

# Overview of activities carried out by the state and local governments in 2016 for relocating and resettling the beneficiaries of international protection under the European Agenda on Migration

## Background

At the beginning of 2016, the National Audit Office published an audit report on "Capability of the state and local governments to accept people who are requesting or have received international protection". The audit concluded that the state is only partly prepared to receive beneficiaries of international protection. The aim of this overview is to examine what the state has done in this sphere since the publication of the audit report. According to Council Decision<sup>1</sup>, Estonia has committed to relocate 329 persons from Greece and Italy<sup>2</sup>, and to resettle 20 persons from Turkey. A further 168 persons will be resettled according to the migration agreement between the EU and Turkey. Estonia is required to receive a total of 517 individuals.

As of the end of this November, Estonia had **relocated** 66 persons from Greece and **resettled** 11 persons from Turkey under the **European Agenda on Migration**. A total of 77 individuals or 15% of the target. Currently, Estonia has not relocated any beneficiaries of international protection from Italy.

### *European Agenda on Migration*

*In 2015, the European Commission and the Council of the European Union adopted an action plan to mitigate the effects of the migration crisis.*

*According to the plan, 160,000 persons will be relocated from Greece and Italy to other Member States and 20,000 persons who have been granted refugee status by the UN will be resettled from refugee camps from outside the EU.*

*Further, the action plan includes the proposal to draw up a joint European list of safe countries of origin, and develop measures for enhancing the return policy and cooperation with third countries.*

***Relocation** – transfer of persons who have been granted protection on the basis of the 1951 Convention Relating to the Status of Refugees or subsidiary protection from the EU Member State to another Member State where they are granted similar protection; or transfer of persons from a country where they request international protection to a Member State that will review their request.*

***Resettlement** – in EU context, transfer of third-country national or stateless person in need of international protection upon a request from the Office of the United Nations High Commissioner for Refugees from a third country to an EU Member State where they are awarded refugee or equivalent status.*

Source: European Migration Network glossary on migration and asylum.

The Ministry of the Interior has admitted that Estonia will be unable to relocate the planned number of beneficiaries of international protection by the due date, i.e. the end of 2017. However, the situation in other countries is the same.

As of the beginning of this December, EU Member States had relocated 8,162 persons, 6,212 from Greece and 1,950 from Italy. This is over 5% of the total number agreed. Following the agreement between the EU and Turkey, 2,761 individuals have been resettled to EU Member States.<sup>3</sup> According to Estonia's Relocation and Resettlement Action Plan,<sup>4</sup> Estonia prefers to relocate and resettle complete families (parents with minor children).

<sup>1</sup> Council Decision (EU) 2015/1601 of 22 September 2015 establishing provisional measures in the area of international protection for the benefit of Italy and Greece.

<sup>2</sup> Estonia has drawn up the Relocation and Resettlement Action Plan with the budget that it will receive 550 persons in need of protection over a two-year period, measures and expenses are envisaged for the budget period 2015-2019.

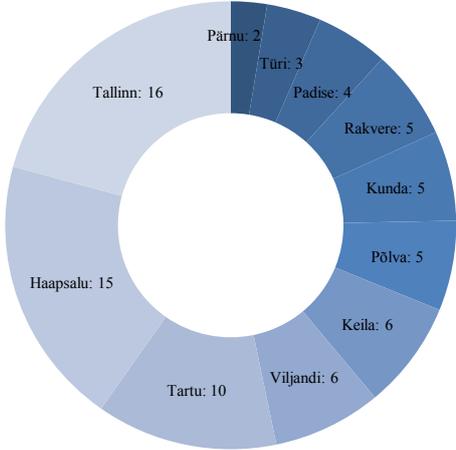
<sup>3</sup> 08.12.2016. European Commission's Eighth Report on Relocation and Resettlement.

<sup>4</sup> Revised Action Plan for Implementing EU Relocation and Resettlement Measures.

As for vulnerable persons, families with a single parent and unaccompanied minors are preferred. Before these people arrive in Estonia, the Police and Border Guard Board (PBGB) determines whether they pose a risk to public order or public security.

