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EU Refugee Relocation Quotas: The Case of Estonia

Abstract: On September 22, 2015, the European Union (EU) implemented an asylum relocation scheme, which was to help ease the burden of mass migration of refugees suffered by countries like Greece and Italy. The scheme has largely failed. The EU was divided, exposing serious rifts as some countries accepted large numbers, while others openly defied the scheme, refusing to take any refugees. While migration today has decreased significantly from 2015 and 2016 peaks, serious problems remain, and it is necessary to reevaluate and continue to push for reform of key policies within the Common European Asylum System (CEAS) in general, and particularly regarding the Dublin rules. With the polarisation of EU members between pro and anti-refugee policies, this research paper will focus on the case of Estonia, a country that has tried to occupy a middle ground in the context of the relocation policy. It will discuss the Estonian case and background, investigating and seeking to explain the discrepancy between Estonian government policy and public opinion, and how each evolved over time. The management and evolution of Estonia's participation in the relocation scheme will be examined, as well as domestic consequences. From this focus on the Estonian case, a few broad conclusions will be drawn about the effectiveness of the relocation scheme, which will touch upon ideas that could potentially be applied to other similar countries in Europe. Research consisted of public opinion data, academic literature, official reports and statistics, government releases, and a media analysis of Estonian news articles from 2015-2018. Ultimately, the narrow focus on the Estonian case, which is the first such report of its kind, offers important information for European policymakers as they continue to reform the CEAS.

Introduction

On September 22, 2015, the European Union (EU) implemented an asylum relocation scheme, which was to help ease the burden of mass migration of refugees suffered by countries like Greece and Italy. The scheme has largely failed. The EU was divided, exposing serious rifts as some countries accepted large numbers, while others openly defied the scheme, refusing to take any refugees. While migration today has decreased significantly from 2015 and 2016 peaks, serious problems remain, and it is necessary to reevaluate and continue to push for reform of key policies within the

Common European Asylum System (CEAS) in general, and particularly regarding the Dublin rules. With the polarisation of EU members between pro and anti-refugee policies, this research paper will focus on the case of Estonia, a country that has tried to occupy a middle ground in the context of the relocation policy. It will discuss the Estonian case and background, investigating and seeking to explain the discrepancy between Estonian government policy and public opinion, and how each evolved over time. The management and evolution of Estonia's participation in the relocation scheme will be examined, as well as domestic consequences. From this focus on the Estonian case, a few broad conclusions will be drawn about the effectiveness of the relocation scheme, which will touch upon ideas that could potentially be applied to other similar countries in Europe. Research consisted of public opinion data, academic literature, official reports and statistics, government releases, and a media analysis of Estonian news articles from 2015-2018. Ultimately, the narrow focus on the Estonian case, which is the first such report of its kind, offers important information for European policymakers as they continue to reform the CEAS.

Briefing: History of Asylum in Europe

In order to set context for this discussion, it is important to understand the key developments in the evolution of European rules related to refugees. Asylum in the EU originates from a 1951 international legal agreement known as the "Convention Relating to the Status of Refugees."[1] This Convention was founded on Article 14 of the

[1] United Nations. *Convention Relating to the Status of Refugees.* 1951, 1967 (Protocol). http://www.unhcr.org/3b66c2aa10.pdf.

Universal Declaration of Human Rights, proclaimed in 1948 by the UN General Assembly. In 1967, a 'protocol' to the Convention was added, removing time limits and geographical limits on refugees.[2] According to Article 1 of the Convention, as amended by the 1967 protocol, a refugee is defined as:

> "A person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it…"[3]

European countries increasingly signed and ratified the treaty over the years, and since the creation of the Schengen Agreement to eliminate internal EU border controls, the EU established the Common European Asylum System (CEAS). The CEAS consists of a legal framework that covers all aspects of the asylum process, and "provides minimum standards for the treatment of all asylum seekers."[4] Yet in practice, the CEAS allows member states a lot of discretion, resulting in differing treatment of asylum seekers. This in turn leads to secondary movements among asylum seekers, and 'asylum shopping.'[5] As will be shown through an evaluation of the Dublin Regulation

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[2] Ibid.

[3] Ibid.

[4] European Commission. *Fact Sheet: Reforming the Common European Asylum System: Frequently asked questions*. July 13, 2016. http://europa.eu/rapid/press-release_MEMO-16-2436_en.htm.

