

ANNUAL REPORT 2015

MIGRATION AND ASYLUM POLICY



ESTONIA

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The European Migration Network (EMN) is a network founded by the European Commission in 2003 and it is also financially supported by the Commission. According to 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 policymaking 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. Estonian National Contact Point for communicating with the European Commission is located at the University of Tallinn.

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EXECUTIVE SUMMARY

A total of 3,936 **first residents permits** were granted in Estonia in 2015, a 22% increase compared to the previous year.

First residence permits, 2010-2015

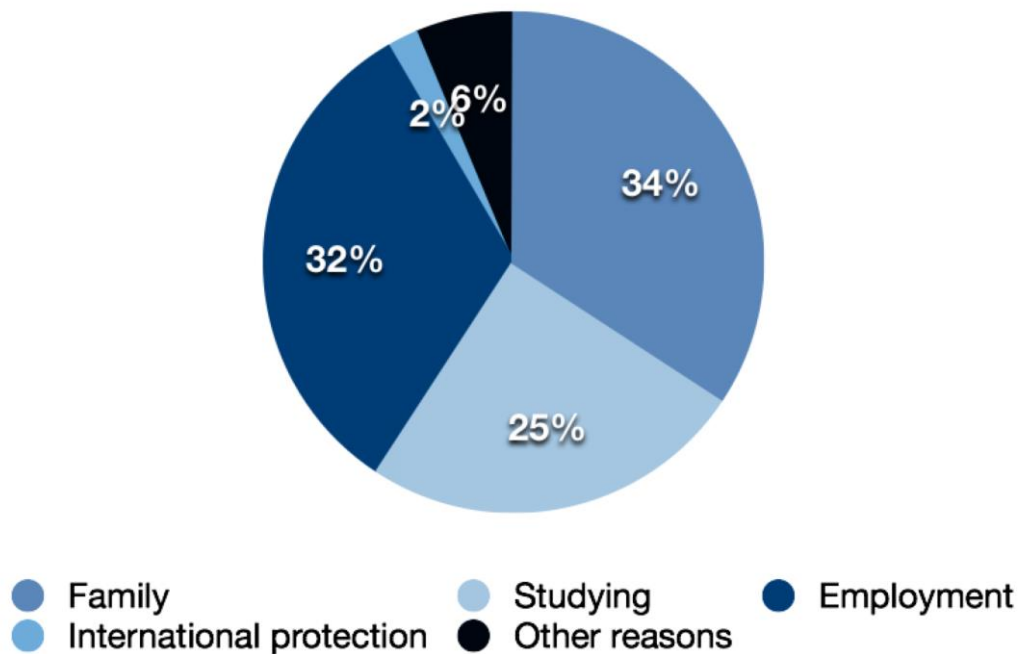
	2010	2011	2012	2013	2014	2015
First residence permits	2647	3408	2530	2496	3222	3936

Source: PBGB

The main citizenships of the applicants for residence permits were Ukraine, Russia, USA, India and Belorussia, just like in 2014.

Family reasons (1348) and remunerated activities (1276) were the main grounds for granting residence permits - a third (34%) of the first residence permits are granted for family reasons, closely followed by remunerated activities (32%). A quarter of all first residence permits were given for study purposes (983).

First residence permits, by reason 2015



Source: PBGB

First Residence Permits, by Reason 2015

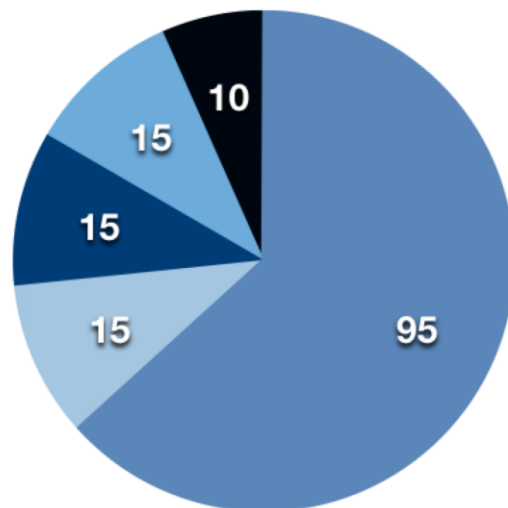
	First permits (all)	Family	Studying	Employment	International protection	Other reasons
TOTAL	3936	1348	983	1276	78	251

Source: PBGB

About two-thirds of first resident permits were issued to men - the main reason for men is employment, followed by education reasons, whereas for women the main reason is family reunification, followed by education reasons.

While the number of **asylum applicants** in Estonia is smaller than in other EU countries, the number of persons applying for asylum here has been increasing over the years. In 2015 the number of total applications reached 228, a marked increase compared to earlier years - about a third more than in 2014 and 2.4 times more than in 2013. The biggest group of asylum seekers to Estonia in 2015 was from Ukraine, followed by citizens of Russia, Syria, Iraq and Georgia (compare this with Lithuania's TOP5 of Ukraine, Georgia, Russia, Afghanistan and Iraq; and Latvia's TOP5 of Iraq, Vietnam, Ukraine, Afghanistan and Georgia; EU-28's TOP5 countries of origin of (non-EU) asylum seekers in 2015 were Syria, Afghanistan, Iraq, Kosovo and Albania¹).

Citizenship of persons applying for international protection in Estonia, 2015 (TOP5)



● Ukraine ● Russia ● Syria ● Iraq ● Georgia

Source: Eurostat

Estonia granted international protection to 78 asylum seekers in 2015; in 102 cases the asylum application was rejected as unfounded. Of the 78 positive decisions, 21 were given

¹ Source: Eurostat (migr_asyappctza), extracted on 20 April 2016

refugee status and 57 were granted subsidiary protection. No “quota refugees” were admitted in 2015.

Number of people acquiring citizenship through naturalisation, 2010-2015

	2010	2011	2012	2013	2014	2015
Citizenship by naturalisation	1189	1518	1340	1330	1614	891

Source: PBGB

In 2015, 891 persons gained Estonian citizenship through naturalisation, of whom 737 were persons with undetermined citizenship². This was also the biggest group of beneficiaries of citizenship through naturalisation, followed by the former citizens of Russian Federation (127 persons), Ukraine (18 persons), Nepal (2 persons), Latvia, Kazakhstan, Armenia, China, Bangladesh, Jordan and Turkey (1 person each).

² <https://www.politsei.ee/dotAsset/61217.pdf>

1. INTRODUCTION

1.1. Introduction: Purpose

In accordance with Article 9(1) of Council Decision 2008/381/EC establishing the European Migration Network (EMN), each EMN National Contact Point is required to provide a report describing the migration and asylum situation in the relevant member state, give an overview of the policy developments and statistical data of the area in question. The EMN report provides an overview of the most significant political and legislative developments, as well as public debates, in the area of migration and asylum. Each Member State documents the state of implementation of European Union legislation and the impact of European policy developments at national level. Secondly, country-specific significant political, legal, administrative and other developments in the area of migration and asylum are described by each Member State. Thirdly, Member States are asked to comment on relevant debates.

The report has been prepared on the basis of the specification developed by the European Commission and approved by the National Contact Points of the European Migration Network. The report provides an overview about the most important changes in migration and asylum policy and reflects the discussions at the parliament and society in Estonia about the issues related to migration and asylum over a period from 1 January 2015 until 31 December 2015.

This report is the tenth migration and asylum policy report prepared by the EMN Estonian National Contact Point. The report gives a summarised overview of the institutions and legal acts that regulate migration and asylum issues in Estonia, more detailed overview of them is presented in the previous EMN EE NCP reports.

This EMN Annual Policy Report is the second part of the reporting. It is primarily aimed at the national audience, compiling information on development trends in migration-related matters in Estonia. The key findings of the first part of the EMN reporting process are included in this report. The report also covers the public debates on immigration and integration, as well as presents key trends in the statistics.

1.2. General Structure of Asylum and Migration Policy System in Estonia

The migration and asylum policy system and the institutional context in Estonia have generally remained unchanged as compared to the previous years. These are the main institutions involved in the issues of migration and international protection in Estonia.

The Ministry of the Interior is responsible for the formulation of migration and asylum policy as well as coordinating it in Estonia. The Ministry of the Interior represents Estonia in migration-related issues in the European Union and in international cooperation.

The Police and Border Guard Board (PBGB) is the main implementing body of the migration and asylum policy. PBGB monitors entry into the country as well as departure from

the country; they establish the asylum seeker's identity and travel route, grants residence permits and organises the registration of EU citizens.

The Ministry of Foreign Affairs in co-operation with the Ministry of the Interior develops the visa policy and co-operates with the PBGB in applications for and issue of residence permits and documents in foreign representations of Estonia. Estonian consulates abroad grant visas and accept citizenship and residence permit applications.

The Ministry of Social Affairs is responsible for issues related to the reception and accommodation of asylum applicants.

The Estonian Unemployment Insurance Fund, administered by the Ministry of Social Affairs, issues the prospective employers permits for employing citizens of third countries.

