



EMN FOCUSSED STUDY 2017

The changing influx of asylum seekers in 2014-2016: Member States responses

Estonian national report

Tallinn 2017

Disclaimer: The following responses have been provided primarily for the purpose of completing a Synthesis Report for the EMN Focussed Study on The changing influx of asylum seekers in 2014-2016: Member States responses. The contributing EMN NCP have provided information that is, to the best of their knowledge, up-to-date, objective and reliable within the context and confines of this study. The information may thus not provide a complete description and may not represent the entirety of the official policy of an EMN NCPs' Member State.

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

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Common Template of EMN Focussed Study 2017

1 STUDY AIMS AND RATIONALE

1.1 STUDY AIMS

This EMN study aims to offer an overview of the changes to national strategies, approaches and measures in response to increases or decreases to the influx of asylum seekers over the period 2014-2016. The study will provide an overview of (changes to) asylum policies and organisational measures introduced over this period, and will as such offer an overview of EU Member States' and Norway's managing strategies concerning these changing influxes. The study will therefore answer questions on policies and measures of the processing of asylum applications, reception conditions of asylum seekers (including rights afforded to applicants), the content/legal consequences of the protection granted, including the accommodation of asylum applicants, border control, information campaigns aimed both at the public and at asylum seekers. The aim of the study will make it possible for the target audience to learn about the ways in which EU Member States and Norway were able to respond to sudden or gradual changes to the number of asylum seekers arriving in their country, and the consequences thereof. It will help to draw lessons learnt and identify relevant approaches and practices deployed by EU Member States and Norway in this period.

1.2 RATIONALE

According to Eurostat, in 2014 there were 560,000 asylum-seekers who applied for asylum in the EU, as opposed to 1.32 million in 2015, and again 1.26 million in 2016. At the end of 2014 the number of refugees, asylum-seekers and internally displaced people worldwide has, for the first time in the post-World War II era, exceeded 60 million people.¹ 1.8 million were asylum seekers, with the vast majority being internally displaced refugees.

In the context of such increased migratory movements, the border and mobility rules of the Schengen area and the Dublin regulation came under significant pressures, and for many refugees, the journey to Europe meant extreme uncertainty, risks and dangers. It also became obvious that for many EU Member States it was challenging to cope with the significant numbers of asylum seekers onto their territory, especially with large variations in monthly arrivals.

The aim of this study is to compare policies set up to manage these fluctuations in numbers of asylum seekers across the EU, to better understand improve understanding of the variations in responses and highlight how these policies are interlinked. This study contributes, therefore, to the harmonisation of European cooperation regarding asylum-related migration and gives an overall picture of the preparedness of Member States and Norway to face similar situations in the future.

1.3 PRIMARY QUESTIONS TO BE ANSWERED

The main question the Study will aim to address:

- ★ Which asylum policies, structural and ad-hoc measures were introduced or amended by the Member States to manage any fluctuations in numbers of asylum applicants between January 2014 and December 2016?

Specific questions include the following:

¹ <http://www.unhcr.org/558193896.html>

- ★ Which policies and measures aimed at managing the flow of asylum applications were introduced or amended? For example, border control, information campaigns, structuring of reception facilities, and the rights granted to asylum applicants.
- ★ Which policies and measures were introduced or amended to reduce the numbers of asylum applications?
- ★ Were such measures of a structural or ad-hoc nature?
- ★ How were these measures monitored and/or evaluated prior to and after their introduction or amendment?
- ★ What were the impacts of the measures introduced or amended?
- ★ Which policies aimed at processing asylum applications and arranging reception/accommodation were introduced or amended? For example, policies regarding the ways in which applications are processed (timeframe, order of processing, procedural safeguards) and the ways in which personnel is employed and trained.

2 SCOPE OF THE STUDY

This study will look into policies and practices of EU Member States and Norway following changes to the number of arriving asylum seekers. The temporal scope includes the years 2014, 2015 and 2016, as peaks and troughs can generally be identified to have taken place over this period for EU Member States and Norway, though at different moments in time. It is precisely because the fluctuations have taken place over a period spanning several years that the years, 2014, 2015 and 2016 are part of the scope of this study.

The study focuses on numerous aspects impacted by changing influxes, through policy changes and operational measures taken by state and non-state entities acting on behalf of the responsible authorities. This includes border control, the asylum application process, the contents of protection, financing of measures, and crisis governance measures (both ad-hoc and structural²).

The study also covers policies and practices on 'safe country of origin'. European commitments are also addressed (i.e. hot spot approach, relocation) in this study.

