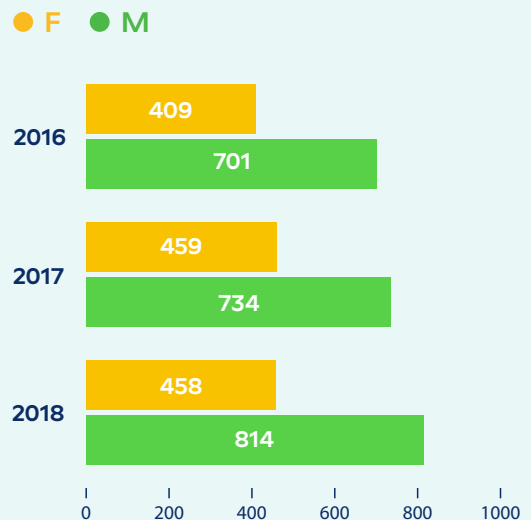
Figure 7. First-time permits for study reason by gender, 2016-2018

Source: PBGB

While increases can be seen in all types of first-time residence permits, the largest growth since 2017 were the 39% increase in family migration (with 1787 first-time permits issued in 2018) and 17% increase in labour migration (with 1791 first-time permits issued in 2018).

Third-country nationals who settled in Estonia on the basis of a first-time residence permit were most often citizens of Ukraine (1628 people), the Russian Federation (1034 people) and Belarus (224 people).

First permits, study reason 2016-2018



3.2 EMPLOYMENT RELATED MIGRATION

In 2018, the number of first-time residence permits issued for employment was 1791, amounting to a 17% increase compared to 2017.

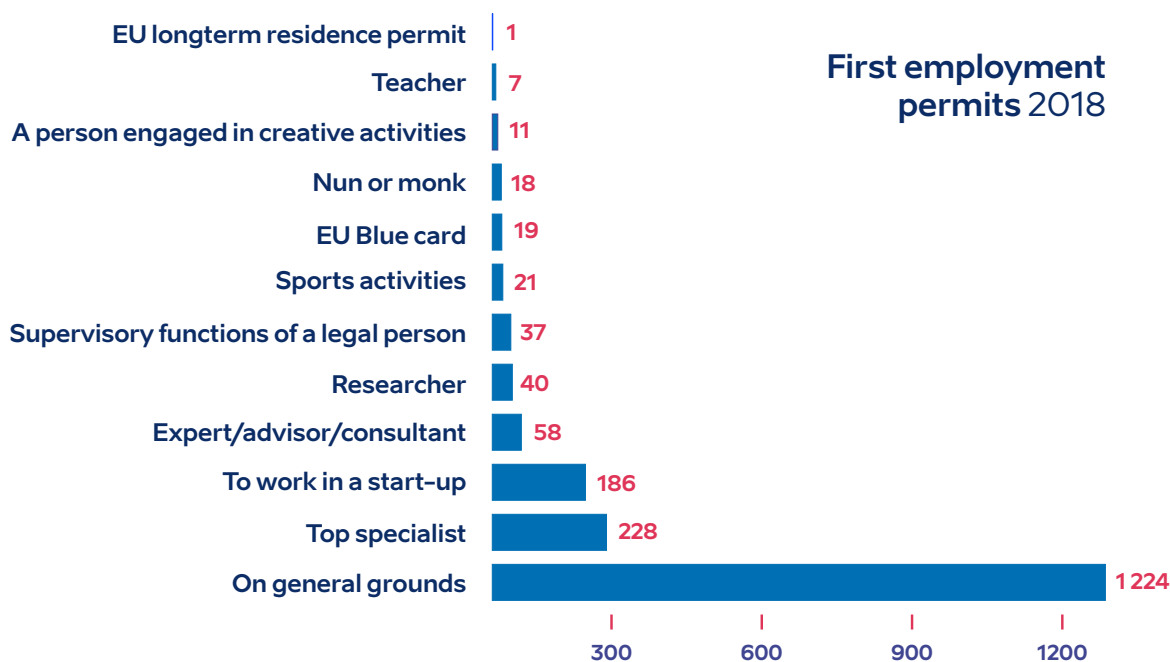


Figure 8. First-time temporary residence permits for employment, by profession 2018
Source: PBGB

However, the number of residence permits issued does not reflect the total size of the foreign labour force. In 2018, there were also 19 858 registrations of short-term employment (which allows a TCN to work in Estonia for 365 days).

Furthermore, Estonia also allows citizens of the European Union and European Economic Area, and their third-country national family members, to reside and work in the country. Citizens of the European Union can reside and work in Estonia without registering for three months; if they wish to stay longer, they need to register their place of residence in the population register. In 2018, the largest groups of EU citizens registering in Estonia were from Finland (712), Latvia (706), Germany (524), Italy (329) and France (284)¹⁶.

SHORT-TERM EMPLOYMENT

There was a substantial increase in registrations of short-term employment in 2018 – the numbers almost tripled compared to the previous year. In 2017, there were 7584 registrations of short-term employment; in 2018, this number had increased to 19 858.

¹⁶ Source: Population register

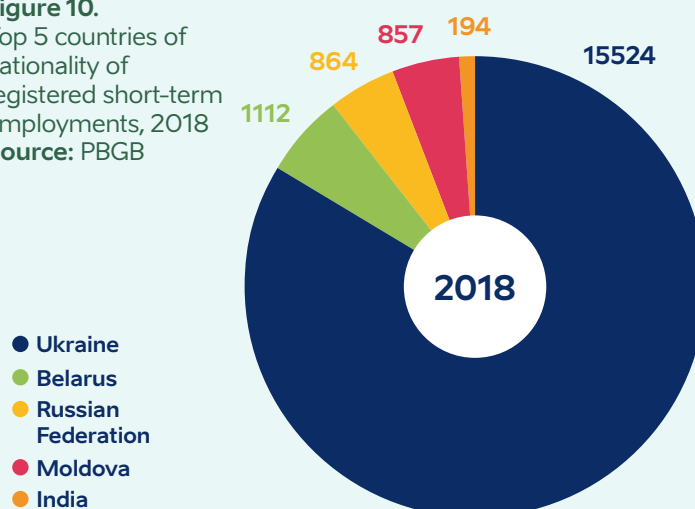
Short-term employment registrations, 2016-2018

Figure 9. Registrations of short-term employment, 2016-2018
Source: PBGB



Nationality of registered short-term employments, 2018

Figure 10. Top 5 countries of nationality of registered short-term employments, 2018
Source: PBGB



One reason for this sharp increase was the legislative amendment made in 2018, that allows for a longer period of short-term employment (up to 365 days instead of 270 days) and a wider range of employment positions without a residence permit. On the other hand, the increase was also partly induced by the fulfilment of the immigration quota (the cap reached in the June 2018), due to which it was not possible to issue any further residence permits for employment, which needed immigration quota, and the option of short-term employment was used instead.

The third-country nationals who's short-term employment was registered for in 2018 were most often citizens of Ukraine (almost 80% of total short-term employment registrations), Belarus and the Russian Federation.

3.3 ENTREPRENEURSHIP AND START-UP 'S

In 2018, there was an increase in the number of visas and residence permits issued for business purposes due to the new startup-related legislation adopted in 2017. Since its launch two years ago, 1108 companies have applied for the 'start-up' status and altogether 931 individuals have relocated to Estonia or have been granted the right to do so.

The number of incoming **start-uppers** shows a positive trend – while 167 employees and 107 founders settled to Estonia in 2017, the numbers were significantly higher in 2018 – i.e., **483 employees and 174 founders**, amounting to an increase of 236%.¹⁷

¹⁷ Start-up Estonia, <https://www.startupestonia.ee/>

The most popular start-up industries in Estonia are financial technology, business software, software as a service, medical technology, consumer goods, hospitality, agricultural technology, educational technology and energy sector.¹⁸

Founders 1-year visa	Founders Residence permit for enterprise	Employees Short-term employment 1-year visa	Employees Residence permit for employment for start up
India	Russian Federation	Ukraine	Russian Federation
Pakistan	Turkey	Brazil	Ukraine
Russian Federation	India	India	India

Figure 11. Founders and employees by top 3 citizenship in 2018
Source: Start up Estonia

3.4 LEGISLATIVE CHANGES IN THE FIELD OF LEGAL MIGRATION

In 2018, there were changes in the field of legal migration legislative.

Transposing **the Directive¹⁹ into Estonian legislation** entailed amendments to the Aliens Act, which came into force on 23 May 2018.

1. The provisions concerning short-term employment in Estonia were supplemented to also allow for the short-term employment of trainees. Additionally, the new provisions allow trainees to receive remuneration for practical training, while the general requirement to pay remuneration in the amount of at least the annual average gross monthly salary does not apply to them.
2. New provisions concerning au-pairs allow them to work in Estonia up to one year and six months. Au pairs may apply for a residence permit or register for short-term employment. Their working hours must not exceed 25 hours per week, and they need to have at least one day per week off duty. The goal of this kind of employment should be improvement of one’s language skills and acquiring knowledge about Estonia.²⁰

¹⁸ <https://startupestonia.ee/blog/two-year-anniversary-of-the-estonian-startup-visa>

¹⁹ Directive (EU) 2016/801 of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing

²⁰ A top specialist according to the Aliens Act is a TCN who has acquired appropriate professional training in any field to whom an employer registered in Estonia undertakes to pay remuneration for professional work in the amount at least equal to the annual average gross monthly salary in Estonia, last published by Statistics Estonia, multiplied by a coefficient of 2 (currently 2442€).

A number of amendments to the Aliens Act came into force on 15 July 2018.

1. The most significant amendment prolonged the maximum period of short-term employment for third-country nationals staying in the country on a visa from 270 days to 365 days within a period of 455 consecutive days. This new legislation is meant to ease the recruitment and employment of third-country nationals in temporary positions and sectors or positions that are more dependent on different stages of economic cycles.
2. The same amendments to the Aliens Act excluded 'top specialists' from the immigration quota cap.

IMMIGRATION QUOTA IN ESTONIA

In Estonia, the number of foreign nationals settling to Estonia is restricted by the immigration quota. In 2018, the immigration quota cap was 1315 persons; the same quota was also set for 2019.²¹ Since the immigration quota concerns mainly the residence permits issued for employment,²² the cap for 2018 was reached by June 2018 of that year and the cap for 2019 was reached in in early 2019.

The applications for the residence permit subject to the immigration quota in 2019 were already opened in December 2018 (previously it would open in January).

In 2018, it was decided that the immigration quota working group (established in 2017 by the Ministry of the Interior) will continue its work until the summer of 2019. Whilst there are currently no plans to remove the quota, the working group is tasked with developing proposals for improving the labour migration system in place.

In 2018, the list in the Aliens Act of **those exempt from the immigration quota** was amended to include those who have been issued a residence permit for **working as a top specialist**.

²¹ The annual immigration quota limits the number of foreign nationals who are allowed settle to Estonia in a year to a maximum of 0.1% of the permanent population of Estonia.

²² §115 of the Aliens Act enacts a list of exemptions from the immigration quota.

3.5 STUDENT AND RESEARCHERS' MIGRATION

International degree students 2018



Figure 12. International degree students in Estonia, 2018
Source: Archimedes Foundation

According to Archimedes Foundation information number of international degree students for 2018/2019 are in total 5047 persons. In top 10 countries there are only two EU countries (Finland and Latvia), Top 3 TCNs were Russian Federation citizens, Nigeria and Ukraine citizens.

