



Input by civil society organisations to the Asylum Report 2024

Dear Colleagues,

The production of the *Asylum Report 2024* is currently underway. The annual [Asylum Report series](#) presents a comprehensive overview of developments in the field of asylum at the regional and national levels.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share with us your reporting on developments in asylum law, policies or practices in 2023 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2023 on issues related to asylum in EU+ countries.

These may be

- reports,
- articles,
- recommendations to national authorities or EU institutions,
- open letters and analytical outputs (**'Part B' of the form**).

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage. For reference, contributions to the 2023 Asylum Report by civil society organisations can be accessed [here](#), under 'Acknowledgements'.

All contributions should be appropriately referenced.

You may include links to supporting material, such as

- analytical studies,
- articles,
- reports,
- websites,
- press releases or
- position papers.





If your organisation does not produce any publications, please make reference to other published materials, such as joint statements issued with other organisations. Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.

The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

Your input matters to us and will be much appreciated!

*Please submit your contribution to the Asylum Report 2024 by **Thursday, 30 November 2023**.*





Instructions

Part A:

- ✓ New developments and improvements in 2023 and new or remaining challenges;
- ✓ Changes in policies or practices, transposition of legislation or institutional changes during 2023;
- ✓ Across the different thematic sections feel free to make reference to issues related to the implementation of the Temporary Protection Directive at national level.

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PART A: Contributions by topic

1. Access to territory and access to the asylum procedure (including first arrival to territory and registration, arrival at the border, application of the *non-refoulement* principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

Access to territory: incidents at the Russian Border

The Estonian Refugee Council has conducted in 2023 in cooperation with the UNHCR a protection monitoring survey, where we have interviewed more than 600 ukrainian refugees living in Estonia in 2023. From January to May our questionnaire included a question about incidents at the border. We received several statements regarding their bad treatment at the Russian border.

Here are our monthly summaries of incidents at the Russian border that the refugees have told us during the interviews:

January: 2 people had problems at the border: additional questions were asked, a cell phone was searched, time consuming border crossing.

February: 4 people had problems at the border - mostly there were long queues for border crossing, but 2 of them referred to long questioning and examination of bags and phones (they came from Kherson and Donetsk).

March: 7 people admitted that they or their family members had problems crossing the border- mostly at the border of Russia: long queues, examination, phone seeking, detention, verbal insulting and blaming. Two people developed health problems as a result.

April: 5 people admitted that they or their family members had problems crossing the border- mostly at the border of Russia: psychological pressure, long interrogations, long queues.





May: One person described that on the Russian border the men of were interrogated and investigated, their phones were checked and fingerprints taken.

Here are some quotes from the interviews that we conducted in January-May. The question was stated as follows:

Whether you or your family members had problems at the border? Please specify.

“/.../ And they kept me at the Russian border for a very long time. They found what they thought was a suspicious number in my phone. But I didn't call anyone. I sat at the border for 9 hours instead of the promised hour. I had to take sedative pills. The dog at the border heard the smell of it. They took away all my medication.”

“It took whole week until they could cross the border.”

“The line at the border was very long, it took over a week to cross the border.”

“We had to hide a lot of things and clean up the phone a lot so they wouldn't notice. My sons are in the military. At the border they kept us for a long time. We drove through the Crimea, there was a lot of interrogation everywhere.”

“Getting to Estonia was very difficult. They travelled by public transport avoiding contacts to the Russian policemen. Crossing Russian border before arriving in Estonia, they were detained for several hours. Ordinary customs and police officers scolded and accused them of war.”

“The interrogation of where we came from and where we were going was, for our whole family, but all in all it was good.”

“Long queues at the Russian border (in some occasions, people wait for a week), people are interrogated, searched, phones are checked. Medicines are taken away from people, people are forced to leave their cars to cross the border.”

“They took the fingerprints from men, took photos of everyone, checked phones. They talked to the men, asked if they have served in or cooperated with ATO, why they are coming to Estonia, how did they travel etc.”

“I came to Estonia with my parents and with my aunt and my cousin. We waited for a very long time on the border before being allowed to leave Russia, around 20 hrs. They checked the content of our phones. They talked to my father for a long time. Finally they let us go.”

