



SISEKAITSEAKADEEMIA



ESTONIAN ACADEMY OF SECURITY SCIENCES  
EUROPEAN MIGRATION NETWORK

IMMIGRATION OF INTERNATIONAL  
STUDENTS -  
Estonian National Report

Tallinn 2012

*The European Migration Network (EMN) is a network founded by the European Commission in 2003 and it is also financially supported by the Commission. With the Council Decision 2008/381/EC, the aim of the EMN is to provide for the Community institutions and authorities as well as organisations of the Member States, updated, objective, reliable and comparable data on migration and asylum issues with the purpose of supporting the European Union policy-making in these areas. Furthermore, disseminate information on these issues to the public. The documents prepared by the Estonian Contact Point for the European Migration Network are based on public and available data and might not always represent Estonia's national position.*

*In 2010 the Estonian Academy of Security Sciences was appointed as the Estonian National Contact Point for communicating with the European Commission.*

*Address of the Estonian National Contact Point for the European Migration Network:*

*Estonian Academy of Security Sciences*

*Kase 61, Tallinn 12012*

*Tel: +372 696 5559*

*e-mail: [emn@list.sisekaitse.ee](mailto:emn@list.sisekaitse.ee)*

*Homepage: <http://www.sisekaitse.ee/erv/>*

*Homepage of the European Migration Network: <http://www.emn.europa.eu>*

*Author: Helina Maasing*

*Translator: Kaidi Talsen*

## TABLE OF CONTENTS

Executive Summary .....	5
1. INTRODUCTION .....	8
1.1. Methodology .....	8
1.2 Definitions .....	9
2. THE NATIONAL EDUCATION SYSTEM AND INTERNATIONAL STUDENTS.....	11
2.1. Structure of national education system .....	11
2.2. National policy framework regarding International Students .....	13
3. LEGAL AND PRACTICAL CONDITIONS AT NATIONAL LEVEL THAT APPLY TO INTERNATIONAL STUDENTS .....	15
3.1. Measures to encourage third-country nationals to pursue study opportunities in Estonia.....	15
3.2. Admission.....	17
3.2.1. Admission to higher education institutions.....	17
3.2.2. International students in numbers .....	18
3.2.3. Tuition fee .....	20
3.3. The process for the issuance of visas (short or long stay) and/or residence permits for third- country nationals for study purpose .....	22
3.3.1. Refusals of granting a residence permit for studies .....	26
3.4. Stay of International Students .....	27
3.4.1. What effect does failing a course have on international students' entry and residence permission? .....	29
3.5. International students' right to work and social guarantees .....	30
3.5.1. Health insurance and other social benefits.....	32
3.6. Family reunification .....	35
3.7. Period following the completion of study for international students .....	37
3.8. Misuse of the 'student route' to migration .....	38
4. TRANS-NATIONAL COOPERATION IN THE AREA OF INTERNATIONAL STUDENTS	40
4.1 Intra-governmental bilateral/multilateral agreements .....	40
4.2. Intra-university cooperation agreements .....	45

4.3 Cooperation with EU (and EU-financed mobility programmes) or international organisations.....	47
4.3.1. Mobility programmes financed by EU and Estonian government.....	49
5. IMPACTS OF INTERNATIONAL STUDENTS IN ESTONIA.....	52
6. CONCLUSIONS.....	56
BIBLIOGRAFY.....	60
ANNEXES .....	63

## Executive Summary

The aim of this study is to view, what is the Estonian immigration policy on education migration, including studying if the migration policy facilitates international students coming to local higher education institutions to study or not. The data collected in the study should help making further conclusions on how to find a possible balance in immigration rules between facilitating the entry of third country students to Estonia and the possible misuse of education migration.

The number of general education school graduates has decreased in Estonia with each year. While in 2007 there were ca 11,000 graduates of general education schools. Then four years later the number is already 8,800. According to the data of Statistics Estonia, the number of high school students will decrease also during the coming years. According to the analysis of the Estonian Ministry of Education and Research, the number of students starting their studies at the Estonian higher education institutions should by the year 2017 decrease by 14% as compared to the year 2011. Due to that the Estonian state and the higher education institutions have started taking measures for finding new students from foreign countries.

Recruiting students from abroad is an important part of the foreign marketing of the Estonian higher education. Due to limited availability of consular services, Estonia has established a list of countries where information activities on the possibilities of studying in Estonia are worthwhile. In 2008 it was agreed that the target markets for marketing Estonian higher education are Finland, Turkey, China, Latvia, Lithuania, Russia, Ukraine, Georgia, Germany and the USA. This year, India is also tested as a new market.

During the last six years the number of foreign students in Estonia has increased by ca 43%. The number of students from the EU as well as the number of students from third countries has increased. The number of foreign students from Finland has grown from 427 students to 709 students (Table 6). The number of foreign students from Russia and the USA has doubled. The number of foreign students from Turkey and Georgia has also significantly grown – from a couple of students in 2006/2007 to 43 and 50 students, respectively in 2011.

According to the data of EHEIS, there were in total 1,573 foreign students in formal education in Estonian higher education institutions in 2011, which formed 2.3% of all students in Estonia. Third

country nationals formed 37% of all foreign students in Estonia in 2011. Mainly the third country students came from Russia (127), China (75), Turkey (43), Georgia (50), the USA (28), Ukraine (31), India (16) and Iran (18) (Table 6). Thus, from the countries where Estonia is the most active with marketing its higher education.

Depending on the duration of studies, the third country students stay in Estonia either on the basis of a visa or a residence permit. Estonia does not issue a special student visa as do some other EU Member States, and thus the foreign student must meet the general conditions for visa and residence permit. This means that both the visa and the temporary residence permit must be applied for from a foreign country, Estonian foreign representation where the student has to personally appear. Due to the fact that there are very few Estonian foreign representations in third countries, many higher education institutions consider such requirement hindering for the education migration.

In order to alleviate the obstacles arising from the lack of Estonian foreign representations and to facilitate student immigration, the Ministry of the Interior introduced an amendment to the Aliens Act that entered into force in 2010, allowing applying for the residence permit for studies for those third country citizens who wish to study for their Master's or Doctoral level degrees. They are allowed to submit an application for temporary residence permit in the country, directly to the Police and Border Guard Board if they are staying legally in Estonia.

The majority of the measures for facilitating foreign students' studies in Estonia are aimed at the Master's and Doctoral level students. The strategy document "Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015" also notes that special attention is paid to involving foreign students in Doctoral formal education, but also in Master's studies. Estonia has established the DoRa program for the foreign students studying in Doctoral and Master's studies. Within the framework of this program their studies in Estonian higher education institutions are financed. Estonian higher education institutions also participate in the mobility programmes financed by the European Union, such as Erasmus Mundus and Erasmus, which have facilitated immigration of foreign students to Estonia.

In order to simplify the procedure for applying for the residence permit for third country students studying in Estonia, the risk that these residence permits may be misused for wrong purposes increases. Although Estonian higher education institutions have had cases where a foreign student

“disappears”, the higher education institutions find that these are rather exceptional cases. Also the data of the Police and Border Guard Board analysed for this study do not give reason to believe that it is a big problem in Estonia. During the years 2010-2011, the Police and Border Guard Board declared invalid in total ten temporary residence permits for studying due to the fact that the studies were stopped or the study obligations were not fulfilled. In other words, in these cases one may presume that the residence permits were not used for their intended purpose. Taking the residence permits for studying issued during these years as a basis, the percentage of misuse cases could be 2% in 2011 and 0.5% in 2010. These numbers and percentages are rather low, confirming the claims of the universities that this is a marginal problem.

For Estonia, the problem rather lies in the fact that the aim indicated in the “Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015”, to allow the more talented foreign students to stay in Estonia after their studies has not been realised. Although Estonia suffers from the lack of qualified labour, foreign students as potential qualified labour, have not received favourable opportunities for continuing working or starting business in Estonia. After graduating from the university, a foreign student is forced to leave the country immediately without the chance of finding a job in Estonia or starting a business. The foreign students who participated in the global foreign student study iGraduate in 2011, indicated that it is difficult for the foreign students to find employment during their studies and they were also not satisfied with the career opportunities in Estonia.

According to the data of the Police and Border Guard Board, approximately 20-35 foreign students stay in Estonia for the purposes of employment each year. E.g. in 2011, 21 third country nationals changed their status from studying to working, in 2008 the number was 35. If we compare this to the residence permits issued during these years, then ca 5-10% of the foreign students change their status from studying to working. The studies show that in the OECD country in an average ca ¼ of the foreign students (e.g. in Germany, the Netherlands, UK, Finland, Norway) stay working in the country where they studied. In Czech Republic, Australia and France up to one-third of foreign students stay working in the country after completing their studies. Considering these numbers, Estonia definitely has room for development.

## 1. INTRODUCTION

This study is the Estonian input to the European Migration Network's (EMN) study on "Immigration of International students to the EU".

The aim of this study is to provide an overview of the immigration policies that are being implemented by Estonia regarding international students, with a view to assisting policymakers and practitioners to achieve a balance between actively attracting international students into the European Union for the purposes of study, and preventing the misuse of international student routes to migration. The focus of the study will remain on migration behaviours rather than wider aspects of student behaviours. Therefore the focus is on the immigration of third-country nationals.

The study gives an overview to the following aspects of student migration: 1) measures to attract International Students, 2) procedures facilitating International Students' admission (entry and residence), 3) the right to be issued a residence permit vs. other national (additional) provisions on visas and residence permits, 4) access to labour market both during and following completion of studies, and 5) synergies with (EU) Programmes stimulating (intra-EU) mobility.

On the basis of national studies presented by all the EU Member states the EMN compiles a summarised report. The summarised report will be compiled and published by the end of 2012. The summarised report will contextualise national policies and practices within the overall EU policy framework, and explore the effects of EU policy and legislation on national policymaking and practice.

### **1.1. Methodology**

This report is prepared according to the specifications established for the EMN 2012 study "Immigration of International Students to the EU" (MIGRAPOL Doc 255). Methodologically this study is so called secondary study or desk research in which existing public information is used and no new studies or analyses have been carried out for preparing this overview. Thus, existing public studies, legal acts and overviews were used for preparing this paper.

Regarding practical experience the universities were contacted. Statistical data regarding international students in Estonian higher education institutions was received from the Estonian Education Info System (EHIS)<sup>1</sup> via Archimedes Foundation. Data on granted residence permits to international students was received from Estonian Police and Border Guard Board.

As the data from Police and Border Guard Board could only be issued from the year 2008, then this made the analysis of longer trends in the student migration difficult.

## 1.2 Definitions

As stated previously, for the purpose of this study, "*International student*" refers to "*a third-country national*"<sup>2</sup> arriving in the EU from a third country for the purposes of study."

The EMN glossary defines, in the context of migration, a third-country national 'student' as '*a third-country national accepted by an establishment of higher education and admitted to the territory of a Member State to pursue as his/her main activity a full-time course of study leading to a higher education qualification recognised by the Member State, including diplomas, certificates or doctoral degrees in an establishment of higher education, which may cover a preparatory course prior to such education according to its national legislation*', based on the definition of 'student' under Article 2 of Council Directive 2004/114/EC.

The national definition on "*international students*" in the Estonian Education Info System (EHIS) differs from the definition given in the EMN glossary. According to the EHIS data "*international student*" needs to apply to these three criteria: 1) his/her country of residence is not marked as "Estonia", "unknown" or left empty; 2) he/she does not hold a long-term residence permit; 3) he/she is not an Estonian citizen. Taking into account this definition, then EU citizens also count as "*international students*". So, when the reference to EHIS data is made then this data includes EU citizens if not stated otherwise.

---

<sup>1</sup> [www.ehis.ee](http://www.ehis.ee)

<sup>2</sup> Note that, in accordance with the EMN Glossary, a "*third-country national*" is "*any person who is not a citizen of the European Union within the meaning of Article 20(1) of the Treaty on the Functioning of the European Union and who is not a person enjoying the Union right to freedom of movement, as defined in Article 2(5) of the Schengen Borders Code.*" This definition means that nationals of Norway, Iceland, Liechtenstein and Switzerland are not considered to be third-country nationals.

This study only involves those international students who study on the higher education Level 5 and Level 6 as classified by the International Standard Classification of Education (ISCED)<sup>3</sup>. Level 5 (first stage of tertiary education) is defined as Bachelor and Master Degree level, with programmes having a cumulative theoretical duration of at least two years from the beginning of level 5. Level 6 (second stage of tertiary education) is defined as Doctorate Degree level (PhD) with this level typically requiring the submission of a thesis or dissertation of publishable quality which is the produce of original research and represents a significant contribution to knowledge.

Higher education on Level 5 and Level 6 is provided in Estonia only in:

*University*- an institution of higher education and research that has the right to grant academic degrees at the Bachelor's (*bakalaureus*), Master's (*magister*) and Doctoral (*doktor*) levels in several fields of study. Universities may also provide professional higher education programmes. Universities may be public or private.

*Professional higher education institutions*- provide first-cycle higher education programmes, but may also offer Master's level (*magister*) programmes and post-secondary vocational education programmes in the fields of their specialization.

The study will focus on international students on these higher education institutions on Level 5 and 6. Other Levels of studies are not included in the national study. Also, those international students studying in Level 6 and working as researchers are excluded from this study. They are considered to be "researchers"<sup>4</sup> and according to Estonian legislation they fall in the same category as labour migrants.

---

<sup>3</sup> Available at <http://www.uis.unesco.org/Library/Documents/isced97-en.pdf>

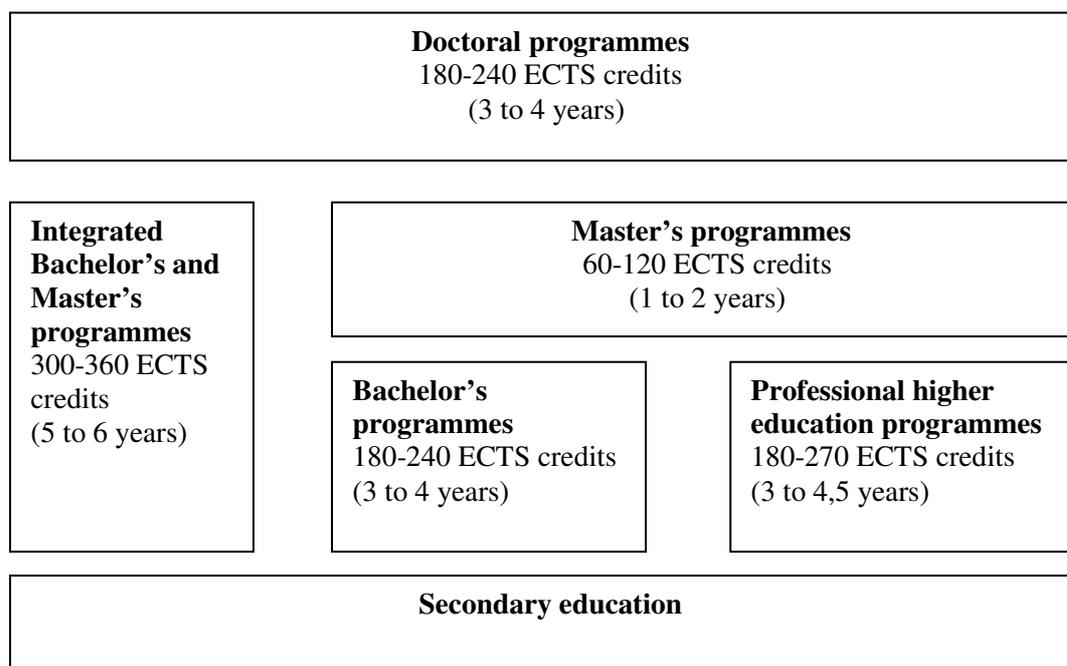
<sup>4</sup> Council Directive 2005/71/EC sets out a specific procedure for admitting third-country nationals for the purposes of scientific research. Article 2(d) defines a 'researcher' in this context as a third country national holding an appropriate higher education qualification, which gives access to doctoral programmes, who is selected by a research organisation for carrying out a research project for which the above qualification is normally required.