3.6 LEGISLATIVE CHANGES IN THE FIELD OF STUDENT AND RESEARCHERS' MIGRATION

There were some legislative changes concerning student and researchers' migration.

Transposing the Directive²³ into Estonian legislation on time entailed some amendments to the Aliens Act, which came into force on 23 May 2018.

Students were affected mainly by the following two amendments: students holding a visa or residence permit for the purpose of study issued by another Member State may now study in Estonia **up to 360 days** (whereas before, the law did not provide for such an option). They are allowed to work in Estonia under the same conditions as students with a residence permit issued by Estonia, if their short-term employment is registered at PBGB.

Students may stay in Estonia for up to 270 days after the validity of their initial residence permit expires in order to seek employment here and apply for another residence permit on new grounds. Previously, students were allowed to stay for up to 183 days after their initial residence permit had expired (after graduation).

²³ Directive (EU) **2016/801** of the European Parliament and of the Council of 11 May 2016 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects and au pairing.

Researchers were affected by the following legislative amendments: it is now permitted to stay in Estonia with a long-stay visa or residence permit issued by a competent agency of another Member State of the European Union for the purpose of research **for the period of validity of that visa or residence permit**, if the short-term employment of the third-country national is registered at PBGB.

If a competent agency of a Member State of the European Union has issued a long-stay visa or residence permit for the purpose of research to a third-country national who is staying in Estonia under the conditions specified in the Aliens Act, **his or her family member** may stay temporarily in Estonia for the period of validity of that visa or residence permit.

Researchers may stay in Estonia up to 270 days after the validity of their initial residence permit expires in order to seek employment in Estonia and apply for another residence permit on new grounds. Before the amendment, the legislation had allowed to stay for 183 days after the expiry.

3.7 OTHER LEGAL MIGRATION SUPPORTIVE ACTIVITIES

Several agreements came into effect. On 7 February 2018, an agreement between the Government of the Republic of Estonia and the Government of the **Kyrgyz Republic** for the avoidance of double taxation and prevention of fiscal evasion with respect to taxes on income came into force.²⁴ On 29 September 2018, a convention between the Republic of Estonia and Japan for the elimination of double taxation with respect to taxes on income and the prevention of tax evasion and avoidance came into force.²⁵

On an official visit to South Korea on 6 February 2018, the President of Estonia Kersti Kaljulaid signed an **Economic Cooperation Memorandum of Understanding between Estonia and the Gyeonggi Province** with three aims: introducing Korean entrepreneurs to e-residency, developing blockchain technology and promoting opportunities for ICT specialists to work in Estonia. In Seoul, President Kaljulaid opened a digi-ID centre for e-residents.

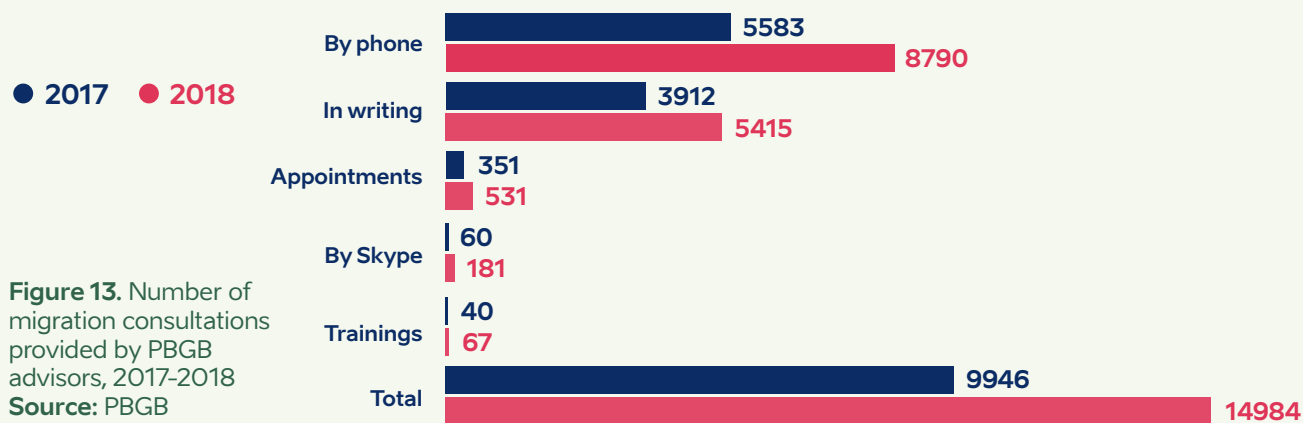
3.8 OTHER DEVELOPMENTS THAT SUPPORT LEGAL MIGRANTS AND EMPLOYERS

In order to support and facilitate third-country nationals to settle in, and also to reduce bureaucracy, PBGB began providing migration advisory services in 2017.²⁶

²⁴ https://www.riigiteataja.ee/akt/2030/1201/8002/Kyrgyz_agreement.pdf

²⁵ <https://www.riigiteataja.ee/akt/203012018004>

²⁶ The main purpose of the advisors is to support the foreigners who are settling to Estonia, offer legal advice and operate as a partner to employers, entrepreneurs, educational institutions and others receiving foreign nationals in Estonia.



In 2018, the service continued to be popular — PBGB four advisors provided 14 984 consultations, including 67 trainings in 2018. 41% of the consultations were provided in Estonian language, which suggests that the service is widely used by Estonian employers, educational institutions or Estonian relatives of third-country nationals. There was an almost equal amount of English and Russian language consultations — 29% and 30%, respectively. Since November 2018, PBGB advisors also offer consultations in the International House of Estonia.

- In November 2018, a new and improved website for Study in Estonia was finalized. The website²⁷ provides comprehensive information on studying opportunities in Estonia.
- In December the **e-Residency 2.0 White Paper** was published. E-Residency 2.0 is national initiative in Estonia based on cooperation between the public and private sector. It was unveiled by Estonian President Kersti Kaljulaid and includes 49 recommendations to make e-Residency more beneficial for everyone in our digital nation.²⁸

3.9 WORK IN ESTONIA ACTIVITIES IN 2018

- As of June 2018, Work in Estonia and the Public Employment Office have been offering **International Spouse Career Counselling service**.

International Spouse Career Counselling is a specialized service that aims to support the spouses and partners of newly arrived international specialists, where a group of six career counsellors focus on the most relevant topics for and needs

²⁷ www.studyinestonia.ee

²⁸ <https://s3.eu-central-1.amazonaws.com/ereswhitepaper/e-Residency+2.0+white+paper+English.pdf>

of those who accompany their wives or husbands to Estonia.²⁹

- On November 2, the 'International House of Estonia', a one-stop-shop service centre was opened in Ülemiste City, Tallinn.

The purpose of the centre is to offer consultations and ensure access to public services for international newcomers to Estonia and their local employers. The services of the International House are designed for internationals (primarily skilled migrants) who have come to work or study in Estonia, their spouses and companies that are hiring international personnel.³⁰ In addition, the International House also welcomes Estonian families who want to repatriate to Estonia.

Services provided by International House of Estonia are:



Figure 14. Services provided by the International House of Estonia, 2018

According to International House of Estonia information, the most popular service is migration service provided by PBGB migration advisors, concerning all the practical issues: how to get ID-card, how to apply for residents permit, which are the conditions and the legal bases to stay, to work or to study, which are the possibilities to bring along the family. Most frequent questions by employers are how to hire foreign workforce, which are the conditions and salary criteria, registrations of short-term employment.

- In November, the **new Relocation Guide handbook** came out to help new-

²⁹ <https://www.workinestonia.com/working-in-estonia/international-spouse-career-counselling/>

³⁰ <https://www.workinestonia.com/internationalhouse/>

comers settle in smoothly in Estonia.³¹ The handbook covers following topics: moving to Estonia, housing, working, healthcare, taxes and social benefits, education, transport, everyday life. This online book is also a useful tool for all the employers looking to hire foreign specialists. It covers all the basic subjects from formalities to free time.

- In 2018, the Ministry of Economic Affairs and Communications launched a **foreign recruitment grant**³², administered by the Work in Estonia initiative. The foreign recruitment grant is aimed at supporting the recruitment of foreign information and communication technology (ICT) specialists to help alleviate shortage of such workers in Estonia. The support programme has a budget of 4 million euros, which is planned to be distributed over the course of three years, and it is funded by the ICT development programme. The grant is 2,000€ per hired foreign ICT specialist. The requirement for receiving the foreign recruitment grant is that the employer has paid taxes in Estonia for the ICT sector employee for at least five months. As the aim is to cover costs that employers make in recruiting new people from abroad, the recruited employee must not have worked or studied in Estonia in the last three years.
- In 2018, the Institute of Baltic Studies in collaboration with Enterprise Estonia concluded a 2-years project³³ MIGRASCOPE, on facilitating the migrant labour market integration. Among others, the goal of the project was to empower Estonian employers on managing the integration at the workplace. This was achieved through implementing integration practices at the workplace by employers and increasing knowledge and better expectations management among migrants. Within this project, also an **online roadmap** was developed to help employers to navigate better in the labour recruitment legal process.

3.10 E-RESIDENT DIGITAL ID

Estonia is unique in the world for having the programme of e-Residency, which has been running since 2014 already. An e-resident is a foreign national who holds the citizenship of another country, but for whom Estonia has created a digital identity and issued a digital identity document – the digital ID-card of an e-resident. This digital ID-card can be used only in online environments for personal identification and digital signing. It enables foreign nationals to conduct business in Estonia regardless of their physical location. However, digital ID-card is not equipped with

³¹ <https://www.workinestonia.com/wp-content/uploads/2018/11/Relocation-Guide.pdf>

³² Regulation of the Minister of Minister of Entrepreneurship and Information Technology <https://www.riigiteataja.ee/akt/120042018021>

³³ Project MIGRASCOPE is funded by European Commission DG HOME

a person photo and is not an identification document. Also it does not give automatically right to reside in Estonia.

In the period of 2014–2018, PBGB issued altogether 50 635 digital IDs. The number of digital ID recipients has sharply risen in the last years – while only 114 digital IDs were issued in 2014, downright 13 461 were issued in 2017 and 22 415 in 2018.

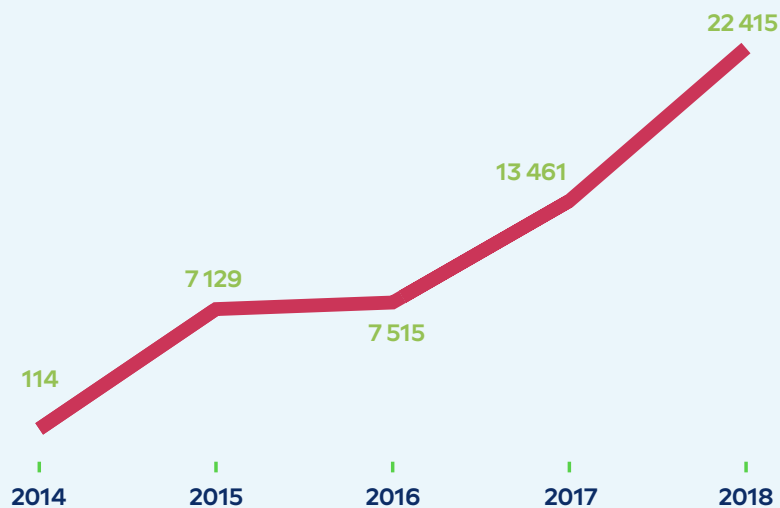


Figure 15. Number of issued e-resident's digital IDs
Source: PBGB

In 2018, the top three countries of nationality of e-Residents were Japan, the Russian Federation and China.³⁴

Since 2018, the validity period of the digital ID card of an e-Resident is 5 years (previously, it was 2 years).