The examinations at the Russian border have been mentioned in an article at the Estonian Public Broadcasting [here](#).

Border construction





Estonia is constructing its Eastern border with Russia. “Approximately €150 million is allocated for the development, expansion and maintenance of Estonia's eastern border. Almost €60 million has been spent on construction so far.”¹ The plan is to add new surveillance and drone detection systems to meet the security situation and construct the eastern border fence.

By the end of 2023, nearly 60 kilometers of the land border are expected to be completed. Border construction started in 2020 and is expected to be completed in 2025. It will cover 115 km of the Estonian-Russian border. The border with Russia is 338.6 km long in total and 135 km of it is located on land, in difficult terrain and forested area, while 76 km is in the Narva River and 127 km runs through Lake Peipsi.

New concrete barriers at the Narva crossing point

Concrete barriers were placed on the bridge connecting Estonia and Russia in November as preparations continue for a possible future closure of the border.²

This happened after 19 Somali and Syrian citizens were allowed to cross the Russian border and try to enter Estonia without the correct documents. Usually, the Russian side does not allow people to cross without a legal basis. About 30 migrants have been let through by Russia, a much smaller number than in Finland, and the border guard has sent them all back.

Two of the four traffic lanes on the bridge were also shut. The PPA has said the border crossing may close if the situation worsens.

Russia to close the Ivangorod crossing on February 1, 2023

Russia is planning closure of its Ivangorod border checkpoint to vehicles, which is on the East bank of the Narva River, to vehicles from February for an unspecified length of time.³

This will mean only border crossings in Southeastern Estonia will remain open to entry for vehicles from Russia into Estonia. Pedestrians will still be permitted to cross between Jaanilinn, or Ivangorod as it is called in Russian, and Narva – and over half-a-million people have done so this year to date.

Around 100,000 vehicles have made the crossing over that time-frame; it is currently not clear whether long-distance buses will be able to travel from West to East, perhaps with passengers

¹ <https://news.err.ee/1609181587/new-security-systems-significantly-raise-eastern-border-construction-costs>

² <https://news.err.ee/1609175470/ppa-puts-more-barriers-on-estonian-russian-border>

³ <https://news.err.ee/1609161469/ivangorod-border-crossing-will-impact-business-travelers>





disembarking to cross the border, but in the other direction, all vehicle traffic will be closed in any case.

Russian cars are banned from entering Estonia

Estonia has banned motor vehicles with Russian license plates from entering the country, as they are subject to EU sanctions. With this step, Estonia has adhered to guidelines issued by the European Commission on September 8 regarding the enforcement of existing sanctions, according to which EU member states may not allow cars with Russian license plates into the EU. This ban applies not just to private vehicles, but also to company transport operations. Enforcement of these sanctions is mandatory for member states.⁴

Ukrainians are banned from entering Estonia through Russia

Russia on October 10 sent Estonia a diplomatic note saying that Ukrainian citizens' entry to Russia via land border crossings will be temporarily limited starting October 16. Exceptions to the rule are the Vientuli-Ludonka border crossing between Latvia and Russia in the Pskov Oblast and the Sheremetyevo International Airport in Moscow. The new rules apply to all Ukrainian citizens who are at least 14 years of age and those under 14 years of age who are accompanied by a legal representative or guardian not of Russian citizenship.⁵

2. Access to information and legal assistance (including counselling and representation)
3. Provision of interpretation services (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)
4. Dublin procedures (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)
5. Special procedures (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)
6. Reception of applicants for international protection (including information on reception capacities – increase/decrease/stable, material reception conditions – housing, food,

⁴ <https://news.err.ee/1609098554/estonia-s-russian-car-entry-ban-in-effect-from-10-am-wednesday>

⁵ <https://news.err.ee/1609129832/estonian-ministers-condemn-russia-s-decision-to-deny-entry-to-ukrainians>





clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

The Estonian Social Insurance Board has provided temporary accommodation to those applying for temporary protection since the onset of the war in Ukraine. However, the program has been discontinued and all the temporary housing facilities for Ukrainian refugees have been closed down. Currently, only vulnerable Ukrainian refugees receive temporary housing from the state in Vao and Vägeva accommodation centres.⁶