Further, the persons should have the potential to adapt to and integrate into the Estonian society. A little more a half of relocated or resettled beneficiaries of protection are male (see Figure 2). Children make up 45% of beneficiaries of international protection accepted under the European Agenda on Migration (see Figure 3). Three children have been born in the families relocated or resettled to Estonia. Over half of persons relocated or resettled come from Syria (see Figure 4) and usually they have been granted subsidiary protection (see Figure 5). All persons relocated or resettled have given their consent to be transferred to Estonia. The majority of them are either skilled or unskilled workers with only few being top specialists. All relocated or resettled beneficiaries of international protection still reside in Estonia (see Figure 1).

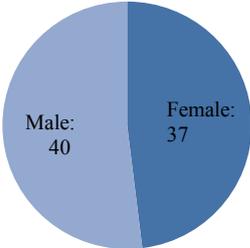
**Figure 1. Place of residence of the relocated or resettled across municipalities**



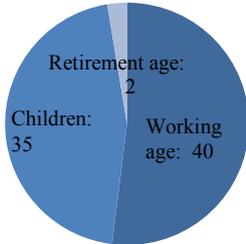
Source: Ministry of Social Affairs

**Profile of individuals relocated or resettled to Estonia**

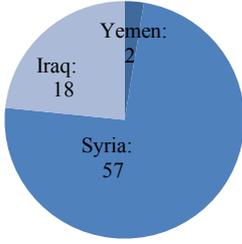
**Figure 2. Relocated and resettled by gender**



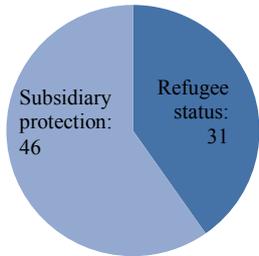
**Figure 3. Relocated and resettled by age**



**Figure 4. Citizenship of the relocated and resettled**



**Figure 5. International protection status of the relocated or resettled**



Source: Police and Border Guard Board, Ministry of the Interior

According to the PBGB, as at 29 November 2016, in addition to relocated or resettled persons, a valid residence permit was held by 327 beneficiaries of international protection whom Estonia had granted international protection over the preceding years, and 56 individuals held a family member residence permit.

## Overview of activities carried out in 2016

### **Examination of requests for international protection**

According to the current arrangements for relocation and resettlement, the requests for international protection are examined outside Estonia. Estonia has seconded two liaison officers abroad: one works in Greece and Italy and the other in Turkey. Until now, requests have been reviewed in Greece and Turkey. No procedures have been conducted in Italy because the Italian Ministry of the Interior does not permit Estonian officers to interview the refugees. Authorising such interviews is the sovereign decision of each country. Therefore, nobody has been relocated from Italy. The Estonian Ministry of the Interior deems interviews strictly necessary to assess, for each person, the risk to public security and public order. The interviews include an assessment of the individual's capability of adapting to and integrating into the Estonian society.

Other substantive procedures - identifying the country of origin, comparing the gained information with other evidence, drafting and analysing of decisions - are conducted in Estonia. Concurrently with the examination of requests outside Estonia, the PBGB must ensure the review of requests of applicants arriving at the Estonian border. As of 29 November 2016, Estonia has received 107 requests for international protection. International protection has been granted to 64 persons and 16 members of their families.

Due to increased migration flows, in 2016, the PBGB trained 60 reserve officers competent to examine international protection cases. The training focused on enhancing competence in the field of substantive review of requests for international protection. Further, the PBGB has trained 205 reserve officers who are prepared to examine requests for international protection and conduct primary procedures in the event of mass immigration of refugees. Capacity building has taken into account the additional procedures for 550 individuals, and the necessary number of reserve officers have been trained to this end.

### **Transportation of beneficiaries of international protection to Estonia**

The transportation of beneficiaries of international protection is subject to the Dublin procedure, which provides that the country where the person is being transferred from incurs the travel costs. Hence, either Greece or Italy pays for transportation. In case of resettlement, the PBGB shall incur the transport costs. In either case, the International Organisation for Migration (IOM) is responsible for arranging transportation. Once the beneficiaries of protection have arrived in Estonia, the Estonian authorities shall be responsible for supporting them.