³⁴ Source: Overview of migration statistics 2014–2018, Ministry of the Interior

INTERNATIONAL PROTECTION

4.1 ASYLUM APPLICATIONS AND INTERNATIONAL PROTECTION IN NUMBERS

In 2018, Estonia received 90 first-time applications for asylum, 5 applications were extensions. In 79 cases, the application for asylum was rejected or the proceedings were terminated. 39 applications were submitted at the border, 43 were submitted within the country. The top three countries of nationality of asylum applicants were Ukraine, the Russian Federation and Egypt.

In 2018, refugee status was granted to 16 persons and subsidiary protection to 1 person. The top three countries of nationality of beneficiaries of protection were Iraq, Azerbaijan and the Russian Federation.

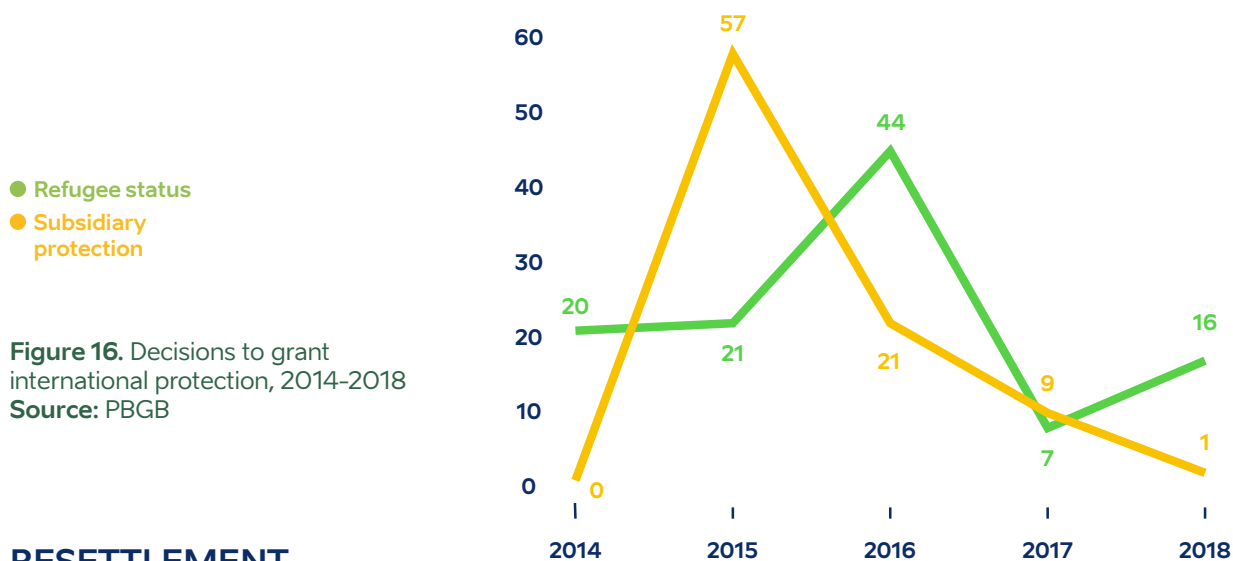


Figure 16. Decisions to grant international protection, 2014-2018
Source: PBGB

RESETTLEMENT

As of 31 December 2018, 206 persons have arrived in Estonia on the basis of the European Agenda on Migration, of whom 141 from Greece, 59 from Turkey and 6 from Italy. 147 people arrived through relocation, 63 of whom were granted refugee status and 84 subsidiary protection. 59 people arrived through resettlement, 23 of whom were granted refugee status and 36 subsidiary protection.

206 resettled and relocated persons, there were Syrian citizens (174 persons), Iraqi citizens (24 persons), Eritrean citizens (6 persons) and Yemeni citizens (2 persons). The Government of Estonia has completed the activities under the 2015 EU Migration Agenda.

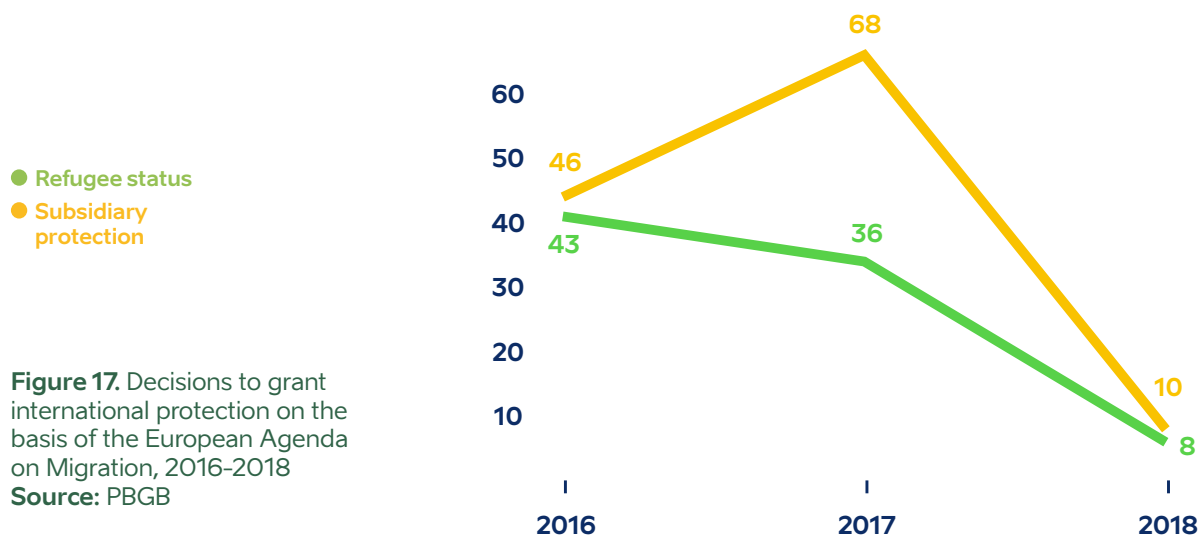


Figure 17. Decisions to grant international protection on the basis of the European Agenda on Migration, 2016-2018
Source: PBGB

In response to European Commission recommendations made in September 2017, to resettle within EU 50 000 persons (by 32th October 2019) decided the Government of the Republic of Estonia in 2017 that Estonia will resettle 80 persons from Turkey in the years 2018 and 2019 (40 persons in 2018 and 40 persons in 2019). In March and November 2018, the PBGB organised two resettlement missions to Turkey. In 2018, 7 persons were accepted during the last mission and they should arrive to Estonia in first half of 2019. At the moment they are in process to formalize the visas for these persons.

4.2 LEGISLATIVE CHANGES CONCERNING INTERNATIONAL PROTECTION

There were no major legal changes with regard to international protection. Some of the minor changes include:

- On 8 June 2018, a provision of Conditions and Procedure for Assessment and Academic Recognition of Documents certifying Education Completed in a Foreign State³⁵ came into effect, enabling applicants and beneficiaries of international protection who are unable to present an educational certificate to apply for an assessment of their secondary and higher education qualifications. The service is free for those concerned.
- In 2018, the **list of safe countries of origin was reviewed**, but no amendments were made. However, in relation to the obligation to regularly review the country of origin lists, the Act on Granting International Protection to Aliens and the Obligation to Leave and Prohibition on Entry Act are now being reviewed and amendments are expected to follow in 2019 (in case there will be changes).

³⁵ Conditions and Procedure for Assessment and Academic Recognition of Documents certifying Education Completed in a Foreign State and for Use of Title of Qualification Granted in Education system of Foreign State §8¹

4.3 SUPPORTIVE ACTIVITIES FOR APPLICANTS AND BENEFICIARIES OF INTERNATIONAL PROTECTION

In order to assist applicants and beneficiaries of international protection to settle in, several supporting activities were made.

New leaflets for applicants and beneficiaries of international protection were designed in 2018. The new materials include a list of all the rights and obligations with a short explanation and contacts for more detailed information and help. Leaflets are being translated into 17 languages and should enter into circulation in early 2019.

In 2018, UNHCR continued to support **the provision of free legal aid to asylum seekers and beneficiaries of international protection in Estonia**. The service is provided by lawyers of the Estonian Human Rights Centre in the framework of the project with UNHCR. In 2018, the Estonian Human Rights Centre provided legal counselling to 70 asylum seekers (mainly citizens of the Russian Federation, Pakistan and Ukraine). Starting from 2018, the project was extended to beneficiaries of international protection – thus, counselling was also provided to 26 beneficiaries of international protection (mostly citizens Sri Lanka, Syria and Afghanistan). In addition, the Centre handled 15 cases of beneficiaries of international protection (e.g., disputing rejections to grant international protection, detention decisions and fines to asylum seekers for irregular border crossing) and represented 23 asylum seekers at PBGB interviews.

In 2018, the **AMIF project** continued supporting the counselling service providing free legal and procedural information, taking into account particular circumstances of applicants. The provision of such information enables applicants to better understand the procedure and receive assistance with the relevant obligations.

Support services for beneficiaries of international protection continued to be provided by Estonian Refugee Council in a project-based format.³⁶ As of late 2018, their support person service was being used by 17 families. Other services to support adaptation were provided to more than 100 people.³⁷

SUPPORTING THE BENEFICIARIES OF INTERNATIONAL PROTECTION IN ENTERING THE LABOUR MARKET

On 1 January 2018, Estonian Unemployment Insurance Fund began to provide employment-related mentoring to beneficiaries of international protection in the

³⁶ The activities took place in the framework of AMIF 2018-3 project „Support Person Service for Beneficiaries of International Protection”

³⁷ Written response from Estonian Refugee Council to an inquiry by EMN Estonian Contact Point, 17 March 2019

framework of the 'My 1st Job in Estonia' programme.

Johannes Mihkelson Centre (JMK) piloted **an Arabic-language job search training in Tartu and Tallinn**.³⁸ The purpose of the altogether 100-hour long training was to inform the participants about the functioning of the Estonian labour market and support them in entering it, inter alia by offering them individual career counselling. There were 22 participants in the training, most of whom went on to find employment or work practice. In addition, the centre organised individual needs-based creative therapy (clay and art therapy) and group music therapy sessions, which were attended by 46 beneficiaries of international protection.

UNHCR (in partnership with the U.S. Embassy and Estonian Refugee Council) supported the implementation of the **Refugee Social Entrepreneurship** project with the goal of establishing a social enterprise and empowering the refugees to take an active role – not only as entrepreneurs in the Estonian society, but also as decision makers within the social enterprise. The first phase of the project focused on participatory assessment: three consultations with refugees took place in Tallinn, where 25 individuals presented their vision and business ideas. This created a sustainable background for the active involvement of the participants in managing the social enterprise, which should be established in 2019.