## 2. THE NATIONAL EDUCATION SYSTEM AND INTERNATIONAL STUDENTS

### 2.1. Structure of national education system

In Estonia, the higher education system is binary consisting of two branches – an academic branch (universities) and a professional higher education. Since the academic year 2002/2003 the academic branch has three levels. Bachelor-formal education last for 3 years and form the first cycle. Master-formal education last for 2 years and form the second cycle. The highest level of university education is doctoral studies (Chart 1). In the Estonian higher education system there are no intermediate qualifications. All higher education diplomas and degrees issued are final higher education qualifications.<sup>5</sup>

**Chart 1. Higher education system in Estonia.**



The requirement for access to higher education is secondary education, certified by Upper Secondary School Leaving Certificate or Certificate of Vocational Secondary Education the corresponding qualifications of earlier education systems, and foreign qualifications giving access

<sup>5</sup> Laidmets, M. Information on the Estonian higher education system. Appendix 4 to the Directive No. 1327 by the Minister of Education and Research dated 30 December 2009. Available at <http://www.hm.ee/index.php?148663>

to higher education. The upper Secondary School Leaving Certificate is issued after 12 years of schooling (9 years of basic education and 3 years of general upper secondary education). The higher education institution may introduce specific admission requirements, such as entrance examinations, national examination minimum scores, interviews, etc.<sup>6</sup>

According to EHS data there are 28 higher education institutions in Estonia that provide education in the Level 5 and Level 6. Estonia has seven universities, out of which six are government-funded, or public universities, and one private university. In addition in total 21 professional higher education institutions, 10 of which are government-funded and 11 privately funded.

All recognised state and public higher education institutions have the right to award the state sample of diplomas of a certain format and content. Private higher education institutions have the right to award the state diploma only to the graduates who have completed an accredited study program. All Estonian higher education institutions and their study programmes are recognised by the state after quality assessment and accreditation. Recognition by the Republic of Estonia is the basic requirement for the recognition of studies in the student's home country. All internationally offered degree programmes in Estonian universities are accredited.<sup>7</sup> International students may be granted a residence permit for studies only to the accredited degree programmes.

Starting from the academic year 2009-2010 Estonian higher education institutions transitioned to the ECTS (*European Credit Transfer and Accumulation System*) credit point system. One ECTS credit corresponds to 26 hours of work. The workload of one academic year is 1560 hours or 60 ECTS credits. In the credit system valid until the 2009/2010 academic year, one credit (*ainepunkt*, AP) corresponds to a workload of one week or 40 hours. The workload of one academic year is 40 AP that corresponds to 60 ECTS credits. According to the Universities Act, both systems were in use until 31.08.2008.

---

<sup>6</sup> Laidmets, M. Information on the Estonian higher education system. Appendix 4 to the Directive No. 1327 by the Minister of Education and Research dated 30 December 2009. Available at <http://www.hm.ee/index.php?148663>

<sup>7</sup> Laidmets, M. Information on the Estonian higher education system. Appendix 4 to the Directive No. 1327 by the Minister of Education and Research dated 30 December 2009. Available at <http://www.hm.ee/index.php?148663>

## 2.2. National policy framework regarding International Students

Estonian education policy is developed by the Ministry of Education and Research, which is also responsible for its realisation<sup>8</sup>. The conditions for arrival in Estonia, temporary stay, employment and living in Estonia of third country nationals, including students, are developed by the Ministry of the Interior<sup>9</sup>. These two ministries have the greatest impact on attracting and arrival of third country students to Estonia.

The Police and Border Guard Board is responsible for issuing residence permits to third country students<sup>10</sup>. In order to develop international cooperation in the field of education and research, the state has established a separate foundation – Archimedes Foundation<sup>11</sup>. Archimedes Foundation collects and manages the funds for developing Estonian education and research system. The structure of the Archimedes Foundation also includes the ENIC/NARIC Centre (Academic Recognition Information Centre)<sup>12</sup> that is involved in assessing foreign diplomas, certificates and degrees, providing consultations on recognition and providing information in the field of higher education.

The general legal bases for higher education are: Education Act of the Republic of Estonia<sup>13</sup>, Universities Act<sup>14</sup>, Institutions of Professional Higher Education Act<sup>15</sup>, Private Schools Act<sup>16</sup>, University of Tartu Act<sup>17</sup> and Standard of Higher Education<sup>18</sup>. Arrival, stay and employment in Estonia of foreign students are regulated with the Aliens Act.

In addition to the legal acts, several strategy documents have been developed to deal with, among other issues, activities and aims for attracting foreign students to Estonia. The current development trends of Estonian higher education are set forth in the Estonian Higher Education Strategy 2006-

---

<sup>8</sup> [www.hm.ee](http://www.hm.ee)

<sup>9</sup> [www.siseministeerium.ee](http://www.siseministeerium.ee)

<sup>10</sup> [www.politsei.ee](http://www.politsei.ee)

<sup>11</sup> [www.archimedes.ee](http://www.archimedes.ee)

<sup>12</sup> [www2.archimedes.ee/enic/](http://www2.archimedes.ee/enic/)

<sup>13</sup> RT 1992, 12, 192

<sup>14</sup> RT I 1995, 12, 119

<sup>15</sup> RT I 1998, 61, 980

<sup>16</sup> RT I 1998, 57, 859

<sup>17</sup> RT I 1995, 23, 333

<sup>18</sup> RT I 2008, 57, 322

2015<sup>19</sup>. The development trends approved by the Parliament serve as guidelines for the activities of the Government of the Republic, ministries, higher education institutions and student organisations. Due to the fact that internationalisation of Estonian higher education is one of the important activity aims, the Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015 was developed as a sub-document of the Estonian Higher Education Strategy<sup>20</sup>. This document outlines the main activities aimed at improving the position of Estonian higher education in the international higher education dimension and making the Estonian higher education system more open and visible. Among other things, the document sets forth: "...a favourable study environment will be created for welcoming talented and motivated international students. In order to ensure equal treatment for the acceptance of students, equal requirements are applied for comparing and checking the knowledge of all foreign and local students applying for studying under the curricula of the first level of higher education. The language skills of those applying to study under the foreign-language curricula will be tested according to the internationally recognised tests, for the results of which the national minimums are established. The state conducts regular supervision in order to check the earlier qualifications of the accepted foreign students."

Furthermore, the document sets forth that special attention is paid to including international students to Doctoral formal education, but also to Master's and applied higher education studies in areas that are important for Estonia and internationally competitive. In order to simplify foreign Doctoral students' coming to Estonia, the number of the Doctoral student places financed within the framework of the state-commissioned education will be increased with the consideration that by the year 2015 the number of those who defend their Doctoral degree would increase to 300 in a year. The state-commissioned education student places and supports will be opened for aliens under equal grounds to residents of Estonia, among other issues, the system of social securities and supports will be reviewed by following the principle of equal treatment of foreign Doctoral students.<sup>21</sup>

Among other issues, the Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015 sets forth the aims concerning the number of international students by the year 2015:

---

<sup>19</sup> RT I 2006, 52, 386

<sup>20</sup> Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015. Approved with the Directive No. 16 by the Minister of Education and Research dated 9 January 2007. Available at [www.hm.ee](http://www.hm.ee)

<sup>21</sup> Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015. Approved with the Directive No. 16 by the Minister of Education and Research dated 9 January 2007. Available at [www.hm.ee](http://www.hm.ee)

2,000 foreign students in formal education, with the emphasis on Master's and applied higher education studies. Furthermore, the document sets forth the aim of 2,000 exchange students by the year 2015 and at least 10% of the Doctoral graduates being foreign students.

The document also refers to the main problem concerning accepting international students in Estonia. The document states that the current citizenship and migration policy of Estonia does not sufficiently support attracting foreign students and lecturers to study and work at the local higher education institutions and there is a desire to involve more aliens to the studies, it is important find opportunities for simplifying the rules for their stay in Estonia<sup>22</sup>.

In addition to the abovementioned strategy documents providing for activities for attracting international students to Estonia, all universities accepting international students have joined the Agreement on Good Practices for the Internationalisation of the Higher Education Institutions<sup>23</sup>. It is an agreement initiated by the Estonian Council of Rectors in 2007 and by today it joins 20 higher education institutions. The agreement provides for obligations and tasks that the parties undertake and the observance of which they confirm. Among other issues, this agreement establishes the minimum criteria for international curriculum that must be accredited and taught fully in English. The agreement also establishes the obligations of the schools regarding introducing study opportunities, academic and language requirements for foreign students upon starting their studies at higher education institutions and obligations of the higher education institutions regarding foreign students.

### 3. LEGAL AND PRACTICAL CONDITIONS AT NATIONAL LEVEL THAT APPLY TO INTERNATIONAL STUDENTS

#### **3.1. Measures to encourage third-country nationals to pursue study opportunities in Estonia**

---

<sup>22</sup> Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015. Approved with the Directive No. 16 by the Minister of Education and Research dated 9 January 2007. Available at [www.hm.ee](http://www.hm.ee)

<sup>23</sup> Agreement on Good Practices for the Internationalisation of the Higher Education Institutions. Available at [http://www.ern.ee/index.php?option=com\\_content&task=view&id=33&Itemid=48](http://www.ern.ee/index.php?option=com_content&task=view&id=33&Itemid=48)

Due to the fact that the number of students entering Estonian higher education institutions will be decreasing during the coming years, by ca 14% by the year 2017, the higher education institutions have actively taken measures for finding new students from foreign countries. Recruiting students from abroad is an important part of the foreign marketing of Estonian higher education. There are very few higher education institutions that offer international study programs, therefore the marketing of Estonian universities has been gathered into one place –Archimedes Foundation.

Since spring 2008, Archimedes Foundation is coordinating the joint foreign marketing activities of the higher education institutions offering international formal studies under the name Study in Estonia. These higher education institutions are jointly participating in the fairs of the area, issue introducing materials, organise information and promotional events, and they have also created a webpage [www.studyinestonia.ee](http://www.studyinestonia.ee) as well as accounts in larger social media channels (Facebook, Twitter, Youtube). The higher education marketing concept and corporate visual identity were also established in 2010.<sup>24</sup>

The Study in Estonia project involves all Estonian higher education institutions that teach at least one full curriculum in English (Bachelor, Master and Doctoral) that is internationally recognised. Currently there are foreign students studying according to the curricula of seven universities: Estonian Academy of Arts, Estonian University of Life Sciences, Estonian Academy of Music and Theatre, Estonian Business School, Tallinn University of Technology, Tallinn University, University of Tartu.

The state has also supported advertising Estonia as a target country for higher education studies in selected foreign countries. Due to the limited availability of consular services, a list of countries where information activities are worthwhile has been established. In 2008, the target markets for the marketing activities of Estonian higher education were agreed on. The countries the fairs of which will constantly be visited and where information days will be regularly organised are Finland, Turkey, China, Latvia, Lithuania, Russia, Ukraine, Georgia, Germany and the USA<sup>25</sup>. This year, India is tested as a new market.

---

<sup>24</sup> Lugus, M. Foreign Students of Formal Education in Estonian Higher Education Institutions 2005-2011. SA Archimedes.

<sup>25</sup> Beerkens, M., Kaarna, R., Kirss, L., Tamtik, M. Interim Assessment of the Higher Education Internationalisation Strategy. Final Report Praxis Centre for Policy Studies. Tartu 2011. Available at [http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH\\_RVstrateegia\\_vahehindamine\\_lopparuanne.pdf](http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH_RVstrateegia_vahehindamine_lopparuanne.pdf)

Estonia has supported creating Master's programmes in foreign languages (so-called Cool Curricula), which are aimed directly for international marketing. Within the framework of the Cool Curricula, 7 Master's programmes were created for foreign students, studies of which are supported by the Estonian state. These curricula teach 114 foreign students (Annex 1, Table 1). Additionally, Estonia supports foreign students studying in Estonia for their Master's and Doctoral degree from the DoRa program (see Section 4.2).

## **3.2. Admission**

### **3.2.1. Admission to higher education institutions**

Although admission to the formal studies of higher education institutions is administrated by each higher education institution, the Agreement on Good Practices of the internationalisation of higher education institutions sets forth the minimum requirements that the schools must follow upon admission of foreign students. These requirements are:

- equal admission conditions for all student candidates, regardless of their country of origin;
- admission of foreign students only to the curricula approved and fully accredited by the Ministry of Education and Research of the Republic of Estonia. In the case of new curricula or shorter courses, other recognised measures for ensuring quality will be used;
- availability of information in English regarding the admission criteria and procedure, selection criteria, study and research work organisation as well as prices on paid studies;
- compliance with the required level of education of the international students admitted to the higher education institution;
- compliant assessment of the documents verifying the previous education level and passing of a study period in a foreign country of international students in cooperation with the Estonian ENIC/NARIC Centre;
- establishing the minimum language skill level in the admission conditions for international students, depending on the specifics of the subject field, which would allow the students full participation in studies;
- full use of the European Credit Transfer and Accumulation System (ECTS) upon calculating participation in studies.

Thus, the foreign students who wish to study at an Estonian higher education institution are treated under the same conditions as the local students. Upon applying to a university, the general admission conditions are usually equal to everyone and depending on the choice of the subject; the university may establish additional requirements for admission. The general conditions are binding for all universities. No admission conditions are foreseen for exchange students, except those established in bilateral contracts with partner universities.

All students applying for studying at Estonian universities must have the respective qualification from their home country that gives the basis for studying at higher education level. Compliance and existence of the respective qualification is assessed by the Estonian ENIC/NARIC Centre. Additionally, the student candidates must verify that their level of proficiency of the study language meets the level required by the higher education institution. For that purpose, all internationally recognised language tests (TOFEL, IELTS) are accepted and if necessary, the higher education institutions carry out their own tests. The universities may also carry out specialised tests, interviews, essays etc.