### **Procedures for family reunification**

Pursuant to the Act on Granting International Protection to Aliens,<sup>5</sup> the beneficiaries of protection have the right to reunite with family nucleus (spouse, minor child (incl. adopted child), adult child who is not self-sufficient due to his health condition or disability, and dependant's parent or grandparent).<sup>6</sup> As Estonia prefers to accept complete families, single-parent families and orphans, the number of reunions has been low.

Currently, Estonia has admitted 77 individuals: 19 complete families and 4 single males. The latter may, at any time, bring their families to Estonia. At the same time, other Member States seek to minimise the number of reunions - thus also preferring complete families. Therefore, it could happen that, at some point, Estonia needs to start admitting a higher number of single

<sup>5</sup> § 46 of the Act on Granting International Protection to Aliens.

<sup>6</sup> § 7 of the Act on Granting International Protection to Aliens.

persons. The government lacks a specific action plan for cases where individuals with a different profile arrive in Estonia, but the PBGB has developed its capacities with due regard to the possibility of having to examine requests for family reunions.

### **Provision of legal aid to the relocated or resettled when procedures are conducted outside Estonia**

For resettlement, the procedures are conducted in a third country, and the persons have no right of appeal in the country that refuses to admit the individual. For relocation, the procedures are conducted in the Member State from which the persons are relocated. The applicant may appeal the decision in either in Italy or Greece. Hence, either Greece or Italy needs to conduct the relevant proceedings and incur the related costs.

If the person is already in Estonia and seeks to appeal the decision on granting the status (e.g. seeks refugee status instead of subsidiary protection), (s)he can do so in an Estonian administrative court.

### **Support person service**

The May 2016 amendments to the Act on Granting International Protection to Aliens require the beneficiary of protection to use the support person service for beneficiaries of international protection, if such service has been prescribed to him/her.<sup>7</sup>

Support person(s) have been appointed and made available for all families arriving in Estonia. Previously, there were problems with the availability of support persons in certain regions (e.g. Saaremaa and Hiiumaa), but now all regions are capable of providing such service. Larger municipalities like Tallinn and Tartu have local support persons. In smaller municipalities, the support person service is provided by persons living in the vicinity of the municipalities. Support person services are provided by service providers - the Johannes Mihkelson Centre in Lääne-Virumaa, Ida-Virumaa, Hiiumaa, Saaremaa, Läänemaa and Pärnumaa, and the Estonian Refugee Council in other counties.

There are a total of 77 support persons for beneficiaries of international protection in Estonia whereof 50 are volunteers (from the Estonian Refugee Council). In addition, there is a reserve consisting of up to 30 support persons.

### **Translation and interpretation services**

Translation and interpretation services are provided in conjunction with the support person service. In April 2016, the Ministry of Social Affairs announced a public tender to outsource translation and interpretation services. According to the Act on Granting International Protection to Aliens,<sup>8</sup> the maximum cost of translation and interpretation services provided to a beneficiary of international protection is 1,040 euros in 2016, or up to 2,080 euros per family over a two-year period. The translation and interpretation services can be used at the local government, the Estonian Unemployment Insurance Fund, the Social Insurance Board, educational establishments (e.g., at student evaluations for children), healthcare providers or elsewhere.

Currently, most of the beneficiaries of international protection arriving in Estonia have been proficient in Arabic or English. There are translators/interpreters for English to Arabic in Estonia whereas there are few for Estonian to Arabic, which limits the possibility of communicating through Estonian (e.g. in school). Hence, most of the communication goes through English. Another challenge is the scarcity of professional interpreters and the high

<sup>7</sup> § 75 (4<sup>5</sup>) of the Act on Granting International Protection to Aliens.

<sup>8</sup> § 73<sup>1</sup> of the Act on Granting International Protection to Aliens.

cost of their services. Estonia is unable to provide translation and interpretation services for more specific languages. For instance, we lack such capacity for Sorani (Central Kurdish). One family speaking that language has come to Estonia.

Service provision might become problematic, if people with a different background and language skills should arrive in Estonia. Although Estonia is yet to relocate anyone from Italy, it is currently unable to provide translation and interpretation services to persons who have fled from Eritrea unless they speak Arabic. Eritreans make up the second largest group (12%) of refugees who have come to Italy over the Mediterranean.