On the other hand, return is outside the scope of the study in view of there being another Study on this topic. Finally, integration measures are not covered in this study except in regards to measures facilitating immediate support upon arrival and if integration measures have been implemented or cut back in immediate response to the influx of asylum seekers. Integration measures are generally excluded because they have been covered substantially in other EMN studies.

The study will briefly present, comment on, and compare the national political contexts for organisational structures, policies and approaches on asylum in EU Member States and Norway. This is based on information that EMN NCPs already provide in their contributions to the EMN and EASO Annual Policy Reports. It also seeks to cover possible evaluation and lessons learnt of the implementation of new approaches and measures. The study will also include aspects relevant for EU Member States that did not experience significant changes to the influx of asylum seekers, especially in regards to preparedness and forward-looking measures for 2017 and beyond, as well as the extent to which there has been a spill over of effects from one country into another.

The study will present Eurostat data on the changing influx of asylum seekers in order to provide a clear snapshot of the peaks and troughs over the period 2014-2016 and better understanding of the national context of Member States.

3 EU LEGAL AND POLICY CONTEXT

The 1999 Tampere Summit laid down the general direction for the Justice & Home Affairs Area and produced agreement on the Common European Asylum System (CEAS). The Treaty on the Functioning of the European Union

² Structural measures are long-term measures, adopted to cope with a specific situation also in the future. Ad-hoc measures are those measures adopted in view of a time-limited emergency situation and could be dismantled once the emergency is over.

(TFEU) entered into force in December 2009, giving the EU new powers to develop legislation on immigration matters (Article 79 – 80). Following the Tampere and Hague Programmes, the Stockholm Programme provided a roadmap for developing the EU's migration policy from 2009 to 2014. The Programme aimed to build a Europe of "responsibility, solidarity and partnership in migration and asylum" with a "dynamic and comprehensive immigration policy". The Programme defined the priorities of the EU in the area of migration, in particular the development of the EU Global Approach to Migration.

Important developments took place in 2015 concerning the implementation of the Common European Asylum System. The recast Eurodac Regulation (603/2013/EU)³ came into effect as of 20th July 2015 and those Member States bound by the recast Asylum Procedures (2013/32/EU)⁴ and Reception Conditions (2013/33/EU)⁵ Directives (both adopted in 2013) were required to transpose them into their national law by the same date.⁶ In 2015, the Commission continued to stimulate practical cooperation among Member States in the field of international protection in collaboration with EASO. Activities conducted in that regard included the organisation of meetings and workshops with national experts.

In 2015 the European Council committed to take decisive action in the area of migration.⁷ In response, on 13th May 2015, the European Commission adopted the European Agenda on Migration which contains policy proposals for immediate measures to save lives at sea, combat criminal smuggling networks, respond to high volumes of arrivals within the EU with relocation activities and develop a common approach to resettlement, as well as initiatives to strengthen the Common European Asylum System and implement a long term migration strategy.⁸ It also included the Hotspot approaches for Italy and Greece.

On 18 March 2016 and following the EU-Turkey Joint Action Plan activated on 29 November 2015 and the 7 March EU-Turkey statement, the European Union and Turkey decided to end the irregular migration from Turkey to the EU via a new agreement.⁹

In 2016 the European Commission also adopted two packages (one in April and another in July) of legislative proposals to reform the Common European Asylum System (CEAS). The Commission proposed the creation of a common procedure for international protection, uniform standards for the protection and the rights granted to beneficiaries of international protection, as well as the further harmonisation of reception conditions in the EU. The overall aim of the legislative proposals tabled is to simplify the asylum procedure and shorten the time required for decision-making, discourage secondary movements of asylum seekers within the EU and increase the integration prospects of those who are entitled to international protection. The proposed measures are currently being discussed by the European Parliament and the Council of the EU.

The year also witnessed important legislative developments in the area of asylum at the national level. In some Member States, changes in national legislation were underpinned by the requirements of the CEAS, in particular the transposition of the recast Asylum Procedures Directive (APD) and the recast Reception Conditions Directive (RCD). Other Member States passed legislation to align their – previously more generous - national policies to the (minimum) standards established at EU level.

³ Regulation (EU) No 603/2013 of the European Parliament and of the Council of 26 June 2013 on the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of Regulation (EU) No 604/2013 establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person and on requests for the comparison with Eurodac data by Member States' law enforcement authorities and Europol for law enforcement purposes, and amending Regulation (EU) No 1077/2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (recast), OJ L 180, 29.6.2013.