### **3.2.2. International students in numbers**

The number of foreign students admitted to formal studies of Estonian higher education institutions has constantly increased, during the years 2006-2011 up to 62%. When in 2006, 229 international students were admitted to Estonian higher education institutions (according to the data of the EHIS), then in 2011 this number was already 617 (Table 1). The most significant increase during the years 2006-2011 has been seen in the admission to Master's (+83%) and Doctoral studies (+63%). Admission of foreign students has also increased on the first level of higher education – in Bachelor studies by 50% and applied higher education studies by 40%.

**Table 1. Foreign students admitted to formal studies of Estonian higher education institutions**

	<b>2006</b>	<b>2007</b>	<b>20 108</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Admissions total:</b>	<b>229</b>	<b>258</b>	<b>295</b>	<b>340</b>	<b>457</b>	<b>617</b>

<b>Increase (%)</b>		13%	14%	15%	34%	35%
<b>Level I: applied HE</b>	12	9	9	10	4	20
<b>Bachelor's</b>	147	124	127	107	171	296
<b>Level II: Master's</b>	36	63	102	143	189	210
<b>Integrated</b>	16	39	36	42	47	42
<b>Level III: PhD</b>	18	23	21	38	46	49

*Source: EHIS*

More than half of the foreign students started to study sociology, business management and law – the so-called soft subjects (Table 2). Other popular subjects included humanities and arts. However, the number of foreign students who study sciences and technology, production and construction is on the rise.

**Table 2. Admission to formal studies (by study areas)**

<b>ADMISSIONS</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Education</b>		2	2	4	1	2
<b>Humanities and arts</b>	42	37	69	78	89	108
<b>Natural Sciences</b>	10	14	12	39	51	53
<b>Agriculture</b>	1	23	21	30	26	27
<b>Sociology, business, law</b>	155	158	162	154	232	358
<b>Services</b>	4	1	4	6	3	3
<b>Technology, production, building</b>	1	5	8	14	31	49
<b>Health and wellbeing</b>	16	18	17	15	24	17
<b>TOTAL</b>	229	258	295	340	457	617

*Source: EHIS*

The majority of foreign students accepted to the higher education institutions are from Finland. For example in 2011, Finnish students formed 43% of all international students studying at the higher education institutions and their number has grown each year. The international students from third countries come mainly from Russia, China, Turkey, Georgia, the USA, Ukraine and India. For example, in 2011, the second largest group of international students after Finns was Russians – 45 students from Russia were admitted to Estonian universities. Additionally, there were 30

international students from China, 26 from Georgia, 23 from Turkey, 16 from Ukraine, 15 from the USA, 10 from Iran and 9 from India (Table 3).

**Table 3. Students admitted for formal studies (by country of origin)**

ADMISSIONS	2006	2007	2008	2009	2010	2011
<b>Finland</b>	119	125	104	124	177	265
<b>Russia</b>	24	19	19	30	32	45
<b>Latvia</b>	18	23	23	21	35	37
<b>China</b>	12	18	44	22	28	30
<b>Turkey</b>	1		2	11	14	23
<b>Georgia</b>		3	8	9	16	26
<b>USA</b>	4	8	8	7	12	15
<b>Germany</b>	2	7	3	7	10	9
<b>Lithuania</b>	4	1	12	5	5	8
<b>Ukraine</b>	2	3	4	8	8	16
<b>Italy</b>		4	6	9	4	10
<b>India</b>	1	3	2	4	7	9
<b>Iran</b>						10
<b>Others</b>	42	44	60	83	109	114
<b>TOTAL</b>	<b>229</b>	<b>258</b>	<b>295</b>	<b>340</b>	<b>457</b>	<b>617</b>

*Source: EHIS*

### 3.2.3. Tuition fee

Both public and private institutions gain income for their teaching activities from student tuition fees. There is a dual track tuition system in Estonia. The students who score above a certain cut off point on the entrance examinations are admitted to state funded places at public higher educational institutions. In general the Ministry of Education and Research sets the number of state commissioned places at higher educational institutions according to predicted needs in the labour market. Those students who are admitted beyond this quota have to pay tuition. Citizens of EU member states are eligible to apply for the state-commissioned places on undergraduate and graduate level together with the applicants possessing a diploma from an Estonian educational

institution to the programmes taught in Estonian language. A number of state-commissioned places are available for all the doctoral students. Thus, most third-country nationals have to pay for their studies.

The council of the university establishes the rate of tuition fee for each academic year, but cannot exceed an increase of 10% from one academic year to the next<sup>26</sup>. In the case of professional higher educational institutions, the rate for the reimbursement of study costs by students comprises at least 75% of the government expenditure per student in the corresponding study program. Private higher educational institutions themselves set the amount of tuition they charge the students. Unless the contract between the private institution and the student stipulates otherwise, the amount of tuition at private higher educational institutions may be increased by up to 10% between two academic years<sup>27</sup>. Private university-type higher educational institutions are financed by their own means. Yet, the state may participate in financing certain study programs if there is a public demand for the qualifications that this institution provides.

Tuition fees in different universities can vary considerably depending on the level of studies and the speciality in question. Registration fees or any other service fees related to commencement or finalisation of studies are also applicable for tuition fee paying students. In 2011, tuition fees varied from 1023 EUR to 7350 EUR per year<sup>28</sup>. In comparison the average tuition fee in 2006 was around 1530 euros and the maximum around 6100 euros per year. So, the tuition fee has not risen considerably over the five years (max. +17%). As the number of admissions has risen, there is no evidence that the increase of the tuition fees has negatively influenced the number of international students applying to Estonian universities, quite the contrary.

Master programmes usually are more expensive, depending on the study program and university. Some of the more expensive specialities are medicine, law, business administration and social sciences. Some higher education institutions may differentiate tuition fees for students from the EU and from outside the EU. For example in Estonian Business School the tuition fee for non-EU citizens is usually twice as high as for EU citizens.

---

<sup>26</sup> Ülikooliseadus § 13<sup>3</sup> lg 1, RT I 1995, 12, 119

<sup>27</sup> Erakooliseadus § 22 lg 6, RT I 1998, 57, 859

<sup>28</sup> Study in Estonia, Admission, [www.studyinestonia.ee](http://www.studyinestonia.ee)

Exchange students are exempt from tuition fees and are entitled to a small grant if stipulated in the agreement.

According to the data received from EHIS more than 90% of the international students who were admitted to the BA level are self-financing their studies. In MA level this percentage is more than 80, except for the year 2011, when 59% of students self-financed their studies. Also, in PhD studies most students pay for their studies themselves (Table 4).

**Table 4. Admission of international students to government financed and self-financed places**

	Admission BACHELOR'S		Admission MASTER'S		Admission PHD	
	gov.financed	self-financed	gov.financed	self-financed	gov.financed	self-financed
<b>2006</b>	5	122	8	28	7	11
<b>2007</b>	5	119	5	58	10	13
<b>2008</b>	12	115	18	84	5	16
<b>2009</b>	12	95	24	119	7	31
<b>2010</b>	15	156	35	154	24	22
<b>2011</b>	17	279	87	123	11	38

*Source: EHIS*

According to the legislation<sup>29</sup> on study loans third-country nationals who reside temporarily in Estonia for the purpose of study, do not have the right to apply for a study loan to finance their studies. However, third-country national students holding a temporary residence permit in Estonia may apply for study allowances on the same conditions as other students (see point 3.6.1).

### **3.3. The process for the issuance of visas (short or long stay) and/or residence permits for third-country nationals for study purpose**

Third country nationals, who wish to come to study in Estonia, must have a basis for entering and staying in the country. This basis may be a visa that gives the right to stay in the country for up to

<sup>29</sup> Study Allowances and Study Loans Act § 15, RT I 2003, 58, 387

six months a year (D visa) or up to 90 days (C visa) during six months. A residence permit must be applied for a longer stay.

Depending on the duration of the studies, the international students stay in Estonia either on the basis of a visa or residence permit. Estonia does not issue a special student visa as do some other EU Member States and thus the international student has to meet the general conditions for applying the visa.

The visa as well as the temporary residence permit must be applied for from a foreign country, at the Estonian foreign representation where the student has to appear personally. Due to the very low number of Estonian foreign representations in third countries, this requirement is definitely a factor hindering student migration. In order to alleviate the obstacles arising from the lack of Estonian foreign representations and to facilitate student immigration, an exception has been made for those who wish to start studying at the Master's or Doctoral level degrees. They are allowed to submit an application for temporary residence permit in the country, directly to the Police and Border Guard Board if they are staying legally in Estonia. These citizens of third countries who have the long-term resident's residence permit of another EU Member State who wish to start studying in Estonia are also allowed to submit application for the residence permit in the country.

The conditions for obtaining a residence permit are established in the Aliens Act and the list of the required documents is set forth in section 12 of the Government of the Republic Regulation "The Procedure for Application for, Granting, Extension and Declaration of Invalidity or a Temporary Residence Permit and Work Permit, and Application for, Granting, Restoration and Declaration of Invalidity of Long-Term Residents Residence Permit and Establishing the Forms For Temporary Residence Permit, Long-Term Residents Residence Permit And Work Permit"<sup>30</sup>.

The following conditions must be met to obtain a temporary residence permit for studying:

1. Pursuant to the Aliens Act, a temporary residence permit for study may be issued for study in a **state-recognised** vocational education institution, institution of applied higher

---

<sup>30</sup> Government of the Republic Regulation No. 88 dated 30.06.2010 "The Procedure for Application for, Granting, Extension and Declaration of Invalidity or a Temporary Residence Permit and Work Permit, and Application for, Granting, Restoration and Declaration of Invalidity of Long-Term Resident's Residence Permit and Establishing the Forms For Temporary Residence Permit, Long-Term Residen's Residence Permit And Work Permit". [RT I 2010, 48, 293](#)

education, university or for participation in traineeship intermediated by a state-recognised institution of vocational education institution or applied higher education institution or university or an international student organisation. All educational institutions recognised by the state are entered into the Estonian Education Information System (EHIS)<sup>31</sup>. No residence permit is issued for just studying the language at a language school, but higher education institutions are organising language courses during preparatory courses for international students.

2. The higher education institution is also obliged to submit to the Police and Border Guard Board **a certificate verifying that the alien will start his or her studies** and which indicates the name of the curriculum, course or practical training and its expected duration as well as data on the living conditions of the student in Estonia (data on if the education institution guarantees housing for the student).
  
3. One of the conditions for obtaining the residence permit is also the **requirement of proficiency in the study language**. Pursuant to Section 168 of the Aliens Act, a temporary residence permit for study may be issued if the purpose of the stay of an alien in the state is study according to the curriculum of a higher education and his or her proficiency in the language of instruction is sufficient. The language proficiency of a foreign student is checked by the educational institution. Generally the higher education institutions use internationally recognised tests (e.g. TOEFL, IELTS) to check language proficiency. Some universities carry out additional language tests/interviews in order to ensure that the language skills of the foreign student are sufficient. The proficiency in the language of instruction of an alien is considered to be sufficient if it corresponds to the minimum requirements set by the educational institution for language of instruction or if an alien commences in-depth studies in the national language. The council of each higher education institution is obliged to establish the minimum requirements for the level of the study language in their student admission conditions and procedures in order to assess the sufficiency of the study language skills of the alien. The Explanatory Memorandum of the Higher Education Standard notes that in order to start studies in a higher education institution language proficiency of at least level B2 is recommended<sup>32</sup>.

---

<sup>31</sup> [www.ehis.ee/](http://www.ehis.ee/)

<sup>32</sup> Explanatory Memorandum to the Higher Education Standard. Available at <http://www.hm.ee/index.php?03221>

The international students that start studying in a program where the study language is their mother tongue or who have completed their previous studies in the respective language are not required to present proof on proficiency in the study language.

4. The applicant for the residence permit must verify that the **permanent legal income** of the applicant or his or her family member during the period (six months) prior to the residence permit application is in the amount that ensures his or her subsistence in Estonia. For the students the income rate is established as the twelve-time rate of the subsistence level established in the Social Welfare Act<sup>33</sup> in total during the six months prior to the submission of the residence permit application, depending on the size of the family<sup>34</sup>. At the moment of preparing this study, rate of the subsistence level was established at 76.70 euros per person per month. Thus a student coming to study in Estonia had to verify the income of last six months at the level of at least 920.40 euros per month. This is the minimum sum that should ensure the student's subsistence in Estonia. This is to ensure that he or she can focus only on the studies and does not need to work additionally. Furthermore, this should prevent the student from becoming a subject of social welfare.
  
5. An alien must have an **insurance contract** that ensures payment of his or her medical expenses arising from illness or injury to the same extent as the persons covered with health insurance, during the period of validity of the residence permit applied for. If the required insurance contract cannot be concluded before the receipt of the residence permit, the alien must submit a written confirmation that he or she will conclude the necessary insurance contract no later than during 2 months after settling in Estonia or submit an insurance contract that covers the medical expenses of the person until the conclusion of the required contract (e.g. travel insurance contract).

If all the above-mentioned conditions are met, the Police and Border Guard Board will issue the temporary residence permit for studying for up to one year, but not longer than the expected duration of the studies. The residence permit is extended for up to one year at a time. The decision on granting or refusal to grant the residence permit is made by the Police and Border Guard Board

---

<sup>33</sup>Social Welfare Act, RT I 1995, 21, 323

<sup>34</sup>Government of the Republic Regulation No. 82 dated 17.06.2010 „Establishing the Rates of Legal Income“ § 1 (3), RT I 2010, 45, 267

during two months from the receipt of the application. No expedited procedure is foreseen for the students, but if necessary, each applicant may request that his or her application would be reviewed faster (e.g. if little time remains until the beginning of the studies).

In the case of a positive decision the Police and Border Guard board issues the alien a residence permit card that proves that he or she has the residence permit. If the temporary residence permit for studying was applied for in a foreign representation, the alien can obtain the residence permit card from the Estonian foreign representation indicated by him or her on the application. The residence permit card will arrive at the Estonian foreign representation in an average during two to three weeks from the making of the decision. This card will prove that the alien has a legal basis to stay in Estonia and is the basis for the alien's entry into the country.

All of the information necessary for applying for the residence permit for studies is public and available at the homepage of the Police and Border Guard Board, at the foreign representations and universities. Due to the fact that the number of foreign students in Estonia is not very high, the universities are able to cooperate with students as well as the Police and Border Guard Board during the application process. Furthermore, the Archimedes Foundation has created the webpage "Study in Estonia" ([www.studyinestonia.ee](http://www.studyinestonia.ee)), where all the necessary information to come to study in Estonia is available.

### **3.3.1. Refusals of granting a residence permit for studies**

Sections 123 and 124 of the Aliens Act foresee the bases for refusal to grant temporary residence permit. During the years 2006-2011 there have been eight cases of refusals to grant temporary residence permit for studies (Table 5). In seven cases the Police and Border Guard Board has refused to grant the residence permit due to the fact that the applicant does not meet the conditions for granting temporary residence permit (Aliens Act 123(2)) and one refusal was due to the fact that there was reason to believe that the actual purpose of the alien's arrival in Estonia does not meet the alleged purpose (Aliens Act 124 (1) (7)).

