

European Migration Network

EMN Annual Report on Migration and Asylum Estonia 2017



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ANNUAL POLICY REPORT ON MIGRATION AND ASYLUM
ESTONIA 2017

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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 AND ABBREVIATIONS

AGIPA	Act on Granting International Protection to Aliens
AMIF	Asylum, Migration and Integration Fund
BIP	Beneficiary of International Protection
EMA	European Migration Agenda
EMN	European Migration Network
EU	European Union
EURINT	The European Integrated Return Management Initiative
EURLO	European Return Liaison Officers project
FRONTEX	European Border and Coast Guard Agency
ILO	Immigration Liaison Officer
IOM	International Organization for Migration
OLPEA	Obligation to Leave and Prohibition on Entry Act
PBGB	Police and Border Guard Board
SIS	Schengen Information System
TCN	Third-country national
THB	Trafficking in Human Beings

1. 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.

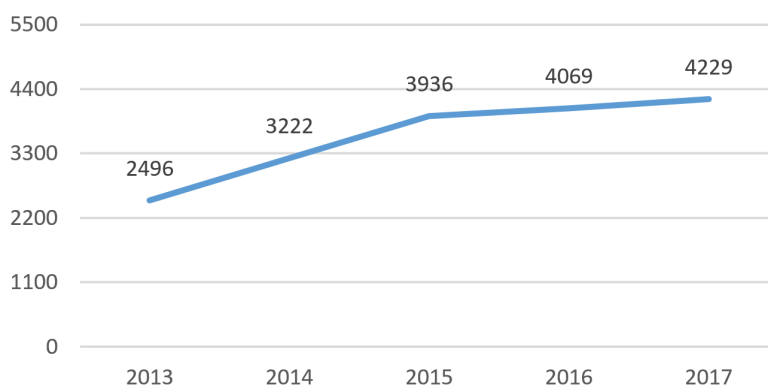
This report is structured to provide an overview of all aspects of migration and asylum in Estonia, covering the period from 1 January to 31 December 2017. However, in some instances, it will also refer to developments that begun in 2016 and continued in 2017, as well as those expected to begin in 2018. This is the twelfth report by the Estonian National Contact Point.

1.1 Executive summary

This report aims to **outline the most significant developments of 2017 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 and public initiatives.

Legal migration to Estonia has been steadily increasing over the last few years and 2017 was no different. In 2017, a total number of **4229 first-time residence permits** were granted in Estonia (See Fig 1) and the immigration quota was reached already in July.

Fig 1: Total number of first-time residence permits issued, 2013-2017



Source: PBGB

This increase has been taking place in parallel with a number of legislative changes in the field of legal migration. Since 2013, **Estonia has been actively reforming its legislation to attract foreign workers** who would counter-balance the consequences of an ageing population and emigration, thus helping the country to rejuvenate its economy. The most recent round of amendments to the Aliens Act and other associated legislation came into force in several stages throughout 2017. The main changes included the **introduction of special regulation for startups and investors, lowering salary requirements and exempting IT specialists, startups and investors from the immigration quota**.

As for the developments in the field of international protection, **relocation and resettlement activities continued** throughout the year in the framework of EU schemes. In 2017, **43 TCNs were granted refugee status** by Estonia. 36 of them arrived in the framework of the European Migration Agenda (EMA). In addition, Estonia gave **subsidiary protection to 77**

individuals, 68 of whom arrived in the framework of the EU Agenda. Most of the 79 TCNs relocated from other Member States were Syrian citizens. There were also some who held the citizenship of Iraq and a few were from Eritrea and Yemen. Altogether 19 persons were resettled from Turkey in 2017. Estonian government decided to end relocation and resettlement in the framework of EMA in December 2017. **In sum, Estonia has relocated and resettled 206 persons in the framework of EMA from 2015 onwards, 141 of whom came from Greece, 59 from Turkey and 6 from Italy.**

The Government of the Republic of Estonia has decided to contribute further with resettlement from Turkey under the recommendation of the European Commissionⁱ, which sought to provide up to 50 000 resettlement places in the EU Member States by October 2019. Estonia has pledged to resettle altogether 80 persons in need of international protection in the course of 2018 and 2019.

2017 was a very busy year for **NGOs developing new services for BIPs, mainly with AMIF funding**. For instance, a number of new, primarily group-based activities that aim to teach the Estonian language to BIPs and facilitate their labour market integration were launched.

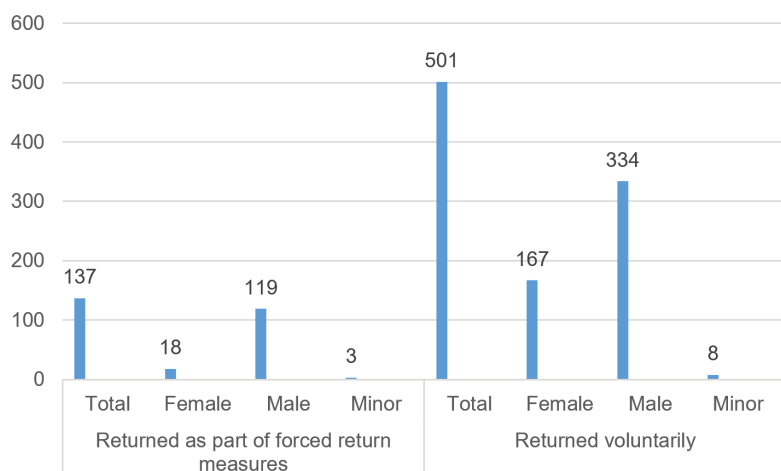
Through legislative amendments passed in 2017, Estonia significantly enhanced its **capacity to identify and support victims of human trafficking**. Ratification of the Istanbul Convention prompted a change in the Penal Code that criminalises the buying of sex from victims of human trafficking, in order to discourage the demand that instigates THB.

In addition, amendments to the Victim Support Act state that presumed victims

may now be granted a recovery period of up to 60 days before reporting the offence to the authorities. Moreover, **support services will be offered to all victims**, even when there is a decision not to start criminal proceedings. Importantly, **NGOs now also have the right to identify potential victims who should be provided with support services**. The amended law also ensures access to victim support services in case a criminal procedure concerning the crime of human trafficking has been initiated outside of Estonia and the victim of human trafficking has been identified as such by a competent authority of another country. Thus, since 2017, state-offered services are available to an increased number of victims.

Estonia has been rather **successful in returning TCNs** who have no legal ba-

Fig 2: TCNs ordered to leave and returned in 2017



Source: PBGB

sis for staying in the country. 73 % of returnees left Estonia voluntarily (See FIG 2). 16,6 % of them benefitted from the assisted return programme offered by the IOM, the UN Migration Agency's office in Estonia.

In 2017, Estonia continued its active **participation in different EU programs and cooperation mechanisms in order to ensure the effectiveness of the overall return system**. Estonia is part of **EURINT**, which aims to develop and

share better practices of return and build a common strategy for operational cooperation with third countries. **EURLO** stimulates country-of-origin-focused operational cooperation, notably through Return Liaison Officers in key countries. In EURLO, Estonia is responsible for covering India with a seconded Return Liaison Officer.

In 2017, there were a number of new initiatives launched by the government to **integrate TCNs**, the majority of which focused on the integration of BIPs. The latter initiatives promoted the professional inclusion of BIPs and enhanced their Estonian skills. The BIP module of the Welcoming Programme was also redesigned and expanded.

The year 2017 also brought several initiatives to **improve the public opinion on migrants and promote general tolerance**. For instance, activities to support Estonian kindergarten teachers in their work with children from migrant backgrounds and in the context of multicultural classrooms were carried out. The attitudes of wider and more general audiences were targeted by different programmes on Estonian Public Broadcasting.

1.2 Methodology

This report is based on **both primary and secondary data obtained from the key stakeholders in the field of migration and asylum**. Although where necessary, the report used publicly available data such as policy papers, statistics, articles, reports and evaluations found on news and public policy websites, the

majority of data was collected from our stakeholders through **formal inquiries, interviews and focus groups with experts**, in order to gather more detailed information. The information presented in this report builds on the material collected for the first part of the annual policy report, intended for the European Commission.

Stakeholders involved in the making of this report include the relevant ministries: the Ministry of the Interior, Ministry of Social Affairs, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Education and Research. Other contributing agencies and organisations include the Police and Border Guard Board, Work in Estonia (an initiative of Enterprise Estonia), IOM, the UN Migration Agency's office in Estonia, Integration Foundation (formerly known as 'Integration and Migration Foundation Our People' or MISA), NGO Estonian Refugee Council, Johannes Mihkelson Centre, NGO Mondo, Mainor Ltd, Living for Tomorrow and Open Estonian Foundation. The information and data presented in the report were obtained from these organisations unless specified otherwise.

2. OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS

2.1 Introduction

In 2017, no significant macro-political developments took place in Estonia. **The new government coalition — formed by the left-leaning Estonian Centre Party, Social Democratic Party and conservative right-wing IRL ('Pro Patria and Res Publica Union') was stable.** Mr Andres Anvelt of the Social Democratic Party continued as the Minister of the Interior — a position largely responsible for migration and asylum policy in Estonia. The reception of asylum seekers and beneficiaries of international protection is the responsibility of the Ministry of Social Affairs, which also enjoyed stability throughout 2017, including the period of the Estonian Presidency of the Council of the European Union that took place in the second half of 2017.

During **the Estonian Presidency of the Council**, several important national processes were launched by politicians as well as various interested parties like civil society representatives, entrepreneurs, scientists, chambers of commerce and other relevant stakeholders to **address Estonia's ageing population, diminishing workforce and the sustainability of our culture, and to consider migration as part of the solution to these structural issues.**

2.2 Estonian Presidency of the EU Council

During its Presidency, each Member State sets its priorities, which are intended as political guidelines from the Government for defining the programme of the Presidency. Two priorities of the Estonian Presidency in 2017 directly related to migration and international protection were **'Safe and secure Europe' and 'Inclusive and sustainable Europe'.**

According to the Estonian Government, it is only by joint action and unity on the global stage that the EU can keep its citizens safe and promote peace, prosperity and stability. Under the guideline of mov-

ing towards a 'safe and secure Europe', one of the focuses was strengthening the fight against terrorism and organised crime; strengthening the internal security as well as protection of the external borders of the EU by improving cooperation and using cutting-edge information systems.

