



Quick Facts

Immigration detainees (2013)	94
Detained asylum seekers (2012)	8
Detained minors (2017)	6
Immigration detention capacity (2018)	123
Persons expelled (2018)	750
International migrants (2019)	190,242
New asylum applications (2019)	94

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/europe/estonia>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	94	2013	Number of detained asylum seekers	8	2012
	93	2012		8	2011
	62	2011		7	2010
	40	2010		14	2009
	55	2009		2	2008
Total number of detained minors	6	2017	Number of detained unaccompanied minors	1	2012
	7	2016		4	2011
	35	2015			
	3	2012			
	1	2012			
	4	2011			
	1	2010			
Number of detained accompanied minors	1	2010	Number of apprehensions of non-citizens	980	2018
				755	2017
				665	2016
				980	2015
				720	2014
				910	2013
				905	2012
Immigration detainees as a percentage of total international migrant population	0.02	2010	Estimated total immigration detention capacity	123	2018
Number of dedicated long-term immigration detention centres	1	2019	Estimated capacity of dedicated long-term immigration detention centres	123	2018
				80	2013
				42	2007
Number of persons removed/returned (voluntary returns and deportations)	750	2018	Number of deportations/forced returns only	140	2018
	630	2017		135	2017
	465	2016		95	2016
	560	2015		85	2015
	445	2014		305	2014
	575	2013			
	480	2012			

Percentage of persons removed in relation to total number of people placed in removal procedures	97.67	2017	Criminal prison population	2,567	2019
	92.08	2016		2,813	2017
	94.91	2015		3,061	2014
	93.7	2014			
Percentage of foreign prisoners	35.5	2018	Prison population rate (per 100,000 of national population)	194	2019
	38.8	2015		213	2017
	38.1	2012		234	2014
Demographics and immigration-related statistics					
		Observation Date			Observation Date
Population	1,300,000	2020	International migrants	190,242	2019
	1,313,000	2015		193,000	2017
				218,000	2016
				202,300	2015
International migrants as a percentage of the population	14.7	2017	Refugees	331	2019
	15.4	2015		325	2018
				411	2017
				287	2016
				168	2015
				90	2014
Ratio of refugees per 1000 inhabitants	0.25	2016	Total number of new asylum applications	94	2019
	0.07	2014		45	2016
				143	2014
Refugee recognition rate	35.1	2014	Stateless persons	77,877	2018
				80,314	2017
				82,585	2016
				86,522	2015

DOMESTIC LAW					
LEGAL TRADITION					
Legal tradition	Name		Observation Date		
	Civil law		2019		
LAWS AND REGULATIONS					
Constitutional guarantees?	Yes/No	Constitution and Articles		Year Adopted	Last Year Amended
	Yes	Constitution of the Republic of Estonia, section 20-21		1992	2003

LAWS AND REGULATIONS			
Core pieces of national legislation	Name	Year Adopted	Last Year Amended
	Aliens Act (Välismaalaste seadus)	2009	2019
	Obligation to Leave and Prohibition on Entry Act (OLPEA) (Väljasõidukohustuse ja sissesõidukeelu seadus)	1998	2019
	Act on Granting International Protection to Aliens (AGIPA) (Välismaalasele rahvusvahelise kaitse andmise seadus)	2005	2013
	State Borders Act (Riigipiiri seadus)	1994	2019
LAWS AND REGULATIONS			
Additional legislation	Name	Year Adopted	Last Year Amended
	Code of Administrative Court Procedure (Halduskohtumenetluse seadustik)	2011	2019
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Immigration-status-related grounds	Name	Observation Date	
	Detention to effect removal	2019	
	Detention to prevent absconding	2019	
	Detention for failing to respect a voluntary removal order	2019	
	Detention for failing to respect non-custodial measures	2019	
	Detention to prevent unauthorised entry at the border	2019	
	Detention during the asylum process	2019	
	Detention to establish/verify identity and nationality	2019	
	Detention to ensure transfer under the Dublin Regulation	2019	
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Non-immigration-status-related grounds providing for administrative detention in immigration legislation.	Name	Observation Date	
	Detention on public order, threats or security grounds	2019	
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2019
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Grounds for criminal immigration-related detention/incarceration and maximum potential duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorized entry		2019
	Unauthorised stay		2019