These are very marginal numbers that do not give grounds to claim that education migration is used for concealed purposes of entering Estonia or the Schengen area.

**Table 5. Refusals of residence permits for studies by the basis during the years 2006-2011**

Basis for refusal	2006	2007	2008	2009	2010	2011
does not meet the conditions (Aliens Act § 123(2); Aliens Act § 12(9) 2)	1	2	3			1
does not meet the alleged purpose (Aliens Act § 124 (1) 7)						1

*Source: Police and Border Guard Board*

### 3.4. Stay of International Students

Pursuant to section 170 of the Aliens Act, a residence permit for study may be issued to an alien for a period of up to one year but not longer than the estimated duration of the studies. The temporary residence permit for study may be extended by one year at a time if an alien continues his or her studies in an Estonian higher education institution. The temporary residence permit for studying is extended for up to one year at a time. Upon extending the residence permit for studying, the requirements for granting the first temporary residence permit must still be met. Thus, upon extending the residence permit, the student and the university must submit the same data as upon the first application for the residence permit (see section 3.3). In order to extend the residence permit, the student is not required to leave the country if he or she submits the application for residence permit during the validity of the existing residence permit. On the contrary case, the foreign student is required to leave the country and apply a new first residence permit from the Estonian foreign representation abroad. This requirement is not applicable for students of Master's and Doctoral studies who are staying in the country legally (e.g. on the basis of a visa or a visa-free period is applicable for them) or holders of the long-term residence permit of another EU Member State.

The education institution for the studying in which the alien was granted the temporary residence permit, shall have the obligations of a sponsor. This means that the education institution is obliged to check that the alien who was invited to Estonia by them would have the legal basis for stay in Estonia, ensure his or her housing and cover the costs of the alien's stay in and departure from Estonia if his or her stay becomes irregular<sup>35</sup>.

---

<sup>35</sup> Aliens Act § 291, RT I 2010, 3, 4

Pursuant to the data of the EHIS, there were in total 1,573 international students studying for formal education in Estonian higher education institutions in 2011 (Table 6). This is 2.3% of all students. Approximately 37% of the international students are from third countries, mainly Russia (123), China (75), Turkey (43), Georgia (50), the USA (28), Ukraine (31), India (16) and Iran (18).

The number of international students has increased by approximately 43% during the last six years. The increase is evident among students from the EU as well as third countries. The number of international students from Finland has grown from 427 students to 709 students. The number of foreign students from Russia and the USA has doubled. Significant increase can also be observed among the students from Turkey and Georgia – from a couple of students in 2006/2007 to, respectively, 43 and 50 students in 2011.

**Table 6. International students studying in Estonia by nationalities**

	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>
<b>Studying</b>	901	885	908	1072	1282	1573
<b>Increase (%)</b>		-2%	3%	18%	20%	23%
<b>Finland</b>	427	484	487	504	570	709
<b>Russia</b>	67	40	44	98	108	127
<b>Latvia</b>	136	141	109	92	103	103
<b>China</b>	90	51	51	60	70	75
<b>Turkey</b>	2	1	4	16	28	43
<b>Georgia</b>		3	8	14	27	50
<b>USA</b>	12	15	16	20	26	28
<b>Germany</b>	11	13	13	18	25	28
<b>Lithuania</b>	32	30	25	23	25	20
<b>Ukraine</b>	11	8	9	19	23	31
<b>Italy</b>	5	7	12	18	21	21
<b>India</b>	16	6	5	9	11	16
<b>Iran</b>						18
<b>Others</b>	92	86	125	181	245	304

*Source: EHIS*

### **3.4.1. What effect does failing a course have on international students' entry and residence permission?**

The representatives of the universities interviewed for this study confirmed that generally there are no problems with the academic advances of the international students. There are some international students that fail to complete their studies, but these are rather exceptional cases.

In such case, section 173 of the Aliens Act provides that a temporary residence permit for study shall be annulled if an alien has terminated his or her studies or has failed to perform to a significant extent an obligation arising from Aliens Act or any other legislation (e.g. there is no health insurance, residence etc). Additionally, according to the Aliens Act,<sup>36</sup> the state has obliged the educational institutions to notify the Police and Border Guard Board of a failure of an alien who has received a temporary residence permit for study to commence the studies within the prescribed term, of the exmatriculation from the educational institution, of the discontinuation or disruption of studies. The educational institutions are obliged to notify the Police and Border Guard Board of the listed circumstances within one week from the occurrence of the event. This will be used as a basis by the Police and Border Guard Board to initiate the proceedings for declaring the residence permit invalid.

Failure to perform the notification obligation is punishable by the law with a fine of up to 300 fine units or for a legal entity – 3,200 euros.

The student is also obliged to notify the Police and Border Guard Board of the changes in the circumstance forming the basis for granting the residence permit.

During the years 2010-2011, the Police and Border Guard Board declared ten temporary residence permits for studying invalid due to the fact that the studies were discontinued or the student had failed to perform his or her study obligations (Aliens Act § 173) (Table 7). In 2011, eight residence permits were declared invalid, which is 2% of the total number of residence permits issued for studying in this year. In 2010, two residence permits were declared invalid and this was 0.5% of the

---

<sup>36</sup> Aliens Act § 287, RT I 2010, 3, 4

residence permits issued for studying in this year. These numbers and percentages are rather low, confirming the claims of the universities that this problem is rather marginal.

**Table 7. Declaration of invalidity of residence permits for studying**

basis/year	2006	2007	2008	2009	2010	2011
Alien has no insurance contract (AA § 135 (1) (3))					1	1
On the basis of personal application of the alien (AA § 14 (2) (2))	3	1	2	1	1	
There is a basis for refusal to grant the residence permit or extend the residence permit for the alien (AA § 135 (2) (2))					3	
Obtaining the permanent or new temporary residence permit (AA §14 (1'))	10	17	35	37	41	11
Obtaining Estonian citizenship (AA § 14 (1) (2))		1	1	1	1	
Studies discontinued/obligation not fulfilled (AA § 173 )					2	8
Receiving the long-term resident residence permit/temporary residence permit (AA § 134 (4))						23
Term of validity has expired (AA § 14 (1) (1))	1	2	9	3		
The basis or reason for granting the residence permit for settling with spouse has lapsed (AA § 12 <sup>1</sup> (8) (1))	1	1				
The basis or reason for granting the residence permit for settling with a close relative has lapsed (AA § 12 <sup>3</sup> (6) (1))		1				
The basis has lapsed (AA § 12 <sup>2</sup> (2))		1	3			
General basis (AA § 14 (2) (1))			9	22		
Incorrectly formalised permit			1			
Residence permits declared invalid by the system due to expiry of the residence permit	361	419	393	487	574	590
<b>Total</b>	<b>376</b>	<b>443</b>	<b>453</b>	<b>551</b>	<b>623</b>	<b>633</b>

Source: Police and Border Guard Board

### 3.5. International students' right to work and social guarantees

International students have the right to work in Estonia. Within the meaning of the Aliens Act, working is any kind of activity in Estonia on the basis of an employment contract or any other

contract, also any other activity for the benefit of another person in the case of which income or receiving other monetary benefits can be presumed, regardless of the type or form of the contract or the location or residence of the other party to the contract<sup>37</sup>. Relying on this definition of work, work is not operating as a sole proprietor. International students who wish to operate as sole proprietors must change the basis of their residence permit and apply for a residence permit for employment, for which one needs to have 16,000 euros as start-up capital.

For employment, an international student is required to apply for a work permit, except if he or she is working for the purposes of practical training intermediated by the educational institution<sup>38</sup>. The work permit may be applied for simultaneously with the temporary residence permit, by submitting the respective application at an Estonian foreign representation (presuming that the place of employment already exists). If one already holds a temporary residence permit, the work permit can be applied for at the Police and Border Guard Board and for that purpose the student does not have to leave the country. A requirement set for the granting of work permit for students is that the students may work only during the time that is not study time and working must not interfere with studying. In verification of that, the applicant for the work permit must submit a confirmation of the educational institution, indicating information regarding the time and volume of auditive and practical studies arising from the organisation of studies. Furthermore, information must be submitted on the place of employment (data of the employer, registry code/Estonian personal identification code, area of activity of the employer, address, telephone, fax and e-mail address of the employer), data on the employment contract (type of contract, volume of work time of the alien per month, expected time of starting work and expiry of contract, position, salary) and the written reasoning of the applicant regarding the necessity of working and description of work<sup>39</sup>. On the basis of these data the Police and Border Guard Board will make a decision on granting the work permit or refusal to grant the work permit within one month from the submission of the application. The work permit is issued to the students until the expiry of the residence permit. It can be extended if the residence permit of the alien is extended and the alien continues work.

---

<sup>37</sup> Aliens Act § 8, RT I 2010, 3, 4

<sup>38</sup> Aliens Act § 175, RT I 2010, 3, 4

<sup>39</sup> Government of the Republic Regulation No. 88 dated 30.06.2010 "The Procedure for Application for, Granting, Extension and Declaration of Invalidity or a Temporary Residence Permit and Work Permit, and Application for, Granting, Restoration and Declaration of Invalidity of Long-Term Resident's Residence Permit and Establishing the Forms For Temporary Residence Permit, Long-Term Resident's Residence Permit And Work Permit". § 43, RT I 2010, 48, 293

Upon working, the same rights and obligations apply to the international student as to the citizens and residents of Estonia. Due to the fact that the employer is obliged to pay social tax to the state from the salary of the student, the international student who works will also have Estonian health insurance. Unlike those aliens who come to Estonia for work purpose, the international students working on the basis of a work permit can change their employer or other conditions of employment without having to apply for a new work permit.

Since 1 January 2012, the Doctoral candidates have the same status as paid research employees. This means that the authorised person of the research and development institution that matriculated the Doctoral candidate shall conclude a temporary employment contract, without a competition, for employment as junior research fellow with a Doctoral candidate studying at a student place formed on the basis of the state commission and who has passed attestation according to the conditions and procedure or the council of the university, or with the first year Doctoral candidate studying at a student place formed on the basis of the state commission, if so requested by the Doctoral candidate. The employment contract is concluded for the nominal duration of the curriculum of the Doctoral studies<sup>40</sup>. In such case, the Doctoral candidate shall not receive a residence permit for studying, but residence permit for employment as research worker (pursuant to Directive 2005/71/EC).

### **3.5.1. Health insurance and other social benefits**

#### Health insurance

Pursuant to the Health Insurance Act, only students with Estonian citizenship or long-term resident residence permit are covered with health insurance in Estonia. The students of the European Union have the right to health insurance equal to the residents of Estonia. Pursuant to section 172 of the Aliens Act international students who have received the temporary residence permit for study in Estonia are not automatically covered with health insurance. Therefore third country students must conclude a health insurance contract with an insurance company for the period of the validity of their residence permit in order to obtain health insurance, thereby ensuring covering of the medical costs arising from their illness or injury during the period of stay in Estonia.

---

<sup>40</sup> Organisation of Research and Development Act § 9 (4<sup>1</sup>) RT I 1997, 30, 471

Unfortunately there are very few companies that conclude such health insurance contracts and the health insurance contract costs can be rather burdensome for the students. This problem was highlighted by Praxis Centre for Policy Studies in its report Interim Assessment of the Higher Education Internationalisation Strategy.<sup>41</sup> In its report, Praxis sets forth that while during earlier years, there were only two companies that provided the suitable health insurance (AON and ERGO), then from this year (2011) the number of acceptable companies has somewhat increased (health insurance of SwissCare and Christal have been added, both can be bought via internet). This is an expensive service (e.g. in AON 1.27 euros per day, the minimum package of ERGO for a foreign student is 193 euros per year), which in some cases is not extendable to other European countries. The cheapest package covers the most basic medical services within the framework of the given limit sum, but does not cover, for example, treatment of illnesses that occurred before the insurance period.<sup>42</sup>

#### Labour market and social supports

The international students who are unemployed and for whom the employer has paid social tax and unemployment insurance premium, have the right for the same labour market services and supports as well as unemployment insurance indemnity as other Estonian citizens and residents. Upon becoming unemployed, the unemployment insurance indemnity is paid in the amount of 50% from the first to the 100<sup>th</sup> calendar day and 40% from the 101<sup>st</sup> to the 360<sup>th</sup> calendar day, relying on the monthly salary paid prior to becoming unemployed. After the indemnity has been paid, one can apply for monthly unemployment benefit (65.41 euros per month).

A third country national also has the possibility to benefit from labour market services such as career counselling, labour market training, business start-up support etc.

Section 4(1) of the Social Welfare Act states that the subject of social welfare in Estonia is also an alien living in Estonia on the basis of a residence permit or right of residence. Thus the international students who have a temporary residence permit for study qualify for the services and supports mentioned in the abovementioned Act (e.g. subsistence support paid by the local municipality).

---

<sup>41</sup> Beerkens, M., Kaarna, R., Kirss, L., Tamtik, M. "Interim Assessment of the Higher Education Internationalisation Strategy. Final Report" Praxis Centre for Policy Studies. Tartu 2011. Available at [http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH\\_RVstrateegia\\_vahehindamine\\_lopparuanne.pdf](http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH_RVstrateegia_vahehindamine_lopparuanne.pdf)

<sup>42</sup> Beerkens, M., Kaarna, R., Kirss, L., Tamtik, M. "Interim Assessment of the Higher Education Internationalisation Strategy. Final Report" Praxis Centre for Policy Studies. Tartu 2011. Available at [http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH\\_RVstrateegia\\_vahehindamine\\_lopparuanne.pdf](http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH_RVstrateegia_vahehindamine_lopparuanne.pdf)

### Parental benefit

In the event of birth of a child, parental benefit is paid to a parent in Estonia. The aim of the parental benefit is to retain, by grant of support by the state, the earlier income for persons whose income decreases due to the raising of a child, and to support the combination of work and family life. A parent, adoptive parent, step-parent, guardian or caregiver who are permanent residents of Estonia and aliens residing in Estonia on the basis of a temporary residence permit or temporary right of residence have the right to receive the benefit<sup>43</sup>. This means that in order to get this benefit, a third country national has to reside in Estonia permanently, i.e. at least 183 days. The amount of benefit is calculated on the basis of the social tax of the applicant during the previous year. The average income of one calendar month is the income taxable with social tax. If there was no income taxable with social tax during the mentioned period, the indemnity is paid in the minimum amount established annually by the government. The indemnity is established until the day a child becomes 18 months old. Thus, if an international student meets the abovementioned conditions, he or she shall have the right for this benefit.

### Study loan and study allowances

Although the international students studying in Estonia on the basis of the temporary residence permit have no right to apply for study loan in Estonia in order to finance their studies, they still have the right to receive study allowances similarly to other students.