The 'inclusive and sustainable Europe' priority category, however, supported equal opportunities for employment, access to services and development of skills. Thus, Estonia proposed to modernise the relevant rules for promoting labour mobility and free movement of persons as well as ensuring equal opportunities in the labour market and social inclusion.

One focal point of the Estonian Presidency was **the reform of the Common European Asylum System.** On 4 May and 13 July 2016, the Commission submitted seven legislative proposals aimed at reforming the Common European Asylum System. This package included a recast of the Dublin Regulation and Eurodac Regulation, proposal for a Regulation establishing the European Union Agency for Asylum (EUAA), proposal for a Regulation establishing a common procedure in the EU, proposal for a Qualification Regulation, recast of the Reception Conditions Directive and proposal for a Regulation establishing a Union Resettlement Framework.

The Estonian Presidency proceeded with the examination of the above-mentioned proposals and reached three Council mandates for trilogues from the seven files, initiated 4 trilogues with the European Parliament, finalised one (EUAA) that had been nearing its end under the Maltese Presidency and came very close to the end with the trilogues on the Eurodac Regulation. Estonia also proposed a concept paper to move forward with the Dublin Regulation and principles of responsibility and solidarity, which was thereupon advanced on a legislative level by the Bulgarian Presidency.

In the field of **return policy**, an agreement was reached in Coreper on using visa policy to influence Bangladesh, and also on the indicators for assessing cooperation. The agreement fixed the exact measures to be applied, administrative details of the application and indicators for assessing whether cooperation has improved. The activities of the EU sent a signal to the Bangladeshi authorities that their avoidance of cooperation will not be tolerated any further. The Bangladeshi authorities agreed to improve cooperation and concluded a Standard Operating Procedure (SOP) on return with the EU that was signed on 20 September 2017. By the end of the Estonian Presidency, the first operations of returning migrants to Bangladesh had taken place without setbacks. Deterrence turned out to be sufficient — in practice, no visa restrictions had to be imposed against

Bangladesh.

Reform of the Blue Card Directive was hindered by disagreements among the Member States with regard to the salary criteria of highly-qualified workers and inclusion of BIPs within the regulatory domain of the Directive. Furthermore, the Blue Card system is already in place and many Member States did not see a pressing need to revise it. Estonia nevertheless achieved to set the general approach of the Council and a mandate to initiate the respective trilogues with the European Parliament. As the holder of the Presidency, Estonia proposed a compromise that would allow parallel national residence permits to highly-qualified workers. It also proposed a compromise that would allow BIPs to apply for the Blue Card in the Member State that granted them protection.

Migration Conference of the Estonian Presidency of the EU Council

At its Annual Conference, the EMN contributed to the Estonian Presidency by **reviewing the current state of talent migration in the EU and encouraging an exchange of ideas** between the key stakeholders in this field.

'The EU in the Global Race for Talents: Challenges and Solutions in Strengthening the EU's Competitiveness'ⁱⁱ explored a range of issues linked to highly-skilled migration, moving from higher-level multilateral and supranational considerations down to national, regional and company levels and concluding with the individual level.

The conference consisted of a day-long programme of main sessions and three very practical workshop strands that addressed the topics of **attracting and retaining TCN students, TCN employees and foreign startup founders and employees**.

This unique high-level platform brought together the key stakeholders in the field of legal migration in Europe, including policymakers from different EU Member States, European Commission, European Parliament, EMN National Contact Points, intergovernmental organisations (IGOs), non-governmental organisations (NGOs), private sector and general publicⁱⁱⁱ.

Source: EMN Estonia

2.3 Immigration debates and events

2.3.1 Estonian Human Development Report

2017 was also a year of many discussions about migration as a potential

solution to the demographic crisis looming over Estonia in the coming decades. In **'Estonian Human Development Report 2016/2017 – Estonia at the Age of Migration'**^{iv}, the Editor-in-Chief Prof. Tiit Tammaru from the University of Tartu along with 40 co-authors focused on

the **effects of migration on population growth, transnationalism, social cohesion, language and culture in Estonia.**

Importantly, articles in the collection stressed the population decline. However, the editors provided solace by saying that '[t]he population of **Estonia will not decrease below the current level by the end of the 21st century only if two conditions are met: birth rates increase and the number of arrivals exceed the number of those leaving.** To achieve this, Estonia needs focus both on family and migration policies. Due to the inertia of population change, however, both the total and working-age populations of Estonia are very likely to continue to decline over the next decades. **The decrease of the workforce can be counterbalanced by moderate immigration combined with a more optimal use of the existing human resources.'** Editors of the collection also called for a new proactive migration policy that would introduce a points-based system for labour migration and promote student mobility.

2.3.2 Fundamentals of Population Policy

After the Estonian Human Development Report was published in June 2017 and garnered considerable media attention, on 13 November 2017 the **Estonian Parliament Committee to Solve the Demographic Crisis formed a broad-based working group with the purpose of drafting the fundamentals of population policy for the period of 2018-2035.**

In the draft of the strategy for setting down the fundamentals, it is admitted that '**[i]n the case of a small nation, population decline can over just a couple of generations reach the point where it becomes difficult to sustain a sufficiently diverse education, science and culture. Without the latter, the significance of sovereignty becomes difficult to determine'**. The fundamentals are to be taken into account in all future laws and development plans.

The fundamentals of population policy concern several subtopics such as increasing the birth rate, promoting public health, flexibility of the labour market, but also the role of migration, transnationalism and integration in solving the demographic crisis.

The aims of population policy in the field of migration, transnationalism and integration

The purpose of Estonian population policy in the field of migration, transnationalism and integration is to support the development of Estonian nationality, language, culture and economy. In order to achieve this, there are measures for reducing economic emigration, fostering return migration and supporting the adaptation of return migrants in Estonia. With regard to immigration, highly-qualified skilled workers and students will be preferred, and efforts to integrate immigrants will be redoubled. Due to the small size of the country, the effect of transnational mobility is much stronger on Estonia than on larger countries, thus generating a need for a more integral transnationalism policy. Since the processes of migration, transnationalism and integration are influenced by diverse factors, it is necessary to pay systematic attention to the co-effects of various fields (economy, regional policies, education, culture, citizenship policies, social issues, etc.).

Source: Fundamentals of Population Policy for the Period of 2018–2035, draft

2.3.3 Roundtable on demographic concerns

In parallel with the processes mentioned above, a grassroots-based roundtable surfaced in Estonia bringing together different interested parties ranging from the civil society representatives, entrepreneurs, scientists, universities, chambers of commerce and other relevant stakeholders^v **to ensure**

that the issue of shrinking population and future of Estonia is strategically addressed and managed on the national level. The initiative also strives to provide a more balanced view and narrative of the impact of migration and focus on reaching a consensus in the society on how to address the upcoming population crisis.

Action Plan of the Roundtable on demographic concerns

In 2017, the main aims were to gather and analyse existing research, form a long-term action plan, establish further partnerships and look for funding to scale the activities.

In 2018, the initiative plans to organise a series of events, debates and media campaigns to unfold different aspects of the demographic challenges and their impact on the Estonian culture, economy and infrastructure.

In 2019, a year of parliamentary elections, the initiative will be putting positive pressure on political parties to address the issue and offer potential solutions in their election platforms. The activities of the initiative are funded both by private and public sector.

Source: Interview with the project leader of the roundtable

2.3.4 Reviewing the immigration quota

A debate and process to review the immigration quota began in 2017 and continues in 2018. According to the Aliens Act, **the total number of recipients of residence permits in a year should not exceed 0.1 per cent of the permanent population of Estonia.** The immigration quota was met in Estonia for the first time in 2016 and again in 2017, thereby **becoming an obstacle to employing foreign workforce.** Many employers and private sector organisations raised their concern that the immigration quota has begun to have a negative effect on economic growth. Responding to this, the Government of Estonia called on **the Minister of the Interior to gather**

a group of stakeholders and experts^{vi} to discuss and reform the immigration quota.

Based on the discussions that were held by the working group, a proposal for an urgent change to the regulation of immigration quota was presented to the Government. On 12 April 2018, the Government approved the respective proposals. Conjointly, the **Government extended the mandate of the working group and ordered it to develop proposals for long-term changes to immigration regulations** and present these to the Government by June 2019 at the latest.

3. LEGAL MIGRATION AND MOBILITY

3.1 Key takeaway

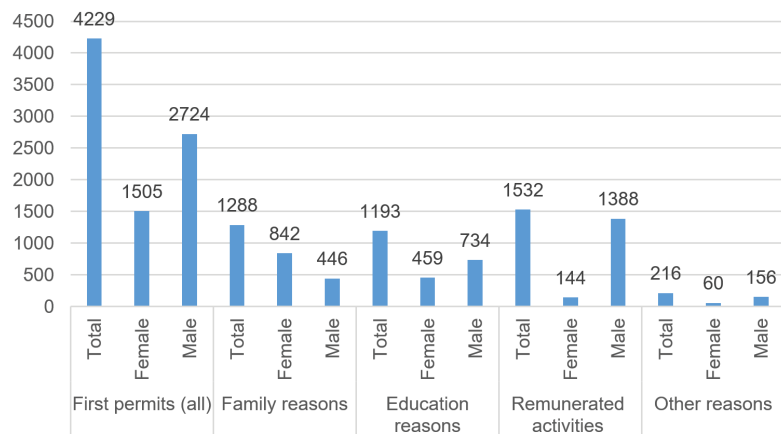
In 2017, Estonia made significant changes to the immigration system in order to **address the needs of economy and attract skilled migrants**. Legislative amendments were supported by the adoption of a revised Work in Estonia Action Plan, which aims to promote Estonia as an attractive destination for foreign specialists, as well as the launch of the migration advisors service by the PBGB, which offers migration-related advice to anyone seeking to relocate to Estonia.