ESTONIAN LANGUAGE LEARNING SERVICES FOR BENEFICIARIES OF INTERNATIONAL PROTECTION

- Beginner-level language training (O-A1) is offered in the accommodation centre to beneficiaries as well as applicants of international protection. Applicants of international protection have access to the language learning service throughout the proceedings of their applications. The service is provided by **AS Hoolekandekeskused**.
- Beneficiaries of international protection are now provided 300 h Estonian language lessons by Tartu Folk High School to help them acquire A2 level Estonian proficiency (instead of 100 and A1 level).

In 2018, Tartu Folk High School offered Estonian language courses in 5 different towns (Tallinn, Tartu, Pärnu, Rakvere, Türi) and 12 study groups.³⁹ These were attended by altogether 64 participants in 2018, most of them citizens of Syria and Ukraine, but some also from Sri Lanka, Eritrea, Sudan, Iraq, Pakistan and other countries. The O-A2 level courses included both group and individual

³⁸ The activities took place in the framework of AMIF 2015-10 project „Support Person Service for Asylum Seekers and Beneficiaries of International Protection“.

³⁹ The activities took place in the framework of AMIF 2017-8 project „Estonian Language Learning for Beneficiaries of International Protection 2017-2018“.

learning. Beginner groups used the study materials “Ma õpin eesti keelt (I am learning Estonian)” (O-A1) compiled by Tartu Folk High School for learners with little or no prior language learning experience and foreign language skills.

- The most popular component of the labour market training offered by **the Estonian Unemployment Insurance Fund** has been Estonian language training (A1, A2, B1, B2, professional Estonian and exam preparation), to which people were directed 86 times in 2018.⁴⁰
- **International House Tartu** organises several activities to support newly arrived migrants and beneficiaries of international protection:
 - Since 2018 they provide regular chance to come to center and practice Estonian⁴¹ – it’s in drop in basis, no requirements for any level, half-structured, e.g see here.
 - From Sept 2018 they provide Help Desk to new migrants: people can come and ask all whatever questions needed to adapt successfully. Most often questions cover: family doctors, understanding contracts, registering kids to kindergarten, seasonal issues such as getting back taxes etc); live consulting weekly (Tuesdays 16.00-19.00) or online/phone any time;
 - Programs aiming at supporting **cultural adaptation and understanding Estonian culture and society**, incl social norms;⁴²
 - Regular work with refugee children and youth, supporting their understanding of culture and new environment, through activities such as studying together etc;
 - Activities aimed at giving locals a platform for interaction with foreigners in a positive, constructive ways - cooking nights, concerts, workshops, exhibitions etc.
 - During 2017-2018 more than 50 trainings to support Estonian practitioners in understanding needs of newcomers (mostly educational institutions such as schools, kindergartens – occasionally employers and medical personnel, social workers).

OTHER ACTIVITIES THAT SUPPORT THE INTEGRATION OF BENEFICIARIES OF INTERNATIONAL PROTECTION

- **International protection module of the Welcoming programme**⁴³ – the service is provided by IOM Estonia.

⁴⁰ Statistics for period 3th Oct 2013-2018. Information is provided by the Estonian Unemployment Insurance Fund

⁴¹ In period Aug-Nov 2018 service was funded by Integration Foundation, after that no funding, they finance it from other activities and by non-paid work

⁴² Project is funded by Integration Foundation

⁴³ The international protection module of the Welcoming programme is funded by AMIF and the Ministry of the Interior of the Republic of Estonia.

Since 2018, IOM has been able to offer a 3-day module (instead of the previous 1-day module) in Arabic, English and Russian. For other languages, the 1-day module remains.

The purpose of the module is to assist beneficiaries of international protection to adapt successfully to the Estonian society by thoroughly acquainting them with facts and contacts concerning the functioning of the state and society, organisation of everyday life, culture and working environment, prevention of violence, etc. The module is mandatory for beneficiaries of international protection. Three trainings with 27 participants took place in 2018. The trainings were in Tigrinya and Arabic.

- **In 2018, Johannes Mihkelson Centre launched the project „Our Estonia: People, Places, Sounds, Tastes“⁴⁴** that focuses on the cultural and societal adaptation of the beneficiaries of international protection in Estonia.

It provides the participants with positive experiences of culture and sporting life, and supports their inclusion and participation in the community by involving them in local organisations and increasing their daily practical contacts with the locals, as well as encouraging cultural dialogue between the groups. So far, approximately 130 refugees have actively participated in various activities of the project. Many refugees are taking part in regular activities of local organisations and more than 50 events have been organised in the framework of the project. For example, there have been several activities organised by families with kids and volunteers of the programme in cooperation with the Tartu Toy Museum.

- Estonian Refugee Council, in collaboration with Johannes Mihkelson Centre and International House Tartu, conducted the project⁴⁵ **“Let’s Get to Know Each Other: Local Joint Events in the Field of International Protection”** that aimed to increase the awareness of local communities about migration and adaptation processes, and to strengthen their feeling of unity and openness towards people who have been granted international protection. The project proceeded in three phases, each with a different focus – the first phase targeted the wider public, the second phase introduced the cuisines of different nationalities; the third phase was aimed at youngsters in youth centres. Altogether 45 joint events were organised.
- AS Hoolekandeteenused – the company responsible for providing accommodation to applicants and beneficiaries of international protection in Estonia –

⁴⁴ The activities took place in the framework of AMIF 2017-11 project „Our Estonia: People, Places, Sounds, Tastes“

⁴⁵ The activities took place in the framework of AMIF 2017-3 project “Let’s Get to Know Each Other: Local Joint Events in the Field of International Protection”

received project funding⁴⁶ to add three new positions to its team: employment instructor, social worker and legal advisor. In addition, the project made it possible to offer psychological counselling and organise “Welcoming Cafe” events. It also enabled to procure necessary equipment for the activities of VAO KÖÖK (Vao Kitchen).

4.4 TRAINING OF PUBLIC SERVANTS IN THE FIELD OF INTERNATIONAL PROTECTION

- IOM Estonia organised trainings for the workers of the Estonian Unemployment Insurance Fund that focused on the peculiarities of international protection proceedings, and the rights and obligations of beneficiaries of international protection. New immigrants’ legal bases of stay, necessary documents and right to work were also examined. One output of the trainings was **a compendium for the Estonian Unemployment Insurance Fund** that contains information about the legal status, employment rights and eligibility for support services of foreign nationals.
- In 2018, UNHCR organised a **2-day seminar for PBGB reserve officers on asylum procedures and identification of persons applying for international protection at the border**. 20 experts participated. UNHCR expert has also co-facilitated a training on the interrelations between human rights and maritime law in cooperation with the PBGB Maritime Surveillance Centre – 15 officers (SAR operations) took part. In addition, two administrative law judges were supported to take part in the UNHCR regional seminar on inclusion/IFA and one administrative law judge was supported to attend the Statelessness Course at the International Institute of Humanitarian Law in San Remo.
- In 2018, Estonian Academy of Security Sciences launched the project⁴⁷ **„The Best Possible Training Service for Making International Protection More Effective“**, in the course of which 4 trainings over six days were organised. The trainings gave an overview of migration routes, management of mass immigration at PBGB and the main principles of international protection. There was also a practical training on taking fingerprints with a scanner as well as powder. The second day consisted in a simulation exercise within the XVR environment and Moodle e-learning environment. In addition, there were training modules on writing up decisions, motivation and personal interlocution. Altogether 107 PBGB officers participated in the trainings of the project.

⁴⁶ The activities took place in the framework of AMIF 2015-5 project “Support Services in Accommodation Centres”

⁴⁷ The activities took place in the framework of AMIF 2016-22 project „The Best Possible Training Service for Making International Protection More Effective”

- In 2018, UNHCR began to implement a three-year capacity-building initiative in cooperation with the Ministry of Social Affairs and Estonian Social Insurance Board. The initiative aims **to capacitate key institutions and local stakeholders on integration-related issues** (intercultural competences, addressing vulnerabilities, education, employment) and child protection. The first stage included trainings for local level practitioners who work with beneficiaries of international protection in Tallinn, Tartu, Pärnu and Rakvere. Altogether 48 practitioners participated in the trainings in 2018.
- In 2018, the initiative “Labour Market Integration of Newly Arrived Immigrants” was launched in cooperation of UNHCR, the Nordic Council of Ministers Office in Estonia, the Johannes Mihkelson Centre and the Ministry of the Interior. Under this initiative⁴⁸, a study visit to Finland (Helsinki and Vantaa) was organised in November 2018. Some 10 government, municipal and NGO specialists from Estonia had the opportunity to learn about labour market integration policies and measures in Finland. This initiative activated co-operation between Finnish and Estonian stakeholders — for example, Estonian Refugee Council and Nice Hears (Finland) began to plan further joint activities, while Tartu and Vantaa municipalities developed a joint project on local-level integration. The study visit was followed by best practice sharing seminar in Tallinn on December where approximately 30 government, municipal and NGO specialists had the opportunity to learn about labour market integration policies and measures in Finland, particularly in Vantaa city.

4.5 RELATED STUDIES

In 2018, UNHCR completed two studies — one on the access of asylum-seekers to legal aid in Estonia; another to map the child protection mechanisms in the Baltic States (including Estonia). The reports will be released to the public sometime in 2019.

4.6 DEVELOPMENTS IN AREA THE DEVELOPING DATABASES

The development of RAKS⁴⁹ information system was initiated. The project began in summer 2018 and is expected to conclude in 2020. The development will significantly improve the reliability and user-friendliness of the register.

⁴⁸ The initiative was co-facilitated and financially supported by UNHCR and the Ministry of the Interior through European Social Fund.

⁴⁹ RAKS is a system for processing the personal data of those who have submitted an application for residence permit on the basis of Act on Granting International Protection, and the data related to asylum or subsidiary protection proceedings carried out on the basis of the said Act.

UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

5.1 UNACCOMPANIED MINORS IN NUMBERS

In 2018, there were no cases with unaccompanied minors. In four cases, an expertise was ordered, but all of the individuals in question turned out to be adults.

5.2 OTHER DEVELOPMENTS IN FIELD OF UNACCOMPANIED MINORS

UNHCR completed a report on the situation of unaccompanied minors in the Baltic States and outlined suggestions for each state. PBGB has made a pre-agreement with UNHCR to hold meetings and discuss how to improve its system of handling unaccompanied minors as suggested in the report.

In 2018, PBGB cooperated with pertinent specialists to compile the **“Guidelines for Working with Children”**. The document is not for public use and contains a chapter on the procedure of handling unaccompanied minors in migration-related proceedings.

INTEGRATION

6.1 LEGISLATIVE CHANGES CONCERNING INTEGRATION

One important change that is relevant in the context of the present report is the amendment to the Aliens Act⁵⁰ that came into effect on 15 July 2018 and concerns the **language requirement**.

According to the amendment, a third-country national who applies for a temporary residence permit for employment, and who has already stayed in Estonia on the basis of a temporary residence permit for employment for at least 5 years, has to be able to speak Estonian with at least A2 level of proficiency. The same amendment also concerns those who wish to extend their residence permit for employment.⁵¹

However, this language requirement does not apply to everyone – it does not extend to a foreign national who applies for a short-term residence permit:

- to work in the field of research;
- on the basis of the European Union (EU) Blue Card;
- due to an intra-company transfer, or
- to work in an academic position in a higher education institution that complies with the requirements established by the legislation of Estonia.