LENGTH OF DETENTION					
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date		
	660		2019		
LENGTH OF DETENTION					
Maximum length of time in custody prior to issuance of a detention order	Number of Days		Observation Date		
	2		2019		
LENGTH OF DETENTION					
Average length of detention	Number of Days		Observation Date		
	58		2013		
	80		2012		
	92		2011		
	84		2010		
	156		2009		
LENGTH OF DETENTION					
Maximum length of detention for asylum-seekers	Number of Days		Observation Date		
	120		2019		
LENGTH OF DETENTION					
Maximum length of detention for persons detained upon arrival at ports of entry	Number of Days		Observation Date		
	2		2019		
PROCEDURAL STANDARDS					
Provision of basic procedural standards	Name		In Law	In Practice	Observation Date
	Right to legal counsel		Yes		2019
	Independent review of detention		Yes		2019
	Access to free interpretation services		No		2017
	Information to detainees		Yes	Yes	2014
	Right to appeal the lawfulness of detention			Yes	2014
	Complaints mechanism regarding detention conditions			Yes	2007

NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)				
Types of non-custodial measures	Name	In Law	In Practice	Observation Date
	Release on bail	No	No	2019
	Electronic monitoring	No	No	2019
	Designated non-secure housing	Yes	Yes	2014
	Supervised release and/or reporting	Yes	Yes	2014
	Registration (deposit of documents)	Yes	Yes	2014
VULNERABLE PERSONS				
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Name	In Law	In Practice	Observation Date
	Asylum seekers	Provided		2019
	Unaccompanied minors	Provided		2019
	Accompanied minors	Provided		2019
	Pregnant women		Yes	2015
MANDATORY DETENTION				
Mandatory detention	Filter	Name	Observation Date	
	No	No	2019	

COVID-19 UPDATES

	Update Status	Observation Date
Latest Update	<p>Responding to the Global Detention Project's Covid-19 survey, a governmental actor, verified by the GDP, reported that no moratorium on new immigration detention orders had been established due to the pandemic and that no such measure was under consideration. According to the source, the Estonian Police and Border Guard (PBGB) did not release any immigration detainees; however, there were only a few people in immigration detention at the start of the pandemic. During the state of emergency declared by the government (12 March to 17 May 2020), the court allowed the detention of two persons. In another decision, the court did not give the PBGB permission to detain a person. The court considered travel restrictions and personal circumstances to reach their decision. In another case, according to data provided by the PBGB to the governmental actor who responded to the survey, the police board decided not to detain two persons waiting to be expelled during the emergency situation, but rather to apply surveillance measures. The PBGB considered that there was no threat of absconding as border controls were re-established at the internal borders of the country. In addition, the source stated that there were a few cases where the PBGB applied to the court to receive permission to prolong the detention of individuals. However, in these cases, the court did not analyse whether detention continued to be justified in the context of the pandemic. In only one case, the court prohibited the extension of a detention order as it could not be justified on any ground. The court only noted the emergency situation as an additional aspect to be considered. The governmental actor also stated that two released detainees were allowed to live with their relatives. However, the PBGB did not arrange accommodation for these persons. Both individuals had provided assurances to the PBGB that they had sufficient means to meet daily needs. The source indicated that persons seeking international protection reside in two accommodation units located in Vao and Vägeva. These units are administered by Hoolekandeteenused Ltd, which is contracted by the Estonian Ministry of Social Affairs. The function of the centres is to arrange, as necessary, for the provision of services in assistance to applicants during proceedings for international protection or proceedings for temporary protection, as provided by section 32 of the Act on Granting International Protection to Aliens. During the emergency period, newly arrived persons were accommodated separately and tested for Covid-19 if deemed necessary. Medical assistance is also provided in the centres. According to the source, during the emergency situation, visits to the Rae detention centre, located in the Rae Municipality, were suspended, except for officials, lawyers, and National Preventive Mechanism staff. New detainees were held separately until an initial medical check was carried out and if any Covid-19 symptoms were observed, the detainee would be tested for the disease. The source said that the number of detained non-citizens had been relatively low in the past months. For instance, on 12 April, there were 10 detainees at the centre, which remained constant until 15 June. From 8 April to 15 June, there were only 7 new non-citizens that arrived at the Rae detention centre and 7 were released at that time. So far, there have not been any Covid-19 cases within the detention centre. The source reported that deportations were not halted by the PBGB during the emergency period. These were arranged to the countries where it was possible, for example to the Russian Federation and to Latvia. During the emergency period, eight people were deported; since the emergency period ended, nine more had been deported as of 2 July. Currently, deportations are being carried out to the Russian Federation, Belarus, Ukraine, Moldova, and Bulgaria. The country also reintroduced border controls during the Covid-19 crisis. People were not allowed to enter Estonia, save in particular cases. The PBGB confirmed to the source that people were able to submit applications for international protection. While internal border checks have now ended, restrictions on the right to enter the country are still applicable. According to the source, on 12 March the head of the PBGB issued a decree that prolonged the legal right to stay in Estonia for persons staying legally until the end of the emergency period if the person was unable to return to their country of origin. Nonetheless, these permits expired ten days after the end of the emergency period. Also, the Parliament adopted an amendment to the Aliens Act that enables non-citizens who were already residing in Estonia to continue working in the agricultural sector until 31 July 2020. The head of the PBGB issued a decree suspending all proceedings related to residence permits and immigration status. However, the Chancellor of Justice found that this decree was unlawful and misleading. According to the law, the PBGB is allowed to prolong the deadlines of the proceedings, if circumstances justify the measure, but it is not allowed to suspend all proceedings. The source also indicated that the government had issued a decree prohibiting the arrival of non-citizens into the country during this period, except in exceptional circumstances. Therefore, non-citizens who had already received permission to come to work in Estonia were refused entry. The Chancellor of Justice nonetheless said that this limitation for foreign workers may no longer be justified and therefore the government has begun allowing workers to enter from other countries as it is possible to apply less restrictive measures. Some politicians have declared that, taking into account the impact of the pandemic, it is necessary to protect the local labour market and therefore locals should be employed rather than non-citizens. Some restrictions for the employment of non-citizens are currently under consideration, but no legislation has yet been amended.</p>	2020