The gender breakdown (see Fig 3) reveals differences in both the overall numbers and reasons for which the permits were issued. Men received more permits (2724 or 64.4 %) than women (1505 or 35.6 %) and primarily for remunerated activities (1532 permits), which reflects the labour market needs and growing economy. The most common reason for women was family reunification (842 permits). Education was the second

3.2 Introduction

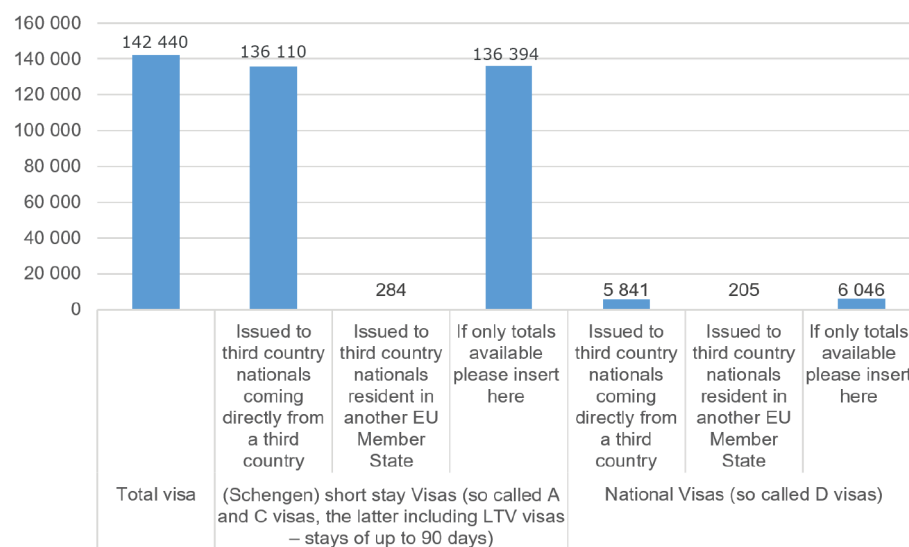
Legal immigration to Estonia has been growing steadily in recent years. In 2017, a total number of **4229 first-time residence permits were granted in Estonia and the immigration quota was exhausted already in July 2017**. The increase is expected to continue in the coming years.

Fig 3: First residence permits by reason in 2017



Source: PBGB

Fig 4: Visas issued in 2017



Source: Ministry of Foreign Affairs

most common reason for both men (734 permits) and women (459 permits).

In 2017, there were **142 440 visas issued by Estonia** (See Fig 4). Overwhelming majority of those were Schengen visas (136 394, 95.8%). With the amendments that came into effect in 2017, changes were also introduced to visa regulations. **The national visa is now issued with a period of validity up to one year.** An option for extending a temporary stay was created for those wishing to continue their short-term employment or developing their startup. For foreigners already legally present in Estonia, it is now possible to apply for a national visa at the PBGB.

3.3 Legislative and policy changes

A number of amendments to the Aliens Act came into force in 2017, streamlining and simplifying the legal migration system **to attract IT professionals and startup entrepreneurs and employees.** For instance, IT workers can now enter Estonia outside the official quota limit; startups are not subjected to salary requirements and labour market test when employing third-country nationals; etc. Startup founders have facilitated conditions for entering Estonia and are also exempted from the investment requirements that hold for traditional companies.

Startup Visa in Estonia

The startup programme provides specific facilitations:

- ★ for **foreign founders** to launch and run a startup in Estonia;
- ★ for **Estonian startups** to employ talents from third countries.

Startups may be issued:

- ★ **visas** for up to 12 months, with the possibility of extending their temporary stay for another 6 months;
- ★ **residence permits** for up to 5 years, extendable to a 10-year period.

Startups are **exempt from investment and salary requirements.**

For startups to benefit from these facilitations, they must be recognised as startups by **an expert committee.** Applications for evaluation are submitted electronically before applying for a visa or residence permit. In terms of the Aliens Act, a startup is defined as a company that is starting its operations and whose goal is to launch an innovative and scalable business with great global growth potential that will contribute to the development of the Estonian business environment.

Source: Ministry of the Interior

The amendments also included the **introduction of a special regulation for investors, transposition of the EU Directive of Intra-Corporate Transferees (Directive 2014/66/EU), as well as transposition of the Directive on Seasonal Workers (2014/36/EU).**

Other more minor, yet still significant

changes included **lowering the salary requirements** of TCN economic migrants to the average gross salary in Estonia (previously the average gross salary was multiplied by the coefficient of 1,24) and **extending the right of aliens to work on a short-term basis without a residence permit** from 6 months to 9 months. In addition, the list

of sectors where short-term employment is allowed was expanded.

In 2017, **amendments were also made to family reunification regulations**, removing the requirement for the sponsor to have resided in Estonia for 2 years prior to the application. There now remains only a general requirement to have a place of residence in Estonia, but one can invite a spouse immediately after having received a residence permit. Certain categories, such as family members of startup entrepreneurs, have the option of applying for the permit simultaneously.

Finally, starting from October 2017, all **children born to TCNs with residence**

permits (or those who settle in Estonia immediately after birth) will receive a residence permit without needing to apply for one. This residence permit is linked to their parents' residence permit and will be extended automatically if their parents' residence permit is extended. Parents need to apply for a residence permit card only for children aged 15 and above. Amendments to the Aliens Act came into effect in different stages throughout 2017.

In 2017, amendments were made to the Aliens Act to be able to **transpose the recast Students and Researchers Directive 2016/801/EU (OJ L 132,21.5.2016^{viii})** by 23 May 2018.

Improvements in the recast Students and Researchers Directive

- ★ **Faster procedure for looking through TCNs' applications to study in the EU. TCNs' applications** to Higher Education Institutions (HEIs) approved by the Member State will be facilitated and processed in a maximum of 60 days instead of 90 days. While the general requirements for students (such as travel documents, insurance, etc.) still apply, they will be exempt from presenting certain documents that are usually required.
- ★ **Extended possibilities for working while studying**
While the previous Directive stated that students should be allowed to work at least 10 hours per week, the new Directive extends this minimum to 15 hours per week. Estonia does not limit the right to work, granted that the work does not harm TCN students' academic progress.
- ★ **Improved intra-EU mobility rights**
Foreign students enrolled in EU mobility programmes (e.g., Erasmus+) or those enrolled in a HEI in a Member State that has a mobility agreement with a HEI in another Member State are now able to transfer to the second Member State for up to 360 days by issuing a simple notification. Instead of applying for a new visa, competent authorities in both Member States have to be simply notified by either the student or the HEIs.
- ★ **A possibility to stay in the Member State to look for employment or set up a business after graduating.**
After completing their studies, TCNs may stay in the Member State to look for employment or set up a business at least for nine months after graduating^x.

Source: Directive (EU) 2016/801

In 2017, **the necessity of reforming the immigration quota system became a political issue**, as the quota had

been exhausted both in 2016 and 2017. A working group was established at the Ministry of the Interior to address this matter and propose solutions.

Government's planned amendments with regard to the immigration quota^x

- ★ **Extending the maximum period of short-term work with temporary grounds for stay to one year** (365 days).
- ★ **Exempting top specialists from the immigration quota.**
- ★ **Imposing A2 language requirement** for aliens who have already stayed in Estonia on the grounds of a temporary residence permit for employment and who are applying for a new temporary residence permit or extension to the present one.

Source: Ministry of the Interior

3.4 Other developments

A new **Work in Estonia Action Plan was adopted** in 2017. Work in Estonia is an initiative operated by Enterprise Estonia that aims to simplify the process of employing overseas experts in local companies and promote Estonia as a good destination for foreign employees^{xi}. The main activities of this Action Plan of the Ministry of Economic Affairs and Communications include advertising relevant job offers, engaging with target groups via social media and providing

both employers and employees with relevant information (for instance, job contract templates in English). Work in Estonia also publishes a 'Relocation Guide' as well as introductory videos about living in Estonia featuring testimonials from foreigners who already live there. Furthermore, recruitment campaigns targeting mid- and senior level IT specialists on selected target markets (in 2018, these included 9 countries: Ukraine, Italy, Portugal, Slovenia, Bulgaria, Hungary, Turkey, Latvia and Georgia) have been an important part of the programme.

Work in Estonia activities starting in 2018

- ★ **The International House in Ülemiste City** – a public-private partnership initiative led by Enterprise Estonia and Mainor Ülemiste. The International House in Ülemiste City is intended as a one-stop-shop, where a foreign specialist can get all the necessary information and various public services from a single location in order to enable a smooth adaptation. Services offered in the International House include migration counselling by the PBGP, overall integration counselling and language cafés by the Integration Foundation, registering as a resident by the city of Tallinn, career counselling by Estonian Unemployment Insurance Fund, signing up and participating in the Welcoming Programme that is organised by the Ministry of the Interior, etc.
- ★ **Foreign recruitment grant** is aimed at supporting companies that recruit ICT specialists from abroad. Recruiting from abroad often requires extra effort and finances for advertising in international job portals, flying a specialist over to introduce the country and work environment, providing them with housing for the first weeks or months to settle in, etc. This grant helps companies to cover these costs. First and foremost, the voucher is meant as an encouragement measure for companies that have so far hired only very few employees from abroad or none at all.
- ★ **Launching the International Recruitment Roadmap.** The International Recruitment Roadmap is an online tool that helps to orientate employers with regard to the steps to take when planning to hire from abroad. The guide will visualise different possibilities and steps for employing international specialists to work in Estonia.
- ★ **International Spouse Career Counselling** is an extension of the already ex-

isting Estonian Public Employment Service that will be developed in cooperation with Work in Estonia. The aim of the ISCC is to provide free, specialised career counselling service to the spouses of foreign specialists coming to Estonia in order to support those interested in entering the Estonian labour market in and pursuing a career. A specialised unit of counsellors will focus on topics that are particularly relevant to this specific group of internationals^{xii}.