The language requirement amendment concerns those who applied for a residence permit for employment after 15 July 2018.

6.2 OTHER INTEGRATION ACTIVITIES

There were several activities initiated/continuing to support TCNs integration in Estonia.

LABOUR MARKET-SPECIFIC INTEGRATION ACTIVITIES FOR THIRD-COUNTRY NATIONALS

- The Welcoming programme⁵² is a first-instance measure for supporting newly arrived immigrants. It consists of **thematic training modules** (basic module; working and entrepreneurship module; education module; family module; re-

⁵⁰ Aliens Act § 179 section 3

⁵¹ Aliens Act § 187 chapter 1, 3, 5

⁵² The Welcoming programme is funded by the European Union through the European Social Fund (ESF) and Ministry of the Interior of the Republic of Estonia.

search module; children and youth module) and beginner-level (A1) Estonian language training. In 2018, the Welcoming programme modules received a record number of participants – altogether 1479 participants. The participants were mostly citizens of the Russian Federation, Ukraine and India.

- In 2018, Integration Foundation developed a supportive measure „**Advice and Training for Employers on Accommodating and Integrating Their Employees to the Estonian Society**” that aimed to support employers with practical and personal tips for organising efficient Estonian language learning at the workplace. Since 1 June 2018, Estonian Unemployment Insurance Fund and Integration Foundation have been supporting employers in improving the Estonian language skills of their employees. The employers can apply for a training grant from the Estonian Unemployment Insurance Fund and ask support from Integration Foundation in finding the most expedient solution for Estonian language training.
- On 2 November 2018, **International House of Estonia** was established in Tallinn. The service centre has three target groups: foreigners (primarily skilled migrants), local employers and Estonian repatriates. The House offers advice on residence documents, accommodation, family doctors and language programs, while also providing career counselling for spouses. Employers can receive free consultations on recruiting international specialists and various issues related to international workforce.
- In November 2018, Johannes Mihkelson Center launched **a labour market integration programme** in Tallinn and Harju County that consists of job readiness training and additional support services (career counselling, psychological counselling, financial counselling, addiction counselling). The purpose of the programme is to help the unemployed who have been off the labour market for at least 6 months to find their motivation and vocation, and to support them in the process of entering the labour market by helping them to find work practice and, if needed, vocational training. Three job readiness training groups are for Russian speakers and integrate the job readiness training with labour market-related Estonian language training and an opportunity to have a mentor at the workplace. The Russian-speaking groups also include Russian-speaking beneficiaries of international protection and newly-arrived immigrants.
- In 2018, the Institute of Baltic Studies concluded a 2-years project MIGRASCOPE⁵³, on facilitating the migrant labour market integration. Among others, the goal of the project was to empower Estonian employers in managing the

⁵³ Project MIGRASCOPE is co-funded by European Commission DG HOME

integration at the workplace. This will be achieved through implementing good integration practices at the workplace by employers and increasing knowledge and better expectation management among migrants. Within this project, in collaboration with Work in Estonia, an [online roadmap](#) was developed to help employers navigate better in the legal process of labour recruitment.

- In order to create opportunities for newly-arrived immigrants to participate in voluntary activities and to empower non-profit associations, National Foundation of Civil Society and partners launched a new English-language web portal [MAKIS](#) in 2018. The portal contains information on how to establish a non-profit association.
- Work in Estonia (in cooperation with the Estonian Unemployment Insurance Fund) began providing International Spouse Career Counselling to the partners of foreign specialists who arrive in Estonia via family migration. Six new advisors have been specially prepared for this task. The service is provided in different regions of Estonia.

INTEGRATION MEASURES AND LANGUAGE COURSES FOR THIRD-COUNTRY NATIONALS

- The Welcoming programme provides opportunities for beginner-level (A1) Estonian language training, in 2018 there were 581 participants.
- Integration Foundation⁵⁴ underwent several developments in 2018:
 - The office of Integration Foundation was moved to Narva.

- Throughout 2018, preparations were on-going to open Estonian language Houses in Tallinn by early January and in Narva by late 2019. One of the main focuses of Integration Foundation is namely Estonian language learning.

In 2018, its Estonian language courses were attended by 2774 people; there were 52 Estonian language and culture clubs active in different regions of Estonia, in which 832 people participated. In November 2018, the Estonian language house in Tallinn started organising “language pair-ups” or tandem studies, in which there were 8 Estonian-speaking and 8 Russian-speaking participants.

- Integration Foundation [counselling web](#), was launched, providing first-in-

⁵⁴ Integration Foundation is a private legal entity founded by the Government of the Republic of Estonia in order to initiate and support activities that advance the integration of the Estonian society. The Foundation is one of the largest umbrella organisations in Estonia engaging in integration-related activities directed to foreign nationals.

stance information to support adaptation. 1275 people turned to the Integration Foundation and received help from its general counselling service.

- Language learning app **WalkTalk**, was launched. It teaches the Estonian language through simple everyday dialogues.
- Since November 2018, the Foundation has been offering its counselling service also in the International House of Estonia, located in Ülemiste City, Tallinn. Altogether 1275 people received counselling in different locations over Estonia. According to the data from the Foundation, newly-arrived immigrants are mainly asking about opportunities for learning and practicing the Estonian language, applying for the residence permit and citizenship, and various activities and services that support integration.
- Language learning app **Speakly** was launched. The app enables to learn Estonian on the basis of Russian, English, German and French. As of begin of 2018, Speakly had approximately 25000 users who had begun learning Estonian.
- Online language learning opportunities were expanded in 2018. Ministry of Education and Research launched the e-course Keeletee that supports Estonian language learning up to B1 level of proficiency.
- Innove released introductory **video clips** about Estonian language proficiency exams and citizenship exams. In the clips, foreign nationals residing in Estonia share their experiences with language learning and passing the exams. The videos are in Estonian, with Russian and English subtitles.

6.3 SOCIAL INTEGRATION

- The President of the Republic of Estonia Mrs Kersti Kaljulaid set an important precedent with regard to the location of the office of the head of state. President Kaljulaid wanted to show the people of Estonia how important it is to involve – and give some positive media coverage to – the region of Northeastern Estonia, which is demographically unique: merely 19,65% of the population are Estonians, while 71,28% are Russian-speaking.⁵⁵ Thus, in autumn 2018, the President worked for altogether one month (in three sessions) in the town of Narva in Ida-Viru County, where she met with municipal authorities, entrepreneurs, government agencies and local residents.
- An communication bureau JLP initiative led to a series of public discussions on **#kuidasmekestame** (#howcanwelast). The discussions took place from Oc-

⁵⁵ According to the 2011 population census

tober to December 2018 all over Estonia. The initiative aimed to bring into the public eye the severity of the threat to our language, culture and living environment from the population decline. The effects of immigration and ways for regulating it smartly were also discussed.⁵⁶

6.4 TRAININGS IN THE FIELD OF INTEGRATION

- University of Tartu carried out the project “Supporting the Adaptation of Newly-Arrived Immigrants in School”,⁵⁷ which resulted in adding an integration-related module “Meeting of Cultures” to the basic course “Communication and Feedback in School” in the university’s teacher training curriculum. In the academic year 2018/2019, the course was taken by 257 teacher training students. In addition, an online course⁵⁸ “Unifying Classroom, Unifying School” was created for schools in order to help them prepare their staff to support newly-arrived immigrants.
- In 2018, PBGB in collaboration with the Estonian Academy of Security Sciences carried out the project⁵⁹ “Detection and Response to Radicalisation Appearances” (DARRA). The project aimed to implement a range of activities; most importantly:
 - The project resulted in „PBGB Guidelines for Identifying Early Warning Signs of Radicalisation“. The document is not available to the public.
 - A contact point was established at PBGB in 2018, with specialists on religious issues now working at each regional prefecture. Their task is to spot any early signs of radicalisation in the society.
 - The project resulted in a handbook for municipal authorities on “Noticing Radicalisation and Working with Networks“. The purpose of the handbook is to teach the local officials to spot any signs of radicalisation, pay attention to them and contribute to prevention.
 - More than 500 PBGB officers took part in 7 tactical trainings and 6 theory trainings.
- In 2018, the Institute of Baltic Studies continued to participate in COST network “The International Ethnic and Immigrant Minorities Survey Data Network” in order to advance its research on migration. The aim of the network is to gather and compare surveys focusing on the integration of immigrants and minorities

⁵⁶ The activities took place in the framework of AMIF 2017-13 project “Raising Awareness about the State of Human Assets in Estonia and Crowdsourcing of Potential Solutions”

⁵⁷ The activities took place in the framework of AMIF 2016-12 project „Supporting the Adaptation of Newly-Arrived Immigrants in School”

⁵⁸ The online course is available at: <https://sisu.ut.ee/liitevklklassliitevkool/sissejuhatus>

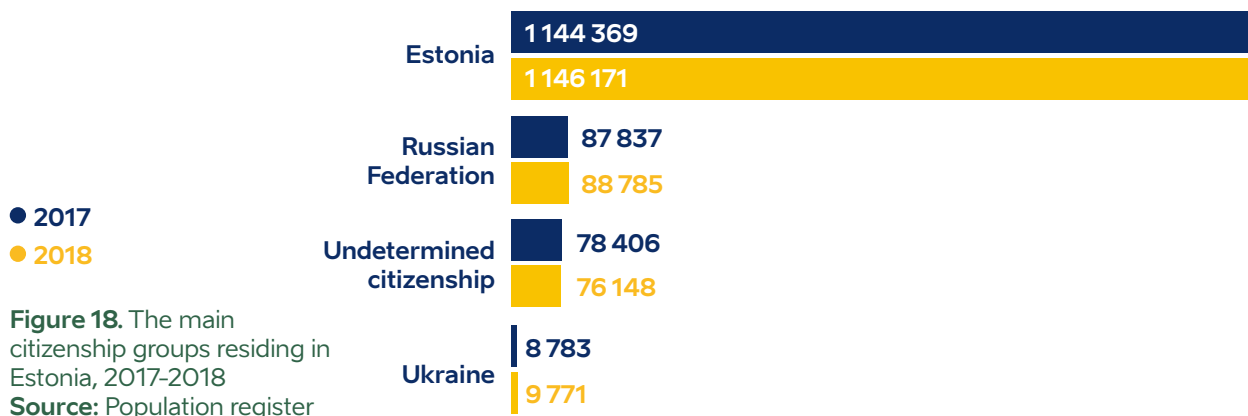
⁵⁹ The project is co-funded by the Internal Security Fund of the European Union

in the European Union and elsewhere in the world, including Estonia. This includes the creation of a data bank⁶⁰ from which researchers and other interested parties can easily find surveys carried out in other countries.

CITIZENSHIP AND STATELESSNESS

7.1 POPULATION OF ESTONIA

In the period of 1992-2018,⁶¹ 162 328 people received Estonian citizenship through naturalisation. Most often, these people were previously persons with undetermined citizenship, citizens of the Russian Federation and citizens of Ukraine.