⁴ 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, OJ L 180, 29.6.2013

⁵ 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, OJ L 180, 29.6.2013

⁶ With the exception of some provisions of the recast Asylum Procedures Directive, which have a later deadline for implementation (20th July 2018).

⁷ See: European Council, Special Meeting of the European Council, 23 April 2015 – Statement.

⁸ European Commission, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A European Agenda on Migration, COM(2015) 240 final, 13.5.2015.

⁹ http://europa.eu/rapid/press-release_MEMO-16-963_en.htm

4 METHODOLOGICAL CONSIDERATIONS

As with all EMN Studies, the National Reports should be primarily based on secondary sources. In particular, information on national policies and approaches will be a key source of information, while available evaluations should provide evidence of the approaches and policies, good practices and lessons learnt of changes to the influx of asylum seekers.

5 AVAILABLE STATISTICS

Statistics on asylum are available in the Eurostat database, i.e. monthly numbers of asylum applicants by age, sex and citizenship for all EU Member States, as well as Norway, and through the EASO Early warning and preparedness system (EPS), i.e. number of decisions issued by type of special procedure used, number of pending cases, by duration (less/more than 6 months). In addition, the number of asylum decisions issued and the share of positive asylum applications by nationality are also included. These will form the backbone and starting point for this study. The synthesis report will also include statistics on relocation over 2015-2016.

If, following discussions within the advisory group for this study, Eurostat statistics are not considered sufficient, other national statistics may be used.

6 DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary v3.0¹⁰ unless specified otherwise in footnotes.

Ad-hoc, temporary or emergency measure: *measure taken prior, during or after a changing influx of asylum seekers to a Member State that is of a non-structural nature*

Asylum: *A form of protection given by a State on its territory, based on the principle of non-refoulement and internationally or nationally recognised refugee rights and which is granted to a person who is unable to seek protection in their country of citizenship and / or residence, in particular for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion.*

Asylum seeker: *in the global context, a person who seeks safety from persecution or serious harm in a country other than their own and awaits a decision on the application for refugee status under relevant international and national instruments. In the EU context, a person who has made an application for protection under the Geneva Convention in respect of which a final decision has not yet been taken.*

Applicant for international protection: *a third-country national or a stateless person who has made an application for international protection in respect of which a final decision has not yet been taken.*

Application for asylum: *an application made by a foreigner or a stateless person which can be understood as a request for protection under the Geneva Convention of 1951 or national refugee law.*

Application for international protection: *A request made by a third-country national or a stateless person for protection from a Member State, who can be understood to seek refugee status or subsidiary protection status, and who does not explicitly request another kind of protection, outside the scope of Directive 2011/95/EU, that can be applied for separately.*

Beneficiary of international protection: *means a person who has been granted refugee status or subsidiary protection status*

Integration: *in the EU context, a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States.*

¹⁰ Available at: http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/docs/emn-glossary-en-version.pdf

International protection: *In the global context, the actions by the international community on the basis of international law, aimed at protecting the fundamental rights of a specific category of persons outside their countries of origin, who lack the national protection of their own countries. In the EU context, protection that encompasses refugee status and subsidiary protection status.*

Refugee: *In the global context, either a person who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned before, is unable or, owing to such fear, unwilling to return to it. In the EU context, either a third-country national who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it, and to whom Art. 12 (Exclusion) of Directive 2011/95/EU does not apply.*

Refugee status: *The recognition by a Member State of a third-country national or stateless person as a refugee.*

Residence permit: *Any authorisation issued by the authorities of an EU Member State allowing a non-EU national to stay legally in its territory, in accordance with the provisions of Regulation 265/2010 (Long Stay Visa Regulation).*

Structural measure: *measure taken prior, during or after a changing influx of asylum seekers to a Member State that is intended to be structural or at least non-temporary.*

Subsidiary protection status: *recognition by a Member State of a third-country national or a stateless person as a person eligible for subsidiary protection;*

Person eligible for subsidiary protection: *a third-country national or a stateless person who does not qualify as a refugee but in respect of whom substantial grounds have been shown for believing that the person concerned, if returned to his or her country of origin, or in the case of a stateless person, to his or her country of former habitual residence, would face a real risk of suffering serious harm and is unable or, owing to such risk, unwilling to avail himself or herself of the protection of that country;*

Third-country national: *means any person who is not a citizen of the Union (including stateless persons) within the meaning of Article 17 (1) of the Treaty and who is not a person enjoying the Community right of free movement, as defined in Article 2(5) of the Schengen Borders Code.*

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TEMPLATE FOR NATIONAL CONTRIBUTIONS

This template outlines the information that should be included in the National Contributions to this focussed study. The indicative number of pages to be covered by each section is provided in the guidance note. For national contributions, the total number of pages should **not exceed 60 pages**, including the questions and excluding the statistical annex. A limit of **25** pages will apply to the Synthesis Report, in order to ensure that it remains concise and accessible.