Source: Enterprise Estonia

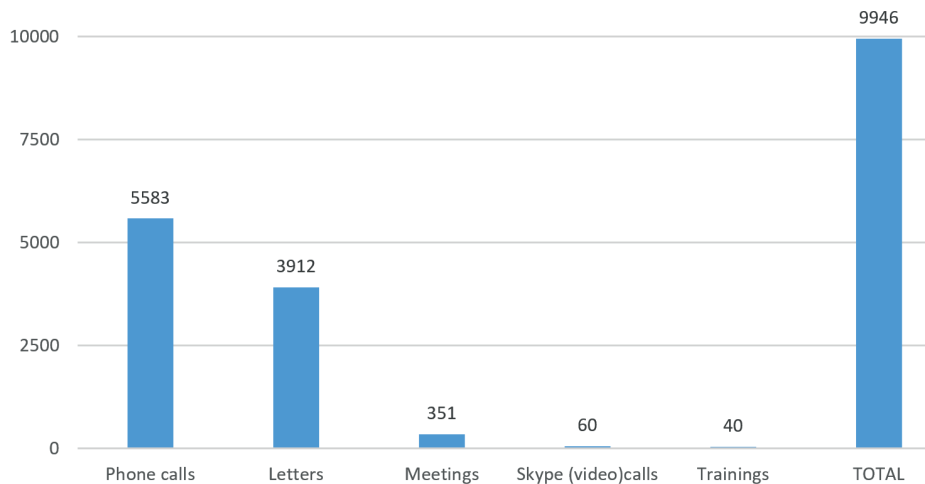
In March 2017, the PBGB launched a **migration advisory service, which offers information and counselling about the legal grounds for entering and staying in Estonia, documents, application processes and requirements**. Information is available via phone, email, Skype, one-on-one meetings and trainings. There were almost 10 000 consultations in 2017 (See Fig 5), mostly via phone calls and in written form. Migration advisory service^{xiii} is funded by the European Union through the European Social Fund and from the state budget.

Consultations are offered in three languages — Estonian, English and Russian. Approximately half of the consultations are

held in Estonian (i.e., those requested by employers, family members, educational institutions and other representatives) and the other half divides roughly equally between English and Russian language consultations. In summer and early autumn, the number of English consultations goes up, which is explained by the arrival of foreign students.

In 2017, **the consultants also participated in several information day events** organised by partner organisations (e.g., Estonian Unemployment Insurance Fund, Estonian Chamber of Commerce and Industry) and organised such events on the topic of migration themselves.

Fig 5: Consultations of the PPGB's Migration Advisors in 2017



Source: PBGB

4. INTERNATIONAL PROTECTION

4.1 Key takeaway

Relocation and resettlement activities continued throughout the year in the framework of **EU schemes**. NGOs had a very busy year developing new services for BIPs.

4.2 Introduction

BIPs are currently received in Estonia according to two scenarios. First, there are those who have applied for international protection while in Estonia. Secondly, there are those who have been relocated to Estonia from another EU Member State or resettled to Estonia from a third country in the framework of the EMA.

In 2017, **43 third-country nationals were granted refugee status** by Estonia. 36 of them arrived in the framework of the EMA. In addition, Estonia gave **subsidiary protection to 77 individuals**, 68 of whom arrived in the framework of the EMA.

Most of the 79 TCNs relocated from other Member States were Syrian citizens. There were some who held the citizenship of Iraq and a few were from Eritrea and Yemen. Altogether 19 persons were resettled from Turkey in 2017.

4.3 Legislative changes

Unlike in 2016, when there were many important legislative developments in the field of granting asylum, there were no major legislative changes in 2017. However, two amendments to the Act on Granting International Protection (AGIPA ^{xiv}) were initiated in 2017. The main aim for one of the amendments was to **enhance the capability of the PBGB to perform its duties in a situation of mass influx of asylum seekers**.

The second amendment was initiated in order to ensure conformity with the 1951 Geneva Convention. According to the amendment, **a person can be considered as posing a threat to the Esto-**

nian society if s/he has been convicted and sentenced to imprisonment for an offence against person, offence against a minor, drug-related offence, public-order crime, crime of extortion or first-degree criminal offence.

4.4 Policy changes

In addition to resettlement from Turkey and relocation from Greece, practical relocation from Italy started in 2017. As a result, 4 persons of Eritrean origin were relocated to Estonia.

Moreover, the Government of the Republic of Estonia has decided to **continue with resettlement from Turkey in 2018 and 2019 by resettling to Estonia altogether 80 persons** in need of international protection.

In 2017, Estonia contributed to the development of an EASO training module on resettlement via the EU-FRANK project.

It is also worth noting that in 2017, the PBGB has for the first time refused to extend the protection and residence permit of a person who has given false information about his/her nationality during the proceedings of granting international protection.

The main challenge with fulfilling the obligations undertaken in the framework of EU relocation schemes continued to be determining the identity of the TCNs to be relocated. There were also difficulties with finding translators who are able to work with uncommon languages as well as finding accommodation for the beneficiaries of international protection (due to, e.g., unwillingness of property owners to rent out their apartments, rental prices and apartment sizes). Also, **the rights, obligations and possibilities of BIPs continued to be a topic of heated public debate in Estonia.** Furthermore, the issue of relocated and resettled persons in need of international protection who have left Estonia to other EU Member States garnered a lot of attention.

In 2017, the **PBGB continued to train reserve asylum officers** on international protection issues. These police officers, whose everyday work is related to other matters than asylum, have also been involved in resettlement and relocation missions. Asylum reserve officers are to be applied in asylum proceedings — including decision making — in the event of a disproportionate rise in the number of applications. Given that training and involvement of asylum reserve officers has made the resettlement and relocation procedure more effective, **a relocation or resettlement decision is now normally reached within two months** from the registration.

The PBGB developed **a list of safe countries of origin** for the first time in 2017. A **country of origin information (COI) expert** was also hired, increasing the capacity of the COI unit of the Police and Border Guard Board.

4.5 Development of new services in the field of international protection

Support person service and basic language courses have been provided to BIPs in Estonia for some years, predominantly with support from AMIF. In 2018, **the amount of free Estonian language training (up to the level A2) for BIPs will increase from 100 hours to 300 hours**. The training is provided by the Tartu Folk High School and supported by AMIF.

2017 brought **a considerable range of new services for BIPs** that supplement the formal services already in place. Two national support person service providers — **NGO Estonian Refugee Council (ERC)** and **NGO Johannes Mihkelson Centre (JMC)** — have both developed mainly group-based activities, again predominantly financed by AMIF. Some of these activities take place in their

newly-opened offices in Tallinn.

The new activities to accompany formal Estonian lessons included the activity of **language buddies**, where a BIP is paired with an Estonian-speaking volunteer. These pairs meet regularly to discuss daily practical issues in Estonian, and, if they so choose, take some time to practice the mother tongue of the beneficiary. An additional function of this service is to foster networking and long-time friendships. In addition, the **language café** format was also introduced in 2017. Beneficiaries can simply drop by, join others at the table in one of the offices in Tallinn or Tartu and practice their language skills in a comfortable setting over a cup of coffee.

Furthermore, new services for job seeking and career building were introduced in 2017. JMC in particular invested in a **training for job seekers**, where beneficiaries were psychologically prepared for entering the Estonian labour market. In the framework of an AMIF project, several courses were offered. BIPs were informed about the basics of the labour market and labour laws in Estonia. They also received career counselling, as well as video training for self-presentation at a job interview. In addition, a non-professional, self-supporting **jobseekers' club** was experimented with in 2017, where beneficiaries met on a regular basis to encourage and empower each other in their search for paid employment. In the next year, **business coaching** is going to be offered, in which beneficiaries (mentees) are matched with locals (mentors) who have a similar professional background and who are willing to share their knowledge and professional networks with the newcomers on a voluntary basis. NGOs have also begun to **map the employers that have an intrinsic motivation to hire beneficiaries^{xv}**.

Women's clubs for beneficiaries of international protection

Migrant women tend to stay at home and end up **socially isolated** if not attended to. In order to interfere with this tendency, ERC started organising women's clubs in 2017 on its own initiative and with no external funding. BIPs, their female family members and occasionally some female support persons **gather regularly in a trust-worthy environment** (e.g., in a cafe, theatre, sauna) to enjoy each other's company. In the process, they also **gain much-needed practical information regarding the organisation of daily life and services in Estonia**. For instance, gynaecologists, as well as paediatricians and physiotherapists, have visited the club to address women's concerns.

Source: ERC

5. ACTIONS ADDRESSING TRAFFICKING IN HUMAN BEINGS, UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

5.1 Key takeaway

While the number of victims of human trafficking is rather modest in Estonia, the state has developed its capacity to identify and support these victims through **legislative amendments** and by **improving cooperation** between the relevant public authorities and NGOs.

5.2 Introduction

Trafficking in human beings (THB) is a constantly evolving phenomenon and traffickers have developed more complex and multifaceted ways of exploiting their victims. While usually associated with sexual exploitation, THB offences also include labour exploitation, forced criminality, forced begging and sham marriages. This diversity contributes to the **complexity of identifying the victims and punishing the perpetrators**.

In 2017, **two third-country national victims of THB were identified**; both were adult women. One case had to do with sexual exploitation and the other with labour exploitation. Eight persons were arrested or otherwise involved in the criminal proceedings, six were convicted in 2017.

While the growing number of unaccompanied minors has become a particularly critical problem across Europe in the course of the refugee crisis, Estonia nevertheless remains unaffected by it. There were no third-country nationals recognised as unaccompanied minors in 2017.

5.3 Legislative and policy changes

Estonia ratified the Istanbul Convention^{xvi} on 26 October 2017 (internationally, it came into effect on 1 February 2018). This prompted a number of changes to legislation, including changes to the Penal Code criminalising the buying of sex from victims of trafficking in human beings. The objective of criminalisation is to discourage the demand that instigates THB and to protect the rights of victims.

In addition, a number of amendments to the Victim Support Act (VSA^{xvii}) came into force on 1 January 2017 to enhance the identification of victims of human trafficking. According to the amendments, **presumed victims may be now granted a recovery period of up to 60 days before reporting the offence to the authorities**. Moreover, the right to support services for 60 days will be offered to all victims, even when there is a decision not to start criminal proceedings, which would mean that the persons in question will not be identified as victims of THB. **NGOs now also have a right to identify potential victims who should be provided with support services**. The amended law also ensures access to victim support services in case a criminal procedure concerning the crime of human trafficking has been initiated outside of Estonia and the victim of human trafficking has been identified as such by a competent authority of another country. Thus, since 2017, **state-offered services are available to an increased number of victims**.