PERSONS WITH UNDETERMINED CITIZENSHIP

The number of persons with undetermined citizenship has been decreasing year by year.⁶² The main factors in this decrease have been the acquisition of Estonian citizenship, acquisition of some other citizenship or unfortunately, since the group of those with undetermined citizenship includes many elderly people, the reason is also death of the person. Since the Estonian Restoration of Independence, Estonian citizenship has been given or restored to more than 160 000 people. In 1992, 32% of the population of Estonia had undetermined citizenship; by 2018, this number had dropped to 5,7%.⁶³

⁶⁰ The data-bank is expected to be completed in 2019. It will be public and free of charge.

⁶¹ Data from PBGB and the Ministry of the Interior

⁶² <https://www.postimees.ee/6490564/maaratlemata-kodakondsusega-inimeste-arv-vahenes-mullu>

⁶³ Data from presentation by K. Mesilane, "Acquisition of Estonian citizenship", available online

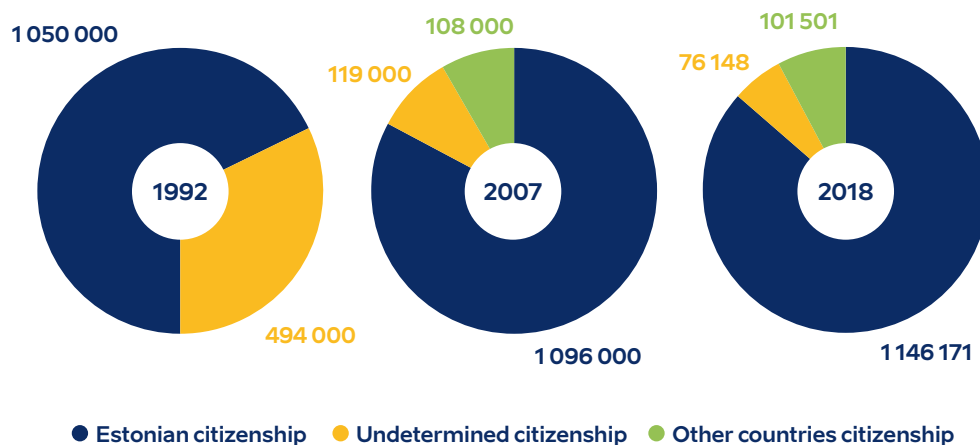


Figure 19. The share of people with undetermined citizenship in the overall population of Estonia, 1992; 2007; 2018;
Source: PBGB

7.2 LEGISLATIVE CHANGES CONCERNING THE ACQUISITION OF CITIZENSHIP

There was a legal change with regard to the acquisition of citizenship.

The Citizenship Act was amended in 2018.

From 1 January 2019, persons who have resided in Estonia on a legal basis for at least five years and have not participated in government-financed Estonian language courses in the past two years, and who are interested in applying for Estonian citizenship, can sign a language instruction agreement, which makes them eligible for free language courses up to B1 level which is necessary to apply for citizenship. Additionally, the signee has the right for unpaid study leave for participating in language courses. The person who has been granted unpaid study leave for participating in the language course according to the language instruction agreement will be paid a compensation for 20 working days per one language skill level pursuant to their average salary. In return, they are obliged to pass the B1 level test and apply for citizenship within a year from passing the B1 level test (in special circumstances, this period can be extended to three years). Courses are provided for A1, A2 and B1 levels. All arrangements and language courses will be provided by the higher education institution that is subordinated to the Ministry of the Interior – i.e., by the Estonian Academy of Security Sciences.

In order to inform the population of these changes, a media campaign was launched in late 2018. As of March 2019, more than 1700 persons had registered to the courses or showed interest to register.⁶⁴

⁶⁴ <https://www.postimees.ee/6490664/tasuta-estli-keele-kursustele-on-end-kirja-pannud-ule-400-inimese>

BORDERS, VISA AND SCHENGEN

8.1 VISAS IN NUMBERS

The number of short-term (type C) visas issued by Estonia has remained relatively stable in the last years, with approximately 130 000 issued annually.

The number of long-term (type D) visas, however, **has significantly changed, numbers are almost tripled compared to 2017**, 16 756 issued D visas. The increase in type D visas is caused by several factors:

- Since the immigration quota cap for 2018 was reached in the June 2018, it was no longer possible for third-country nationals to apply for a residence permit for the purpose of employment. On the other hand, Estonia still suffers from a considerable labour shortage (e.g., in the construction sector) and thus, many prospective third-country workers applied for a type D visa instead. In order to work in Estonia, their short-term employment has to be registered by their employer at PBGB.
- **In 2018, the maximum period of short-term employment was prolonged to 365 days within a period of 455 consecutive days.**

The number of registered short-term employees has been steadily growing since 2014. In 2016, short-term employment was registered 1782 times. In 2017, this number quadrupled to 7584. In 2018, the number again tripled to 19 858. For 2019, PBGB predicts another significant growth. Short-term employment was most often registered for Ukrainian citizens (15 524 registrations, 80% of total registrations), followed by Belarusian citizens (1112 registrations, 6% of total) and Russian citizens (864 registrations, 4% of total number).

This shows that type D visa (and registration of short-term employment) has become an alternative to the temporary residence permit for employment, for it is easier to apply (not affected by the immigration quota and permission from the Unemployment Insurance Fund) and quicker to apply than a residence permit. On the minus side, there is the time limit.

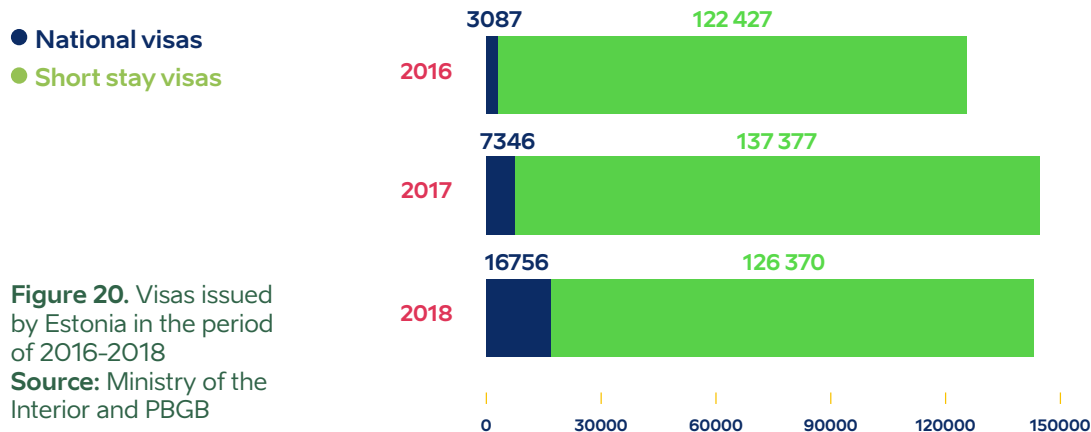


Figure 20. Visas issued by Estonia in the period of 2016-2018
Source: Ministry of the Interior and PBGB

8.2 LEGISLATIVE CHANGES CONCERNING THE VISAS AND BORDERS

As a result of transposing Directive (EU) 2016/801 of the European Parliament and of the Council into Estonian legislation, some amendments to the Aliens Act⁶⁵ came into effect on 23 May 2018. From the Ministry of Foreign Affairs point of view, the most important change concerned the so-called interoperability of long-stay visas and residence permits issued by other Member States. It is now permitted to stay in Estonia for the purposes of research and study with a long-stay visa or residence permit issued by a competent agency of another Member State of the European Union for up to 360 days.

In addition, a family member of a foreign national who has been granted a long-term visa or residence permit for research purposes can now stay with the foreign national in Estonia for the period of his/her visa or residence permit.⁶⁶

SCHENGEN EVALUATION

Estonia was subject to Schengen evaluation in 2018. The assessment highlighted certain problems, e.g., with the detention of families in the detention centre. The latter issue was solved with the opening of a new detention centre with rooms more suited for family accommodation and children.

IMPACT OF VISA-LIBERALIZATION

According to PBGB, the visa-free regime with respect to Ukraine has had a significant impact on Estonia, in terms of cases of entering the country without a visa and then engaging in illegal employment. However, there are also other factors in play – for example, the 2017 amendments to the Aliens Act that simplified the conditions of registering for short-term employment. In 2018, short-term employ-

⁶⁵ Aliens Act § 44 section 3 2 Terms for temporary stay in Estonia

⁶⁶ Aliens Act § 44 section 3 4 Terms for temporary stay in Estonia

ment became even more popular, as the maximum period of short-term employment was extended to 360 days. Direct WizzAir flights from Kyiv to Tallinn also made it cheaper for Ukrainians to travel to Estonia. However, PBGB has confirmed that due to the increase in misuse of the visa-free regime, border checks at the airport have been tightened, and those who attempt to enter the country with the purpose of working illegally rather than with the legitimate purpose of tourism will be turned back to their country of origin.

8.3 CONSTRUCTION OF THE EASTERN BORDER OF ESTONIA

Estonia has 3794 km of coastline, 767 km of maritime border and 338,6 km of land border (incl. the temporary control line between the Russian Federation and Republic of Estonia).⁶⁷

Construction of the eastern border of Estonia has been a priority already for several past years.

In 2018, the main objective was to continue with the construction of the border barrier on the eastern border. The border infrastructure between Estonia and Russia had been expected to be completed by 2018-2019 at the latest. Yet, only 3.5 km of test sections of the altogether 136 km border are actually finished. In 2017, the entire eastern land border was physically marked.⁶⁸ In late 2018, the eastern border of Estonia was marked with warning signs in order to prevent accidental illegal border crossings. Altogether 1130 warning signs will be eventually installed on the line of the border.⁶⁹

In 2018, supported by funding from the European Union, PBGB obtained nine ELIX-XL drones for half a million euros, which are to be used in daily surveillance on the eastern border, rescue operations and border incidents. The drones were purchased from the Estonian company ELI OÜ that develops and manufactures unique training equipment for defence and paramilitary structures.⁷⁰

Construction of the border received considerable media coverage in 2018, as it emerged how utterly slow and expensive the project actually is. PBGB currently estimates that it will cost 190 million euros and will be completed by 2026. Yet, according to Prime Minister Jüri Ratas, construction of the eastern border is indispensable for ensuring our and our Schengen partners' security. "Our eastern bor-

⁶⁷ https://www.valitsus.ee/sites/default/files/content-editors/arengukavad/taiendatud_siseturvalisuse_arengukava_2015-2020.pdf

⁶⁸ Estonian Public Broadcasting, 4 July 2018, <https://news.err.ee/844215/estonia-s-eastern-border-construction-and-maintenance-to-cost-320-million>

⁶⁹ PBGB website, <https://www.politsei.ee/et/uudised/idapiir-aeaeristati-eksimuste-ennetamis-eks-hulga-hoiatussiltidega-314>

⁷⁰ <https://www.err.ee/653704/ppa-sai-idapiiri-valvamiseks-poole-miljoni-euro-eest-droone>

der is also an external border of NATO and the EU, which makes the construction of high-quality border infrastructure even more essential. It will also help to hinder illegal migration, fight against trafficking in arms and human beings, protect our market and stop illicit trade”, the Prime Minister confirmed.⁷¹

8.4 COOPERATION WITH THIRD COUNTRIES AND DEVELOPMENT COOPERATION IN THE FIELD OF MIGRATION

DEVELOPMENT COOPERATION BY PBGB

The PBGB cooperated with the Estonian Embassy in Kyiv in order to inform the Ukrainian public about the conditions to commence working in Estonia. Information about the conditions was uploaded on the website in Ukrainian language. The aim was to raise awareness and prevent traveling to Estonia on false grounds (e.g. arriving as a tourist with the aim to start employment).