The Ministry of Justice is responsible for issues related to human trafficking.

The Ministry of Culture is responsible for the integration issues.

In addition to the governmental authorities, several local and international NGOs remain active in the field of migration, asylum and integration issues in 2015.

1.3. General Structure of the Legal System of Migration and International Protection in Estonia

No significant structural changes took place in the Estonian legal system during 2015.

The most important legal acts and decrees regulating migration and international protection issues in Estonia:

- * **Aliens Act** regulates the bases for the entry of aliens into Estonia, their temporary stay, residence and employment in Estonia and their legal liability for violation of obligations provided for in the Aliens Act;
- * **Act on Granting International Protection to Aliens** regulates the bases for granting international protection to an alien, the legal status of an alien who is applying for international protection and an alien who has been granted international protection and the legal bases for his or her temporary stay, residence and employment in Estonia on the basis of treaties and the legislation of the EU;
- * **Obligation to Leave and Prohibition on Entry Act** provides the bases and procedure for the application to aliens of the obligation to leave Estonia and the prohibition on entry into Estonia and the regime for the passage of an alien through Estonia; and
- * **Citizenship Act** that establishes the procedures for obtaining, restoring and surrendering Estonian citizenship.
- * The conditions for stay and residence in Estonia of the citizens of the European Union and their family members are regulated with the **Citizen of the European Union Act**.

2. OVERVIEW OF GENERAL POLITICAL DEVELOPMENTS

Estonian general elections took place on 1 March 2015. The liberal Reform Party won the elections, and formed the government. Mr Taavi Rõivas, who had been stated as a Prime Minister in March 2014 after Andrus Ansip left the office, formed the new government and continued as the Prime Minister.

The head of the Ministry of the Interior responsible for the migration and asylum issues is Mr Hanno Pevkur (Reform Party), the Ministry of Culture responsible for the integration issues is lead by Mr Indrek Saar (Social Democratic Party), the Ministry of Social Affairs responsible for the reception and accommodation of asylum applicants is lead by Mr Margus Tsahkna (Pro Patria and Res Publica Union).

The Government has foreseen couple of significant changes in the country's migration and naturalisation area as stated in the **Coalition Policy Agreement** set for the years 2015-2019³.

- 1) The government will seek options to implement a principle in legislation, according to which a person who has received his or her nationality at birth will not be forced to choose between two nationalities.
- 2) While the government is against massive import of low-skilled foreign labour force, it is proposing certain steps to help the development of the ICT sector. More specifically, the government plans to increase the immigration quota, so that more ICT professionals and their families could settle in Estonia.
- 3) In order to stand up against the quickly increasing immigration pressure, the government will support the strengthening of the border agency of the European Union, will support the implementation of the European Union entry and departure register and the use of new border control information systems at the external border of the EU, that would enable to control better the persons crossing the external border of the EU and the immigrants.
- 4) The government will support the strengthening of the European Union border guard agency FRONTEX to cope with the growing immigration pressure, and will also support the implementing of the European Union entry/exit system and implementing border control information systems on the external borders of the EU, enabling better control over immigrants and persons crossing the external border of the EU.

The goals of the migration and border management policy are defined in the **National Security Concept of Estonia** (2010) and in the **Internal Security Strategy for 2015-2020**⁴. Implementation of the development plan is the responsibility of the Ministry of the Interior. The goals of the plan are reviewed annually.

³ <https://valitsus.ee/sites/default/files/content-editors/failid/coalition-policy-agreement-may2015.pdf>

⁴ In addition to immigration the development plan covers crisis management and rescue policy, law enforcement, criminal and security policy, education in the area of internal security.
<https://www.siseministerium.ee/en/news/ministry-interior-finalised-internal-security-strategy-2015-2020>

The overall goal of the field of immigration is balanced migration and citizenship policy. More explicitly the aim is to enhance the capacity for migration surveillance in the context of increasing (pressure of) irregular migration (both on national, bilateral and EU level), compliance with the Schengen system and implementation of the compensatory measures, reducing the number of people with undetermined citizenship. The importance of insuring the capacity for processing international protections applications in the case of rapid escalation in the number of applications (e.g. in the context of visa-freedom with the Russian Federation, and introduction of new flight destinations in Asia) is also outlined among the priorities.

3. LEGAL MIGRATION AND MOBILITY

The overall aim of the Estonian migration policy is to foster the arrival and stay of third country nationals who can contribute to the development of the Estonian society. On 18 February 2015, the Estonian Parliament *Riigikogu* approved **amendments to the Aliens Act**. The amendments entered into force in several stages, most of them on 1 January 2016. Here are the relevant amendments:

- a 90-day (for students, lecturers and researches 180-days) transition period after the expiry of the residence permit, during which a person can apply for a new residence permit;
- Government will have the power to decide in which fields Estonian employers are not obliged to offer a salary 1.24 times the Estonian average wage; they also do not have to get a permission from the Estonian Unemployment Insurance Fund to mitigate structural labour shortages;
- foreign employees may work simultaneously with several employers. If a foreigner works for more than one employer simultaneously, only the employer who employed the foreigner first, has an obligation to pay the Estonian average monthly gross wage multiplied by a coefficient of 1.24;
- restrictions for employment were abolished for third-country nationals staying in Estonia on the basis of temporary residence permit for entrepreneurship;
- aliens staying in Estonia temporarily or on the basis of a temporary residence permit have the opportunity to work in Estonia as agency workers;
- an alien who has acquired a higher education in Estonia in the studies based on integrated curricula of Bachelor's and Master's studies may be issued a residence permit for employment without the meeting the requirement for the amount of remuneration to be paid and permission of the Estonian Unemployment Insurance Fund;
- a temporary residence permit for employment for the purposes of research may also be issued to an alien if an educational institution has a valid institutional accreditation and if the principal activity of the institution entered in the state register of state and local government authorities is research and development;
- the permit of the Estonian Unemployment Insurance Fund will no longer be related to a specific alien and it may be granted for filling one or several positions with aliens at an Estonian employer;

The aim of the amendments was to simplify the conditions of entry for those categories of foreigners who would contribute to Estonian economy and society.

In 2015, amendments to the Aliens Act in relation to the harmonisation of EU Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer and Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the

purpose of employment as seasonal workers, were drafted. The amendments are planned to be passed to the Parliament for deliberation in 2016.

A total of 3936 first residents permits were granted in 2015, about 22% more than on previous year.

First residence permits, 2010-2015

	2010	2011	2012	2013	2014	2015
First residence permits	2647	3408	2530	2496	3222	3936

Majority of first resident permits were issued to men (62.5%). Family reasons and remunerated activities were the main grounds for granting residence permits, 1348 and 1276 in 2015, respectively. There is a difference in reasons for residence permits based on gender. The main reason for men is work, followed by education reasons and only then family reunification. For women, the main reason is family reunification, followed by education reasons and finally remunerated activities.

First Residence Permits by Reason and Gender, 2015

	First permits (all)	Family reasons	Education reasons	Remunerated activities reasons	Other reasons
Female	1477	859	374	148	96
Male	2459	489	609	1128	233
TOTAL	3936	1348	983	1276	329

Source: PBGB

3.1. Economic migration

Similarly to other EU Member States, Estonia is in need of (highly) qualified labour force and is looking into ways to facilitate the entry of highly skilled migrants⁵. In 2015 several amendments were introduced to the Aliens Act aimed at simplifying the entry of highly-skilled specialist and international students to Estonia. The main debate in Estonia is centred round the challenges posed by the decreasing population and growing need for highly qualified workers (incl. foreign ones). There is a strong call for defining more clearly the provisions of the foreign labour migration – whom, from where and on which conditions should be allowed to come to work in Estonia.⁶ The need for highly-skilled foreign specialists is acknowledged in the current Coalition Policy Agreement, where the need to increase the immigration quota is highlighted.

⁵ Labour demand forecast until 2023

⁶ For a more detailed analysis, see EMN EE NCP 2015 report “Determining labour shortages and the need for labour migration from third countries in the EU”

Ministry of Economic Affairs and Communications carries out analysis of labour market and skills needs and shortages annually (incl. the assessment of number of workers/employees needed in specific areas of activity and the required level of education). According to their predictions regarding the labour needs by the year 2023 the biggest challenge in the coming years is the replacement of workers. It is estimated that around 12 000 will leave the labour market each year between 2014 and 2023⁷. While the number of young people graduating from vocational schools and universities is currently bigger than labour market needs, then not all graduates are entering the labour market, and the share of young people in the total population is diminishing. The discrepancy between labour demand and supply will be especially visible in the field of skilled workers, for instance in information and communications technology (ICT) and health sector, there is also growing need for care-workers in the service sector. A large number of the need for highly skilled professionals can be met by the national workforce, but in view of demographic developments, involvement of foreign professionals is necessary⁸. The labour demand forecast does not assess the need for foreign labour specifically.