Two categories of victims according to the Victim Support Act

1. Identified victim — a victim of trafficking in human beings; identified victim in case of whom criminal proceedings have been initiated with regard to the criminal offence committed against him or her based on the elements of criminal offence provided for in §§ 133 to 133³, 138 to 140 or 175 of the Penal Code or based on the elements of criminal offence provided for in any other similar foreign penal code.

2. Presumed victim — an alleged victim of THB is a person:

- ★ who has been preliminarily identified by an organisation in Estonia engaged in helping victims of trafficking in human beings that has filed information with the Estonian National Social Insurance Board about the suspicion that the person might be a victim of trafficking in human beings; or
- ★ with regard to whom a competent foreign authority has submitted information to the Estonian National Social Insurance Board about the person falling victim to trafficking in human beings in that foreign state.

Source: Victim Support Act

As for the plans for 2018, the Ministry of Social Affairs will lead the **development of a guideline for referral of victims of THB**. It will lay down the rules for sharing information and division of labour between the Police and Border Guard Board, Public Prosecutors office, Labour Inspectorate, Social Insurance Board that coordinates and funds victim support services, NGOs that offer victim support services and municipalities. Upon the completion of the guideline, it will be introduced to the relevant authorities.

5.4 Other developments

As for the measures of cooperation between national authorities, the PBGB continued its **joint inspections** with both the Labour Inspectorate and the Estonian Tax and Customs Board to im-

prove the detection of illegal employment. Moreover, all parties continued to **develop their inter-agency analysis capabilities**.

Estonia also continued its participation in **the STROM project^{xviii}** — a transnational endeavour that aims to strengthen the capacity and role of municipalities in the chain of assistance to victims of human trafficking in the Baltic Sea Region. Estonian partner in this project involving the Baltic States and Russia was the **NGO Living for Tomorrow (LFT)**. LFT has actively implemented several anti-trafficking projects since the year 2000 and has a central role in establishing through its **Human Trafficking Prevention and Victim Help Hotline the first contact with the victims of labour exploitation** in particular, counselling them and referring them to the relevant authorities.

The Human Trafficking Prevention and Victim Help Hotline

Counselling is provided to everyone, regardless of gender, nationality, religion or organisational affiliation. The service is provided for free and in Estonian, Russian and English. Confidentiality is granted.

When to contact the hotline +372 6607320:

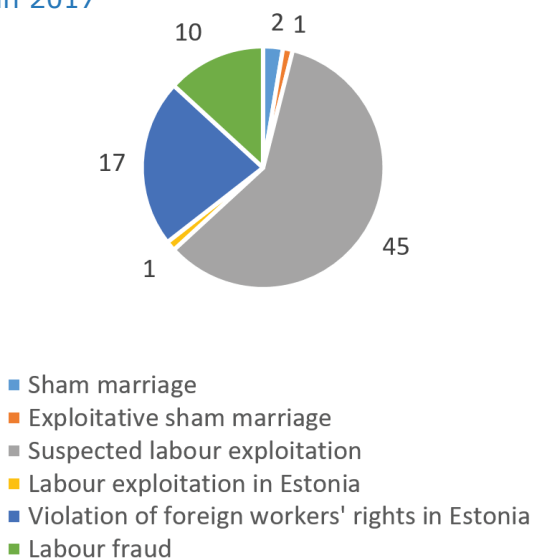
- ★ if the person wants to work, study or travel abroad and would like to do it safely;
- ★ if the person has any questions or doubts concerning a job offer;
- ★ if the person is staying abroad and, at the same time, suspects that his or her rights are being violated (i.e., a suspicion labour or sexual exploitation);
- ★ if the person has encountered trafficking in human beings;
- ★ if the person has already returned to his or her home country and would like to report a case.

Services provided:

- ★ legal advice on employment contracts (if necessary, also assistance in composing written statements and applications);
- ★ information on the consequences of illegal/unreported employment;
- ★ consultations for people who are going to work or study abroad;
- ★ information on the conditions of entry to the Member States of the European Union and other countries for citizens of Estonia, persons with undetermined citizenship and foreigners residing in Estonia;
- ★ information on how to avoid being trafficked;
- ★ contacts of non-governmental organisations abroad that provide concrete help, assistance and counselling for victims of trafficking;
- ★ contacts of government and non-governmental organisations that are engaged in the prevention of human trafficking in Estonia;
- ★ information on legislation of other countries concerning foreigners, migrants and trafficking in human beings;
- ★ referral to the available services for victims of human trafficking in Estonia.

Source: NGO Living for Tomorrow

Fig 6: Violations and presumed exploitation cases registered by the NGO Living for Tomorrow in 2017



In 2017, a **public awareness campaign 1ELU (1LIFE)** took place from January to June in Estonia. It focused on preventing THB and educating people about the possibilities for getting help and advice. The campaign addressed three different types of THB: labour exploitation, sexual exploitation and children used for criminal acts. The key message was that each of us has one life to live, which can be lived decently, with honour and without exploitation.

Source: NGO Living for Tomorrow

1ELU (1LIFE)

The campaign consisted in online and social media activities, commercials shown in the shopping centres of major Estonian towns, commercials shown in Apollo cinemas before the movies, informative videos shown on screens in Tallinn Bus Station, Tallinn Airport, the ports of Tallinn and Tallink ferries, an e-School programme for juveniles and parents, etc.

A special Facebook page was created^{xix} and the videos were made available on YouTube^{xx}.

The campaign was supported by the European Commission Internal Security Fund (ISF) and organised by the Ministry of Justice and Ministry of Social Affairs, partnered with the NGOs Living for Tomorrow and Estonian Human Rights Centre.

Source: Ministry of Justice

6. INTEGRATION

6.1 Key takeaway

In 2017, there were a number of new initiatives launched in the area of integrating third-country nationals, the majority of which focused on the **integration of beneficiaries of international protection**. There were also several initiatives in 2017 to **render the attitudes of the Estonian population more open towards migrants**.

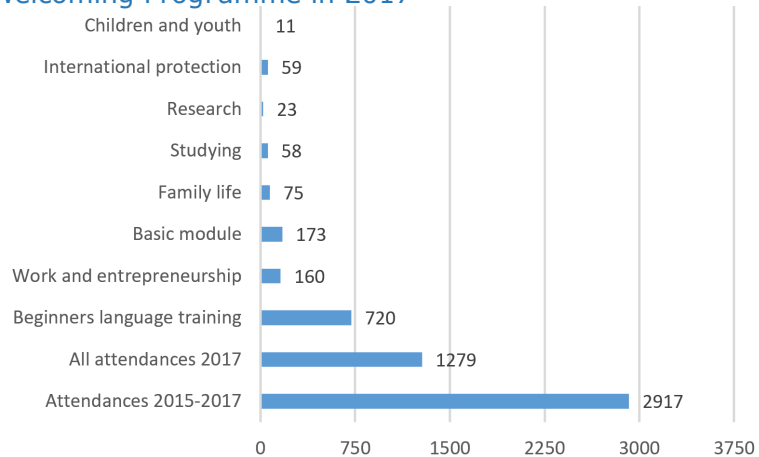
6.2 Introduction

Integration is a topic that has received a lot of attention since the re-independence of Estonia in 1991, yet **the focus has been primarily on Russian-speaking minorities**. In the recent years, however, the demographics of immigrants have been changing, which has prompted the authorities to make adjustments that would **facilitate the arrival on new migrant groups**. One of the key initiatives in this regard is **the Welcoming Programme^{xxi}** launched in 2015. It targets newcomers that have lived in Estonia for less than five years and consists of a basic module, a beginner-level language training (level A1) and six thematic modules (See also Fig 7). The Welcoming Programme is funded by the European Union through the European Social Fund and from the state budget.

As for institutional changes — on 15 March 2017, **the Integration and Migration Foundation Our People adopted a new name: Integration Foundation**. This expresses the current focus of the organisation, which is on integration rather than migration-related activities. The foundation aims to become an acknowledged competence centre that imports international knowledge to Estonia and shares Estonia's experience with the rest of the world. The foundation organises activities and programmes, such as

Estonian Language Centres, language cafés and international conferences. A strong emphasis is now laid on **involving the Estonian-speaking general population in integrating all the nationalities living in Estonia**.

Fig 7: Number of participants in different modules of the Welcoming Programme in 2017



Source: Ministry of the Interior

6.3 Legislative and policy changes

2017 did not bring many legislative developments in the field of integration. **One set of amendments to the Aliens Act that is relevant here and came into effect in January 2017 concerns TCN students**. The rights previously granted to foreign students enrolled in degree programmes in Estonian academic and vocational universities now extend to individuals obtaining Level-4 and Level-5 vocational qualifications in Estonia. Residence permit requirements and family reunification were also facilitated.

Furthermore, **transposition of the EU Directive 2016/801 is planned for May 2018**. Among other things, these amendments will extend the period during which a TCN who has graduated in Estonia is allowed to stay in order to find employment or start a business from six months to nine months.

Several **significant integration policy developments targeted the benefi-**

ciaries of international protection. For example, the Estonian Unemployment Insurance Fund launched a project **'My First Job in Estonia'**, aimed at boosting the rate of employment among BIPs. Employers participating in this project receive:

- ★ a wage subsidy;
- ★ compensation for the cost of obtaining qualifications;
- ★ compensation for the cost of work-related translation services;
- ★ compensation for the cost of Estonian language training;
- ★ payment of a professional mentoring fee (as of 1 January 2018).

As for addressing the unemployment of migrants who are Estonian residents, but not BIPs, the Integration Foundation launched a pilot mentoring programme in 2017. Migrants met in Tallinn with the personnel managers from a number of large companies, who outlined their recruitment principles and shared useful job-seeking tips. The aim was to support Estonian residents who are out of work and face obstacles in the labour market due to limited national language skills, a restricted network of professional contacts and other factors. The project is carried out as part of the CROSS project 'Cross-border Cooperation on Mentoring and Peer Support for Immigrants' and is supported from the INTERREG Central Baltic 2014-2020 programme financed by the European Regional Development Fund.