Relevant international treaties and date of ratification		
International treaties	Name	Ratification Year
	CRPD, Convention on the Rights of Persons with Disabilities	2012
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2006
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2004
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2004
	CRSR, Geneva Convention Relating to the Status of Refugees	1997
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1997
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1991
	ICCPR, International Covenant on Civil and Political Rights	1991
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1991
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1991
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1991
	CRC, Convention on the Rights of the Child	1991
	VCCR, Vienna Convention on Consular Relations	1991
Ratio of relevant international treaties ratified	13/19	
Relevant international treaties and date of ratification		
Individual complaints procedure	Name	Acceptance Year
	CRPD, Optional Protocol to o the Convention on the Rights of Persons with Disabilities	2012
	ICERD, declaration under article 14 of the Convention	2010
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1991
Relevant international treaties and date of ratification		
Ratio of complaints procedures accepted	Number	Observation Date
	3/7	
	3/7	

Relevant international treaties and date of ratification				
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year	
	Committee on the Rights of the Child	47. The Committee urges the State party to: (a) Amend the Act on Granting International Protection to Aliens to prohibit the detention of refugee and asylum-seeking children and adopt alternatives to detention so as to allow children to remain with family members and/or guardians in non-custodial, community-based contexts, consistent with their best interests and with their rights to liberty and family life; [...]	2017	
	Committee against Torture	§15 [...] (c) Take immediate steps to improve conditions at the Harku Expulsion Centre so that they conform to international standards, and provide training and instruction to prison personnel regarding the use of force and the prohibition of verbal abuse.	2013	
Regional treaties, regulations, and directives				
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)	
	CPCSE, Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse		2016	
	ECHR, Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the European Convention on Human Rights)		1996	
	ECHR1, Protocol 1 to the European Convention on Human Rights (amended by protocol 11)		1996	
	ECHR7, Protocol 7 to the European Convention on Human Rights (amended by protocol 11)		1996	
	ECPT, European Convention for the Prevention of Torture and Inhuman or Degrading Treatment of Punishment		1996	
	CATHB, Convention on Action against Trafficking in Human Beings		2015	
Regional treaties, regulations, and directives				
Regional judicial decisions on individual complaints	Name		Decision Details	Observation Date
	European Court of Human Rights (ECtHR)		Mikolenko v. Estonia, 10664/05, 8 October 2009	2017
Regional treaties, regulations, and directives				
Recommendations issued by regional human rights mechanisms	Name	Recommendation Excerpt	Recommendation Year	Observation Date
	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)	§ 47: The CPT recommends that steps be taken to provide a better range of activities for foreign nationals held for prolonged periods at the Harku Repatriation Centre. The longer the period for which persons are detained, the more developed should be the activities which are offered to them. § 48: The CPT recommends that steps be taken at the Harku Repatriation Centre to ensure that: - the vacant nurse’s post is filled without further delay; - all newly-admitted immigration detainees receive medical screening without delay by the doctor or the nurse (reporting to the doctor). § 49: The CPT recommends that current practices concerning the presence of police officers during medical consultations and the handcuffing of immigration detainees during their transfer to and from hospitals be reviewed, in the light of the above remarks.	2007	2017

Bilateral/Multilateral agreements linked to readmissions				
Bilateral/multilateral agreements linked to readmission	Name		Year in Force	Observation Date
	Austria		2001	2017
	Belgium		2005	2017
	Bulgaria		2003	2017
	Croatia		2001	2017
	Denmark		1997	2017
	Spain		2000	2017
	Finland		1996	2017
	France		1999	2017
	Hungary		2002	2017
	Italy		1999	2017
	Latvia		1995	2017
	Lithuania		1995	2017
	Luxembourg		2005	2017
	Netherlands		2005	2017
	Portugal		2003	2017
	Romania		2005	2017
	Slovenia		1997	2017
	Sweden		2004	2017
	Iceland		1997	2017
	Norway		1997	2017
	Switzerland		1998	2017
	United Kingdom		2003	2017
	Macedonia		2010	2017
	Moldova		2010	2017
	Russian Federation		2011	2017
	Ukraine		2015	2017
	Germany		1999	2017
Non treaty-based international human rights mechanisms				
Visits by special procedures of the Human Rights Council	Name		Year of Visit	Observation Date
	None			2019
Non treaty-based international human rights mechanisms				
Relevant recommendations by UN Special Procedures	Name	Recommendation Excerpt	Recommendation Year	Observation Date
	None			2019