However, the Ministry of Economic Affairs and Communications has published a policy plan “**Work in Estonia - Action Plan 2015-2016 for Involving Foreign Specialists to Estonia**”. The Ministry highlights the need for involving foreign specialists in Estonia, but admits that as the global competition for the people with the best competencies and skills began over 20 years ago, attracting specialists to Estonia is not easy. The development of the image of work destination country (in this case Estonia) is of utmost importance, as otherwise top specialists in their field will not come to the country and the smarter ones will leave for more developed countries. The policy focuses both on involving foreign specialists, as well as potentially luring back Estonians who have gone to work in other countries. The Action Plan for Involvement of Foreign Specialists hopes that the involvement of foreign specialists increases the internationalisation of the Estonian society and economy by attracting foreign specialists to Estonia and by employing them.

There has been no common approach in the form of an action plan or strategy at the national level, dealing with foreign specialists. The Action Plan for Involvement of Foreign Specialists is the first initiative of its kind, resulting from Estonia’s competitiveness plan “Estonia 2020”. One of the actions set out in the program “Estonia 2020” is the attraction of talents to the essential areas of the Estonian economy, i.e., a **coordinated talent policy**, one component of which is cooperation between different sectors (state, enterprises, universities, non-governmental organisations), expansion of the internship opportunities of foreign students and ensuring of a judicial area that would support the stay of the future top professionals in Estonia after the end of their studies. In April 2015, Work in Estonia web portal was launched, aiming to attract talent to Estonia from around the world⁹.

The Action Plan for Involvement of Foreign Specialists is an action plan resulting in the “**Estonian Entrepreneurship Growth Strategy 2014–2020**” which will contribute to the

⁷ Labour demand forecast until 2023

⁸ <https://www.mkm.ee/workinestonia/en/>

⁹ <http://news.err.ee/v/business/economy/be8172e6-70f6-4654-9452-c127629d86bc/work-in-estonia-web-portal-launched-to-attract-talent-from-around-the-world>

achievement of the objectives of the business growth strategy and thereby to the realisation of the umbrella objectives of “Estonia 2020”. The Action Plan for Involvement of Foreign Specialists brings together the activities of the various parties in the years 2015 and 2016. The Action Plan is confirmed by the Minister of Foreign Trade and Economic Development.

The **unemployment rate** in Estonia is currently one of the lowest in the EU. At just 6.2%, it’s at the same level as Denmark, and just slightly higher than Germany (4.6), Malta (5.4), Austria (5.7) and the United Kingdom (5.3)¹⁰. Compared to 2014, the overall unemployment rate in Estonia decreased in 2015 (from 7.4% in 2014 to 6.2% in 2015)¹¹. When adding the nationality dimension, then in 2015 the unemployment rate among Estonians/EU nationals was 5,7%, while among non-Estonians/third country nationals it was 9,2%¹². However, the differences in unemployment rates based on nationality continue to decrease - while in 2010 it was 14.6 percent points, in 2013 it was 6.0% and in 2015 just 3,5%.

Unemployment rate by nationality, 2010-2015

%	2010	2011	2012	2013	2014	2015
Estonian nationals	14,0	10,6	8,5	7,6	6,5	5,7
TCNs or stateless persons	29,6	21,4	18,0	14,6	12,8	9,2
TOTAL	16,7	12,3	10,0	8,6	7,4	6,2

Source: Statistics Estonia, Labour Force Survey

¹⁰ Source: Eurostat (tipsun20), extracted on 28 April 2016

¹¹ Source: Statistics Estonia <http://www.stat.ee/37215/?highlight=unemployment>

¹² Source: Statistics Estonia <http://www.stat.ee/277459/?highlight=t%C3%B6C3%B6C3%B6h%C3%B5ive>

There is a number of new or planned policies and measures aiming to facilitate admission and access of the following categories of migrants:

- **Highly Qualified Workers:** amendments to the Aliens Act, approved in February 2015 and coming into force on 1 January 2016, included provisions to simplify employment of aliens who have acquired higher education in Estonia. Also, the list of institutions who are allowed to hire foreign scientists, widened.
- **Intra-Corporate Transferees (ICTs):** changes related to seasonal work will be introduced with the harmonisation of the Directive 2014/66/EU
- **Seasonal Workers:** changes related to seasonal work will be introduced with the harmonisation of the Directive 2014/36/EU
- **Migrants entrepreneurs:** amendments to the Aliens Act that were approved in February 2015 and entered into force on 1 January 2016, abolished the restrictions for employment for third-country nationals staying in Estonia on the basis of temporary residence permit for entrepreneurship (hitherto on the basis of residence permit for employment were not allowed to work as an employee). Also, the aliens may register their absence from Estonia, if they plan to stay outside Estonia temporarily for the purposes of entrepreneurship.
- **Au pairs:** changes related to *au pairs* will be considered with the harmonisation of the students and researchers directive.

Majority of the **residence permits issued for employment** in Estonia are subject to annual immigration quota. According to the Aliens Act¹³ the annual immigration quota cannot exceed 0.1% of the permanent population of Estonia. In 2009-2014, the immigration quota was set to 0.075% of the permanent population, allowing entry for 1000 persons in 2013 and 996 in 2014. In 2015 the annual immigration quota was raised to 0.1%, granting a temporary residence permit to 1322^{14, 15}.

The Government justified the quota rise with an increased appeal of Estonia as a place to work and live. Temporary residence permits are issued for up to 5 years; the quota does not apply to the citizens of Switzerland, the United States and Japan, or for those who want to come to Estonia for the purpose of teaching or conducting academic research, for study, for family reasons, among others.

¹³ Aliens Act §113, section 2, RT I 2010, 3, 4 [entered into force 01.10.2010]

¹⁴ Decree of the Government of the Republic “Establishing the immigration quota for 2015“

¹⁵ The migration quota for 2016 is set at 1318 persons.

Decisions on Temporary residence permits under Immigration Quota, 2010-2015

	2010	2011	2012	2013	2014	2015
Business	62	138	56	43	24	16
Legal income*	22	43	n/a	n/a	n/a	n/a
Employment	686	1081	500	518	829	915
International Treaties	56	22	25	41	35	20
TOTAL	816	1284	581	602	888	951

Source: PBGB

* no longer valid as of 1.07.2012

There was a slight increase in the total number of temporary residence permits granted for economic reasons in 2015. 915 residence permits were granted with the aim of working or doing business in Estonia, compared to 888 in 2014 - increase of 3%.

For mitigating brain drain and migrants' remittances, see Chapter 7 (Migration and Development).

3.2. Family Reunification

Third-country nationals who have come to Estonia as family members are included as a separate target group in the new adaptation programme initiated by the Ministry of Interior, in order to facilitate better integration into their host society. The programme was launched in 2015, all the necessary information is available at <https://www.settleinestonia.ee>.

Amendments to the Aliens Act, that were approved in February 2015 and entered into force on 1 January 2016, included the following provisions regarding the conditions to issue a temporary residence permit to settle with a spouse:

- In addition to Estonian citizen and an alien who has resided in Estonia on the basis of a residence permit for two years, a temporary residence permit to settle with a spouse may also be issued if the spouse is of Estonian origin;
- The cases where the requirement for prior residence of a spouse in Estonia for at least two years is not applied, was widened. The list now includes also aliens, who have residence permit for studies based on the integrated curricula of Bachelors and Masters studies, as well as aliens who have residence permit for employment as lecturers.
- The period of validity of the temporary residence permit to settle with spouse were amended.

In 2015, family reunification was the most prominent type of migration to Estonia - about 34.2% of first residence permits were granted for family migration last year.

First residence permits granted for family migration 2010-2015

	2010	2011	2012	2013	2014	2015
Number of permits	972	1289	1150	1103	1263	1348

Source: PBGB

In 2015, in total 1348 first residence permits were issued for the purposes of family reunification - a 6.7% increase compared to 2014. In 2015, 859 permits were issued to women, 489 to men.

3.3. Students and researchers

3.3.1. General developments

Mutual recognition of diplomas is based on the Government regulation on “Conditions and Procedure for Assessment and Academic Recognition of Documents certifying Education Completed in Foreign State and for Use of Title of Qualification Granted in Education system of Foreign State” of 2006. Importantly in this area, **the Estonian Minister of Education Mr Jürgen Ligi and the Chinese Deputy Minister of Education Li Weihong signed the mutual recognition of diplomas act in April 2015**. It is hoped that this will further increase the cooperation and student exchange between the two countries; a total of 107 Chinese students are studying at Estonian universities in 2015/2016.

In 2015 Estonian universities organised several fairs and study-trips to promote Estonia to international students and to introduce the employment possibilities to international students who have completed their studies in Estonia.

Study in Estonia is a cooperation platform of institutions of higher education in Estonia, aiming to increase the visibility of Estonia as an attractive study destination, and promote the opportunities for studying for international students. The activities are coordinated by Archimedes Foundation in the framework of DoRa+¹⁶ activity and financed by the European Regional Development Fund.