### **Accommodation**

Accommodation is made available by the service provider (Kinnisvaraekspert AS). Until now, accommodation for all the 77 persons admitted under the EU Agenda on Migration has been secured on the free lease market. The service provider has succeeded finding most of the flats. In few cases, the residential premises owned by State Real Estate Ltd. have been used, and in one case, the residential premises owned by the Harju-Risti Congregation. In this context, the major challenge is the prejudice of flat owners with regard to relocated or resettled persons which extends the period for securing accommodation.

### **Unaccompanied minors**

Currently, no orphans have been relocated or resettled to Estonia. Over the last years, no unaccompanied minors seeking international protection have apprehended at the border. The Social Insurance Board subjects the unaccompanied minors to the substitute home service. The SOS Children's Village and the Social Insurance Board have signed a contract for financing from the state budget the expenses towards the substitute home service for up to five unaccompanied minor aliens. However, ten unaccompanied minors are expected to be relocated or resettled. Additional funds have been earmarked in the Government of the Republic reserve fund to increase the capacity for receiving unaccompanied minors. According to plans, the capacity to admit unaccompanied minors will be increased according to files submitted to Estonia.

### **Health services**

The initial health screening of all resettled or relocated persons is carried out upon their arrival in Estonia, i.e. at the airport. Health screening is conducted by the service provider (Tallinn Emergency Medical Service). Comprehensive health checks are conducted within few weeks after arrival in Estonia. Health screening is conducted by the West Tallinn Central Hospital and the Tartu University Hospital. The service provider of support person service ensures transport to the site of health check, and interpretation service during the screening.

The amendments to the Social Tax Act and the Health Insurance Act enacted on 1 May 2016 guarantee that non-working beneficiaries of international protection who have attained retirement age and live in Estonia are covered by health insurance. Working-age beneficiaries of protection are provided with health insurance provided, that they are registered as unemployed with the Unemployment Insurance Fund. Minor beneficiaries of protection are automatically covered by health insurance.

### **Participation in adaptation programme**

According to the Act on Granting International Protection to Aliens,<sup>9</sup> the beneficiaries of international protection must participate in the adaptation programme's thematic module on international protection, if the PBGB has instructed them to do so. Participation in the

<sup>9</sup> § 75 of the Act on Granting International Protection to Aliens.

adaptation programme is taken into account when deciding whether to extend the residence permit or grant a new one. The adaptation programme designed for the beneficiaries of international protection is available in English, Russian, French and Arabic.

As of November 2016, 73 relocated or resettled persons, excl. one person due to his health condition, have completed the module on international protection within the first month following their arrival. Two adults have attended the employment and enterprise module in English, and one adult in the education module in English.

The beneficiaries of protection have expressed their interest to participate in other modules in Arabic. The Ministry of the Interior intends to make other modules available in Arabic in 2017.

### **Learning the Estonian language**

According to the amendments to the Act on Granting International Protection to Aliens effected in 2016, beneficiaries of international protection aged between 18 and retirement age must learn Estonian. Compliance with this requirement will be taken into account when deciding whether to extend the residence permit or grant a new one.<sup>10</sup> The maximum cost of learning Estonian is 1,560 euros over a two-year period.<sup>11</sup>

All beneficiaries of international protection relocated or resettled to Estonia have the opportunity to learn Estonian. Language courses are provided by the serviceprovider - Tartu Folk High School. Courses are provided on the territory of the respective local government, as close to home as possible. As of November 2016, the majority of beneficiaries of protection had the opportunity to learn Estonian. By now, the first refugees have already completed the 100-hour course. The Ministry of Social Affairs has noted that the current amount of language training is insufficient, and intends to increase it.

### **Long-term integration measures**

The sectoral development plan Integrating Estonia 2020 does not distinguish beneficiaries of international protection as being a separate target group. After obtaining the residence permit, the beneficiaries can participate in measures designed for newly arrived immigrants. By the end of 2016, the Ministry of Culture has developed preliminary action plan that includes potential integration activities designed for beneficiaries of international protection. The activities are planned for 2018 when two years will have passed since the arrival of the first relocated persons.