DEVELOPMENT COOPERATION BY THE MINISTRY OF FOREIGN AFFAIRS

According to the provisional data from the Ministry of Foreign Affairs, Estonia contributed 41.2 million euros (0.16% of its Gross National Product) on development cooperation and humanitarian aid in 2018.⁷²

Estonia is engaged in bilateral development cooperation mainly with countries to which it is able to offer added value based on its own specific experiences. Just like in the previous years, Estonia’s main cooperation partners were Ukraine, Georgia, Moldova, Belarus and Afghanistan. In 2018, Estonia contributed altogether 6.2 million euros to these countries through bilateral projects.⁷³ The current priority of allocating development aid for the European integration of Ukraine, Georgia and Moldova was also reaffirmed by Foreign Minister Sven Mikser at a public session of the Foreign Affairs Committee of the Riigikogu.⁷⁴ He noted that an action plan for Africa is also in development. “Considering the vastly different magnitudes of Estonia and Africa, it is clear that we need to prioritise specific countries whom to allocate development aid,” said Mikser. “Expected increase in development aid has to be utilised for promoting sustainable growth, but neither are we turning our backs to our current countries of priority, because our eastern partners are still fragile and our continued support to them is necessary.” For example, Ukraine is one of the main countries of origin for both legal and illegal migrant workers and

⁷¹ <https://www.delfi.ee/news/paevauudised/eesti/valitsus-kinnitas-idapiiri-valjaehitamise-plaanid-see-laheb-maksma-190-miljonit?id=83374247>

⁷² As of April 2019

⁷³ Written response from the Ministry of Foreign Affairs to an inquiry by EMN Estonian Contact Point, 27 March 2019

⁷⁴ Public session of the Foreign Affairs Committee of the Riigikogu, 29 January 2019 <https://mondo.org.ee/valiskomisjon-peab-arengukoostood-eduka-valispoliitika-lahutamatuks-osaks/>

(until 2017) asylum seekers in Estonia.

Cooperation with international organisations enables Estonia to help also the poorest countries with whom bilateral cooperation would be complicated. Special emphasis is put on the cooperation with Estonian partners (e.g., NGO Estonian Roundtable for Development Cooperation, NGO Mondo, Estonian Refugee Council), who are the main implementers of bilateral projects. In 2018, Estonia provided 3.1 million euros worth of humanitarian aid. The largest share of Estonian humanitarian aid (0.94 million euros) was allocated to Ukraine.

For example, Estonian Refugee Council offers small entrepreneurship grants to internally displaced persons and those living near the contact line in Ukraine, Jordan and Lebanon:

- In Ukraine, a large-scale project for entrepreneurship came to a close in autumn 2018. By then, it had supported the founding of 100 micro- and small enterprises in Donetsk and Zaporizhia oblasts. An evaluation conducted six months later revealed that the incomes of project beneficiaries had grown by 105% (i.e., more than doubled) by result. Humanitarian efforts in Ukraine continue, now focusing on children and elderly living near the contact line.
- In Jordan, a similar project for entrepreneurship was launched in 2018. The business ideas of altogether 100 individuals will be supported and the project has generated a lot of interest. The project focuses on the town of Mafraq and village of Zaatar in northern Jordan.
- In Lebanon, a social enterprise was established in summer 2018, in cooperation with a local partner. By now, it has reached the production phase and its clothing collection has already been featured in fashion shows. The first collection will be made public in April 2019. In addition to apparel, the company also produces wooden furniture.

In the framework of the EU Aid Volunteers initiative, Estonian Refugee Council dispatches volunteer specialists to Lebanon (to its partner organisation), Albania, Montenegro, and Bosnia and Herzegovina (to the local UNHCR offices).

NGO Mondo provides humanitarian aid to war refugees and works to alleviate the situation of conflict victims. For example, 3600 people in Ukraine were provided social-psychological support in the period of 2016-2018.

IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

9.1 IRREGULAR MIGRATION IN NUMBERS

In 2018, PBGB prevented illegal entry in 1110 cases; in 732 cases, entry was refused already at a border crossing point. This involved mainly Ukrainian citizens (345 cases), followed by citizens of the Russian Federation (72 cases) and Moldovan citizens (56 cases). 45 persons were apprehended while crossing the border illegally. These were mainly citizens of Bangladesh (16 cases), followed by citizens of the Russian Federation and citizens of Egypt (7 cases). 333 persons were found illegally present, 221 of whom were Ukrainian citizens, 34 Russian citizens and 30 Moldovan citizens. The number of detected irregular migrants has been increasing year by year — in 2016, it was 527; in 2017, it was 928; in 2018, it was 1110 (meaning that it had doubled since 2016).⁷⁵

PBGB noted that in 2018, irregular migration was also affected by the World Cup held in the Russian Federation. Since May 2018, border guards have prevented border crossings of 138 foreign nationals who had arrived to Russia with a FIFA fan ID, but then tried to proceed into Europe.⁷⁶ Foreign nationals (mainly from African countries as Niger, Senegal, Morocco) tried to enter Estonia outside border crossing points, often holding visas of the Russian Federation valid until 31 December 2018. PBGB had been aware of this threat and was prepared to prevent such illegal entries.

9.2 ILLEGAL EMPLOYMENT

There was a significant rise in misdemeanour cases concerning illegal employment and violations of employment conditions (employees were not registered by the employer, salaries were lower than required, working hours longer than agreed, etc.)

⁷⁵ Postimees, 9 January 2019, <https://www.postimees.ee/6495194/ebaseaduslikult-randelt-tabatute-arv-on-kahe-aastaga-kahekordistunud>

⁷⁶ PBGB homepage: <https://www.politsei.ee/et/uudised/fifa-faennipasside-peatne-aegumine-voib-avaldada-survet-idapiirile-319>

- Total number of violation of conditions of employment of TCNs
- Total number of TCNs employment who are staying without legal basis

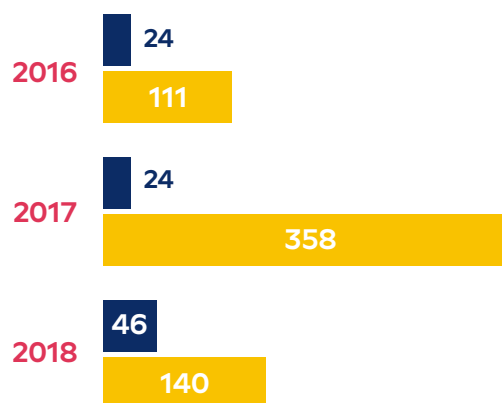


Figure 21. Number of illegal employment misdemeanor cases in Estonia, 2016-2018
Source: PBGB

Compared to 2017, the number of misdemeanor cases sharply dropped in 2018. According to PBGB, the reason for this decrease could be a change in migration monitoring practices:

- Instead of total inspection, migration monitoring raids by PBGB became more targeted;
- Legal entities and entrepreneurs were targeted more frequently than natural persons;
- The number of Ukrainians travelling to Estonia increased significantly due to direct WizzAir flights from Kyiv to Tallinn. To prevent and manage the situation more efficiently in 2018, PBGB carried out more detailed border checks to ascertain the real travel motives of Ukrainians entering the country.

Violation type	2016	2017	2018
Enabling the employment of a TCN who is staying in Estonia without a legal basis	17	9	20
Enabling the violation of employment conditions of a TCN in Estonia	41	75	85
Payment of remuneration less than the wage rate specified by law	6	0	3
Total	64	84	108

Table. Violations of employers by type, 2016-2018
Source: PBGB

The most widespread violation is the case where an Estonian company hires a TCN staying in Estonia on a legal basis, but does not register the employment of the person in PBGB and fails to pay remuneration in the amount foreseen by law (i.e., at least the Estonian average salary) and labour taxes.

9.3 LEGISLATIVE CHANGES CONCERNING THE IRREGULAR MIGRATION

In 2018, there were some legislative changes with regard to irregular migration.

An amendment to the Aliens Act⁷⁷ concerning **the termination of the period of temporary stay** in Estonia came into force. Its aim was to create a legal possibility for PBGB to terminate the stay of a third-country national who has **been issued a long-stay visa by another Member State, but who violates the conditions of stay in Estonia**. Previously, Estonia was required to ask the other Member State to revoke the type D visa of the offending third-country national and then arrange for his/her expulsion to a third country. Now, it is possible to react more flexibly, in case the third-country national violates the conditions of temporary stay, by obliging him/her to leave Estonia.

REGULATIONS CONCERNING ILLEGAL EMPLOYMENT

The growing demand for foreign workforce has also brought a rise in illegal employment and tax evasion, making it necessary to focus more closely on illegal employment.

1. On 15 July 2018, the fines for legal entities who enable illegal employment were increased tenfold.

According to the new provisions of the Aliens Act:

- **enabling the employment of a third-country national who is staying in Estonia without a legal basis** is punishable by a fine of up to 300 fine units. If the offender is a legal entity, it is punishable by a fine of up to 32 000 euros (previously, it was 3200 euros).
- **enabling the violation of employment conditions of a third-country national** in Estonia, incl. employing a person not in compliance with the conditions determined by the legal basis, is punishable by a fine of up to 300 fine units. If the offender is a legal entity, it is punishable by a fine of up to 32 000 euros (previously, it was 3200 euros).
- **payment of remuneration less than the wage rate specified** in the Act or failure to pay remuneration to a third-country worker in Estonia is punishable by a fine of up to 300 fine units. If the offender is a legal entity, it is punishable by a fine of up to 32 000 euros (previously, it was 3200 euros).

⁷⁷ Aliens Act § 51 p 1. "Premature termination of the period of stay is the shortening of the period of stay of an alien in Estonia, permitted on a legal basis for the temporary stay in Estonia of an alien, except by the visa issued on the basis of this Act".

2. In addition, new provisions of the Act⁷⁸ **prohibit the economic activities** of a natural or legal person who has systematically:

- **enabled the employment of a third-country national who is staying in Estonia illegally;**
- **enabled a violation of employment conditions** of a third-country worker in Estonia;
- **paid a third-country worker in Estonia remuneration less than the wage rate specified** in the Act, or has failed to pay remuneration.

3. Other amendments to the Act⁷⁹ provided that the contracting authority or entity **does not give 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 a final judgment **for enabling an illegally staying third-country to work** or for enabling a breach of the criteria applicable to the work performed by an third-country national in Estonia, including for payment of a salary below the statutory rate.⁸⁰

4. A minor amendment concerned **posted workers**. Since 15 August 2018, employers are obliged to submit to the Labour Inspectorate information about posted workers **before they begin their work**. Previously, employers were obliged to submit the data on the first day of work. The new provisions also foresee a fine in case this obligation is not fulfilled.