Study in Estonia targets both international exchange students as well as post-graduate students. The target countries are mainly Finland, Russia, China, Turkey, Georgia, Ukraine and India, where Estonia has diplomatic representation and already good contacts with local education authorities and institutions. According to the **International Student Barometer**¹⁷

¹⁶ <http://adm.archimedes.ee/stipendiumid/en/programm-dorapluss/>. DoRa run until 31 December 2015 (2008-2015), 85% of the 33.5-million-Euro budget came from the European Social Fund.

¹⁷ International Student Barometer is the biggest international student satisfaction survey in the world. Estonia participated for the third time.

study, published in April 2015, 89% of foreign students studying in Estonia are satisfied with the level of teaching¹⁸.

Study in Estonia has been actively introducing and promoting Estonian universities abroad. Study in Estonia and Estonian universities participated in various fairs in 2015, including ExpoGeorgia in Tbilisi, Georgia (February 2015 and September 2015), ICIEP education fair in Moscow and St. Petersburg (February 2015 and October 2015), EAIE international education contact fair in Glasgow, Scotland (September 2015), IEFT education fair in Istanbul, Turkey (October 2015), QS Grad School Tour in New Delhi, Mumbai and Hyderabad, India (December 2015). Additionally, Study in Estonia participated at the contact fair EAIE in Prague and at mini-fairs.

In 2015, 983 first residence permits were granted for education reasons (859 for females, 489 for males), or about a quarter of all first residence permits. In total, there were 3476 full-time international students from around 100 different countries studying at Estonian universities and colleges in 2015/2016, making up about 5.2% of the total number of students. 1860 of them were TCNs. A highest number of TCN students were from Russia (255), followed by Ukraine (167), Nigeria (158), Georgia (136), Turkey (123), India (122) and China (107). In 2014, the list of countries were similar, but the order was somewhat different, when the main countries of origin were Russia (230), Turkey (112), Georgia (110), Ukraine (93), India (92), China (86) Nigeria (76). (See Annex C for more detailed statistics.)

3.3.2. Study-to-Work Pathway

International students are increasingly considered to be an attractive group of potential skilled migrants, being young, well-educated and already equipped with host country credentials.

The Ministry of Economic Affairs and Communications published a document “Work in Estonia: Action Plan 2015-2016 for Involving Foreign Specialists to Estonia”, which also highlights the international students as a source of prospective skilled migrants. The number of foreign students studying in degree programs in Estonia has quadrupled during the period 2005–2015, reaching **3476** in 2015¹⁹. However, the application of international students by local entrepreneurs in Estonia has been extremely limited. Typically in the OECD countries (e.g. Germany, the Netherlands, UK, Finland, Norway), about a quarter of all international students remain in the country where they acquired their education²⁰. A recent study indicated that over half of the international students at the Tallinn University of Technology plan to find work in Estonia after graduating; and two-thirds of the Master-level students plan to remain in order to work²¹, Riigikontroll estimates that about 20% of international students remain in the

¹⁸ <https://www.hm.ee/et/uudised/valisuliopilased-hindavad-estis-oppimist-korgelt> (Ministry of Education and Research, 25 April 2015)

¹⁹ Source: EHIS. Note this includes all international students, not just from third countries.

²⁰ Mobile Talent? The Staying Intentions of International Students in Five EU Countries.

²¹ <http://news.err.ee/v/news/politics/education/0e1d5a88-d40f-4de2-93d0-02df6c955f52/over-half-of-tut-foreign-students-plan-to-remain-in-estonia-after-studies>

country to work²². The long-term goal for 2020 is to keep 30 percent of the graduates in Estonia at least on temporary basis after they finish their studies²³. A recent EMN focused study showed that annually only 20-30 changes of immigration status from education to remunerated activities take place²⁴.

In order to introduce the study-to-work pathway, Archimedes, Work in Estonia and Ülemiste City organised a recruiting event for foreign students studying in Estonia in November 2015. The job fair was aimed at bachelor and master level students in different fields of study. The main goal of the job fair was to help companies find qualified staff and make it easier for the best students to stay in Estonia after graduation. The fair featured a series of seminars, focusing on topics like Estonian working culture, Estonian work laws, and starting a business in Estonia. Over 30 companies and 200 students were in attendance. This was the third time such event took place, the first of its kind was organised in 2013.

From January 2015, remaining in Estonia became easier for international students. In order to provide for a more flexible extension of Estonian residence, a 90-day transitional period is provided after the expiration of an existing residence permit (foreign students graduated from Estonian universities and researchers/professors benefit from 183-day window period). During this time, a foreigner may stay in Estonia and apply for a residence permit on a new basis – be it a residence permit for establishing one's own business, working or further studies.

Amendments to the Aliens Act that were approved in February 2015 and entered into force in 1 January 2016, included provisions to simplify employment of aliens who have acquired higher education in Estonia. Students in the integrated Bachelor and Master's programme were added to the list of beneficiaries of the simplified procedure of admission. They may be issued a residence permit for employment without the meeting the requirement for the amount of remuneration to be paid and permission of the Estonian Unemployment Insurance Fund.

The amendments also included provisions to diminish the differences in admission conditions for researchers and lecturers/teachers. The new provision also allows both researchers and lecturers to apply for the temporary resident permit while in Estonia. They are no longer included in under the annual immigration quota set by the Government. Also, the list institutions who are allowed to hire foreign scientists, was expanded. A temporary residence permit for employment for the purposes of research may also be issued to a third country national if an educational institution has a valid institutional accreditation and if the principal activity of the institution entered in the state register of state and local government authorities is research and development.

²² Ülevaade riigi rändepoliitika valikutest, 2015

²³ <http://news.err.ee/v/economy/c451e24b-a048-4fa9-a745-2568f11e9992/10-12-of-foreign-students-stay-in-estonia-after-graduation>

²⁴ Changes in immigration status and purpose of stay: an overview of EU Member States approaches. Estonian national report.

Also researchers, lecturers and students will have the right to stay in Estonia for 183 days after the expiration of the residence permit, during which they can apply for a new residence permit in order to find a job or start a business, etc.

3.4. Integration, naturalisation and citizenship

As of 1 January 2016, 84.2% of Estonia’s population held Estonian citizenship, 9.7% were citizens of other countries, and 6.1% were of undetermined citizenship.

In 2015, **Estonia launched the welcoming programme for newly arrived foreigners**²⁵ who have been legally residing in Estonia for less than five years, including providing free-of-charge introductory information on various practical topics and basic language learning. As of 1 August 2015, foreigners who have resided less than five years in Estonia (on the basis of a temporary residence permit/ right of residence) will be entered into the programme by the Police and Boarder Guard Board. The welcoming programme consists of various training modules and A1 Estonian language tuition. The adaptation programme *inter alia* aims to promote self-sustainability, fast adaptation and further integration of foreigners in the labour market, education and society, as well as self-employment and entrepreneurship. Both high- and low-skilled migrants and their family members are targeted by the programme; for beneficiaries of international protection, a specific module is provided²⁶.

Active informing activities regarding the opportunities for obtaining the Estonian citizenship have been carried out since 2008, aimed at stateless people with **undetermined citizenship**. Different information events have served their purpose. On 1 January 2015, 88 052 persons with undetermined citizenship lived in Estonia. By the end of the year 2015, the number of stateless persons (persons with undetermined citizenship) living in Estonia on the basis of a valid right of residence or residence permit had decreased to 82 561²⁷ (that is a decrease of 5491).

In 2015, 891 persons gained Estonian citizenship through naturalisation, of whom 737 were persons with undetermined citizenship²⁸.

Number of people acquiring citizenship through naturalisation, 2010-2015

	2010	2011	2012	2013	2014	2015
Citizenship by naturalisation	1189	1518	1340	1330	1614	891

Sourc: PBGB

²⁵ <https://www.siseministeerium.ee/en/welcoming-programme>

²⁶ An Ad-Hoc Query on the Adaptation Programmes for Newly Arrived Migrants was requested by EE EMN NCP on 30 July 2013, which contributed to the development of the Estonian adaptation programme. See: [http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/residence/495_emn_ahq_adaptation_programmes_for_newly_arrived_migrants\(wider_dissemination\).pdf](http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/reports/docs/ad-hoc-queries/residence/495_emn_ahq_adaptation_programmes_for_newly_arrived_migrants(wider_dissemination).pdf)

²⁷ <https://www.siseministeerium.ee/et/siseturvalisuse-valdkond/kodakondsus-ja-ranne>

²⁸ <https://www.politsei.ee/dotAsset/61217.pdf>

People with undetermined citizenship were the biggest beneficiaries of citizenship through naturalisation, followed by the former citizens of Russian Federation (127 persons), Ukraine (18 persons), Nepal (2 persons), Latvia, Kazakhstan, Armenia, China, Bangladesh, Jordan and Turkey (1 person each).

3.5. Managing migration and mobility

In 2015 the foreign representations of Estonia and the Police and Border Guard Board issued 131 071 visas. Overwhelming majority of visas issued are Schengen visas (129 006 issued to TCNs coming directly from a third country; 257 issued to TCNs resident in another EU member state). 2116 national visas (D visas) were issued to TCNs coming directly from a third country, 31 national visas were issued to TCNs resident in another EU member state.