Non treaty-based international human rights mechanisms

Relevant recommendations of the UN Universal Periodic Review	Recommendation Issued	Year Issued	Observation Date
	Yes	2016	2017
	Yes	2011	

INSTITUTIONAL INDICATORS

Governing structures

Federal or centralized governing system	Federal or centralized governing system	Observation Date
	Centralized system	2019

Governing structures

Centralized or decentralized immigration authority	Centralized or decentralized immigration authority	Observation Date
	Centralized immigration authority	2019

Institutions responsible for immigration detention

Custodial authority	Agency	Ministry	Ministry Typology	Observation Date
		Ministry of the Interior	Interior or Home Affairs	2010
		Tallin North Police Department		2007
		Ministry of Interior	Interior or Home Affairs	2007

Institutions responsible for immigration detention

Detention Facility Management	Entity Name	Entity Type	Observation Date
	Police and Border Guard Board	Governmental	2019
	Government administrators	Governmental	2010
	Private security contractor	Private For-Profit	2010
	Tallin North Police Department	Governmental	2007
	Estonian Refugee Council	Private Not-For-Profit	2007

Institutions responsible for immigration detention

Formally designated detention estate?	Formally designated immigration detention estate?	Types of officially designated detention centres	Observation Date
	Yes	Dedicated immigration detention facilities	2019

Institutions responsible for immigration detention

Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date
Yes															2019

Detention monitoring institutions																
Authorized monitoring institutions	Institution							Institution Type					Observation Date			
								Non-Governmental Organizations (NGO)					2017			
	Chancellor of Justice							National Human Rights Institution (or Ombudsperson) (NHRI)					2016			
	European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT)							International or Regional Bodies (IRBs)					2007			
Detention monitoring institutions																
Does NHRI carry out visits?	Does NHRI carry out visits in practice?									Observation Date						
	Yes									2016						
Detention monitoring institutions																
Does NHRI publicly release reports on immigration detention?	Does NHRI publicly release reports on immigration detention?										Observation Date					
	Yes										2016					
Detention monitoring institutions																
Does national preventive mechanism (NPM) carry out visits?	Does NPM carry out visits in practice?									Observation Date						
	Yes									2016						
Detention monitoring institutions																
Does NPM publicly release reports on immigration detention?	Does NPM publicly release reports on immigration detention?										Observation Date					
	Yes										2016					
Detention monitoring institutions																
Do international and/or regional bodies (IRBs) visit immigration-related detention facilities?	Do international and/or regional bodies (IRB) regularly visit immigration-related detention facilities?												Observation Date			
	Yes												2007			
Detention monitoring institutions																
Do IRBs publicly report their findings from inspections?	Do IRBs publicly report their findings from detention inspections?										Observation Date					
	Yes										2007					
Outsourcing and privatisation																
Types of privatisation/outsourcing	Types of Privatisation/Outsourcing										Observation Date					
	Detention facility security										2010					
Outsourcing and privatisation																
Detention contractors and other non-state entities	Name of entity	Type of entity	Detainee transport	Food services	Health care	Social services	Laundry services	Legal counselling	Management	Owner of detention facility	Recreation	Security	Telephone service	Translation services	Observation Date	
	G4S	For profit										Yes			2010	

Foreign sources of funding for detention operations		
Does the country receive external sources of funding?	Benefitted from non-state funding sources?	Observation Date
	Yes	2017
	Yes	2016
	Yes	2015
	Yes	2014
Foreign sources of funding for detention operations		
Description of foreign assistance	Description of non-state assistance	Observation Date
	During the period 2014-2017, Estonia used funds provided through the EU's Asylum, Migration, and Integration Fund (AMIF) for various detention-related activities, including one or more of the following: increased staff at detention facilities; renovation of detention facilities; operational costs of running detention facilities; interpretation and healthcare services; legal assistance for detainees; leisure, cultural and educational activities at detention facilities. Proposed future regulations for this fund include encouraging recipients to consider possible joint use of reception and detention facilities by more than one Member State (see "The Way Forward, p.39).	2017
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More information about immigration detention in Estonia is available at the website of the Global Detention Project (www.globaldetentionproject.org)