Pursuant to the Study Allowances and Study Loan Act, Estonian citizens or persons staying in the Republic of Estonia on the basis of the long-term resident residence permit or permanent right of residence the duration of whose studies according to the curriculum is eight calendar months or more, has the right to apply for study loan.<sup>44</sup> Therefore the right to apply for the study loan is extended only to these third country nationals that are permanently living in Estonia and have the long-term resident residence permit or right of residence.

International students staying in the country on the basis of the temporary residence permit also have the right for study allowances. Students who are staying in Estonia on the basis of the long-term resident or temporary residence permit or permanent or temporary right of residence and study

---

<sup>43</sup> Parental Benefit Act, [RT I 2003, 82, 549](#)

<sup>44</sup> Study Allowances and Study Loans Act, RT I 2003, 58, 387

full time by a higher education curriculum, where student places or training places have been formed on the basis of the state commission, have the right to apply for basic as well as supplementary allowance<sup>45</sup>. An additional condition for receiving supplementary allowance is that the student is studying outside his or her local municipality unit where his or her residence is.

There is a separate Doctoral study allowance, which can be allocated to a person staying in Estonia on the basis of the long-term resident or temporary residence permit or temporary right of residence studying as full-time Doctoral candidate in a public university or private university or in case if it has been agreed on in the state commission, with per cent load. Study allowance is not paid to a student during the time when he or she receives study allowance from the government of a foreign state, international or intergovernmental organisation or from a representation of a cooperation program.

### **3.6. Family reunification**

The Aliens Act foresees the general conditions for reunification for a third country national living in Estonia with his or her family members (spouse, minor child, dependant). No special conditions have been established for foreign students, except for those in Doctoral studies.

While in general a spouse can reunify with an alien who has previously lived in Estonia for at least two years, this requirement is not applicable for persons who have received residence permit for Doctoral studies. They may arrive in Estonia together with their spouse. In such case, the unifying spouse receives temporary residence permit for settling with spouse, for which other conditions provided for this type of residence permit in the Aliens Act apply. Among these conditions are having a tight economic connection and psychological dependency between the spouses, the family is permanent and the marriage is not fictitious. The spouse(s) must have permanent legal income that ensures subsistence of the family, and residence in Estonia. It is necessary to verify the size of income of the six months prior to the submission of the application that is calculated by the number of all family members. For example, the income of a 1-member family during the last 6 months must be at least 920.40 euros, and the larger the family, the higher the income needs to be (Table 8).

---

<sup>45</sup> Study Allowances and Study Loans Act § 5, RT I 2003, 58, 387

The spouse is required to have medical insurance, which ensures health insurance. Due to the fact that persons who have been granted residence permit to settle with spouse have the right to work in Estonia without work permit, this gives the spouse the opportunity to find employment and be part of the general health insurance and other social guarantees.

**Table 8. Amount of income for temporary residence permit for settling with spouse or close relative living in Estonia**

Size of family	Amount of income for settling with spouse		Amount of income upon a child's settling with a close relative	
	Family income per month (EUR)	Family income during last 6 months (EUR)	Family income per month (EUR)	Family income during last 6 months (EUR)
1-member	153.40	920.40	76.70	460.20
2-member	276.12	1,656.72	138.06	828.36
3- member	398.84	2,393.04	199.42	1,196.52
4- member	521.56	3,129.36	260.78	1,564.68
5- member	644.28	3,865.68	322.14	1,932.84
6- member	767	4,602	383.50	2,301
7- member	889.72	5,338.32	444.86	2,669.16
8- member	1,012.44	6,074.64	506.22	3,037.32
9- member	1,135.16	6,810.96	567.58	3,405.48
10- member	1,257.88	7,547.28	628.94	3,773.64

*\*These sums are applicable since 1 October 2010.*

*Source: Police and Border Guard Board*

The Aliens Act also foresees granting residence permit:

- 1) to a minor child for settling with a parent permanently living in Estonia;
- 2) to an adult child for settling with a parent permanently living in Estonia, if the child is unable to cope independently due to his or her health condition or disability;

4) to a person under guardianship for settling with a guardian permanently living in Estonia if the permanent legal income of the guardian ensures subsistence of the person under guardianship in Estonia.

In the listed cases, the student must ensure subsistence of his or her family member, if necessary, also care and housing. In order to maintain the family, the income of the family members during the past six months must be, in the case of a 1-member family, at least 460.20 euros (Table 8). According to the Estonian Health Insurance Act, unlike spouses, all children are covered with the health insurance until they become 19 years old.

The duration of the residence permit granted to a family member is related to the residence permit of the person living in Estonia, which in the case of study is maximum one year.

Looking at the requirements set by the law for reunification with a family member studying in Estonia, we can presume that it is rather difficult for an international student (mostly for those studying for their Bachelor's or Master's degree) to meet these conditions. The Police and Border Guard Board does not collect separate statistics on settling of family members of international students in Estonia, but most probably the number is very low. The requirements arising from the law (e.g. that the spouse may reunify only after 2 years) are rather hindering for the settlement of the family members of international students to Estonia. This in turn may prove to be limiting for the international students when they make the decision whether to come to Estonia or not.

### **3.7. Period following the completion of study for international students**

After the expiry of the residence permit granted for study, the student is required to immediately leave the country. The student has no right to stay in the country after the end of the study and find a job here. If the student has found a job already during the period of studies and he or she continues working at the same position or a new one, he or she will have the right to apply for a residence permit for working. The procedure for changing the basis for the residence permit must be started already during the validity of the residence permit granted for study in order to avoid having to leave the country. In such case, the new application for residence permit – now for working, may be submitted in the country, directly to the Police and Border Guard Board. If the residence permit

for study has already expired, the former international student is generally required to leave the country and the residence permit for working must then be applied for at a foreign representation of Estonia.

The conditions for the residence permit for working are set forth in the Aliens Act. The Act does not provide for special provisions for the so-called former students who now wish to work in Estonia. The differences in applying for the residence permit for working arise from if the residence permit is granted for work that requires high qualification (EU Blue Card), research activities or under general bases. Estonia has transposed both Council Directive 2009/50/EC on the conditions of entry and residence of third-country nationals for the purposes of highly qualified employment (EU Blue Card Directive) and Council Directive 2005/71/EC on a specific procedure for admitting third-country nationals for the purposes of scientific research.

In order to obtain residence permit for work, it is required that the employee is paid a remuneration that is 1.24 or for obtaining the EU Blue Card, 1.5 times higher than the average salary in Estonia. In certain cases consent of the Unemployment Insurance Fund for filling the position with a third country national is required.

An alien can start its activities in Estonia as a sole proprietor or entrepreneur, but this requires availability of capital or investment, in the case of the first, in the amount of 16,000 euros and in the case of the second, 65,000 euros<sup>46</sup>. Applicants for residence permit for working as well as for business fall under the immigration quota, which is established annually by the Government of the Republic and is approximately 1,000 persons a year.

### **3.8. Misuse of the ‘student route’ to migration**

When analysing the data of the Police and Border Guard Board on the refusals and declarations of invalidity of the residence permits, one can observe that the majority of the international students are using their residence permits for the intended purpose. Representatives of universities interviewed for this study also confirm that misuse of residence permits for study is a very rare

---

<sup>46</sup> Aliens Act § 192 (2)-(3), RT I 2010, 3, 4

phenomenon. However, there are single cases where a third country national who has come to Estonia for the purposes of study leaves to another Schengen country to work or other purposes.

After Estonia joined the Schengen visa area, the Security Police Board noted in its annual report that after the accession to Schengen, Estonia has become significantly more attractive as a transit country for irregular immigration. In order to illustrate the situation, an example was brought from the Punjabi region in India, where a notice calling people to study in Estonia was spread in the summer of 2008. The notice said that Estonia is a Schengen country and obtaining Estonian visa is easy. Considering the existing and earlier information, it is probable that the persons interested in the offer were not interested in coming to study in Estonia, but obtaining the Schengen visa to move on to another European country.<sup>47</sup>

Furthermore, the Security Police noted that the same way there have been irregular immigrants who have wished to come to Estonia from, for example Nigeria, Pakistan, Georgia, China, Russia etc. A common scheme is that people find a random school or private company online and try to convince them to send an invitation to the visa applicant.<sup>48</sup> In its report on 2009, the Security Police sets forth that during this year several citizens of a foreign country applied for a visa to study in one Estonian private school, but after obtaining it, never really started their studies in Estonia. It was also noted that in the majority of cases, the actual aim of the persons who have arrived in Estonia is to move on to Western Europe as fast as possible, because the standard of living is higher and social guarantees are better. Similar cases have been detected also during the following years.

To prevent irregular immigration, Estonia has made the ex-ante as well as ex-post checks of visas more efficient over the years. An important role in the prevention of misuse of study migration is also played by the preparatory work of the higher education institutions with the student. Due to the fact that the number of third country students is rather small, the representatives of the higher education institutions have the possibility to communicate with the student in advance in order to establish the motives for coming to study. If it seems that the first motivation is not studies in a higher education institution, the university will check the admission documents of the international student even more thoroughly.

---

<sup>47</sup> Yearbook of the Security Police 2008. Available at <http://www.kapo.ee/cms-data/text/38/44/files/kapo-aastaraamat-est-v.pdf>

<sup>48</sup> Yearbook of the Security Police 2008. Available at <http://www.kapo.ee/cms-data/text/38/44/files/kapo-aastaraamat-est-v.pdf>

Universities themselves are trying to discover forgery of educational documents of foreign countries. In case of suspicion, information is requested from the educational institution that issued the document in order to obtain confirmation on if the specific student was studying there and graduated the curriculum indicated on the document. Universities mostly require original documents for admission.

The Estonian ENIC/NARIC Centre is also a great help for the universities due to the fact that in addition to the qualification assessment they also help to discover fraud.

## **4. TRANS-NATIONAL COOPERATION IN THE AREA OF INTERNATIONAL STUDENTS**

### **4.1 Intra-governmental bilateral/multilateral agreements**

The Government of the Republic of Estonia and the Ministry of Education and Research have concluded several bi- and multilateral agreements or cooperation programmes with other countries in the field of education, research and youth work. The majority of these agreements or cooperation programs indicate as one of the aims facilitating student and scientist mobility between the countries. In order to support this aim, the countries are mostly obliged to offer grants for the students of the partner country in order for them to study at the higher education institutions of the other country (Table 10).

Mostly these contracts are general and their specific terms and conditions are usually agreed on separately through diplomatic channels. At the same time, none of the agreements/cooperation programmes concluded by Estonia contain provisions providing favourable conditions for the immigration of students from third countries. Thus, the students coming to study in Estonia on the basis of agreements concluded between countries, must meet the same immigration conditions as the rest of the students from third countries.

Estonia has concluded cooperation agreements within the framework of which student and scientist exchange is carried out with ca 20 countries. Most of the agreements have been concluded with other EU Member States, but nine cooperation agreements have been concluded with third countries or their authorities (Table 9). Estonia has concluded bilateral agreements with such third countries as the People’s Democratic Republic of China, Israel, Ukraine, Turkey, the USA, Azerbaijan, Moldova and Georgia.

**Table 9. Bi- or multilateral agreements in the field of student mobility concluded by Estonia**

Third countries	EU countries and Switzerland
Republic of Turkey	Czech Republic
State of Israel	French Republic
Georgia	Republic of Greece
Republic of Kazakhstan	Republic of Italy
People’s Democratic Republic of China	Flanders of Belgium
Republic of Ukraine	Wallonia of Belgium
Republic of Moldova	Kingdom of Denmark
Republic of Azerbaijan	Republic of Hungary
United States of America	Republic of Latvia
	Republic of Lithuania
	Republic of Poland
	Swiss Confederation

*Source: Archimedes Foundation, Ministry of Education and Research*

The bilateral agreements foresee the possibility to apply for long-term grants (up to 10 months) in order to study at the Bachelor, Master’s or Doctoral level, grants for language courses at summer schools and short-term as well as long-term grants for teachers, lecturers and scientists for academic mobility. The receivers of the grants do not have to pay tuition to the Estonian higher education institutions and their accommodation expenses are covered, except travel expenses.<sup>49</sup>

<sup>49</sup> Study in Estonia, [www.studyinestonia.ee](http://www.studyinestonia.ee)

The grants are foreseen only for exchange students, i.e. they must be studying at their home university and after their studies they will not receive the diploma of the Estonian university.

**Table 10. Bilateral agreements concluded by Estonia with third countries for facilitating student mobility, content of the agreements.**

<b>Country</b>	<b>Parties to the agreement</b>	<b>Content</b>
Republic of Turkey	Government of the Republic of Estonia and the Government of the Republic of Turkey	Estonia allocates three grants (one for a Master's student or Doctoral student for carrying out a scientific research during one academic year and two grants for one-month summer courses on Estonian language and culture) each academic year during the entire duration of the program.
State of Israel	Government of the Republic of Estonia and the Government of the State of Israel	The Estonian side foresees a summer grant for studying Estonian language and culture and one grant for a student of the other side for one academic year each year.
Georgia	Government of the Republic of Estonia and the Government of Georgia	In the field of education, the parties to the agreement have agreed that they facilitate exchange of students, lecturers and experts and promote cooperation in research and grant programs of the Bachelor, Master's and Doctoral students.
Republic of Kazakhstan	Ministry of Education and Research of the Republic of Estonia and the Ministry of Education and Research of the Republic of Kazakhstan	With this agreement the parties agree on cooperation of the two countries in the field of education and research. The agreement does not directly provide for student mobility, but it does not exclude organising other exchanges in the field of education and research.
People's Democratic Republic of China	Ministry of Education and Research of the Republic of Estonia and the Ministry of Education of the People's Democratic Republic of China	The Estonian side foresees one grant for a summer course on Estonian language and culture each year and two grants for one academic year (10 months)

		for a Chinese Master's or Doctoral student for studying in a public higher education institution.
Ukraine	Grants of the Ministry of Education and Research of the Republic of Estonia for Ukrainian students	Pursuant to Article 1, the aim of the agreement is to exchange pupils, students, Master's students, research students, Doctoral students, interns, teachers, lecturers and researchers. The sending country must cover the grants and other expenses.
Republic of Moldova	Government of the Republic of Estonia and the Government of the Republic of Moldova	In order to facilitate mobility between higher education institutions, the parties offer the students, lecturers and scientists of the partner country grants for studies and research in the public or state universities.
Republic of Azerbaijan	Ministry of Education and Research of the Republic of Estonia and Ministry of Education of the Republic of Azerbaijan	The agreement facilitates academic exchanges between higher education institutions of both countries offering art, design and handicraft subjects and the parties offer mutually grants for the partner country's students of degree studies and scientists involved in research for studies in the public universities and state higher education institutions.
United States of America	Ministry of Education and Research of the Republic of Estonia and State Department of the United States of America (Fulbright Academic Exchange Program)	This agreement provides for ensuring mobility for the students, lecturers and scientists participating in the Fulbright program and providing them grants as well as covering their accommodation, travel and health insurance costs.