Visas issued in 2015

Visas issued in 2015				
	(Schengen) short stay Visas (so called A and C visas, the latter including LTV visas – stays of up to 90 days)		National Visas (so called D visas)	
	Issued to TCNs coming directly from a third country	Issued to TCNs resident in another EU Member State	Issued to TCNs coming directly from a third country	Issued to TCNs resident in another EU Member State
Total	129 006	257	2116	31

Source: PBGB

During 2015, collecting of fingerprints was implemented also in regions where Estonian representations collect majority of Estonian visa applications – in Russia, Belarus and Ukraine (more that 90% of Estonian visa applications are lodged in these three countries). On November 20, 2015, the Visa Information System (VIS) was implemented in all regions and since that date all Estonian representations are collecting fingerprints according to the Visa Code art. 13. Implementation of VIS allows to obtain swiftly the information about visas issued, refused, annulled or revoked by other Member States.

On 20 January 2016, the visa consultation mechanism VISION was changed for VISMail2. The VIS Mail provides direct and secure visa information exchange channel for communication with other Member States.

In 2015, Estonia started 3-year training program for employees dealing with processing of Schengen visa applications funded by the Internal Security Fund. During the first year two training courses were organised – one for employers of Estonian Embassies and Police and Border Guard Board who deal with collecting fingerprints from visa applicants and the other for consuls examining Schengen visa applications in Estonian representations.

While issuing visas, Estonia gives importance to improving cooperation between the consulates of the EU Member States and creating a common consular service for visas. In

order to simplify application for visas in countries where Estonia does not have its own foreign representation, visa representation agreements have been concluded with 18 Schengen Member States (Austria, Czech Republic, Spain, the Netherlands, Lithuania, Latvia, Poland, France, Germany, Finland, Slovenia, Denmark, Hungary, Switzerland, Belgium, Italy, Sweden and Norway) and Estonia is represented in 109 destinations in total.

Estonia itself represents 6 Schengen Member States (Denmark, Finland, Latvia, Lithuania, Netherlands and Sweden) in issuing Schengen visas in Australia (Canberra), Belarus (Minsk), Georgia (Tbilisi), Russia (Pskov), Kazakhstan (Astana) and USA (New York).

In 2015 Estonia started processing Schengen visas on behalf of Finland in Astana and behalf of Lithuania in Canberra. Starting from 2016 Estonia is representing Latvia in USA at General Consulate of Estonia in New York. Additionally Latvia represents Estonia in Washington. In 2015 Sweden started processing Schengen visas on behalf of Estonia in Zambia and 2016 Italy in Ecuador (Quito), Qatar (Doha) and USA (San Francisco, Los Angeles, Houston, Chicago ja Miami).

4. INTERNATIONAL PROTECTION (ASYLUM)

4.1. International protection procedures

On 13 May 2015 the European Commission adopted the **European Agenda on Migration**²⁹ for the purpose of redistributing 60,000 individuals in need of international protection, 40,000 to be relocated from Italy and Greece and 20,000 to be resettled from outside the EU. The European action plan was adopted in response to the increasing migration pressure on the southern and south-eastern frontier of the European Union, especially the Eastern Mediterranean route and Central Mediterranean route. In September the European Commission proposed to relocate 120,000 from Greece, Italy and Hungary³⁰; the number of people to be resettled was also increased.

According to the initial plan, Estonia was to receive 1.76% (704 out of 40,000 persons) under the European relocation scheme and 1.63% (326 out of 20,000 persons) under the European resettlement scheme. Initially, Estonia declared its readiness to relocate 329 persons in need of international protection from Italy and Greece and resettle 20 individuals from a Turkish refugee camp. In order to resettle the persons in need of international protection, the Ministry of the Interior started to negotiate with the UNHCR to conclude an agreement. At its meeting of 6 August 2015, the Government of the Republic adopted the "Action Plan for Implementing EU Relocation and Resettlement Measures"³¹ which provided for the reception of 180 individuals. At its meeting of 8 October 2015, the cabinet ministers approved the revised action plan to provide for the reception of 550 persons in need of protection over a period of two years. As Estonia has no previous experience in the relocation of persons, the Ministry of the Interior set up refugee policy coordination council with a view to ensuring better cooperation and coordination between various ministries and agencies.

No so-called quota refugees came to Estonia during 2015.

²⁹ http://ec.europa.eu/dgs/home-affairs/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf

³⁰ http://europa.eu/rapid/press-release_IP-15-5596_en.htm

³¹ "Tegevusplaan Euroopa Liidu ümberasustamise ja ümberpaigutamise skeemide käivitamiseks ja tõrgeteta rakendamiseks" 6.8.2015

4.2. Legislative changes

A new provision of the AGIPA entered into force on 1 August 2015, stating that the PBGB shall refer a foreigner who has been granted international protection to participate in an adaptation programme. The aim of the adaptation programme is to support beneficiaries of international protection in settling in Estonia by helping them to acquire the primary knowledge and skills.

As of April 2015, an applicant for international protection may take employment in Estonia if the decision on his or her application for international protection has not entered into force within six months as of the submission of the application for international protection due to reasons beyond the applicant's control. Previously this was 12 months. An applicant for international protection may take employment in Estonia until the termination of the proceedings of his or her application for international protection³².

4.3. Reception of applicants of international protection

Although the number of asylum applicants in Estonia is smaller than in other EU countries, the number of persons applying for asylum here has been steadily increasing over the years. In 2015 the number of total applications reached 228, a marked increase compared to earlier years - this is about a third more than in 2014 and 2,4 times more than in 2013. Most of the asylum applications were submitted within the country after the person was apprehended during his or her illegal stay in the country. Highest number of asylum applications was submitted by citizens of the Ukraine (95), followed by citizens of Russia (15), Iraq (15), Syria (15) and Georgia (10).

Estonia granted international protection to 78 asylum seekers in 2015; in 102 cases the asylum application was rejected as unfounded. Of the 78 positive decisions, 21 were given Geneva Convention status and 57 were granted subsidiary protection.

Asylum Applications 2010-2015 and Decisions on Granting Asylum or Subsidiary Protection 2010-2015

	2010	2011	2012	2013	2014	2015
Asylum requests	33	67	77	97	157	228
Positive decisions	4	11	13	7	20	78

Source: PBGB

Asylum applicants are accommodated at the Accommodation Centre in Vao managed by Hoolekandeteenused AS which is 100% state-owned enterprise. Vao accommodation centre is located in Vao village, in Väike-Maarja parish in Lääne-Viru county, located 125 km from the

³² Act on Granting International Protection to Aliens.

capital Tallinn. The centre opened its doors in February 2014 and was meant to accommodate 35 persons. However, the real number of people housed in Vao was about twice as much in 2015. Hoolekandeteenused AS extended the number of rooms in use in Vao and preparations began for opening another accommodation centre in Estonia³³. Asylum seekers' language learning opportunities improved and more staff was hired (incl. a person who assists asylum seekers with job applications etc).

In 2015, no major changes took place regarding the access to housing, financial support and social services and medical assistance. The asylum seekers are provided with necessary healthcare, including emergency dental care.

4.4. Integration of asylum seekers/persons with international protection status

The Ministry of Interior is responsible for facilitation of adaptation and the Ministry of Culture is responsible for integration of foreigners.

The adaptation process is considered to be part of migration policy, focusing on the first five years after arrival. This is the period when the foreigner receives basic knowledge about and skills to function in the host country, and is the first step in further integrating into Estonian society. Integration, on the other hand, is conceptualised as a process of being involved in society on a more profound and deeper level. While successful adaptation after arrival is a key to further successful integration, it does not mean instant integration.

The website introducing the new **welcoming programme** was set up by The Ministry of Interior in 2015. The welcoming programme is funded by the European Social Fund (ESF), the Asylum, Migration and Integration Fund (AMIF) and the state budget. In order to support foreign nationals who have migrated to Estonia to settle in and to acquire the primary knowledge and skills, Estonia offers all new arrivals with less than five years legal residency the opportunity to participate in the programme, including beneficiaries of international protection. All the necessary information is available on the www.settleinestonia.ee website.

³³ The second accommodation centre will be opened in 2016 in Vägeva, Jõgeva county.

5. UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

Estonia belongs to Member States that are mainly transit countries which receive rather few asylum applications and very few applications from unaccompanied children. However the number of applicants who claim to be minors has been increasing in recent years, but majority of them have been deemed adults following the age assessment test.

In 2015, there were no UAMs applying for asylum in Estonia.

6. COUNTERING TRAFFICKING IN HUMAN BEINGS

In Estonia, prevention of trafficking in human beings (THB) is part of the policy on preventing all forms of violence.

A new national development **Strategy for Preventing Violence 2015-2020** was submitted for approval in 2014 and was approved by the Estonian Government in February 2015. The Strategy targets violence related to children, domestic violence, gender-based violence and trafficking in human beings. The development plan engages all the relevant ministries and NGOs, and focuses on prevention (e.g. information campaigns against sexual violence and human trafficking, lectures to high school and vocational school student on violence and human trafficking, and so on) and service provision for victims of gender based violence, sexual violence and human trafficking, including prostitution.