In 2017, **the Ministry of the Interior analysed the efficiency of the Welcoming Programme and launched a call for proposals under AMIF to improve the module for the beneficiaries of international protection.** It is important to note here that participation in the module was made compulsory for the beneficiaries of international protection with amendments to the AGIPA in 2016. Originally a one-day course, it was redesigned and extended to a 3-days training course in early 2018. The mod-

ule continues to be provided to BIPs by the IOM Office in Estonia.

In addition, **the amount of free Estonian language training (up to the level A2) for BIPs will increase** from 100 hours (in 2017) to 300 hours in 2018 and 2019. This improvement, co-funded by AMIF and the Ministry of the Interior and carried out by the Tartu Folk High School, is accessible to all beneficiaries of international protection, regardless of whether they arrived in Estonia through the EU resettlement and relocation initiatives or by themselves.

6.4 Other developments

To continue with the initiatives that aim to advance the Estonian language proficiency of migrants with various grounds for staying in Estonia, **the Integration Foundation launched new Estonian language cafés and Estonian language and culture clubs** in 2017. Language cafés are organised all over the country and encourage participants to speak, listen and learn in an open and informal environment. Language and culture clubs are open to those who have taken the state exam in Estonian at B2 or C1 levels. The project was co-funded by the European Social Fund.

Moreover, **the Ministry of Education and Research continued to develop the Estonian language learning online platform "Keelekliik^{xxii}"** to extend its maximum obtainable language level from A2 to B2. The new online platform will be launched in 2018.

In order to smoothen the relocation of specialists and their family members who could help to boost the Estonian economy, Enterprise Estonia and its partners came up with the idea of **establishing an International House in Tallinn.** The International House is a one-stop-shop for foreigners to communicate with the state, receive counselling and establish a network. It will be opened in the autumn of 2018 and is located in the Ülemiste City, Tallinn.

International House — a service centre for internationals in Estonia

The services of the International House are aimed at internationals (mainly specialists) who have come to Estonia to work or study, but also for their family members and for the company that hires international specialists. Information and services are provided all in one place to support a smoother relocation process and help the international specialist with adapting to the society.

Benefits for international specialists:

- ★ availability of services that help with adapting
- ★ saving time — services and information from a single place
- ★ possibilities for establishing contacts
- ★ positive experience of Estonia and its services

Benefits for companies:

- ★ a smoother recruitment of foreigners
- ★ a wider choice of talents
- ★ a satisfied international employee
- ★ economic growth (a chance to involve more talent and foreign investments)
- ★ sustainability (improved inclusion of international specialists in the economy)
- ★ reducing the work load of other service centres

Benefits for the public sector/community:

- ★ economic growth (a chance to involve more talent and foreign investments)
- ★ sustainability (improved inclusion of international specialists in the economy)
- ★ reducing the work load of other service centres

Partners: the Ministry of Economic Affairs and Communications, Enterprise Estonia and Work in Estonia, city of Tallinn, Ministry of the Interior, Police and Border Guard Board, Ministry of Culture, Estonian Unemployment Insurance Fund, Integration Foundation and several private companies — Mainor Ltd, MoveMyTalent, Expat Relocation Estonia and others.

Source: Mainor Ltd / Work In Estonia

6.5 Raising awareness, tolerance and positive attitudes towards TCNs among locals

There were also initiatives in 2017 aimed at **raising awareness, tolerance and positive attitudes towards third-country nationals** living in Estonia. For example, the NGO Estonian Refugee Council started a **three-year project 'An Open Beginning: Preparing Kindergartens for Receiving Children with Migration or Refugee Background and Supporting the Creation of a Culturally and Religiously Diverse and Tolerant Study Environ-**

ment' to prepare Estonian kindergartens to receive children from migrant backgrounds and to assist the teachers working with multicultural classrooms. This is supported by: (1) a roundtable of experts advising on methods and the project programme, (2) a learning network of 7 kindergartens across Estonia, (3) 7 field visits to kindergartens, (4) a study visit to kindergartens in Finland, (5) methodological materials created for teachers, (6) a conference on multicultural kindergartens, (7) 4-day study-cycles for teachers in Tartu and Tallinn. The project began in April 2017 and will end in December 2018.

In order to address a wider and more general audience, Estonian Public Broadcasting, supported by AMIF, was working on **the programme 'LIVEstonia. Ma elan siin'** from 2016 to March 2018. Estonian Public Broadcasting also broadcast **a six-part TV-series 'Meie Eestid' ('Our Estonias')**, in which people of other ethnic backgrounds showcase the places that are most important to them in Estonia. The series was produced with the support of the Integration Foundation.

In addition, the Ministry of the Interior launched a call for proposals under AMIF in 2017 to raise awareness about forced migration, improve local level cooperation between various stakeholders in the field of forced migration and empower beneficiaries of international protection,

local governments and local residents in creating local level support and social networks. A project that will be carried out by the NGO Estonian Refugee Council and Johannes Mihkelson Centre will also try to **increase the involvement of refugees and beneficiaries of subsidiary protection in local events**. The main activities of the project will kick off in early 2018 and continue in 2019.

A call under AMIF to find a provider for a culture and sports programme to BIPs was launched in 2017. The activities of the NGO Johannes Mihkelson Centre in cooperation with the NGO Ethical Links will start in February 2018 and last until the end of 2019.

7. IRREGULAR MIGRATION AND RETURN

7.1 Key takeaway

There were no major new developments with regard to irregular migration and return in 2017. Instead, the focus was on **improving the systems already in place**.

were citizens of the Russian Federation, Vietnam and Ukraine. As for the voluntary returnees, the highest numbers originated from the Russian Federation, Ukraine, Belarus and Moldova.

Among the TCNs who returned voluntarily, **83 individuals returned as part**

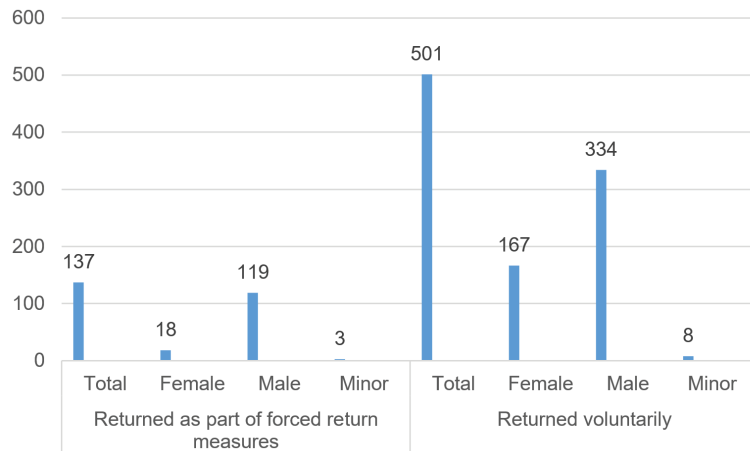
7.2 Introduction

An effective and humane return policy is an essential part of the EU's comprehensive approach to addressing migration and reducing irregular migration, as set out in the European Agenda on Migration^{xxiii} and EU Action Plan on Return^{xxiv}.

In 2017, a total number of **638 individuals returned following an order to leave Estonia. Out of those, 137 individuals (27 %) returned as part of forced return measures and 501 (73 %) returned voluntarily** (see Fig 8). Two thirds of all returnees were male. The number of children returned (together with family members) was relatively low, with a minor increase compared to the previous years.

The highest numbers of TCNs ordered to leave as part of forced return measures

Fig 8: TCN ordered to leave and returned in 2017



Source: PBGB

of an assisted return programme (VARRE) provided by the IOM Office in Estonia (See Fig 9 and also Appendix No 1). Assisted Voluntary Return and Reintegration (AVRR) recipients were predominantly citizens of Ukraine and to a lesser extent those of Armenia, the Russian Federation, Georgia, Iraq and Lebanon.

The most remarkable developments in AVRR

- ★ There was an **increase in families with children** among IOM's clients. In 2015, one child returned; in 2016, a total of 9 children participated in the programme. In 2017, the number of children reached 30.
- ★ **More persons with medical needs** have benefitted from AVRR^{xxv}. 2017 brought along cases that required fit-to-travel checks to make sure that travelling is safe for the persons in question and that they have an adequate supply of medications. In one case, a medical escort was organised for the returnee. In some cases, the returnees also benefitted from the medical follow-up in their country of return.
- ★ A total of **24 reintegration plans** were submitted in 2017. Most of them were finalised within the same year; some passed on into 2018 (See Appendix 1 for the

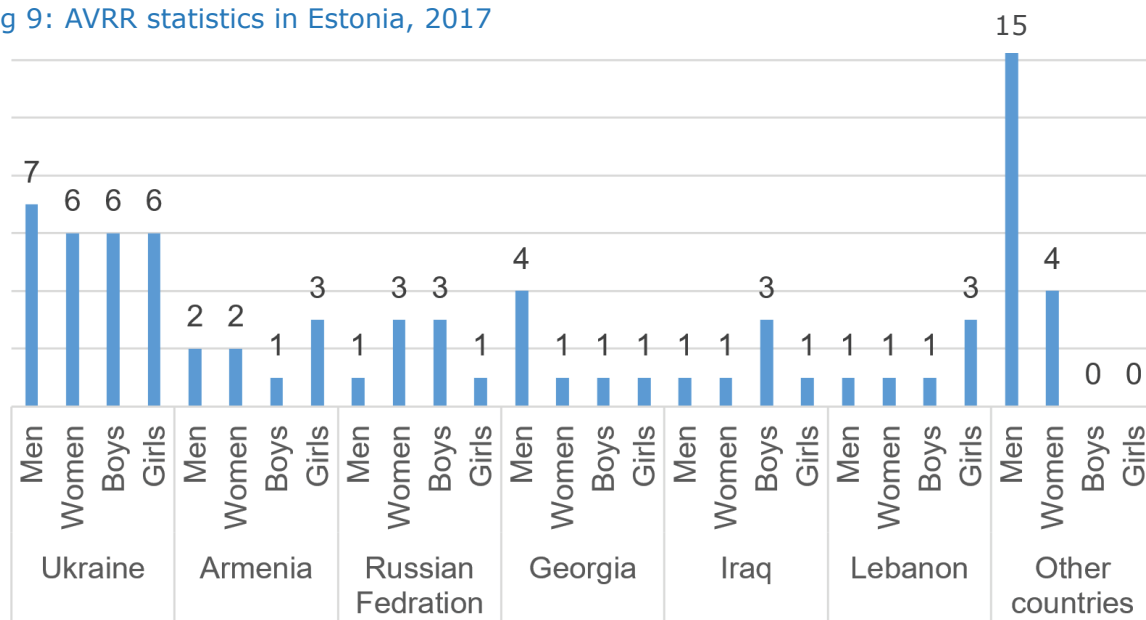
7.3 Legislative and policy changes

In 2017, there were no significant legislative or policy changes in the field of return and irregular migration. However, it is relevant to point out a certain change at the procedural level. Since 1 March 2017, **decisions with regard to reg-**

istration of short-term working and some types of residence permits are made locally in the PBGB Prefectures.