The study's outcomes will consist of national reports for every country participating in the EMN, an EU-level synthesis report, and one or more short "EMN Informs", summarising the main results. The study shall be disseminated to policy makers and practitioners through the regular dissemination channels of the EMN. Since the study is topical to policy development, the dissemination plan may also include EU-level and national Conferences. To discuss the study at an EMN Annual Conference could be one option.

Top-line "Factsheet" (National Contribution)

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

Current study focuses on the changing influx of asylum seekers in 2014 – 2016. Although the changing influx of asylum seekers is a relevant and actual challenge to tackle with in a number of Member States, Estonia so far has not experienced a situation that could be defined as a significant influx of asylum seekers.

Although Estonia experienced minor fluctuation in number of asylum applications in the years 2014 and 2015 mostly due to the rising number of asylum seekers from Ukraine, it was not considered a significant influx of asylum seekers as defined in the Act on Granting International Protection to Aliens (also AGIPA). AGIPA defines mass influx which is considered the arrival of a large number of aliens, who come from a specific country or geographical area, whether their arrival was spontaneous or prescribed by an evacuation programme.

While Estonian legislation nor Police and Border Guard Board (also PBGB) action plans foresee a specific number which would indicate that there is a mass influx, the increase of Ukrainian nationals applying for international protection brought an increase in the administrative burden for the authorities responsible for asylum applicants – mainly for PBGB. The increase of administrative burden was dealt by implementing a guidance for simplified and accelerated proceedings. The aim of this measure was to simplify the proceedings of international protection by providing international protection to vulnerable groups from the conflict zone in East Ukraine in order to accelerate asylum procedures. Therefore it was possible to make international protection decisions quicker and thus the administrative burden decreased.

In order to be better prepared for any future changing influx in asylum applications, PBGB actively collects experience from missions and from the experience of other Member States who are currently dealing with the significant influx of asylum seekers. Also PBGB officials participate at international conferences and seminars

and additional PBGB officials are trained to assist in the proceedings of international protection in case of significant influx of asylum seekers in Estonia.

Section 1: Overview of national context

This section will briefly outline the developments in Member State policies adopted in the timeframe 2014-2016 to manage a changing influx of asylum applicants. NCPs are welcomed to add background information needed to provide a complete overview of the developments in their Member State during this period (e.g. existing asylum influx for 2009-2013 and/or organisational information of Asylum and Migration Policies).

Please note that information about actual measures taken (structural or ad-hoc) are covered in Section 2 instead.

Q1. Brief overview of legislative changes and policies announced and/or introduced to address or manage fluctuations in the number of asylum applications or better control of migration flows over 2014-2016. Please specify when these changes happened and what the goal of each change introduced) was.

The amended Act on Granting International Protection to Aliens is in force from 18.01.2017.

Q2. To what extent is the concept of a change in asylum applications (either a significant increase or decrease) defined in your (Member) State (e.g. in legislation, policies and/or plans)? How is it determined what a significant influx is? Please also mention the responsible authority.

AGIPA defines mass influx which is considered the arrival of a large number of aliens, who come from a specific country or geographical area, whether their arrival was spontaneous or prescribed by an evacuation programme.¹¹ Estonian legislation nor PBGB action plans foresee a specific number which would indicate that there is a mass influx.

Q3. Did your (Member) State experience significant changes in the influx of asylum applicants before 2014 (2000 onwards e.g. the increased influx related to the war in former Yugoslavia)? If so, what measures were introduced to enhance the preparedness of your Member State as a response to these changes in the influx of asylum applicants? Please consider previous experiences of influx when defining the fluctuations over 2014-2016 and substantiate your answer below, giving also an overview of the baseline of your Member State in reference to migration flows and the definition of preparedness used in your Member State.

No.

Q4. Did your Member State experience a significant fluctuation in number of asylum applications (both increase and decrease) in the years 2014, 2015 and/or 2016? Could you please specify and explain the period(s) in which there was such a fluctuation, and the nature of the fluctuation (increase/decrease)?