In February 2015 Estonia ratified the Council of Europe Convention on Action against Trafficking in Human Beings³⁴. In December 2014, Estonia signed the Council of Europe Convention on preventing and combating violence against women and domestic violence³⁵. The preparations for ratifying the Convention in 2017 are in progress.

The transposition of the Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims continued to be implemented in Estonia.

After the Parliamentary elections in March 2015, a new Action Programme of the Government Coalition was approved in April 2015³⁶, setting the aims for 2015-2019. Violence against women and reducing human trafficking are both in the agenda:

- Point 11.25 We will ratify the international convention on preventing and combating violence against women and domestic violence. We will ensure professional help for victims of an offence against the person through support networks.

³⁴ https://www.coe.int/t/dghl/monitoring/trafficking/Docs/Convntn/CETS197_en.asp. Estonia had signed the Convention in February 2010, the Convention entered into force on 1 June 2015

³⁵ <http://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>

³⁶ <https://valitsus.ee/sites/default/files/content-editors/failid/coalition-policy-agreement-may2015.pdf>

- Point 11.26 We will increase the protection of victims of human trafficking, including prohibiting buying sexual services from human trafficking victims.

According to the 2015 Trafficking in Persons Report³⁷, compiled by the US State Department, Estonia is ranked as a Tier 2 country and can be categorised mainly as the source and transit country for trafficking in human beings. In 2015 two (2) persons were identified as victims of THB, both females and under 18 years of age. In 2015 there were four crimes registered of Penal Code §133, and four traffickers were convicted.

A separate criminal statute “trafficking” was added to the Penal Code in 2012 which has led to the update and revision on the guidelines of the referral and aiding victims of trafficking. According to the Ministry of Justice in 2015 there were 13 offences registered related to illegal border crossings³⁸ that resulted in 8 convictions. There were also 2 offences registered related to supporting trafficking in human beings³⁹.

The change of Victim Support Act was prepared during 2015, the law proposal will be sent to Government in March 2016 and it will hopefully be in effect from 1 January 2017. Potential victims of trafficking can get services for up to 60 days also if police has not been informed by providing offence notice to them. That change should improve the possibility of victims to get support, and hopefully there will be more criminal investigations as a result of this law.

³⁷ Trafficking in Persons Report: Estonia 2015

³⁸ Penal Code §259. Illegal transportation of aliens across state border or temporary border line of Republic of Estonia

³⁹ Penal Code §133 Support to human trafficking

7. MIGRATION AND DEVELOPMENT

7.1. Estonian Development Cooperation

Estonia has been officially engaged in developing cooperation as part of its foreign policy sector since 1998, when the Government first allocated funds for developing cooperation. The overarching goal of Estonian development cooperation is to contribute to the eradication of world poverty and to attaining the Millennium Development Goals⁴⁰.

The development cooperation plan covering 2015, **Strategy for Estonian Development Cooperation and Humanitarian Aid 2011- 2015**, served as the basis for regulating the activities of the Estonian public sector in the areas of development cooperation and humanitarian aid. The guiding principle of the Strategy is to make Estonia a unique donor country that supports international development goals and builds on generally recognised principles of development cooperation, whose assistance is welcome in the partner countries and beneficial to their development and with whom the other donor countries are willing to cooperate.

Estonia carries out bilateral development co-operation first and foremost with countries to which Estonia can offer additional value on the basis of its experiences and that are ready to develop democratic society based on human rights. The bilateral development co-operation partners of Estonia currently are the EU Eastern Partnership countries Georgia, Moldova, Ukraine and Belarus (European countries having the lowest GNI) as well as Afghanistan (one of the least developed countries). The list of priority partner countries was approved by the Estonian Government in January 2011⁴¹. Besides these countries, Estonia is cooperating with other developing countries and partners interested in Estonia's experience in some particular area.

Estonia spends annually about 0.14% (2015) of its Gross National Income (GNI) on development cooperation. Estonia intends to steadily increase its share in the future, as well as to advance its status and role among other international donors.

Estonia also provided funding for various humanitarian aid activities in 2015. For example, Estonia contributed to several initiatives of UNCHF, UNICEF and World Food Programme targeted at improving the conditions of Syrian refugee camps in Lebanon, Turkey and Jordan, as well as OCHA, UNHCR and other initiatives supporting internally displaced people in Ukraine.⁴²

⁴⁰ <http://www.un.org/millenniumgoals/>.

⁴¹ <http://www.vm.ee/en/overview-estonian-development-cooperation>

⁴² For the full list of humanitarian aid activities, see: <http://www.vm.ee/en/estonian-humanitarian-aid-activities-2015>

7.2. Mitigating brain drain

On 25 February 2015, the Ministry of Economics and Communications hosted a meeting, where the 2015 World Competitiveness Report, compiled by IMD (International Institute for Management Development, located in Lausanne, Switzerland) and the 2015 World Competitiveness Yearbook, compiled by WEF (the World Economic Forum, a non-profit foundation based in Geneva, Switzerland) were discussed. Estonia ranked 30th and 29th respectively. The IMD Report acknowledged that while Estonia is taking training and teaching its work force seriously, the results are lacking and the process is not well thought through, which results in a continuing brain drain. Brain drain causes shortages of qualified labour, which harms the business and economy. The WEF Yearbook highlighted the shortage of qualified labour - and issue mentioned by a quarter of Estonian business leaders. Following publication of these two reports, Director of the Estonian Institute of Economic Research, Marje Josing, warned in March 2015 that brain drain is getting more of an issue in Estonia.⁴³ She admitted there is no easy way to solve the problem, but she urged us to think seriously about the issue.

It is worth emphasising that for instance, in the Baltic Sea region, shortage of qualified labour (brain drain) is a dire concern only in Estonia, and is not an issue in Nordic countries⁴⁴. Due to demographic situation (not enough young people entering the labour market) and low salary levels (qualified work force leaving the country), Estonia needs to find solutions to make itself more attractive for a specialist work force. Estonia needs to look for qualified labour force from other countries, as well as reduce the brain drain and keep good workers in Estonia.

However, in terms of brain drain, there are some aspects to take into consideration. In a 2012 paper⁴⁵, a group of researchers from the University of Tartu suggest that during 2000-2008 there was no significant brain drain from Estonia. Furthermore, they found evidence of a spreading of the emigration norm into a wider range of population groups, including the less educated. It is not necessarily the best educated and most skilled specialist work force who leave Estonia for work abroad. In summer 2015, Riigikontroll⁴⁶ reported that most of the people leaving for work abroad are young people who do not yet own their homes and who earn lower salaries. In 2005-2013 around 60,000 left the country; only a quarter of these people were in full-time regular employment before leaving; the unemployment levels among leavers have been higher than the national average. The average bruto salary before leaving was 60% of the national average and just 11% of them had completed tertiary education⁴⁷.

⁴³ <http://arileht.delfi.ee/news/uudised/marje-josing-ajude-valjavool-on-eestis-suvenev-probleem?id=71106593>

⁴⁴ "Emigration after EU enlargement: was there a brain drain effect in the case of Estonia?"

⁴⁵ <http://www.mtk.ut.ee/sites/default/files/mtk/dokumendid/febawb87.htm>

⁴⁶ Ülevaade riigi rändepoliitika valikutest. Riigikontroll 2015. For an English-language summary, see: <http://www.riigikontroll.ee/DesktopModules/DigiDetail/FileDownloader.aspx?AuditId=2354&FileId=13344>

⁴⁷ 47% of Estonian women and 29% of Estonian men have completed tertiary education, according to OECD Better Life Index, <http://www.oecdbetterlifeindex.org/countries/estonia/>

7.3. Migrant remittances

Workers' remittances have become an increasingly prominent source of external funding for many developing countries. According to the OECD, while the income of Estonians working abroad does not contribute to the Estonian GDP, it contributes to income of Estonian households by boosting them.⁴⁸

The 2016 Migration and Remittances Factbook by the World Bank estimates that remittances to Estonia make up about 2% of the GDP. The migrant remittance inflow forecast for 2015 was 462 USD million (the date was compiled in October). This is somewhat lower than in 2013 (536 USD million) and 2014 (523 USD million). The OECD states that since most emigrants are young employed workers, the share of the economically active in total population shrinks, weighing on per-capita potential income growth and reducing the revenue base to pay for state funded services; the high number of cross-border workers who pay income tax in Finland but use public services in Estonia reinforce this point. Also, remittances from emigrants who do not return may also decline over time.

No data is available for 2015 regarding the migrant remittance outflow. However, in 2014 it was 114 USD million and 100 USD million in 2013.⁴⁹

⁴⁸ OECD Economic Surveys: Estonia 2015

⁴⁹ <http://www.worldbank.org/en/topic/migrationremittancesdiasporaissues/brief/migration-remittances-data>

8. IRREGULAR MIGRATION INCLUDING SMUGGLING

The total number of TCNs crossing the Estonian external border in 2015 was 3,401,654. 188 cases of illegal border crossing were registered. 369 individuals, of whom 292 persons were apprehended, illegally crossed the border.