The change was introduced to provide the decision-making process with access to more in-depth local information. Furthermore, the change will enable more efficient structural surveillance of the

Fig 9: AVRR statistics in Estonia, 2017



Source: PBGB

use of the right of residence.

The PBGB notes that there has been a significant change in the structure of illegal migration to Estonia. **The numbers of illegal entry are decreasing, while the misuse of legal grounds for stay**

is increasing. This change has not occurred with regard to only some particular type of legal ground for stay. Various schemes of misuse have been identified. For example, numerous cases of misuse were identified with the residence permit for study.

Misuse of residence permits for study in Estonia

There have been several cases where students from third countries have applied for a residence permit for studying in Estonia, all the while **having no intention to enter a higher education institution (HEI)**. In order to mitigate the risk of illegal migra-

tion and absconding, the PBGB has taken several steps in cooperation with the relevant HEIs. It has been highlighted that persons with an aim of illegal migration have been fixed by certain recruiters in third countries, who **could be implicitly related to smuggling of persons**.

Taking the necessary steps to deter the misuse of legal grounds for stay should also be **in the interest of the sponsor** — in this case, the HEIs — since if an alien does not bear the proceeding costs, the costs of the compulsory enforcement of the obligation to leave or costs of the stay in the detention centre or police detention houses, the sponsor is obligated to compensate for these costs in the extent of 32 000 euros.

Source: PBGB

As of the legislative amendments planned for the year 2018, the **PBGB will be granted the right to use special measures in the event of an emergency situation** (e.g., an unusually large number of third-country nationals or applicants for international protection being detained in Estonia) that would override the general regulation.

7.4 Strengthening cooperation with third countries in return migration management

The goal of the EU is to significantly increase the number and rate of returns and readmissions. As announced in the 2015 Action Plan on Return, **the European Union has considerably increased its engagement with the main countries of origin, both in Africa and Asia**.

Currently, there are existing **EU readmission agreements** with Hong Kong,

Macao Special Administrative Region of the People's Republic of China, Democratic Socialist Republic of Sri Lanka, Albania, Russian Federation, Ukraine, former Yugoslav Republic of Macedonia, Bosnia and Herzegovina, Republic of Montenegro, Republic of Serbia, Republic of Moldova, Islamic Republic of Pakistan, Republic of Georgia, Republic of Armenia, Republic of Azerbaijan, Republic of Turkey and Cape Verde.

In case of the countries with which a formal readmission agreement could not be pursued, the Commission has focused on improving practical cooperation through operational tools and instruments such as **Standard Operational Procedures (SOPs)**. These compacts with the key origin and transition countries are embedded within the existing and future processes and partnerships. **The compacts involve positive cooperation wherever it is possible, but also the use of leverage where necessary^{xxvi}.**

The EU's Standard Operational Procedures with third countries

SOPs consist in agreements between countries with regard to the procedures to be followed in case of readmission requests. **It is important to have incentives for third countries to follow the procedures**. Moreover, it is important that these incentives incorporate both positive and negative ones. So far, the EU has been lacking on the negative ones.

In 2017, the Member States managed to agree on a broad range of possible visa-related measures that could be applied if cooperation with a particular third country did not improve. This can be considered a success, for the particular country in question consequently stepped up its cooperation significantly.

In 2017, **Estonia implemented EU readmission agreements with Bangladesh (Standard Operating Procedures) and Guinea (Good Practices Procedure on Identification and Return).**

Source: PBGB

The expertise and resources of the Member States are essential for the EU in enacting the return and readmission compacts with countries of origin and transit. **Effective cooperation relies heavily on the network of EU experts on the ground in the third countries.** Further deployment of European Migration Liaison Officers (IMOS) to priority source and transit countries could enhance the EU's cooperation against migrant smuggling. ILOs (Immigration Liaison Officers) could prioritise joint Member State action to facilitate enforcement. Since 24 January 2018, **Estonia has a Migration Liaison Officer in India.**

Estonia is actively participating in various EU programs and cooperation mechanisms in order to ensure the effectiveness of the overall return system. For instance, Estonia takes part in the EU programs EURINT and EURLO.

EURINT aims to develop and share the best practices of return and build a common strategy for operational cooperation with third countries. **EURLO** aims to stimulate country-of-origin-focused operational cooperation, notably through Return Liaison Officers in the key countries. In EURLO, Estonia is responsible for covering India with a seconded Return Liaison Officer.

Estonian Return Liaison Officer's testimonial

I began my work as an EU Return Liaison Officer (EURLO) in New Delhi on 24 January 2018. **The first few weeks were spent on settling in and establishing first contacts.** The Embassy was of much help in that regard. **The task of a Return Liaison Officer is to support the return of persons who are staying in the EU illegally to their countries of origin.** This mainly involves:

- ★ identifying unidentified persons and obtaining the travel documents necessary for their return;
- ★ providing help to returnees with special needs;
- ★ reconnecting underage returnees with their families.

In case there is a request, I will help with **organising the escort, transport and accommodation of returnees.** In addition, I am also **participating in a working group of Schengen Area consular officers,** where we discuss the topics of migration, human trafficking and visa fraud. The job also presents a good opportunity for staying informed about India-EU relations more generally.

My daily tasks are complicated by **significant cultural differences** between Europe and India. The Indian society puts much emphasis on customs and traditions, and in order to keep everything running smoothly, it would be good to know and observe these customs and traditions.

I received my first lesson about the Indian way of doing things when I mediated a tender for the EURINT (European Integrated Return Management Initiative) public information campaign "Punjab Awareness-Raising Campaign".

The tender was announced in December 2017, but the announcement did not reach the intended audience and EURINT requested my help to solve this problem. With the help of the secretary in the Estonian Embassy and by paying attention to the local customs, we managed to forward a second offer to the necessary organisations and persons. Since I am also participating in the EURINT working group on India myself, I will be responsible for supervising the execution of the campaign on the ground in the state of Punjab.

The purpose of this campaign is to refute the false myths about the sweet and easy life in Europe, thus reducing illegal emigration. 80 % of Indian immigrants are from the state of Punjab. For this reason, I believe that the campaign is well-targeted and serves its purpose. The campaign is planned to commence on 25 May 2018.'

Source: PBGB

In December 2016, the European Commission put forward a proposal concerning the use of the SIS (Schengen Information System) in returning illegally staying TCNs, in order to enhance the enforcement of the EU return policy and reduce incentives to irregular migration into the EU. Among other things, the proposal introduced the **obligation for the Member States to enter all return decisions into the SIS**. In 2017, the SIS and return-related legislative proposals were among the priorities of the Estonian Presidency of the Council of the EU.

7.5 Other developments

One significant step in 2017 concerning return was **launching the development of the 'Database of Aliens Staying or Having Stayed Illegally in Estonia'**. This work will continue in 2018 to render the database more interoperable with other databases and increase its capacities for statistical analysis.

As for 2018, a new detention centre will be completed, which will allow for the detention of up to 120 illegally staying third-country nationals.

Visa consultation

Visa consultation was implemented **to mitigate the potential risks of abolished border controls on the internal borders of the Schengen Area and the introduction of a common Schengen visa**. The consultation aims to reduce the risks to migration, security and public order. In Estonia, the consultation process is set up in a way that **helps the consular authorities to take visa-related decisions based on the applicant's background** and thereby avoid granting a visa to someone who might pose a threat to public order and security.

During the consultation procedure, the internal security authorities in Estonia analyse the information available on the applicant and then offer their assessment to the consular authorities. The consulates, having had a personal contact with the applicant, are not bound in their decision to follow the recommendation resulting from this consultation procedure, for the final word on whether to issue a visa or not is still up to them.

In order to facilitate the consultation procedure, **an automated system (KOMET)**

has been set up. The system compares applicant's data with national and international databases and particular risk profiles. In case the data triggers a hit in national or international databases, or the person falls into one of the risk categories, it is further assessed by an official and the relevant information is forwarded to the consulates.

Source: PBGB

8. MAXIMISING DEVELOPMENT IMPACT OF MIGRATION AND MOBILITY

8.1 Key takeaway

While 2017 was not especially busy in terms of drafting or implementing new legislation and policies, by 2020, **Estonia plans to increase the share of humanitarian aid** from its official development assistance by 13 %.

8.2 Introduction

Estonia's development policy follows the standards that were set in 2003 by the '**Principles of Estonian Development Cooperation**^{xxvii}', which state that development cooperation — an integral part of Estonian foreign policy — should aim for ensuring peace, democracy, observance of human rights, economic and social stability and eradication of poverty in the world, in accordance with the internationally approved principles of sustainable development. These principles have guided all the strategic plans and policies since then, including those in the field of migration. **NGOs such as the Estonian Refugee Council and Mondo play a major role in carrying out livelihoods initiatives in war-affected communities.** Their projects are mostly funded by the Ministry of Foreign Affairs.

8.3 Legislative and policy changes

In 2017, there were no major legislative changes in the field of migration and development. The country continued with the policies and strategies established in the previous years. **The 'Development Cooperation and Humanitarian Aid Strategy 2016-2020**^{xxviii} **links development cooperation to the attempts to reduce migration pressures,** stating that '[s]afeguarding stability in developing countries also ensures a liveable environment for people and reduces their need to leave homes, at the same time decreasing forced and illegal migration'.

In order to alleviate the situation of refugees on spot while taking into account the increase in the number and length

of humanitarian crises, **Estonia plans to increase the share of humanitarian aid from its official development assistance by 13 % by the year 2020,** according to the Ministry of Foreign Affairs.