¹¹ AGIPA, Article 5 (3)

Please make a distinction between a fluctuation in the sense of an increase and a decrease of asylum seeker numbers.

Please indicate: Yes / No

If **yes**, please fill out the field below and continue with question 6. If **no**, please go to question 5.

Estonia experienced minor fluctuation in number of asylum applications in the years 2014 and 2015 mostly due to the rising number of asylum seekers from Ukraine. In 2016 it was due to the active participation in relocation program in Greece and resettlement program in Turkey, but that however cannot be considered a significant influx of asylum seekers in the scope of this study. In general, the number of applicants for international protection in Estonia does not fluctuate significantly.¹²

Q5. If your Member State did not experience a significant fluctuation over 2014-2016 in the number of asylum applications, please elaborate how and if the absence of such a fluctuation has impacted national policies and approaches.

Note: only to be filled out if the answer to question Q4 was no

N/A

Q6. To what extent was cooperation at national level (i.e. between national organisations and authorities) strengthened over the period 2014-2016 in response to the changing influx in asylum applicants coming to your Member State? How was this achieved?

Cooperation between PBGB, The Ministry of the Interior, Ministry of Social Affairs and different NGOs increased in order to cope with the increasing number of asylum seekers from Ukraine in 2014/2015. The implementation of 2015 Migration Agenda (report) led to the overall increase of cooperation and development of Estonian mass influx contingency plan.¹³

Q7. To what extent did your Member State consult with other Member States during the period 2014-2016 specifically in regards to dealing with a changing influx? If consultation was followed by cooperation approaches, please explain in which domains cooperation between Member States was most effective? Please elaborate on such cooperation and its impacts. If relevant, a reference to relocation agreement can be included.

¹² Interview with PBGB expert, 03.08.2017.

¹³ Interview with PBGB expert, 03.08.2017.

Regarding changing influx of applicants of international protection, Estonia has not had any consultations with other Member States during the period under consideration.

Q8. To what extent did measures taken in neighbouring Member States (or other EU Member States in general) have an effect on your Member State's policies and practices, even if your Member State did not experience a change in the influx? Please refer to both increase and decrease.

N/A

Section 2: Overview of the national responses over 2014-2016

The purpose of this second section is to provide a detailed overview of the responses of the Member States to the fluctuations of number of asylum applications over the period 2014 to 2016.

This Section should be completed only by Member States who experienced a change in the influx of asylum applications.

It first starts with a table where NCPs are asked to indicate the specific area where measures were taken and which was impacted as a result (Q9). This is a short overview of table to understand which areas were impacted by the various Member States. The question that follows (Q10) maps in detail the specific details of each of the measures taken.

2.1 MEASURES TAKEN, THEIR IMPACT AND RESPONSES TO THE CHANGING INFLUX IN MEMBER STATES THAT EXPERIENCED A CHANGE IN THE INFLUX OF ASYLUM APPLICANTS

Q9.¹⁴ Please indicate in the table below which specific areas were impacted by a change in the influx of asylum applicants in your (Member State) that your Member State identified. Please specify further in the column 'Explanation' whether information provided relate to an increased or to a decrease in the influx.

Additional details on the measures are requested in the tables below under question 10. Therefore please only briefly highlight all measures taken.¹⁵

Area	Directly impacted (yes/no)	Time period (when)	Very brief explanation on the basis of short titles (how and what the impact was, including whether it concerned an increase/decrease)
1. Border control (<i>please specify if it refers to external border control, temporary control at internal borders and/or police controls in border areas</i>)	No		
2. Reception centres / accommodation arrangements and other housing	No ¹⁶		
3. Wider reception services (social services, health services), rights afforded to applicants	Yes	2014/2015	Increase

¹⁴ Information provided by PBGB expert.

¹⁵ The information provided does not reflect the influx of asylum seekers but measures during the increased numbers of asylum seekers in 2014/2015.

¹⁶ Information provided by Accommodation Centre for Asylum Seekers.

4. Registration process of the asylum seeker	<i>No</i>		
5. Asylum procedure (at first and second instance)	<i>Yes</i>	<i>2014/2015</i>	<i>Increase</i>
6. Infrastructure, personnel and competencies of the responsible authorities	<i>No</i>		
7. Law enforcement	<i>No</i>		
8. Integration measures for asylum applicants	<i>Yes¹⁷</i>	<i>2014/2015</i>	<i>Increase</i>
9. <i>Other, please specify</i>			

¹⁷ Ministry of Social Affairs

Q10.¹⁸ Fill out the table below on specific elements of the measures indicated in the previous table. Note that numerous questions are simply to establish the typology of the measure, and only the selected options need to be indicated (such as rows a) and b)). Further details are provided from row c), with a general explanation in row e).