7. Detention of applicants for international protection (including detention capacity – increase/decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)
8. Procedures at first instance (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decision-making, timeframes, case management – including backlog management)
9. Procedures at second instance (including organisation of the process, hearings, written procedures, timeframes, case management – including backlog management)
10. Availability and use of country of origin information (including organisation, methodology, products, databases, fact-finding missions, cooperation between stakeholders)
11. Issues of statelessness in the context of asylum (including identification and registration)
12. Vulnerable applicants (including definitions, special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)
13. Content of protection (including access to social security, social assistance, health care, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

Estonia is one of the countries which has a significant number of Ukrainian refugees who are international protection holders, because the government decided to grant temporary protection only to those refugees who fled Ukraine after the war started. So Ukrainian refugees in Estonia have different protection conditions due to their status.

⁶ <https://news.err.ee/1609158832/fewer-and-fewer-ukrainian-refugees-arriving-in-estonia>





It is obligatory for international protection holders to learn Estonian language at level A1 and the state has so far offered courses for free. However, in the end of 2023, free language learning courses have not been available.⁷ The lack of free language learning opportunities is a well-known issue and also stated in a recent analysis of the adaption services.⁸ The referred analysis also highlights the problem that children don't have any access to free language training besides the possibilities offered by schools.

The Ministry of Education estimated in spring that there are approximately 1600 Ukrainian children living in Estonia, who don't go to Estonian school, which is obligatory in Estonia. It is possible that they have left the country and not notified the authorities and schools. Still, many children have not registered their status or place of residence, because if they had, they would also have health insurance. According to the Health Insurance Board, about 80 percent of children have health insurance and only about 45 percent have a family doctor.⁹

In Estonia, it is very hard for Ukrainians to get an appointment at the Ukrainian embassy for proceedings with their Ukrainian biometric passports.¹⁰ We have had a lot of feedback on this from the refugees and we also organized a meeting with the Ukrainian Ambassador in Estonia to address this topic. It costs a lot of money to travel to Poland, where are the nearest Ukrainian Passport offices and the procedures are thus unavailable for many.

14. Return of former applicants for international protection
15. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)
16. Relocation (ad hoc, emergency relocation; developments in activities organised under national schemes or on a bilateral basis)
17. National jurisprudence on international protection in 2023 (please include a link to the relevant case law and/or submit cases to the EUAA Case Law Database)

⁷ <https://www.err.ee/1609190722/sisserande-suurendamisel-tuleb-tahelepanu-poorata-keeleoppekattesaadavusele>

⁸ <https://skytte.ut.ee/sites/default/files/2023-09/Euroopa-Sotsiaalfondi-kohanemis-ja-loimumismeetme-2014%E2%80%932020-lopphindamine-1.pdf>

⁹ <https://www.tervisekassa.ee/ukraina-sojapogenike-tervishoiuteenuste-kasutus>

¹⁰ <https://epl.delfi.ee/artikkel/120186444/ukraina-saatkond-tostab-kaed-ules-pogenikke-saadetakse-passe-tegema-poola>





18. Other important developments in 2023

Part B: Publications

1. If available online, please provide links to relevant publications produced by your organisation in 2023

1. We signed the ECRE-initiated joint statement on the use of legal loopholes in EU Asylum Reforms.

<https://ecre.org/joint-statement-ngos-call-on-member-states-and-european-parliament-go-no-lower-reject-the-use-of-legal-loopholes-in-eu-asylum-law-reforms/>

We also translated this document into Estonian and sent it to all Estonian Members of European Parliament.

2. We sent an opinion to the Minister of Culture on a plan to reimburse the costs of language courses in case an international protection holder quits the courses. So far the law proposal has not been implemented.

You can find the statement here: <https://adr.rik.ee/kum/dokument/14166618>

2. If not available online, please share your publications with us at: Asylum.Report@euaa.europa.eu

3. For publications that due to copyright issues cannot be easily shared, please provide references using the table below.

	Title of publication	Name of author	Publisher	Date
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2				
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