Regarding the smuggling, Vietnamese have been the largest national group crossing the Estonian Eastern external border (coming from the Russian Federation) – they are smuggled through the Baltic countries to the labour market in Poland. However, Sudanese, who are also arriving from across the border with Russia, prefer remaining in Estonia after obtaining refugee protection.⁵⁰

66 people were identified as being smuggled into Estonia in 2015. The PBGB has highlighted as challenges in this area the need to enhance the exchange of information and inter-agency co-operation with the Russian Federation.

8.1. National measures to reduce irregular migration

In 2015 there were several administrative changes that took place to enhance the prevention of irregular migration and the abuse of legal migration channels.

The infrastructure of Estonian external border continued to be developed and improved in 2015, with the aim to increase the effectiveness of the border control.

Police and Border Guard Board units that are located at the external border, received specific operative units dealing with unexpected border control incidents. Numerous training exercises were carried out, aiming to improve dealing with border control and mass influx of irregular migrants.

EMN NCP EE organised a high-profile conference on November 2015 in Tallinn, called “Migrant Smuggling - Challenges and Responses for Europe”⁵¹. The conference materials are available at the EMN Estonia website⁵², several articles were published in Estonian media in relation to the conference^{53, 54}.

⁵⁰ Postimees 25.9.2015, accessible in the Internet: <http://pluss.postimees.ee/3341279/eestis-tabati-iraaklastest-inismugeldajad>

⁵¹ See <http://emn.ee/conference.htm> for the conference programme.

⁵² <http://emn.ee/uritused/randekonverentsid/inismugeldamine-euroopa-valjakutsed-ja-lahendused/>

⁵³ Article by Marion Pajumets: <http://emn.ee/meedia/pognikekriis-ja-inismugeldamine-kust-leiaks-euroopa-lahenduse/>

⁵⁴ Interview with Michael Diedring, Secretary General of the European Council on Refugees and Exiles (ECRE): <http://www.sirp.ee/s1-artiklid/c9-sotsiaalia/kas-tahame-koguda-tuntust-humaansusega/>

8.2. Irregular migration

In 2015, necessary elements of an offence were added to the Aliens Act, according to which a person may be punished for presenting false information or falsified documents with the purpose of obtaining a legal basis for a foreigner to stay in the territory of Estonia or a member state of the Schengen Convention.

The number of visas cancelled or revoked at the Estonian external borders doubled in 2015 (164 such cases in 2014, 356 cases in 2015), accounting for 62% of all cases of illegal migration. More than half of the misused visas were cancelled or revoked at the airport. The majority of problematic visas were short-term Schengen visas issued by Estonia to citizens of Russia, Moldova and Ukraine. Cancellation and revocation of visas occurred mostly due to the unreliability of reasons presented in respect of the objective and conditions of stay⁵⁵.

Most of the people refused entry at the external border are nationals of the Russian Federation (46%). They are followed by the citizens of Moldova, Ukraine, Georgia, India and Armenia.

Third country nationals refused entry at the external borders by citizenship, 2015 (TOP20)⁵⁶

Citizenship	Refused entry	Citizenship	Refused entry
Russia	449	Kazakhstan	10
Moldova	148	Kiribati	8
Ukraine	132	China	7
Georgia	32	Sri Lanka	7
India	23	Azerbaijan	5
Armenia	22	Turkey	5
Belarus	17	Bahrain	4
Tajikistan	13	Congo DR	4
Uzbekistan	13	Egypt	4
Serbia	11	Iran	4

Source: Eurostat; see Annex C for full detailed information.

In 2015, 8.4% (23 cases) of identified irregular migration incidents registered at the external border were using false documents. Top five nationalities among apprehended individuals included the nationals of Sri Lanka, Democratic Republic of the Congo, Cameroon, Iran and Togo. Document experts undergo regular training in counterfeit detection and identification.

⁵⁵ PBGB News 17.2.2016, accessible in the Internet: <https://www.politsei.ee/et/pressile/uudiste-arhiiv/uudis.dot?id=556874>

⁵⁶ See Annex C for detailed statistics.

Similarly to the previous three years, in 2015 using false visa was the most common irregular migration incident. 62% of all irregular migration incidents were using false visas.

In 2015, there were no proven marriage of convenience cases in Estonia.

Regarding misuse of student migration, then PBGB conducts regular monitoring of educational institutions and foreign students studying in these institutions. A growing interest of TCNs (especially from Bangladesh) for studying in Estonia and the potential cases of misuse have been established, but in 2015 these were marginal.

8.3. Frontex

Estonia assists the Member States that are suffering from disproportionately high irregular immigration pressure through the Frontex operations. Estonia has participated in different activities coordinated by Frontex (joint operations, risk analysis network activities, trainings, projects), aimed at supporting Member States under disproportionate pressure in another EU Member State. Estonia has contributed with border guard thermal vision vehicle and by sending the following experts: screening experts, border surveillance experts with surveillance equipment, first and second line officers, advanced level document officers, experts on the identification of stolen vehicles, Frontex support officers on joint operations on land and in Frontex Situation Centre.

In 2015 Estonian PBGB took part in fifteen joint Frontex operations, with a total of 122 officers. Estonians officers and technology were deployed in 13 different countries, including Greece, Bulgaria, Hungary, Norway, Finland, Latvia, Lithuania, Romania, Italy, Spain, Czech Republic, Germany and the Netherlands. Estonian officers were patrolling at the land and sea borders, checking documents and interviewing illegal migrants⁵⁷.

⁵⁷ <https://www.politsei.ee/et/uudised/uudis.dot?id=528551>

9. RETURN

9.1. Forced return

To reduce the number of unfounded asylum applications, the Ministry of Interior has presented a proposal to provide in the Act on Granting International Protection to Aliens that the PBGB may draw up a list of safe countries of origin.⁵⁸

In 2015, a total of 588 third country nationals were ordered to leave Estonia; 508 were returned following an order to leave. The highest number of TCNs ordered to leave were Russian citizens (217) followed by Ukraine (121), Vietnam (37), Iraq (20), Georgia (13), Belarus (11), Armenia (10). The highest number of TCNs returned following an order to leave were from Russia (208), Ukraine (111), Vietnam (24), Georgia (13), Belarus (11), Iraq (11)⁵⁹.

Overall, 86% of return decisions made by the PBGB were complied with. Such a high percentage of compliance is related to counselling of returnees and individual approach implemented during the whole return procedure.

Estonia enters all entry bans accompanying the return decision into the Schengen Information System.

Since 2011, the Estonian Red Cross has been contracted by the State to monitor the forced returns of migrants. This includes being present when the authorities transfer persons from the detention centre to the airport or the physical border of the country. The Estonian Red Cross is called upon by the immigration authorities when such returns will take place and observers are invited to be present. After each monitoring, a report is made to the relevant authorities underlining issues and/or good practices. The monitoring activities continued in 2015. This initiative is co-funded by the European Union through the European Return Fund and the Estonian Ministry of the Interior. Estonian Red Cross carries out the monitoring in accordance with the basic principles of the International Red Cross Movement and confirms that current monitoring results confirm the humane behaviour and attitude of the officials towards the detainees.

In 2015, the detention centre hired a counsellor, who provides assistance to the foreigners staying in the centre in applying for state legal aid, explains the rights and obligations and helps to solve issues arising. This ensures for all detainees the individual counselling that considers all needs of the specific individual. Also, the centre has employed a recreation specialist who organises recreational activities for the people at the centre.

⁵⁸ The amendments to the AGIPA will enter into force on 1 May 2016.

⁵⁹ See Appendix C for a detailed statistics.

9.2. Assisted Voluntary Return

Since 2010, the IOM Estonia has been implementing the Voluntary Assisted Return and Reintegration Programme from Estonia, known as the VARRE project⁶⁰. The programme supports third country nationals on their voluntary return to their home country. The program is co-funded by the European Union through the European Return Fund and Estonian Ministry of the Interior.

In order to qualify for the VARRE assistance, the person must fulfill one of the following conditions:

- (1) his or her residence permit or visa has expired
- (2) his or her asylum application has been rejected
- (3) he or she has withdrawn their asylum application

Number of voluntary returnees within the framework of VARRE project, 2010-2015

	2010	2011	2012	2013	2014	2015
Voluntary returns	7	8	29	17	23	48

Source: IOM Tallinn

During the project (2010-2015) 132 persons have been assisted to return to their home country. The peak of the voluntary returnees was in 2015 when return of 48 persons (almost a third of the returnees since the start of the programme) were supported within the framework of the VARRE project. In 2015, 28 persons were returned to the Ukraine, 7 to Georgia, 4 to Russia, 1 person was returned to Algeria, Azerbaijan, Chile, Columbia, Ethiopia, Sudan, Moldova, USA and Thailand. The top three countries that received most of the returnees since the start of the programme in 2010 have been the Ukraine (40), Georgia (27), and Russia (17).