Please copy the entire table below for to provide an overview of additional measures. There is no limit for numbers of measures to be included, as long as they are coherent with the requested information.

Measure 1	<p>Please select the area corresponding to those highlighted in Q9 by removing the lines that do not apply:</p> <ol style="list-style-type: none"> 1. <u>Border control</u> 2. <u>Reception centres / accommodation arrangements and other housing</u> 3. <u>Wider reception services</u> (social services, health services), rights afforded to applicants 4. <u>Registration process</u> of the asylum seeker 5. Asylum procedure (at first and second instance) 6. <u>Infrastructure, personnel and competencies of the responsible authorities</u> 7. <u>Law enforcement</u> 8. <u>Integration measures for asylum applicants</u> 9. <u>Other, please specify</u> 	
	a) Year and month the measure was established	2015
<p>b) Typology of measures (please indicate which of the options apply)</p>		
Measure following an <u>increase</u> or <u>decrease</u> in numbers	<i>Measure following increase in numbers.</i>	
<u>New measure</u> or <u>change to an existing measure</u>	<i>New measure.</i>	

¹⁸ Information provided by PBGB expert.

	<p><u>Structural or ad-hoc (temporary) measure</u></p> <p>Type of measure:</p> <ul style="list-style-type: none"> - (National) Action plan - Legislative instruments - Specific interinstitutional / multi-agency working group on the situation - Soft measures (handbooks, circulars, policy/staff guidance, employing new staff) - Resources (staff or financing) - Emergency/contingency plan - Other, please specify 	<p><i>Ad-hoc measure.</i></p> <p><i>Guidance for simplified and accelerated proceedings.</i></p>
<p>Other elements</p>		
<p>c) General aim of the measure (what was intended?)</p>	<p><i>The general aim of the measure was to simplify the proceedings of international protection by providing international protection to vulnerable groups from the conflict zone in East Ukraine in order to accelerate asylum procedures.</i></p>	
<p>d) Intended and actual duration of the measure</p>	<p><i>No duration. However the measure is not implemented anymore.</i></p>	
<p>e) Key elements of the measure (description of the measure)</p>	<p><i>Providing international protection to vulnerable groups from conflict zone.</i></p>	
<p>f) Authorities involved in <u>drafting</u> the measure</p>	<p><i>The Estonian Police and Border Guard Board.</i></p>	
<p>g) Authorities involved in <u>proposing and approving</u> of each measure</p>	<p><i>Evaluated and approved by the Estonian Ministry of the Interior.</i></p>	

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	h) Authorities implementing measures	<i>The Estonian Police and Border Guard Board.</i>
	i) Other	

Q11. To what extent were any of the measures put in place by non-state entities mandated by a government authority via funding or project/by law/by measure? Please elaborate further.

Area	Extent of involvement of non-state entities (if yes, to what extent)
Border control (<i>please specify if it refers to external border control, temporary control at internal borders and/or police controls in border areas</i>)	N/A
Reception centres / accommodation arrangements and other housing	N/A
Wider reception services (social services, health services), rights afforded to applicants	N/A
Registration process of the asylum seeker	N/A
Asylum procedure (at first and second instance)	N/A
Infrastructure, personnel and competencies of the responsible authorities	N/A
Law enforcement	N/A
Immediate integration measures for asylum applicants	N/A
<i>Please add rows where necessary</i>	

Q12. In view of the impact of the fluctuations of the influx on local authorities, how and to what extent were local authorities impacted by measures taken by the national government/authorities responsible? To what extent local authorities were able to influence this process?

While it is beyond the scope of the study to be able to describe and analyse impacts on all different local authorities concerned, please elaborate on how national measures taken generally impacted on regional or local authorities.