### **Studying in basic school and upper secondary school**

All children in the compulsory school attendance age relocated or resettled under the European Agenda on Migration are enrolled in schools. As of August 2015, schools have been provided counselling in the field of international protection. There have been a total of 13 meetings involving 170 teachers and local government officials responsible for education.

Need-based training and counselling of staff has been provided in all schools where relocated or resettled children are enrolled. Further, the Innove Foundation<sup>12</sup> has signed a cooperation agreement with the Lilleküla Upper Secondary School and Kiltsi School who provide counselling to all schools, which admit children with immigration background as they have

<sup>10</sup> § 75 of the Act on Granting International Protection to Aliens.

<sup>11</sup> § 73<sup>1</sup> of the Act on Granting International Protection to Aliens.

<sup>12</sup> The Innove Foundation is a centre of excellence for general and vocational education and education-related support services and an intermediary for EU aid operating within the government area of the Ministry of Education and Research.

long-term experience in teaching the children of beneficiaries of protection.

The University of Tartu will develop methodological materials and, in 2017, provide training courses for adapting to cultural differences in the Estonian education system. Specific support services for relocated or resettled students have not been envisaged in the field of education. Unlike the newly arrived immigrants, children enjoying international protection can use a government-sponsored interpreter in education establishments. Support services are provided on the same basis as in the case of all other children.

It should be taken into account that children enjoying international protection come from a crisis area where they could have been victims of persecution or torture. Hence, they might have an increased need for additional support services (e.g. school psychologist, speech therapist or social pedagogue). All schools teaching relocated or resettled children have access to support specialists. However, in general, access to support services in Estonian schools is poor: 28% of the schools have special education teachers, 30% have a school psychologist, 38% a social pedagogue, and 48% a speech therapist.<sup>13</sup>

Until the end of the implementation of the agenda on migration, the state will coordinate need-based education roundtables in local governments to share useful information on training and counselling possibilities and learning materials.

#### **Admission to nursery schools**

All beneficiaries of international protection who are of nursery school age and have arrived in Estonia under the European Agenda on Migration are admitted to nursery schools. Specific support services for relocated or resettled children are not available in nursery schools. Each child is assisted in view of his/her personal special needs. The state has not provided training courses for nursery school teachers. Nursery school staff have attended roundtables addressing issues related to educating children with an international protection background.

#### **Participation in adult education**

One working-age beneficiary of international protection who came to Estonia under the European Agenda on Migration has enrolled in a university.

Assessing the qualifications of persons admitted to Estonia has proven to be a bottleneck. Fortunately, this problem has been acknowledged and there are plans to improve qualification assessment competency in the spheres of general education (incl. distance learning), vocational education and professional certification. In terms of vocational and adult education, Estonia lacks real long-term contact with students with an international protection background because adults prefer to enter the labour market as quickly as possible. Shortcomings might be revealed once beneficiaries of protection develop an interest in adult education.

Vocational education centres have developed measures to help students with special educational needs (incl. those with a different performance rate) to adapt. For example, as from October 2016, the Tartu Vocational Education Centre is piloting the "orientation year" to assist students who are interested in vocational education but have limited access to vocational education for various reasons. This measure extends to beneficiaries of international protection.

#### **Benefits paid and services offered by local authorities**

The initial place of residence of beneficiaries of international protection in Estonia is selected in view of the possibilities of securing employment and accommodation in the region, the

<sup>13</sup> NAO audit report published in 2016 on "State's activities in treating and maintaining health of children".

availability of childcare and schools, and the municipality's the integration indicators and reception capacity. Further factors to be taken into account include the accessibility of services required for adaptation and coping, and personal needs.

The reception of beneficiaries of international protection under the European Agenda on Migration is financed from the EU Asylum, Migration and Integration Fund. 6,000 euros is allocated per each relocated individual and 10,000 euros per each resettled person. For each relocated or resettled individual, the hosting municipality receives 3,000 euros. This money can be used for providing support services (e.g. hiring a counsellor, visiting a psychologist), adapting the accommodation, etc. All beneficiaries of international protection admitted under the European Agenda on Migration continue to live in the municipality to which they were allocated.