9.4 OTHER DEVELOPMENTS REGARDING PREVENTION OF ILLEGAL EMPLOYMENT

In order to more efficiently prevent and tackle illegal employment and tax evasion, a new document **The Illegal employment prevention and prohibiting Action Plan** was approved by the Government in 2018⁸¹ Parts of the action plan entailed the legislative amendments described above. Action Plan for Prevention of Illegal Employment is a continuously updated cooperation document implemented by PBGB, Labour Inspectorate and Estonian Tax and Customs Board. It outlines how to improve inter-agency cooperation by drawing up mutual risk analyses, directing monitoring resources, organising joint information days, tidying up websites

⁷⁸ The General Part of the Economic Activities Code Act

⁷⁹ The Public Procurement Act Article 95 (1) 2

⁸⁰ The Public Procurement Act Article 95 (1) 2

⁸¹ Ministry of Interior webpage, The Illegal employment prevention and prohibiting Action Plan: <https://www.siseministeerium.ee/et/eesmark-tegevused/kodakondsus-ja-ranne/tegevuskava-ebaseadusliku-tootamise-ennetamiseks/>. The document is not for public use.

(the Ministry of the Interior has created an information website “Action Plan to Prevent Illegal Employment”) and publishing leaflets.

In late 2018, leaflets with information about legal options for working in Estonia were published. The leaflets will be distributed by PBGB at border crossing points, including the international airport. The leaflet is in three languages – Estonian, Russian and English.

One plan for the future is to streamline the information flow between the agencies and entrepreneurs. **Ideas for unifying the foreign workers’ registration system** are in development. Currently, the PBGB, Labour Inspectorate and Estonian Tax and Customs Board are collecting their data separately.

9.5 DEVELOPMENTS IN AREA OF THE NEW DATABASES

- The Ministry of Internal Affairs has a more extensive plan to create a new database. The concept of the database was worked out in 2018. According to the concept, Estonia will create a massive database of all Estonian resident’s fingerprints and if needed of other biometric data. Compared to the current personal identification, the automatic biometric identification system (ABIS) helps create a significantly more secure and reliable identity checking level. It also makes document fraud and false identity usage practically impossible. This will ensure an authentic identity in different procedures, security on the border, prevent illegal immigration, and helps fight against serious crime and terrorism.⁸²
- In 2018, PBGB implemented a **new technology to enhance more detailed and higher-standard document control capabilities** that helps to detect false travel documents.

In 2018, PBGB detected 40 false travel documents held by TCNs, 8 of whom were Ukrainian citizens, 8 Nigeria and 6 Iran citizens.

- In 2018, a new visa-precounselling system KOMET was developed, which will assist with selecting persons, who do not fulfil the automatic conditions of issuing visas and to whom the decision to issue a visa will be made by a PBGB officer.

⁸² Newsletter Postimees 07.08.2018 <https://tehnika.postimees.ee/6030394/revolutsioon-isikutuvastuses-eeesti-asub-looma-sormejalgede-hiigelandmebaasi>

TRAFFICKING IN HUMAN BEINGS

10.1 TRAFFICKING IN HUMAN BEINGS IN NUMBERS

In 2018, one third-country national was identified as a victim of trafficking.

A network was established in 2018 so that the Social Insurance Board could launch a victim **support crisis hotline** in early 2019. The hotline number is 116006 and it provides assistance and counselling in Estonian, Russian and English. Counselling and information about rights and opportunities to find help are offered for 24 hours per day. The service is free of charge to the callers and allows them to remain anonymous.

10.2 LEGISLATIVE CHANGES CONCERNING THE TRAFFICKING IN HUMAN BEINGS

In 1st February 2018, the Istanbul Convention entered into force in Estonia. This prompted an amendment to the Penal Code “criminalising the buying of sex from the victims of trafficking in human beings (THB)”. The purpose of criminalisation is to discourage the demand leading to THB and to protect the rights of victims

10.3 OTHER DEVELOPMENTS

In 2018, the Swedish Government and Institute financed a new project⁸³ that aims to develop the Baltic Sea Region into a model region in the identification of victims of human trafficking and providing them comprehensive and sustainable assistance. One of the objectives is to work with certain third countries such as Ukraine, since most of the Baltic Sea Region countries have trafficking-related problems, in which Ukrainians are involved.

10.4 EXPLOITATION OF FOREIGN WORKERS

According to the Labour Inspectorate and non-profit organisation Living for Tomorrow, cases of exploitation by employers have become more frequent.

⁸³ <http://www.cbss.org/safe-secure-region/tfthb/>

NGO Living for Tomorrow⁸⁴ provides counselling for those who feel that their rights have been violated. According to their report, the number of people turning to them for advice has grown – in 2017, they counselled 377 clients, while in 2018, they counselled already 433 clients. In 2017, most of the clients were foreign workers – mostly men working in the construction sector, but also seasonal workers. Similar trends continued in 2018, with the addition of violations in the catering sector. More than half of the clients in 2018 were foreign nationals. In 2017, 63% of the clients were Russian speakers; this trend grew even stronger in 2018, when the number of Russian-speaking clients grew to 83%, 90% of whom were Ukrainians and 10% Moldovans, Tajiks and Belarusians.⁸⁵ The main problems were unpaid wages, longer workdays than previously agreed and general violations of employment conditions by the employers.

⁸⁴ <http://lft.ee/about>

⁸⁵ http://lft.ee/admin/upload/files/Lopparuanne%20IK%20N%C3%B5ustamisliin%2001_01_2017-31_12_2018.pdf

RETURN AND READMISSION

11.1 RETURN IN NUMBERS

With regard to return decisions, PBGB is continuing its practice of giving a period for voluntary departure, rather than opting immediately for forced return. All decisions are made on a case-by-case basis and forced return is applied mainly when there is risk of absconding. The practice is also apparent from the proportion of voluntary departures and forced returns. In 2018, PBGB ordered to leave and returned 652 persons of voluntary departure and 143 persons of forced returns, 45 persons returned taking a part of an assisted voluntary programme.⁸⁶ In 2017, PBGB issued 501 return decisions of voluntary departure and 137 forced return decisions. Year by year there is some increase in numbers of persons ordered to leave and returned.

The number of assisted voluntary returns has decreased compared to 2017, in 2018 there were 45 assisted voluntary returns. According to IOM Estonia, in 2017, it was more common to see whole families participating in the assisted voluntary return programme, while in 2018, families were much more rare and assisted returnees were mainly individuals.

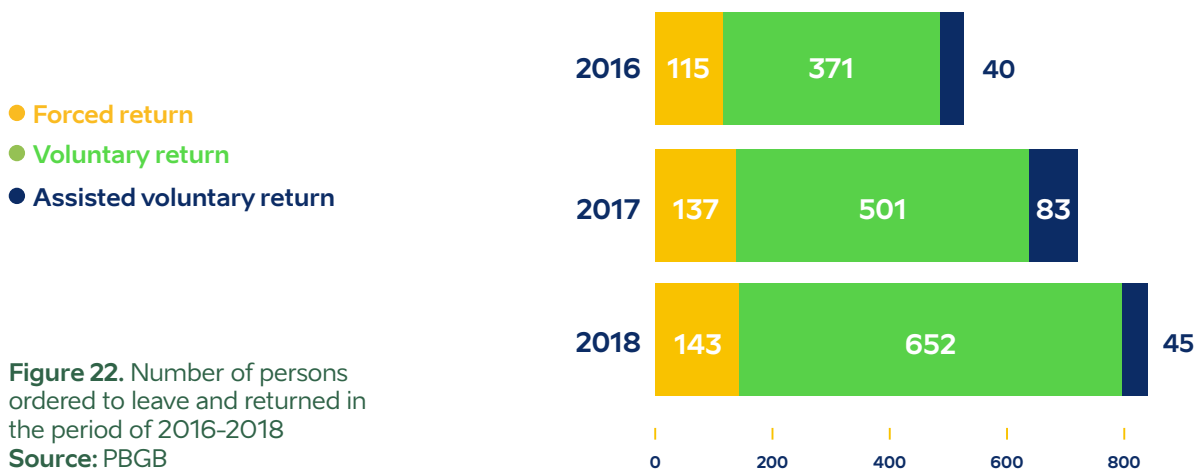


Figure 22. Number of persons ordered to leave and returned in the period of 2016-2018
Source: PBGB

⁸⁶ According to the PBGB publicly available data for 2018: In 2018 Police and Border Guard issued 738 return decisions of voluntary departure and 154 forced return decisions, **in total 892 return decisions.**

	2016	2017	2018
Forced return	Vietnam Russian Federation Ukraine	Russian Federation Vietnam Ukraine	Russian Federation Ukraine Georgia
Voluntary return	Russian Federation Ukraine USA	Russian Federation Ukraine Belarus	Ukraine Russian Federation Belarus
Assisted voluntary return	Ukraine USA Lebanon	Ukraine Russian Federation Armenia	Ukraine Azerbaijan India

Figure 23. Return decisions by top 3 citizenship in the period of 2016-2018

Source. PBGB and IOM Estonia

The most frequent recipients of return decisions and returned persons are still citizens of Russian Federation and citizens of Ukraine.

11.2 LEGISLATIVE CHANGES CONCERNING THE RETURN MIGRATION

There were no significant changes in field of return migration.

In 2018, an amendment to the Identity Documents Act⁸⁷ came into effect that enabled PBGB to issue the European travel document for return in accordance with the Regulation (EU) 2016/1953. In 2018, one such document was issued.

Strengthening cooperation with third countries in return migration management:

- In 2018, three transnational readmission agreements were launched - with Kazakhstan, Kyrgyzstan and Tajikistan. The process will be continued in 2019.
- In 2018, a new action plan on cooperation with third countries was created by PBGB, Ministry of Interior and Ministry of Foreign Affairs. The main goal was to strengthen collaboration between authorities, share good practices especially in the field of return with third countries.

11.3 OPENING THE NEW DETENTION CENTER

In late 2018, a new detention centre was opened in Rae municipality, replacing the previous detention centre in Harku. The new detention centre accommodates up to 123 returnees and asylum seekers, whereas previously, PBGB had space for 80 persons. The new centre offers more comfortable living conditions than the old one.

⁸⁷ Identity Documents Act § 2 s 2 p 11

The opening of the new detention centre has improved the conditions of detained third-country nationals in several aspects:

- better housing for families — children have better conditions for playing, e.g., a swing set, sandbox etc;
- better opportunities for recreational activities — an activity leader is present and engages with the detainees every day. There are board games, Playstation, possibilities to do sports, e.g., football and other ball games. There is also a computer with limited online access, e.g., the websites of IOM, UNHCR etc.;
- in family rooms bathrooms are now included in the rooms;
- improved lightning, sound isolation and ventilation;
- more numerous and spacious guest rooms; also, the number of visiting days has been increased from 2 days to 5 days a week, and parcels can be sent every working day;
- a separate prayer room, where joint prayers can be held if needed;
- consistent return counselling⁸⁸— the counsellor is now present at the centre every working day.
- In 2018, PBGB provided the detainees a 5€ calling card once per month so that they could contact their families. The first call is always guaranteed. This service depends on the state budget and is not an obligation for PBGB.

11.4 DEVELOPMENTS ON ESTABLISHMENT OF DATABASE

In 2018, one of the main goals was to finish the development of the “Database of Foreigners Staying or Having Stayed in Estonia Illegally”, a data system that supports the return procedure. The system will bring better interoperability with other databases and improve the capacity to perform statistical inquiries. The new system should become operational by the end of 2019.

⁸⁸ Service is provided under AMIF 2015-17 project Nõustamine ja huvitegevuse korraldamine kinnipidamiskeskuses ja AMIF2018-9 „Tugiteenused rahvusvahelise kaitse taotlejatele ja tagasipöördujatele“