Area	Impact on local authorities	Influence on the process
Border control (<i>please specify if it refers to external border control, temporary control at internal borders and/or police controls in border areas</i>)	<i>N/A</i>	<i>N/A</i>
Reception centres / accommodation arrangements and other housing	<i>N/A</i>	<i>N/A</i>
Wider reception services (social services, health services), rights afforded to applicants	<i>N/A</i>	<i>N/A</i>
Registration process of the asylum seeker	<i>N/A</i>	<i>N/A</i>
Asylum procedure (at first and second instance)	<i>N/A</i>	<i>N/A</i>
Infrastructure, personnel and competencies of the responsible authorities	<i>N/A</i>	<i>N/A</i>
Law enforcement	<i>N/A</i>	<i>N/A</i>
Integration measures for asylum applicants	<i>N/A</i>	<i>N/A</i>
<i>Please add rows where necessary</i>		

2.2 SCALING DOWN OR DISMANTLING MEASURES FOLLOWING A DECREASE IN NUMBERS OF ASYLUM APPLICATIONS

Q13. Many Member States experienced a decrease in the influx of asylum applications in the third and fourth quarters of 2016, while several Member States experienced a more irregular decrease at certain intervals after the period 2014-2016. If your (Member) State experienced a decrease in asylum applications, were any changes made to (scope of) previously adapted or introduced measures? This question seeks to understand if and how measures adopted during the previous increase were cancelled or changed. Please elaborate on the process on how the assessment was made (by the government) to change the scope of measures.

There were no changes made to the adapted measure described in Q10 due to the decrease in applications for international protections. As of 2017 the measure is not implemented anymore.

Q14. To what extent did the decrease result in adapting or abolishing/dismantling measures taken in periods of increase?

N/A

Q15. To what extent did the decrease lead to a shift in political and administrative prioritisation of measures taken (e.g. from asylum procedure to integration and or return)?

N/A

Q16. To what extent did the decrease lead to measures (and/or debate) about maintaining established admission, housing and integration capacities as well as preserving gained expertise (e.g. regularly training of former staff; maintaining infrastructure; increasing capacities within other admission procedures such as resettlement, relocation, humanitarian admission)?

There have been no such debate.¹⁹

¹⁹ Interview with PBGB expert, 03.08.2017.

Section 3: Effectiveness of the measures taken

This phase concerns the period after the implementation of new practices and ad-hoc measures and their follow-up. Only Member State who implemented national measures in response to a fluctuation of the influx are required to reply. Please copy the entire table below for all the measures listed in Q10.

Q17a.²⁰ Please indicate the impacts and effectiveness of each measure mentioned above.

Measure 1	Immediate impact (in the first days or weeks after its implementation)	<i>It was possible to make international protection decisions quicker and thus the administrative burden decreased.</i>
	Medium or longer term effect (a month or longer after its implementation)	<i>Medium term effect.</i>
	Collateral or side effect(s) and unexpected/unforeseen effects (effects not initially considered when the measure was implemented)	<i>No. The effect was the decrease of administrative burden.</i>
	Was the measure evaluated for effectiveness? If so, by whom?	<i>No.</i>
	What was the outcome of the evaluation?	<i>N/A</i>

Q17b. Did the changing influx of asylum applicants prompt changes in national approaches for other types of migration, e.g. economic migration or family reunification? The question seeks to establish whether the increased number of asylum applications brought about changes in other policy areas, such as for example a stricter approach to family reunification, or reduced labour immigration quotas.

Due to the increased numbers of asylum seekers from Ukraine, the number of family reunification applications also slightly increased. That however did not bring about changes in policies regarding family reunification procedures.²¹

²⁰ Information provided by PBGB.

²¹ Interview with PBGB expert, 03.08.2017.

Section 4: Financing of the implemented measures

Q18a. How were the implemented national measures financed? (i.e. on the basis of an emergency budget passed in parliament, additional budget allocation by the responsible ministry/authority, budgetary contributions from multiple authorities, a budgetary contribution key)

There was no extra financing regarding the implementation of measure described under Q10.

Q18b. Was the financing plan of ad-hoc measures different from the financing of already existing and structural measures for national asylum policies/national asylum system? How? Please elaborate.

N/A

Q19. Did the fluctuation of the influx bring an increase/decrease in the administrative burden for national authorities responsible of asylum applicants? If yes, how did your Member State deal with that? Please consider as administrative burden the recruitment of additional personnel, additional trainings, changes in procedures, etc.

The increase of Ukrainian nationals applying for international protection brought an increase in the administrative burden for the authorities responsible for asylum applicants. It was dealt by implementing the measure described under Q10.

Q20. To what extent did the adoption of additional measures directly result in an increase in staff/human resources at national (ministry, national services) or local level? You can report on one or two case studies if differences are significant among large numbers of local municipalities.

There was no increase in PBGB staff, but additional reserve officers were trained to cope with the increasing numbers of asylum applicants.²²

Section 5: The way forward - future preparedness

This Section is relevant for all Member States and Norway, including those countries which did not experience significant fluctuations in the number of asylum applications.