Application of all the cooperation agreements concerning student and researcher exchange concluded between Estonia and foreign countries mentioned in Table 9 is organised by the Archimedes Foundation according to the agreements with the Ministry of Education and Research. According to the data of the Archimedes Foundation, 265 students or lecturers have come to

Estonia to study or teach on the basis of agreements concluded between countries since the year 2006 (Table 11). The majority, or 91% of the grant receivers are from European Union Member States and only 24 persons have come from third countries. The largest number of third country exchanges has been from Georgia (10), Turkey (7) and Ukraine (5). Two grant receivers were also from China (for academic year 2007/2008).

**Table 11. Grant receivers studying in Estonia within the framework of agreements concluded between countries\***

Country of origin	Academic year						Total
	2006-2007	2007-2008	2008-2009	2009-2010	2010-2011	2011-2012	
<b>Third countries</b>							
...Georgia		2	1	2	2	3	<b>10</b>
...Turkey			1	4	2		<b>7</b>
...Ukraine	3	2					<b>5</b>
...China		2					<b>2</b>
<b>European Union Member States</b>							
...Belgium	1	1	1	1		1	<b>5</b>
...Italy	7	4	5	3	6	2	<b>27</b>
...Greece	2		3	2	1	1	<b>9</b>
...Lithuania	2	7		7	16	8	<b>40</b>
...Latvia	3	2	7	7	9	5	<b>33</b>
...Poland	4	4	4	3	2	4	<b>21</b>
...France	5	2	1	2	3	2	<b>15</b>
...Denmark	1						<b>1</b>
...Czech	5	2	4	8	5	5	<b>29</b>
...Hungary	13	10	10	13	10	5	<b>61</b>
<b>Total</b>	<b>46</b>	<b>38</b>	<b>37</b>	<b>52</b>	<b>56</b>	<b>36</b>	<b>265</b>

\*The total number includes Master's students, Doctoral students, Bachelor's students, lecturers, scientists who have studied/are studying in Estonian higher education institutions and 89 summer school participants, some of whom are also studying as exchange students during the same year. The statistics reflect one person's several assignments during different academic years as well as within one academic year.

Source: Foundation Archimedes

Studies of foreign students from third countries in Estonia are clearly limited by the rather strict immigration rules. This may explain why the number of international students from third countries who have come to study in Estonia on the basis of agreements between countries is very low. Due to the fact that none of the bi- or multilateral agreements foresee conditions for simplifying the residence permit procedures for the students of the other party to the contract, these contracts do not really facilitate achieving the goal of promoting student mobility between countries, especially from third countries. The grants given on the basis of these contracts help the international students in living and studying in Estonia but do not directly facilitate their arrival in Estonia. Mobility of international students who are citizens of the European Union within the territory of the Union is much easier, making the use of the grants offered by Estonia more attractive. This may also be observed in the statistics, according to which over the years the highest number of grant receivers has been from Hungary (61), Lithuania (40), Latvia (33) and Italy (21).

#### **4.2. Intra-university cooperation agreements**

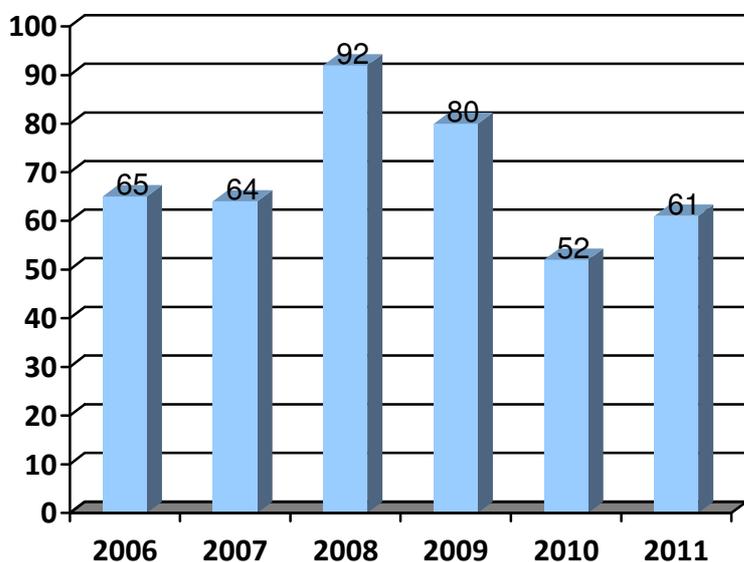
In order to facilitate international cooperation, Estonian higher education institutions have concluded various international cooperation agreements. These agreements create a basis for exchange of students as well as personnel with universities and research institutions of foreign countries. Due to the fact that the number of partnership agreements concluded by universities is very high, the example set forth in this section uses the data of the largest university in Estonia – the University of Tartu.

The University of Tartu has concluded 60 bilateral cooperation agreements with higher education institutions of 21 countries. Student mobility is considered in agreements with 23 partner universities from 11 countries. These countries are: Australia, Georgia, China, Japan, Canada, Russia, USA, Germany, Finland, Latvia and Lithuania<sup>50</sup>. These cooperation agreements containing provisions regarding mobility mostly provide for conditions regarding payment of monthly support and/or free housing for the exchange students. These agreements do not provide for other benefits.

---

<sup>50</sup> You may find the partner universities of the University of Tartu here:  
<http://www.ut.ee/et/oppimine/valismaa/partnerulikoolide-stipid/partnerulikoolid>

**Diagram 2. Exchange students studying at the University of Tartu on the basis of cooperation agreements concluded between universities**



*Source: University of Tartu*

In total 409 exchange students have started their studies at the University of Tartu on the basis of cooperation agreements concluded between universities during the period 2006-2011 (Diagram 2). Each year 60-90 new exchange students have started their studies. More than 75% of these exchange students were third country nationals, mostly from Russia, the USA, Georgia and China (Table 12).

**Table 12. Exchange students studying at the University of Tartu on the basis of co-operation agreements between universities, by citizenship**

2006-2011	Total
Russia	138
USA	87
Georgia	49
China (incl. Hong Kong)	21
Japan	5
Kazakhstan	4

Canada	3
Mexico	1
Australia	1
Total	409

*Source: University of Tartu*

### **4.3 Cooperation with EU (and EU-financed mobility programmes) or international organisations**

Article 6(2) of the Council Directive 2004/114/EC on the conditions of admission of third country nationals for the purpose of studies, pupil exchange, unremunerated training or voluntary service<sup>51</sup> provides that the member states facilitate the procedure for allowing to the country with respect to the third country nationals participating in Community programs aimed at improving mobility to or in the Community. Estonian legal acts do not provide for provisions facilitating intra-Community student mobility or significant student immigration to Estonia. The first comment has found recognition in the Commission document COM (2011) 587<sup>52</sup>. Thus the international students who are third country nationals coming to study in Estonia on the basis of programs financed by the EU and other student exchange programs must meet all the immigration requirements as other third country students. Estonia has not established a faster residence permit procedure, discount fees or other favourable mobility conditions for such students. Furthermore, Estonia does not issue student visas that would simplify arrival of international students in Estonia.

More favourable provisions are partially applicable for those third country students who come to Estonia for Master's or Doctoral studies. They have the possibility to apply for the residence permit in Estonia, provided that they are already staying in the country legally. A legal basis for stay in Estonia is also the residence permit issued by a competent authority of a Member State of the Schengen Convention that gives the right to stay in Estonia for up to 90 calendar days during six months. Thus, an international student holding the residence permit of another Schengen Member

<sup>51</sup> ELT L 375, 23.12.2004, pp. 12—18

<sup>52</sup> Report from the Commission to the European Parliament and the Council on the application of Directive 2004/114/EC on the conditions of admission of third country nationals for the purpose of studies, pupil exchange, unremunerated training or voluntary service. Brussels 28.9.2011, COM (2011) 587

State can stay in Estonia for up to three months without having to apply for the Estonian residence permit for study. This definitely simplifies the procedure of coming to study in Estonia for the exchange students who come to study at an Estonian higher education institution for up to one semester. The Aliens Act also foresees the possibility to extend the basis for stay in the country on the basis of the residence permit issued by a competent authority of a Schengen Member State, but only in exceptional cases. In such case, the period of stay of the alien must not exceed the term of validity of his or her residence permit.

Depending on the duration of the study period of the exchange student in Estonian university, he or she needs to have a legal basis for stay in the country, as any other third country national – this basis is usually a visa or residence permit. Usually the visa gives the right to stay in Estonia for up to three months during six months (C-visa aka Schengen visa or long-term visa issued by a Schengen Member State). In addition to the visa, residence permits of other Schengen Member States give the right to stay in Estonia for short periods of time as indicated in the previous paragraph.

In order to stay for a longer period of time, the exchange students must apply for Estonian residence permit. If the student is not a Master's or Doctoral student, the third country national must apply for the residence permit from Estonian consulate in a foreign country. Exchange students who come to study in Estonia from another EU university are usually not required to leave the EU territory to apply for the Estonian residence permit due to the fact that Estonia has consulates in most EU Member States.

Thus third country students who come to study in Estonia on the basis of EU-financed mobility programs as well as other student exchange programs must meet all the requirements for residence permits indicated in section 3.3. Therefore, assessing the aim of Article 6(2) of Directive 2004/114/EC, Estonian legal acts facilitate the possibilities for arrival to Estonia and obtaining the basis for stay here in a very limited and selective manner.

### 4.3.1. Mobility programmes financed by EU and Estonian government

The majority of third country exchange students who have come to study in Estonia with the support of EU funding have done so within the framework of the **Erasmus**<sup>53</sup>, **Erasmus Mundus**<sup>54</sup> and **DoRa**<sup>55</sup> programs (Table 13). Additionally, the Government of Estonia supports studies of ethnic Estonians who have not lived in Estonia for at least 10 years, in Estonian higher education institutions on the basis of the **Compatriots Program**<sup>56</sup>.

**Table 13. Mobility programs financed by the European Union and Estonia**

Programs financed by the European Union			Program financed by Estonia
Erasmus	Erasmus Mundus	DoRa	Compatriots Program
Erasmus is a higher education sub-program of the European life-long learning program, one of the aims of which is to increase free movement related to higher education in Europe and to improve comparability and compatibility of studies and qualifications in the European Union.  Within the framework of the Erasmus program student migration takes place with the aim of studying or practical	Students and lecturers of third countries receive support from the Erasmus Mundus program within the framework of the following measures:  MEASURE 1 – Erasmus Mundus joint Master’s and Doctoral curricula.  Within the framework of the curriculum the students are required to study in at least two or three universities.  MEASURE 2 – Erasmus Mundus partnership projects that offer	Doctoral and Master’s studies of capable foreign students in Estonian universities are supported.  Grant: 288- 383.47 euros per month.  A mobility allowance in the sum of up to 3,200 euros a year is foreseen for the Doctoral candidates.  The supports can be applied for by persons who are not residents of the Republic of Estonia	The aim of the grants of the Compatriots program is to support the studies of young Estonians living abroad who have not lived in Estonia for the past 10 years, in Estonian public universities, institutions of applied higher education and vocational education centres.  The grant covers the cost of student place of the student, health insurance,

<sup>53</sup> <http://www2.archimedes.ee/hkk/index.php?leht=93>

<sup>54</sup> <http://www2.archimedes.ee/hkk/index.php?leht=94>

<sup>55</sup> [www.archimedes.ee/dora](http://www.archimedes.ee/dora)

<sup>56</sup> Grants of the Compatriots Program. Available at <http://www2.archimedes.ee/amk/index.php?leht=97>

<p>training in a higher education institution, company, research and training centre or similar to the latter of any European country.</p>	<p>support for establishing cooperation projects between European and third country higher education institutions with the aim of developing mobility of students, lecturers, scientists and specialists of the EU and third countries between the two regions.</p>	<p>and who during the past three years have not stayed in Estonia for more than one year in total (this condition is not applicable for persons who have graduated from Master's studies in an Estonian university during the past year)</p>	<p>state fee of the residence permit, and housing and travel allowance is paid each month. The monthly allowance is 224-288 euros. The program supports studies in specialities with Estonian curriculum.</p>
--	---	--	---

The largest number of third country students who have come to study in Estonia on the basis of the EU-funded programs have come here through the DoRA program. Estonia has created this program with the use of the funds of the European Social Fund with the aim of developing student mobility between Europe and third countries. During the years 2006-2011 in total 185 foreign Master's students, Doctoral students and visiting Doctoral candidates from third countries came to study in Estonian universities (Table 14). This is 63% of all the foreign students who have come to study in Estonia on the basis of the DoRa program. The largest number of international students have come from Russia (31), India (20), Turkey (16), China (14), Ukraine (13), the USA (11), Iran (11) and Georgia (10).

Two Estonian universities participate in the Erasmus Mundus program – University of Tartu and Tallinn University. During the years 2007-2011, grants have been allocated for 76 third country nationals from 36 countries to come to study in the Tallinn University on the basis of Erasmus Mundus program (Table 14). The largest number of grants has been given to students from Africa and Asia.

Due to the fact that the EU Member States, EFTA Member States and EU candidate states participate in the Erasmus program, the role of third country participations in this program is rather small. Students from Turkish universities are the only third country students to come to study in

Estonia as exchange students. In 2006 there were five Turkish students studying in Estonia, which was 1.3% of all the Erasmus exchange students who came to Estonia in that year (371). In 2007 there were 20 students from Turkey who came to Estonia as exchange students, during the next years their number was respectively 36 (2008), 45 (2009) and 67 (2010). In 2011, there were 60 students from Turkey studying in Estonia through the Erasmus program, which was 7% of all the Erasmus students in that year (850).

On the basis of the Compatriots Program, Estonia has allocated 66 grants during the years 2006-2011. More than half of the grants, i.e. 35, have been given to persons from Russia for studying in Estonian universities. Grants have also been given to students from Ukraine (6), the USA (3), Abkhazia (3), Canada (2), Belarus (2), Kenya (1), Yemen (1) and Brazil (1). Twelve grants have been given to students from the EU (Table 14).