The Ministry of Foreign Affairs is also active in **facilitating knowledge transfer between Estonia and third countries by granting scholarships to TCN students,** mostly from the Eastern Partnership countries. While the ministry expects the students to return to their country of origin after the termination of their studies, their actual return has not been monitored.

8.4 Civil society initiatives

Two of the most active Estonian NGOs in this field are **Mondo** and **the Estonian Refugee Council (ERC)**. In 2017, both carried out **projects in the livelihoods sector** in order to help refugees and internally displaced persons in Ukraine as well as in the neighbouring countries of Syria.

There are many typical intervention designs used in the humanitarian aid sector for promoting livelihoods of crisis-affected populations (e.g., cash, food, medicine or commodity aid, agricultural support such as seed or livestock distribution). In 2017, however, ERC (with funding from the Ministry of Foreign Affairs) focused on **improving war-affected communities' prospects in their local labour markets.** In Ukraine, for example, ERC organised **programming and design courses** in two schools. By March 2018, more than 100 persons had benefitted from ERC's ICT courses that had started in July 2016. ERC was also active in **providing microfinancing loans** (up to 350€) to war-affected people, so that they could re-establish sustainable businesses, while also stimulating the local economy. **Vulnerability assessment** that was carried out alongside assessing the sustainability of the business plans gave priority to women as the more vul-

nerable gender. Beneficiaries have used their microfinancing to buy computers, sewing-machines, etc. Now that hundreds of micro-enterprises have been established, ERC plans to move on to the next phase of this model by **granting bigger loans to a few select profitable one-(wo)man initiatives so that the latter could expand and start employing local people**. In summer 2017, similar initiatives were launched in Lebanon and Jordan to support the independent livelihoods of refugees living outside of camps. These expansions will be funded by the Estonian Ministry of Foreign Affairs.

NGO Mondo has focused on giving **hu-**

manitarian aid to Syrian refugees in Jordan, Lebanon and Turkey since the end of 2013. The assistance provided in these countries consists in informal education, psychosocial support and livelihoods in addition to the distribution of hygiene kits in Lebanon's Tahaddi centre. Last year, Mondo financed the **installation of a grey water system** in the Azraq camp in Jordan, which hosts approximately 50 000 refugees. They have also developed **agricultural courses** in the camp to help the youth learn both soft and hard skills. Mondo's initiatives in these countries and in Ukraine rely on private donations as well as support from the Ministry of Foreign Affairs.

APPENDIX NO 1: IOM ESTONIA'S STORIES OF RETURN IN 2017

Country of return: Lebanon

This Palestinian family of four had received international protection in Estonia. Even after having lived in Estonia for some time, the head of the family was not able to find a suitable job. The family was facing a difficult decision — to remain here in this rather different culture with its alien traditions and way of life, into which the children were nevertheless integrating quite well, or to go back home to Lebanon. Eventually, they opted for returning. Given that their travel documents had expired, they **received assistance for obtaining new travel documents and travel arrangements**. The family also received a reintegration grant that they used to **open a men's clothing shop**. Reintegration grant for children covered their **school fees**, as there are no free public schools for Palestinian nationals in Lebanon. One of the family members also received some **medical assistance** to undergo necessary treatment back home.

husband and wife invested their reintegration grants in a small business — together, they opened **a playroom for children**, where kids can come to play or celebrate birthday parties. Since they have no competition in this field in their city, they consider their business idea a success. Reintegration grants for their own children were invested in their **education** (by purchasing school uniforms, stationery, books and clothes, as well as paying the monthly fees for sport trainings and kindergarten).

Country of return: the Russian Federation

Mrs X came to Estonia in the 2000s with a dream to work as a professional artist. Unfortunately, soon she realised that her specialty was no longer in demand. Thus, she decided to return home. However, since her passport had already expired, the IOM helped her to get **a new travel document** from the Embassy. Being an artist, she got a job as a batik teacher at an art school and used the reintegration support from the IOM to purchase **professional equipment and materials** (fabric, accessories, etc.) that she could use for her classes.

Country of return: Ukraine

This young family came to Estonia to request for asylum. However, as it was financially and psychologically very difficult for them to simply wait for the decision and do nothing in the meantime (since, according to the law, they were not allowed to work for 6 months), they decided to withdraw the asylum application and head back to Ukraine. The

ENDNOTES

- ⁱ European Commission (2017) State of the Union 2017 – Commission presents next steps towards a stronger, more effective and fairer EU migration and asylum policy. Brussels, 27 September 2017 Press release http://europa.eu/rapid/press-release_IP-17-3406_en.htm (Visited 23.04.2018).
- ⁱⁱ See the presentation slides from the conference 'The EU in the Global Race for Talents: Challenges and Solutions in Strengthening the EU's Competitiveness' on the conference web page: <http://emn.ee/eng/events/conferences/eu-in-the-global-race-for-talents/about/> (Visited 13.04.2018). The website also includes videos of all the plenary sessions and the workshop on attracting and keeping foreign employees in the EU, as well as photos of the whole event.
- ⁱⁱⁱ See the conference web page: <http://emn.ee/eng/events/conferences/eu-in-the-global-race-for-talents/about/> (Visited 24.04.2018).
- ^{iv} Tammaru, T.; Kallas, K.; Eamets, R. (Eds.)(2017). Estonian Human Development Report 2016/2017 – Estonia at the Age of Migration'. Tallinn: Cooperation Assembly Foundation. <https://inimareng.ee/en/estonia-at-the-age-of-migration/> (Visited 13.04.2018).
- ^v The founders of the initiative are active citizens, Open Estonia Foundation, Estonian Employers' Confederation, Network of Estonian Nonprofit Organisations, Tallinn University of Technology, Mainor Ltd, Estonian Chamber of Commerce and Industry, Estonian Service Industry Association, Estonian Cooperation Assembly.
- ^{vi} The immigration quota working group includes the Government Office of Estonia, Ministry of Education and Research, Ministry of Justice, Ministry of Economic Affairs and Communications, Ministry of Finance, Ministry of Social Affairs, Ministry of Culture, Police and Border Guard Board, Labour Inspectorate, Estonian Horticultural Association, Estonian Trade Union Confederation, Estonian Chamber of Commerce and Industry, Estonian Service Industry Association, Estonian Employers' Confederation, Estonian Unemployment Insurance Fund, Enterprise Estonia, Mainor Ltd, Archimedes Foundation, University of Tartu, Tallinn University and representatives of the EMN Estonian Contact Point.
- ^{viii} Directive 2016/801/EU (OJ L 132, 21.5.2016) can be found at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32016L0801> (Visited 08.04.2018).
- ^{ix} EMN Estonia. (2017). Attracting and retaining foreign students: Workshop overview and conclusions. EMN Annual Conference in 2017 'The EU in the global race for talents: Challenges and solutions in strengthening the EU's competitiveness'. Briefing Paper. European Migration Network Estonian Contact Point. No. 4 (9) November 2017. <http://emn.ee/wp-content/uploads/2016/10/nr9.pdf> (Visited 08.04.2018).
- ^x See also a related discussion in Chapter 2, 'Overview of Asylum and Migration Policy Developments'.
- ^{xi} The strategy foresees that by the year 2020, more than 8000 foreign specialists will be employed in Estonia and 2000 of them in the ICT sector.
- ^{xii} Workinestonia.com (2018) International spouse career counselling, 1 March 2018. <https://www.workinestonia.com/international-spouse-career-counselling/> (Visited 08.04.2018).
- ^{xiii} Information about the service is available on the web page: <https://www2.politsei.ee/en/teenused/migratsiooni-noustajad/> (Visited 08.04.2018).
- ^{xiv} The Act on Granting International Protection is available here: <https://www.riigiteataja.ee/en/eli/530102013009/consolide> (Visited 09.04.2018).
- ^{xv} See also the chapter 'Integration' of the project 'My First Job in Estonia', launched by the Estonian Unemployment Insurance Fund.

^{xvi} Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul 11.05.2011) <https://www.coe.int/en/web/istanbul-convention/home?desktop=false> (Visited 02.03.2018).

^{xvii} Victim Support Act, Passed 17.12.2003, RT I 2004, 2, 3, <https://www.riigiteataja.ee/en/eli/ee/521122013001/consolide/current> (Visited 06.03.2018).

^{xviii} For more information about the STROM project see: <http://www.lft.ee/human-trafficking/projects-2-1/strom-i-and-ii> (Visited 02.04.2018).

^{xix} See: <https://www.facebook.com/1E-LU-705600759611129/?fref=ts> (Visited 24.04.2018).

^{xx} See: <https://www.youtube.com/channel/UCgWFDoe6VC0evDO3GU90VRg> (Visited 24.04.2018).

^{xxi} For more information about the Welcoming Programme see: <https://www.settleinestonia.ee/mod/page/view.php?id=123> (Visited 07.04.2018).

^{xxii} See: "Keelekliik": <https://www.keelekliik.ee/et/welcome> (Visited 06.04.2018).

^{xxiii} Communication from The Commission to The European Parliament, The Council, the European Economic and Social Committee and The Committee of the Regions. A European Agenda on Migration. Brussels, 13.5.2015 COM(2015)240.

^{xxiv} Communication from The Commission. EU Action Plan on Return. Brussels, 9.9.2015, COM(2015)453.

^{xxv} In 2017 8 IOM VARRE clients had medical problems. Some had resources to address them themselves, others received assistance from the IOM Tallinn Office.

^{xxvi} Communication from The Commission to The European Parliament, The European Council, The Council and the European Investment Bank on establishing a new Partnership Framework

with third countries under the European Agenda on Migration. Strasbourg, 7.6.2016, COM(2016)385.

^{xxvii} Ministry of Foreign Affairs (2003). Principles of Estonian development cooperation. Available at: <http://www.vm.ee/en/principles-estonian-development-cooperation> (Visited 28.03.2018).

^{xxviii} Ministry of Foreign Affairs (2015). The Strategy for Estonian Development Cooperation and Humanitarian Aid 2016–2020. Available at: http://vm.ee/sites/default/files/content-editors/development-cooperation/2016_2020_aren_gukava_eng_kodulehele_0.pdf (Visited 28.03.2018).