⁶⁰ <http://www.iom.ee/varre/about-varre>. See also "Kolmandate riikide kodanike tagasipöördumisvõimalused ja -protsess Eestis" (IOM Tallinn, 2015)

APR NATIONAL REPORT PART 2: ANNEXES

ANNEX A: METHODOLOGY AND DEFINITIONS

Methodology

This report is the secondary desk-research document, which uses mainly already existing public information. The information necessary for the development of this report has been obtained by sending information to different authorities involved in the field of asylum and migration such as requests and gathering answers from the Ministry of the Interior, Ministry of Social Affairs, Ministry of Economic Affairs and Communication, Ministry of Foreign Affairs, Ministry of Justice, Ministry of Culture, Ministry of Education and Research, Police and Border Guard Board and Statistics Estonia. In addition articles, reports and evaluations in various news and public policy websites, as well as information available on the web pages of the relevant state institutions were used in the report to reflect the opinions dominating the society and review discussions that have taken place in the political level.

The report includes statistical by the EU Statistical Office Eurostat and Police and Border Guard Board if not stated otherwise. The official national data provider for asylum and migration statistics to Eurostat in Estonia is the Police and Border Guard Board.

Terms

The terminology of this report is used in accordance with the respective *acquis* of the EU. The terminology used in this report is in line with the terminology of the EMN Glossary and Thesaurus⁶¹.

⁶¹ The EMN Glossary & Thesaurus, version 3.0, updated in December 2015, available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/glossary/index_a_en.htm

ANNEX B: IMPLEMENTATION OF EU LEGISLATION

Six relevant directives were transposed or where in the process of being transposed in 2015.

1) Directive 2013/32/EU

Directive 2013/32/EU of the European Parliament and of the Council of 26 June 2013 on common procedures for granting and withdrawing international protection.

The Amendment Act of the Act on Granting International Protection to Aliens and Associated Acts, which is aimed primarily at transposing into Estonian legislation the Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection and the Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection, was taken into Parliament's proceedings on 15.09.2015 and was adopted on 16.03.2016. These amendments will enter into force on 1st May 2016.

2) Directive 2013/33/EU

Directive 2013/33/EU of the European Parliament and of the Council of 26 June 2013 laying down standards for the reception of applicants for international protection.

Directive 2013/33/EU was the basis for amending the regulation of employment of applicants for International protection in Estonia. As of April 2015, an applicant for international protection may take employment in Estonia if the decision on his or her application for international protection has not entered into force within six months as of the submission of the application for international protection due to reasons beyond the applicant's control. Previously this was 12 months. An applicant for international protection may take employment in Estonia until the termination of the proceedings of his or her application for international protection

The Amendment Act of the Act on Granting International Protection to Aliens and Associated Acts, which is aimed primarily at transposing into Estonian legislation the Directive 2013/32/EU of the European Parliament and of the Council on common procedures for granting and withdrawing international protection and the Directive 2013/33/EU of the European Parliament and of the Council laying down standards for the reception of applicants for international protection, was taken into Parliament's proceedings on 15.09.2015 and was adopted on 16.03.2016. These amendments will enter into force on 1st May 2016.

3) Directive 2013/55/E

Directive 2013/55/EU of the European Parliament and of the Council of 20 November 2013 amending Directive 2005/36/EC on the recognition of professional qualifications and Regulation (EU) No 1024/2012 on administrative cooperation through the Internal Market Information System ('the IMI Regulation').

The Parliament adopted The Amendment Act of the Recognition of Foreign Professional Qualifications Act and Associated Acts 70 SE on 9 December 2015 (entry into force 18 January 2016)⁶², which allowed the directive to be transposed.

4) Directive 2014/36/EU

Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers

In 2015, amendments to the Aliens Act in relation to the harmonisation of EU directives 2014/66/EU and 2014/36/EU, were drafted. The amendments are planned to be passed to the Parliament for deliberation in 2016.

5) Directive 2014/66/EU

Directive 2014/66/EU of the European Parliament and of the Council of 15 May 2014 on the conditions of entry and residence of third-country nationals in the framework of an intra-corporate transfer

In 2015, amendments to the Aliens Act in relation to the harmonisation of EU directives 2014/66/EU and 2014/36/EU, were drafted. The amendments are planned to be passed to the Parliament for deliberation in 2016.

6) Directive 2014/54/EU

Directive 2014/54/EU of the European Parliament and of the Council of 16 April 2014 on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers Text with EEA relevance

The deadline for proposition for Directive 2014/54/EU is on 21.05.2016. The proposition demands changes in the Equal Treatment Act; the amendments were being coordinated by the Ministry of Justice at the end of 2015.

⁶² <http://www.riigikogu.ee/tegevus/eelnoud/eelnou/a5b883de-81b6-4531-aa94-9ad78870648e/>

ANNEX C: NATIONAL STATISTICS

Please include here any **national statistics** relevant to the thematic sections 1-9 (if not integrated into the text. You may wish for example, to include tables of data, making specific reference to (aspects of) these in the narrative sections.

International students (TCNs) in Estonian universities, 2010-2015

	2010	2011	2012	2013	2014	2015
Russia	108	127	168	187	230	255
Ukraine	23	31	34	57	93	167
Nigeria	4	6	12	35	76	158
Georgia	27	50	55	81	110	136
Turkey	28	43	56	82	112	123
India	11	16	19	41	92	122
China	70	75	63	65	86	107
USA	26	28	34	40	50	60
Bangladesh	7	5	7	9	24	47
Iran	7	18	19	18	25	38
Pakistan	9	9	12	13	22	35
Belorussia	9	11	18	19	29	31
Egypt	4	4	4	8	15	30
Other	200	252	243	265	404	551
TOTAL	533	675	744	920	1368	1860

Source: EHIS

Third country nationals refused entry, 2015

MS	TCNs refused entry at external borders	TCNs found to be illegally present	MS	TCNs refused entry at external borders	TCNs found to be illegally present
AFG	1	4	KIR	8	0
ALB	0	7	KOR	3	0
ARM	22	12	LIB	0	1
AZE	5	7	LKA	7	2
ATG	0	1	MAR	0	1
BGD	2	1	MDA	148	7
BHR	4	0	MEX	0	1
BLR	17	11	MLI	0	2
BRA	1	4	MNG	0	1
CAF	1	0	NGA	4	7
CAN	0	2	NPL	4	3
CHL	1	2	NZL	1	0
CHN	7	3	PAK	4	2
CIV	1	1	PER	1	0
CMR	3	4	PHL	0	4
COD	4	1	PSE	1	1
COG	0	1	RSO	0	1
COL	0	1	RUS	449	286
CUB	0	3	SDN	0	7
DZA	0	2	SRB	11	1
EGY	4	5	SYR	4	3
ETH	0	1	ZAF	4	0
GEO	32	13	TGO	2	0
GIN	0	1	THA	3	3
GMB	2	0	TJK	13	3
HKG	1	0	TKM	1	1
IDN	0	2	TUR	5	3
IND	23	10	UGA	0	1
IRN	4	3	UKR	132	125
IRQ	1	24	USA	0	8
ISR	2	2	UZB	13	6
JOR	0	1	VNM	0	38
JPN	0	2	XK	0	1
KAZ	10	3	XXX	0	327
KEN	0	1	YEM	4	1
KGZ	3	1	Total EE	973	983

Third country nationals ordered to leave and returned (2015)⁶³

MS	TCNs ordered to leave	TCNs returned following an order to leave	MS	TCNs ordered to leave	TCNs returned following an order to leave
Afganistan	4	1	Kirgizstan	1	1
Albania	7	5	Lebanon	1	1
Algeria	2	2	Mali	2	0
Antigua and Barbuda	1	1	Maroco	1	0
Armenia	10	7	Mexico	1	1
Azerbaijan	7	5	Moldova	7	7
Bangladesh	1	1	Mongolia	1	1
Belarus	11	11	Nigeria	7	5
Brazil	4	4	Nepal	3	0
Cameroon	4	3	Occupied Palestinian territory	1	1
Canada	2	2	Pakistan	2	1
Chile	2	2	Philippines	4	4
China	3	3	Russia	217	208
Colombia	1	1	Serbia	1	1
Congo DR	1	1	South Ossetia	1	1
Kosovo	1	0	Sri Lanka	2	0
Congo DV	1	0	Sudan	7	2
Cote d'Ivoire	1	0	Syria	3	2
Cuba	3	3	Tajikistan	3	2
Egypt	5	5	Thailand	3	3
Ethiopia	1	1	Turkey	3	3
Georgia	13	13	Turkmenistan	1	1
Guinea	1	1	Uganda	1	1
India	9	6	Ukraine	121	111
Indonesia	2	2	USA	8	7
Iran	3	2	Uzbekistan	6	6
Iraq	20	11	Vietnam	37	24
Israel	2	2	Yemen	1	1
Japan	2	2	Stateless	14	12
Kazakhstan	3	3	Total EE	588	508
Kenya	1	1			

Source: PBGB

⁶³ NB! Please note that this table does not include return from the border

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