**Table 14. Grant receivers of the DoRa, Erasmus Mundus and Compatriots Program**

<b>Total number of grant receivers studying in Estonia within the framework of the ESF DoRA program 2006/2007-2011/2012*</b>		<b>Total number of grant receivers studying in Estonia within the framework of the Erasmus Mundus program 2007-2011**</b>		<b>Number of grant receivers of the compatriots program by countries 2006-2012***</b>	
Citizenship	Total number	Citizenship	Total number	Country of origin	Total number
Albania	1	Australia	1	Abkhazia	3
USA	11	Azerbaijan	1	Brazil	1
Armenia	1	Bangladesh	5	Yemen	1
Azerbaijan	1	Botswana	2	Canada	2
Australia	3	Bosnia and Herzegovina	2	Kenya	1
Bangladesh	1	Brazil	1	Ukraine	6
Brazil	1	Ethiopia	8	USA	3
Philippines	1	Philippines	3	Belarus	2
Georgia	10	Ghana	3	Russia	35
Guatemala	4	China	2	EU countries	12
China	14	India	2	Total	66
Croatia	2	Indonesia	3		
India	20	Iran	2		
Iran	11	Canada	2		
Japan	3	Kenya	2		
Jordan	1	Colombia	1		
Cameroon	1	Kosovo	1		

Canada	2	Kyrgyzstan	1		
Kazakhstan	1	Cuba	1		
Colombia	1	Laos	1		
Korea	2	Republic of South Africa	1		
Kosovo	1	Malaysia	1		
Macedonia	2	Maldives	1		
Mexico	3	Nigeria	2		
Moldova	2	Pakistan	1		
Nepal	4	Serbia	2		
Nigeria	1	Zimbabwe	1		
Pakistan	4	Thailand	3		
Palestine	1	Taiwan	2		
Serbia	1	Tanzania	1		
Tanzania	1	Turkey	1		
Turkey	16	Russia	1		
Uganda	2	Venezuela	1		
Ukraine	13	Vietnam	5		
Uzbekistan	2	Uganda	4		
New Zealand	1	USA	3		
Belarus	7	EU+ EEA countries	16		
Russia	31	Total	92		
Venezuela	1				
EU+ EEA countries	117				
Total	302				

\*The total number includes foreign Doctoral students, visiting Doctoral candidates and foreign Master's students supported through the program. The statistics take into account academic years 2006/2007-2011/2012.

\*\* Data of Tallinn University.

\*\*\*The total number includes all grant receivers who started or continued their studies in Estonia within the framework of the program.

Source: Foundation Archimedes, Tallinn University

## 5. IMPACTS OF INTERNATIONAL STUDENTS IN ESTONIA

The impact of international students can be felt in Estonian education in a very positive way. First, international students help to alleviate the void that has been caused by the decreasing number of local students in universities, making the universities improve the quality of studies and encouraging internationalisation.

Similarly to other EU countries, Estonia is facing the problem of ageing and decreasing population during the last two decades. While in the year 2000 there were still 218,600 pupils studying in Estonian general education schools, then by the year 2011 the number had already decreased to 143,000. With that, the number of upper secondary school graduates or the potential university entrants has decreased. While in 2007, ca 11,000 pupils graduated from upper secondary school, then last year the number was ca 8,800. According to the data of Statistics Estonia, the number of children entering first year of school will increase in the coming years, but the number of upper secondary school pupils will continue decreasing<sup>57</sup>.

In 2011, 67,607 students were studying in higher education institutions, their number decreased as compared to the previous academic year by 1,506. The number of students admitted to universities decreased by 1,171 as compared to the academic year 2010 (Table 15).

**Table 15. Graduates of secondary education, admitted to higher education institution, students and graduates during the years 2006-2011.**

	2006	2007	2008	2009	2010	2011
Graduates of secondary education	10942	11239	10816	10432	9247	8821
Admitted to higher education institution	18597	19482	19292	19167	18404	17233
Persons studying in higher education institutions	68767	68168	68399	68985	69113	67607
Graduates of higher education institutions	11546	12612	11345	11489	11450	11828

*Source: Statistics Estonia*

The decreasing number of students has brought along more attention from the Government as well as universities to the internationalisation of Estonian higher education. This attention is first and foremost focused on recruiting students from foreign countries. As a result a strategy document Estonian Higher Education Internationalisation Strategy for the Years 2006-2015 was prepared. The strategy defines goals for the number of foreign students (2,000 foreign students in formal studies, 2000 exchange students) as well as the emphasis (on Master's studies). There are several support

<sup>57</sup>The Number of Students in General Education Schools is Decreasing. Statistics Estonia. Press Release 4.05.2012. Available at <http://www.stat.ee/57513>

programs and measures established for promoting internationalisation of higher education (e.g. the Cool Curricula). Among others is DoRa, a program for promoting Doctoral and Master studies.

Mobility of students and lecturers also helps to improve the level of studies, ensures sustainability of Estonian science and higher education, stimulates cultural, political and economic contacts with societies and cultures important for Estonia, and helps avoiding the negative tendencies that are a risk for small societies (e.g. brain drain)<sup>58</sup>. Furthermore, positive study experiences of international students are the best advertisement for Estonian universities and for attracting future international students.

According to the statistics, the number of international students admitted to Estonian higher education institutions as well as the number of international students studying here has increased with each year. While in 2006, 229 international students started their studies, the number was already 617 (+63%) in 2011. The number of international students studying in higher education institutions has increased from 901 to 1573 students (+43%) during the same period. We can say that the aims of the Higher Education Internationalisation Strategy 2006-2013 are being realised.

The demand of the higher education institutions for international students has pressured the Government into changing the immigration rules to be simpler for the citizens of third countries. One of the important changes that entered into force in 2010 is granting the Master's and Doctoral students the right to apply for temporary residence permit for study in the country, if they are staying in Estonia legally (e.g. on the basis of visa).

Although both higher education institutions as well as the Government have taken important steps in attracting international students to Estonia, the status of international students after completion of their studies has been overlooked (either knowingly or due to lack of knowledge).

Estonia, as many other countries are suffering from the lack of qualified labour. Despite of that, no favourable possibilities for future employment or entrepreneurship in Estonia have been provided for international students as potential qualified labour. After graduating from the university, an international student is obliged to leave the country immediately, without giving him or her a

---

<sup>58</sup> Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015. Approved with the Directive No. 16 by the Minister of Education and Research dated 9 January 2007. Available at [www.hm.ee](http://www.hm.ee)

chance to find employment in Estonia or start a company here. International students who participated in the global foreign student study iGraduate in 2011 also set forth that it is difficult for the international students to find jobs during their studies and they were not satisfied with the career opportunities offered by Estonia<sup>59</sup>. This is further confirmed by the statistics collected by the Police and Border Guard Board, according to which only 40 international students received a residence permit for working in 2011 (Annex 2, Table 5). Considering that in the given year 396 third country nationals received the residence permit for study, the percentage of third country nationals employed during their studies was ca 10%. The largest number of work permits was issued to the citizens of Russia, Ukraine and Belarus (Annex 2, Table 5.1). Due to language reasons it is easier for the citizens of these countries to find employment than for the citizens of other countries who do not speak Estonian or Russian. Language barrier was one of the reasons that prevents the foreign students from finding a job in Estonia or impedes passing the mandatory practical training.

After graduating from university ca 20-35 international students a year stay in Estonia for work (Annex 2, Table 3.1). E.g. in 2011, 21 citizens of third countries changed their status from studying to working, in 2008 this number was 35. If we compare this with the residence permits issued during these years, we can see that ca 5-10% of international students change their status from studies to working each year. Studies<sup>60</sup> show that in an average ca ¼ of international students in the OECD countries (e.g. Germany, the Netherlands, UK, Finland, Norway) stay working in the country where they acquired their education. In Czech Republic, Australia and France up to third of foreign students stay in the country after they have completed their studies<sup>61</sup>. Considering these numbers, Estonia has still a lot of room for development.

---

<sup>59</sup> Foreign Students Are Very Satisfied with Estonian Higher Education. Postimees. 23.02.2012, [www.postimees.ee](http://www.postimees.ee)

<sup>60</sup> Sykes, B, Ni Chaoimh, E. „Mobile Talent? The Staying Intentions of International Students in Five EU Countries. Expert Council of German Foundations on Integration and Migration”. Berlin 2012. [http://www.stiftung-mercator.de/fileadmin/user\\_upload/INHALTE\\_UPLOAD/Integration/Sachverstaendigenrat\\_frei/Englisch/Study\\_Mobile\\_Talent\\_Engl.pdf](http://www.stiftung-mercator.de/fileadmin/user_upload/INHALTE_UPLOAD/Integration/Sachverstaendigenrat_frei/Englisch/Study_Mobile_Talent_Engl.pdf)

<sup>61</sup> Sykes, B, Ni Chaoimh, E. „Mobile Talent? The Staying Intentions of International Students in Five EU Countries. Expert Council of German Foundations on Integration and Migration”. Berlin 2012. [http://www.stiftung-mercator.de/fileadmin/user\\_upload/INHALTE\\_UPLOAD/Integration/Sachverstaendigenrat\\_frei/Englisch/Study\\_Mobile\\_Talent\\_Engl.pdf](http://www.stiftung-mercator.de/fileadmin/user_upload/INHALTE_UPLOAD/Integration/Sachverstaendigenrat_frei/Englisch/Study_Mobile_Talent_Engl.pdf)

## 6. CONCLUSIONS

The aim of this paper was to study what is the Estonian migration policy in terms of education migration, including researching if the migration policy supports attracting international students to Estonian higher education institutions or not. The data collected during the study should help making further conclusions on how to find a balance in immigration rules between simplifying the coming of international students to Estonia and possible misuse of education migration.

The topic of internationalisation of higher education is important for the Ministry of Education and Research. They have developed relevant strategic activities and approved the support program DoRa, which is co-funded from the European Social Fund. These political and financial measures support attracting international students of Estonian higher education institutions. However, these measures are clearly aimed at Master's and Doctoral students.

The immigration rules also provide for simplified conditions for applying for the residence permit for Master's and Doctoral students. Pursuant to section 216(1) 14) of the Aliens Act, an alien staying legally in Estonia can apply for the temporary residence permit from the Police and Border Guard Board if he or she is applying for the residence permit for studying as a Master's or Doctoral student on the basis of state-recognised curriculum. Furthermore, the Act facilitates family reunification of Doctoral students, i.e. Doctoral students are not required to live previously 2 years in Estonia in order for his or her spouse to be able to settle in Estonia<sup>62</sup>.

Simplified immigration provisions, offered grants (DoRa, Erasmus Mundus) and better information activities (homepage [www.studyinestonia.ee](http://www.studyinestonia.ee)) on coming to study in Estonia have increased the number of international students studying in Estonia every year. While in 2006, there were 901 international students in Estonia, then in 2011 the number had already increased to 1,573 (+43%). The number of Master's and Doctoral students has shown the biggest increases – this is due to the support from the state's policy. While in 2006 69% of the international students admitted to Estonian universities started their Bachelor's studies, then in 2010, 62% started Master's or Doctoral studies. Although there is no clear proof that the increase in the number of international students studying in Master's or Doctoral programs is due to the simplified conditions for applying

---

<sup>62</sup> Aliens Act § 137 (3), RT I 2010, 3, 4

for residence permit provided for them, it definitely is a factor favouring immigration of third country students.

Regardless of the fact that the number of international students in Estonian higher education institutions has increased, the share of third country nationals in them has decreased (relying on the valid temporary residence permits of that year). In 2008, third country citizens made up 47% of all foreign students, in the following year this percentage was 46, in 2010 41% and in 2011 38% of all foreign students. Considering that during this period the immigration rules for the students from third countries have been simplified, the immigration provisions cannot be the reason for the decrease in their share. It is rather due to the fact that the share of European Union students in Estonian universities has increased much more actively. The number temporary residence permits issued has also steadily increased with each year, remaining under 400 during the past three years, which refers to the fact that the number of third country students in Estonian universities has, in fact, grown (Annex 2, Table 1.1.).

Although the Ministry of the Interior has taken first steps in simplifying the procedure for bringing international students to study in Estonia, the Estonian education immigration system is still considered rather rigid or strict. The Estonian immigration system is first and foremost based on the selection of migrants, where the “best” who are not just taking advantage of the Estonian migration system to gain access to the Schengen visa area, are selected for our schools and labour market. Thus it is rather difficult to find the right balance between facilitating education migration and minimising the risk of misuse.

Analysis of the data of the Police and Border Guard Board from the past six years showed that the number of cases that could indicate misuse of the residence permits for studying was only 15. In ten cases the residence permit was declared invalid due to the fact that the student had discontinued his or her studies, in three cases there was reason to refuse to grant the residence permit and in two cases the student had no valid health insurance. The number of refusals to grant the residence permit was very low – in six years there were seven refusals to grant the residence permit for studying due to the fact that the applicant failed to meet the conditions set for the residence permit and in one case due to the residence permit did not meet the alleged purpose.

Representatives of the universities interviewed for this study did not consider misuse of residence permits for studying to be a significant problem. They emphasised that prior to applying for the residence permit, the universities do a lot of work on finding out the real motivation for the applicant's wish to come to Estonia and candidates who raise any suspicion are not admitted. Sanctions have been foreseen for the failure to perform the obligation imposed on the universities with the Aliens Act to notify the Police and Border Guard Board of the international student's failure to start studies, discontinuation of studies, graduation and failure to perform his or her study obligations (fine up to 3,200 euros for the failure to perform the notification obligation; covering the expenses on apprehending and expulsion of the alien). These sanctions motivate the universities to admit only the "correct" students. Efficient cooperation between universities, consular bodies and the Police and Border Guard Board helps to prevent irregular immigration.

The low number of the cases of misuses of residence permits for study shows that so far it has been a marginal problem for the Estonian education migration area. This may be an indicator of the fact that both ex-ante and ex-post checks of migration are very strict in Estonia, making the misuse of this basis for migration difficult.

The most problematic issue in attracting third country students to Estonia is the lack of Estonian embassies, especially in third country. Pursuant to the Estonian Aliens Act, the application for the temporary residence permit must be submitted to an Estonian foreign representation, which then forwards the application for processing to the Police and Border Guard Board. Due to the fact that the applicant must visit the embassy at least twice (upon submitting the application and when picking the residence permit card up), this trip might turn out to be rather expensive for the student and he or she may therefore abandon the idea of coming to study in Estonia.

Estonian higher education institutions and authors of the Higher Education Internationalisation strategy have seen creating a student visa as a solution, but no decisive breakthrough has been achieved with its realisation. Interviews conducted for the Praxis report Interim Assessment of the Higher Education Internationalisation Strategy showed that the negative experiences with some international student of a higher education institution a few years back (aliens who came to Estonia as international students did not start their studies, but used the student status for settling and

working here or moving on to other Schengen countries) are hindering changes in the positions (to create a student visa) on the level of ministries<sup>63</sup>.

One of the problems in bringing international students to Estonia is also absence of state health insurance and absence of the possibility to work in Estonia after the completion of the studies. Although the Higher Education Internationalisation Strategy foresees as one of the aims measures to extend the health insurance of the Health Insurance Fund also to international students studying at state-commissioned student places, it has not been realised so far. Furthermore, there are no favourable immigration rules that would enable the more talented students to stay in Estonia after their studies. In its legislation or strategic documents of the area, Estonia has not provided for the possibility of using international students for covering the lack of qualified labour that is predominant at the local labour market. This is something that the Government could pay more attention to in the future.