Q21. Following the fluctuations between 2014 and 2016, did your Member State put in place any new structural (emergency planning) mechanisms to adapt to the (possible) changing influx of asylum applicants in the future?

Yes / No

²² Interview with PBGB expert, 03.08.2017.

Please substantiate your answer below.

Although not in conjunction with the increase of asylum applicants in 2014/2015, in 2015 and 2016 the reviewing of the Emergency Act (in force from 1st of July 2017) took place. According to the new Act, an emergency risk assessment shall be composed and an emergency response plan will be drawn up for resolving a particular emergency in case of need. Both documents will be more detailed than similar previous documents, allowing to incorporate experiences from other Member States as well as the experience gathered by PBGB officials who have helped to resolve the migration crisis in Italy, Greece and Slovenia.²³

Q22a. Please elaborate to what extent the experience over 2014-2016 helped the government (national, regional, local level) to be prepared for any future changing influx in asylum applications, such as for 2017?

Please elaborate.

In order to be better prepared for any future changing influx in asylum applications, PBGB actively collects experience from missions and from the experience of other Member States who are currently dealing with the significant influx of asylum seekers. PBGB officials participate at international conferences and seminars. In addition, PBGB has trained officials who could assist in the proceedings of international protection in case of significant influx of asylum seekers in Estonia.²⁴

Q22b. Have any potential future measures been planned? Are new measures under consideration?

Please elaborate.

In addition to the above mentioned activities, PBGB would like to make a joint exercise in cooperation with IOM Estonia and the Estonian Academy of Security Sciences in order to be better prepared in dealing with the potential mass influx of asylum seekers. PBGB also needs to develop its translation service capabilities and acquire additional mobile scanners for taking fingerprints.²⁵

²³ PBGB expert, 27.09.2017.

²⁴ PBGB expert, 27.09.2017.

²⁵ PBGB expert, 27.09.2017.



Section 6: Good practices and lessons learnt

Section 6.1 examines the existing challenges and obstacles for the design and implementation of specific policies to adapt to changing influx of asylum applications. EMN NCPs are kindly asked to justify their answers by identifying (a) for whom the issue identified constitutes a challenge, (b) specifying the sources of the information provided (e.g. existing studies/evaluations, information received from competent authorities or case law) and (c) why it is considered to be a challenge.

Section 6.2 aims to highlight any good practices of the (Member) States that have successfully implemented and managed fluctuations of influx of asylum applicants. This section can include also lessons learnt from the practical implementation of specific policies and measures. EMN NCPs are kindly asked to justify their answers by identifying (a) who considers it to be a good practice, (b) specify the sources of information provided and (c) why it is considered to be a good practice.

6.1. CHALLENGES AND OBSTACLES FOR THE DESIGN AND IMPLEMENTATION OF SPECIFIC POLICIES TO ADAPT TO CHANGING INFLUX OF ASYLUM APPLICANTS

Q23. What are the main challenges and/or obstacles that your Member State had to overcome in designing strategies, structural mechanisms and measures to adapt to the influx of asylum applicants?

Training additional reserve officers to cope with the increasing number of asylum applicants. This challenge is related to the overall migration crisis, not specifically to the increased number of Ukrainian nationals applying for international protection in 2014 and 2015.²⁶

6.2. GOOD PRACTICES AND LESSONS LEARNT

Q24. Did or will your Member State undertake a national evaluation of the policies and measures implemented over 2014-2016? If it already took place, please elaborate on the findings.

N/A

Q25. Could you identify good practices in your Member State with regards to ensuring flexibility and adaptability of the national asylum system and associated services in order to deal with a changing influx of asylum applicants? If yes, please elaborate.

Profiling individuals so that the administrative burden and procedural deadlines could be handled more sufficiently.²⁷

²⁶ Interview with PBGB expert, 03.08.2017.

²⁷ Interview with PBGB expert, 03.08.2017

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Q26. What are the key lessons learnt by key national authorities involved over the period 2014-2016? Please elaborate and add as many rows as needed.

Lesson learnt	Responsible authority/stakeholder
1. <i>Profiling and cooperation with partners could be considered an essential activity in order to decrease administrative burden in cases of increased influx of asylum seekers.</i>	PBGB
2.	
3.	
4.	

Section 7: Conclusions

The Synthesis Report will outline the key findings, main observations of the Study, present conclusions relevant for policymakers at national and EU level and identify policy pointers for future actions. Specific conclusions drawn by (Member) State should be included in the Top Line Factsheet to prevent duplication of efforts.

Note: not to be drafted by NCPs.

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