All municipalities have been offered counselling. If local authorities have deemed it necessary, counselling has been provided. In November 2016, the Estonian Academy of Security Sciences organised county-specific briefings to provide an overview of the current status of the migration crisis and the progress of relocation and resettlement.

According to the amendments to the Act on Granting International Protection to Aliens effected in 2016, the list of services provided to the beneficiaries of international protection and their families was shortened. Expenses towards the repair and furnishing of municipally owned dwellings granted to beneficiaries of protection are no longer reimbursed. These are deemed to be need-based expenses. If the person has sufficient funds, the cost of entering into a lease agreement for his dwelling will not be reimbursed.

Expenses are made in view of the limit values set for the specific local government and the effective cost. Entering into lease agreements is no longer related to the socially justified standard set for residential premises.

### **National benefits and pension**

Retirement-age beneficiaries of international protection are entitled to pension similarly to permanent residents. The person must have completed at least 15 years of employment to qualify for retirement pension based on general criteria. The eligibility requirement for state pension is at least 5 years of residence in Estonia. There are no plans to amend the applicable rules. There are two retirement-age individuals among the relocated and resettled.

According to the 1 May 2016 amendment to the Social Tax Act and the Health Insurance Act, non-working beneficiaries of international protection who live in Estonia and have attained retirement age enjoy insurance cover under the Health Insurance Act, and the health insurance component of social tax for such persons is paid by the state. Until the end of a five-year period, beneficiaries of international protection receive a subsistence benefit.

### **Participation in the labour market**

Based on feedback from support persons, as of the end of November, at least one person relocated or resettled under the European Agenda on Migration was employed. Nearly all working-age individuals, excl. women who are pregnant or have recently given birth, are registered as unemployed with the Unemployment Insurance Fund. The main challenges related to finding employment include the beneficiaries' inadequate proficiency in Estonian, adaptation to the local work culture and daily life, and establishment or restoration of working habits. <sup>14</sup> According to Statistics Estonia, in Q2 of 2016, the service sector that requires

<sup>14</sup> Statistics Estonia database, table PAV011

proficiency in Estonian features the largest number of vacancies. Hence, the relocated or resettled have failed to find employment despite the labour shortage. Unemployment Insurance Fund has also underlined that beneficiaries of protection are employment seekers with other kind of needs and they usually lack the necessary skill set to secure employment quickly.

Based on past experience gained within the EU, it takes, on the average, up to 5 years to integrate 27% of beneficiaries of protection into the labour market whereas 39% find employment in 5 to 9 years. In 14 years, 56% of beneficiaries of protection find employment, and after 20 years their employment rate evens out with the overall employment rate.<sup>15</sup>

#### **Review of the status of beneficiaries of international protection**

The justification of the status of beneficiaries of international protection is reviewed in the course of the procedure for extending their status. Reviewing the status of 550 beneficiaries of protection does not entail a notable additional workload for the PBGB - the workload will increase by approx. 2%.

#### **Long-term action plan in the sphere of international protection, and designation of responsible entity**

The state has not adopted a long-term action plan in the sphere of international protection or designated a single responsible entity. The Refugee Policy Coordination Committee chaired by the Deputy Secretary General for Public Order and Migration Policy from the Ministry of the Interior is responsible for ensuring the implementation of the Relocation and Resettlement Action Plan submitted to the Cabinet of Ministers.<sup>16</sup> The duties of the Coordination Committee include, among other things, the submission of reports on action plan implementation to the Cabinet of Ministers, and the regular monitoring of the implementation.

The main objectives of the immigration policy are set out in the Development Plan for Internal Security 2014-2020.<sup>17</sup> The development plan has been modified to include activities required for implementing the Action Plan for Implementing EU Relocation and Resettlement Measures.

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<sup>15</sup> Integration of beneficiaries of international or humanitarian protection into the labour market: policies and good practices. Developed by: European Migration Network, 2016.

<sup>16</sup> Directive No. 1-3/168 of 16 September 2015 of the Minister of the Interior on "Setting up the Refugee Policy Coordination Body".

<sup>17</sup> Development Plan for Internal Security 2014-2020, p. 90.