In summary it could be said that the Estonian Ministry of Education and Research and universities have contributed greatly to making the Estonian higher education institutions more attractive for international students. Unfortunately, current citizenship and migration policy of Estonia does not sufficiently support studies and work of international students in Estonia, although over the years improvements have also been made with regard to this issue. Estonia has applied its selective migration policy also in education migration, favouring first and foremost Master's and Doctoral students. In the light of the decreasing number of students, creating some benefits for the students of the first level of higher education could be considered, presuming that these are the students that could continue their studies with Master's and Doctoral programs.

---

<sup>63</sup> Beerkens, M., Kaarna, R., Kirss, L., Tamtik, M. Interim Assessment of the Higher Education Internationalisation Strategy. Final Report Praxis Centre for Policy Studies. Tartu 2011. Available at [http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH\\_RVstrateegia\\_vahehindamine\\_lopparuanne.pdf](http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH_RVstrateegia_vahehindamine_lopparuanne.pdf)

## BIBLIOGRAPHY

- Beerkens, M., Kaarna, R., Kirss, L., Tamtik, M. Interim Assessment of the Higher Education Internationalisation Strategy. Final Report. Praxis Centre for Policy Studies. Tartu 2011. Available at [http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH\\_RVstrateegia\\_vahehindamine\\_lopparuanne.pdf](http://www.praxis.ee/fileadmin/tarmo/Projektid/Haridus/RVhind/KH_RVstrateegia_vahehindamine_lopparuanne.pdf)
- Ministry of Education and Research development plan “Smart and Active Nation 2013-2016“. Republic of Estonia. Tartu, February 2012. Available at [www.hm.ee/index.php?popup=download&id=11657](http://www.hm.ee/index.php?popup=download&id=11657)
- Laidmets, M. Information on the Estonian higher education system. Appendix 4 to the Directive No. 1327 of the Minister of Education and Research dated 30 December 2009. Available at <http://www.hm.ee/index.php?148663>
- Lugus, M. Formal studies foreign students at Estonian higher education institutions 2005-2011. Foundation Archimedes.
- Yearbook of the Security Police 2008. Available at <http://www.kapo.ee/cms-data/text/38/44/files/kapo-aastaraamat-est-v.pdf>
- Yearbook of the Security Police 2008. Available at <http://www.kapo.ee/cms-data/text/38/44/files/kapo-aastaraamat-est-v.pdf>
- Agreement on the Good Practices of Internationalisation of the Higher Education Institutions. Available at [http://www.ern.ee/index.php?option=com\\_content&task=view&id=33&Itemid=48](http://www.ern.ee/index.php?option=com_content&task=view&id=33&Itemid=48)
- Grants of the compatriots program. Available at <http://www2.archimedes.ee/amk/index.php?leht=97>
- Report from the Commission to the European Parliament and the Council on the application of Directive 2004/114/EC on the conditions of admission of third country nationals for the purpose of studies, pupil exchange, unremunerated training or voluntary service. Brussels 28.9.2011, COM (2011) 587
- Sykes, B, Ni Chaoimh, E. “Mobile Talent? The Staying Intentions of International Students in Five EU Countries. Expert Council of German Foundations on Integration and Migration“. Berlin 2012. <http://www.stiftung->

[mercator.de/fileadmin/user\\_upload/INHALTE\\_UPLOAD/Integration/Sachverstaendigenrat\\_frei/Englisch/Study\\_Mobile\\_Talent\\_Engl.pdf](http://mercator.de/fileadmin/user_upload/INHALTE_UPLOAD/Integration/Sachverstaendigenrat_frei/Englisch/Study_Mobile_Talent_Engl.pdf)

- “Foreign students are very satisfied with Estonian higher education.” Postimees. 23.02.2012, [www.postimees.ee](http://www.postimees.ee)
- “The number of students at the general education schools is decreasing.” Statistics Estonia. Press release 4.05.2012. Available at <http://www.stat.ee/57513>

### **Legal Acts:**

- Strategy of Internationalisation of Estonian Higher Education for the Years 2006-2015. Approved with the Directive No. 16 by the Minister of Education and Research dated 9 January 2007. Available at [www.hm.ee](http://www.hm.ee)
- Education Act of the Republic of Estonia, RT 1992, 12, 192
- Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service. ELT L 375, 23.12.2004, pp. 12—18
- Private Schools Act RT I 1998, 57, 859
- Higher Education Standard, RT I 2008, 57, 322
- Explanatory Memorandum to the Higher Education Standard. Available at <http://www.hm.ee/index.php?03221>
- Institutions of Professional Higher Education Act, RT I 1998, 61, 980
- Organisation of Research and Development Act, RT I 1997, 30, 471
- Unemployment Insurance Act, [RT I 2001, 59, 359](#)
- University of Tartu Act, RT I 1995, 23, 333
- Aliens Act, RT I 2010, 3, 4
- Parental Benefit Act, RT I 2003, 82, 549
- Section 43 of the Government of the Republic Regulation No. 88 dated 30.06.2010 “The Procedure for Application for, Granting, Extension and Declaration of Invalidity or a Temporary Residence Permit and Work Permit, and Application for, Granting, Restoration and Declaration of Invalidity of Long-Term Residents Residence Permit and Establishing the Forms For Temporary Residence Permit, Long-Term Residents Residence Permit And Work Permit” RT I 2010, 48, 293

- Government of the Republic Regulation No. 88 dated 30.06.2010 “The Procedure for Application for, Granting, Extension and Declaration of Invalidity or a Temporary Residence Permit and Work Permit, and Application for, Granting, Restoration and Declaration of Invalidity of Long-Term Residents Residence Permit and Establishing the Forms For Temporary Residence Permit, Long-Term Residents Residence Permit And Work Permit”. RT I 2010, 48, 293
- Study Allowances and Study Loans Act, RT I 2003, 58, 387
- Universities Act, RT I 1995, 12, 119

**Homepages:**

- Police and Border Guard Board, [www.politsei.ee](http://www.politsei.ee)
- Ministry of Education and Research, [www.hm.ee](http://www.hm.ee)
- Ministry of the Interior, [www.siseministeerium.ee](http://www.siseministeerium.ee)
- Foundation Archimedes, [www.archimedes.ee](http://www.archimedes.ee)
- University of Tartu, [www.ut.ee](http://www.ut.ee)
- Tallinn University, [www.tlu.ee](http://www.tlu.ee)

## ANNEXES

Annex 1.

**Table 1. State support to Master’s curricula that are aimed at international marketing (the so-called cool curricula)**

University	Name of Curriculum	Support Period	Total number of foreign students/students studying in formal studies in 2010/11
Estonian Academy of Arts	Animation	2008-2010	0/12 (0%)
Tallinn University	Film and Video Art	2008-2010	11/64 (17%)
Tallinn University of Technology	Materials and Processes in Sustainable Energetics	2008-2011	17/36 (47%)
University of Tartu	Semiotics	2008-2011	31/32 (97%)
University of Tartu	Applied Metrology	2008-2010	11/14 (79%)
University of Tartu and Tallinn University of Technology	Software Technology	2008-2011	23/35 (66%)
Tallinn University of Technology and University of Tartu	Cyber Defence	2008-2011	21/57 (37%)

Source: Praxis “Interim Assessment of the Higher Education Internationalisation Strategy”

Annex 2.

**Table 1: First permits issued for education reasons**

**Table 1.1: Overall trend**

	2006	2007	2008	2009	2010	2011
Total number of first permits issued for education reasons	N/A	N/A	339	383	399	396

Source: Estonian Police and Border Guard Board, Eurostat

**Table 1.2: First permits issued for education reasons by reason**

	2006	2007	2008	2009	2010	2011
Education reasons: Study	N/A	N/A	N/A	N/A	N/A	339
Education reasons: Other educational reasons	N/A	N/A	N/A	N/A	N/A	57

Source: Estonian Police and Border Guard Board, Eurostat

**Table 1.3: First permits issued for education reasons by duration**

	2006	2007	2008	2009	2010	2011
From 3 to 5 months	N/A	N/A	93	102	139	77
From 6 to 11 months	N/A	N/A	48	98	94	102
12 months or over	N/A	N/A	198	183	166	217

Source: Estonian Police and Border Guard Board, Eurostat

**Table 1.4: Main 10 countries of citizenship**

Position of the country of citizenship	2006		2007		2008	
	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	N/A	N/A	N/A	N/A	China	90
2nd main	N/A	N/A	N/A	N/A	Russia	51
3rd main	N/A	N/A	N/A	N/A	Turkey	51
4th main	N/A	N/A	N/A	N/A	USA	25
5th main	N/A	N/A	N/A	N/A	Ukraine	19
6th main	N/A	N/A	N/A	N/A	Georgia	16
7th main	N/A	N/A	N/A	N/A	Belarus	13
8th main	N/A	N/A	N/A	N/A	Japan	8
9th main	N/A	N/A	N/A	N/A	Moldova	7
10th main	N/A	N/A	N/A	N/A	Brazil	7

Position of the country of citizenship	2009		2010		2011	
	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	Turkey	71	Turkey	74	Russia	70
2nd main	Russia	57	Russia	73	Turkey	50
3rd main	China	50	Georgia	49	USA	46
4th main	Georgia	44	China	33	Georgia	35
5th main	USA	34	USA	32	China	28
6th main	Ukraine	26	Ukraine	22	Ukraine	25
7th main	Japan	12	Brazil	9	Korea	13
8th main	Moldova	8	Moldova	8	India	11
9th main	Mexico	8	Japan	7	Iran	10
10th main	Korea	8	Canada	6	Japan	10

Source: Estonian Police and Border Guard Board, Eurostat

**Table 2: All valid permits issued for education reasons**

**Table 2.1: Overall trend**

	2006	2007	2008	2009	2010	2011
Total number of all valid permits issued for education reasons	N/A	N/A	431	490	528	602

Source: Estonian Police and Border Guard Board, Eurostat

**Table 2.2: All valid permits issued for education reasons by duration**

	2006	2007	2008	2009	2010	2011
From 3 to 5 months	N/A	N/A	46	54	56	35
From 6 to 11 months	N/A	N/A	85	147	188	201
12 months or over	N/A	N/A	300	289	284	366

Source: Estonian Police and Border Guard Board, Eurostat

**Table 2.3: Main 10 countries of citizenship**

Position of the country of citizenship	2006		2007		2008	
	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	N/A	N/A	N/A	N/A	China	120
2nd main	N/A	N/A	N/A	N/A	Russia	107
3rd main	N/A	N/A	N/A	N/A	Turkey	32
4th main	N/A	N/A	N/A	N/A	Ukraine	26
5th main	N/A	N/A	N/A	N/A	USA	18
6th main	N/A	N/A	N/A	N/A	Georgia	18
7th main	N/A	N/A	N/A	N/A	Belarus	16
8th main	N/A	N/A	N/A	N/A	Japan	8
9th main	N/A	N/A	N/A	N/A	India	7
10th main	N/A	N/A	N/A	N/A	Brazil	6

Position of the country of citizenship	2009		2010		2011	
	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	Russia	114	Russia	141	Russia	155
2nd main	China	102	China	78	China	74
3rd main	Turkey	49	Turkey	48	Georgia	44
4th main	Georgia	40	Georgia	43	Turkey	43
5th main	Ukraine	31	Ukraine	33	Ukraine	42
6th main	USA	25	USA	22	USA	38
7th main	Japan	14	Belarus	12	Belarus	17
8th main	Belarus	13	Iran	10	Iran	17
9th main	Korea	8	Japan	9	Korea	15
10th main	Moldova	7	Brazil	9	India	13

Source: Estonian Police and Border Guard Board, Eurostat

**Table 3: Change of immigration status from / to education reasons**

**Table 3.1: Changes of status**

	2006	2007	2008	2009	2010	2011
Total number of permits changed from family to education reasons	N/A	N/A	1	0	0	4
Total number of permits changed from remunerated activities to education reasons	N/A	N/A	1	1	3	5
Total number of permits changed from other to education reasons	N/A	N/A	3	1	2	3
Total number of permits changed from education to family reasons	N/A	N/A	10	15	9	12
Total number of permits changed from education to remunerated activities reasons	N/A	N/A	35	24	27	21
Total number of permits changed from education to other reasons	N/A	N/A	3	2	1	2

Source: Estonian Police and Border Guard Board, Eurostat

**Table 3.2: Main 10 countries of citizenship changing from any other reason to education reasons**

Position of the country of citizenship	2006		2007		2008	
	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	N/A	N/A	N/A	N/A	Belarus	1
2nd main	N/A	N/A	N/A	N/A	Georgia	1
3rd main	N/A	N/A	N/A	N/A	USA	1
4th main	N/A	N/A	N/A	N/A		
5th main	N/A	N/A	N/A	N/A		

6th main	N/A	N/A	N/A	N/A		
7th main	N/A	N/A	N/A	N/A		
8th main	N/A	N/A	N/A	N/A		
9th main	N/A	N/A	N/A	N/A		
10th main	N/A	N/A	N/A	N/A		

	2009		2010		2011	
Position of the country of citizenship	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	Moldova	1	Russia	2	Russia	3
2nd main						
3rd main						
4th main						
5th main						
6th main						
7th main						
8th main						
9th main						
10th main						

Source: Estonian Police and Border Guard Board, Eurostat

**Table 3.3: Main 10 countries of citizenship changing from education reasons to any other reason**

	2006		2007		2008	
Position of the country of citizenship	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	N/A	N/A	N/A	N/A	Ukraine	1
2nd main	N/A	N/A	N/A	N/A	USA	1
3rd main	N/A	N/A	N/A	N/A	Armenia	1
4th main	N/A	N/A	N/A	N/A		
5th main	N/A	N/A	N/A	N/A		
6th main	N/A	N/A	N/A	N/A		

7th main	N/A	N/A	N/A	N/A		
8th main	N/A	N/A	N/A	N/A		
9th main	N/A	N/A	N/A	N/A		
10th main	N/A	N/A	N/A	N/A		

	2009		2010		2011	
Position of the country of citizenship	Name of the country of citizenship	Total	Name of the country of citizenship	Total	Name of the country of citizenship	Total
1st main	Russia	2	USA	1	Russia	2
2nd main						
3rd main						
4th main						
5th main						
6th main						
7th main						
8th main						
9th main						
10th main						

Source: Estonian Police and Border Guard Board, Eurostat

**Tables 4: D visas issued for education reasons**

**Table 4.1 : D visas issued by reason**

	2006	2007	2008	2009	2010	2011
Total number of D-visas issued for education reasons	N/A	N/A	N/A	N/A	N/A	N/A

Tables 5. Issued work permits to students

	2006	2007	2008	2009	2010	2011
Total	N/A	N/A	N/A	N/A	N/A	40

**Table 5.1. Main 10 countries of citizenship**

	2006	2007	2008	2009	2010	2011
1.	N/A	N/A	N/A	N/A	N/A	Russia
2.						Ukraine
3.						Belarus
4.						Turkey
5.						Brazil
6.						Azerbaijan
7.						USA
8.						Guyana
9.						Palestine
10.						Georgia

*Source: Estonian Police and Border Guard Board*