[5] Ibid.

and the 2015 asylum relocation scheme, the CEAS has shown itself to be in serious need of reform in light of the European migrant crisis.[6]

The Dublin Regulation

In order to understand the 2015 relocation scheme, it is important to understand the Dublin system, its shortcomings, and proposed amendments. The Dublin regulation (also known as Dublin III (EC 604/2013)), dates back to the original Dublin Convention of 1990, and follows the earlier Dublin regulation Dublin II, from 2003.[7] The Dublin III Regulation applies throughout the EU,[8] and also applies in Iceland, Norway, Liechtenstein and Switzerland. It is an EU law that determines if and when an EU country must be responsible for processing asylum requests from asylum seekers coming from outside of the Union.[9] Its main objective is to provide for fast access to asylum procedures, meaning the examination of applications by those seeking asylum in the EU. Generally, responsibility for registering these applications, which includes security measures such as fingerprinting, falls on the country where the asylum seeker first enters the Union.[10] There are, however, some exceptions to this, such as measures intended to unite families. If

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[6] For a comprehensive evaluation of the strengths and weaknesses of the CEAS, see: Chetail, Vincent. "The common European asylum system: bric-à-brac or system?" in Vincent Chetail et al, eds., *Reforming the Common European Asylum System. The New European Refugee Law*, Leiden and Boston, Brill Nijhoff, 2016, pp. 3-38.

[7] Gopalakrishnan, Manasi. "The Dublin Regulation – Explained." *InfoMigrants.* February 6, 2017. http://www.infomigrants.net/en/post/1857/the-dublin-regulation-explained.

[8] Though with some slight technical modifications in the case of Denmark.

[9] European Commission. *Country responsible for asylum application (Dublin)*. April 3, 2018. https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en.

[10] Lyons, Patrick J. "Explaining the rule for migrants: borders and asylum." *The New York Times*. September 16, 2015. https://www.nytimes.com/2015/09/17/world/europe/europe-refugees-migrants-rules.html.

asylum seekers move onward to other countries after having been processed, they can be sent back to the original country of entry under a 'Dublin transfer'.[11] Migrants often try to bypass the system by avoiding registration and fingerprinting in the first country they reach—usually Italy, Greece or Hungary—and opt instead for registration in countries like Germany or Sweden which are perceived to be more friendly and amenable to refugees.

The Dublin III Regulation, which entered force in July 2013, included important measures to both protect asylum seekers and improve efficiency within the system. An early-warning crisis management mechanism was aimed at addressing underlying problems within national asylum systems.[12] Provisions to protect applicants included measures to better reunify minors with their relatives. Legal measures included the provision of free legal assistance, limitations on detention, and a fairer appeals process for migrants – including a guaranteed right to appeal against a transfer decision. Dublin III pushed for legal clarity, and clearer deadlines were implemented to prevent the procedure from lasting longer than 11 months.

Despite these achievements, the EU migration crisis demonstrated that the system was flawed and ineffective. Due largely to conflict and strife in the Middle East and North Africa, over 1.26 million people applied for asylum in Europe in 2015, marking the beginning of the crisis.[13] This number was followed by 1.20 million in

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[11] Ibid.

[12]European Commission. *Country responsible for asylum application (Dublin)*. April 3, 2018. https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en.

[13] European Parliament. *EU Migrant Crisis: Facts and Figures*. June 30, 2017. http://www.europarl.europa.eu/news/en/headlines/society/20170629STO78630/eu-migrant-crisis-facts-and-figures/.

2016. Thousands of migrants have died yearly in attempts to cross the Mediterranean Sea, often relying on criminal smugglers to transport them. As countries like Greece and Italy became inundated with asylum seekers, the Dublin III system and its rules began to break down.[14] Given Greece and Italy's geopolitical proximity to areas of emigration, the two countries faced a heavy and unequal burden compared to other EU members. For some time, countries like Germany and Sweden waived the Dublin rules, relocating refugees to their countries en masse. Yet this was not enough. The flaws of the Dublin III system called for significant change and a mechanism for burden sharing across the EU. This was the goal of the 2015 Temporary Relocation System.

The 2015 Relocation Scheme

On September 22, 2015, the European Commission agreed to implement a temporary policy that would relocate and redistribute 160,000 refugees across member countries, through the Temporary Relocation System ("TRS" or "the scheme)."[15] Relocation refers to the transfer of people in need of international protection from one EU member state to another.[16] This was in response to steps laid out in the June 2015 European Agenda on Migration, which sought to develop a "coherent and

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[14] European Commission, *Proposal for a Regulation of the European Parliament and Council: 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 (recast)*. May 4, 2016, COM(2016) 270 Final, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/proposal-implementation-package/docs/20160504/dublin_reform_proposal_en.pdf.

[15] Sergio Carrera & Elspeth Guild, "Can the new refugee relocation system work? Perils in the Dublin logic and flawed reception conditions in the EU." *CEPS Policy Brief,* no. 344, October 2015. Accessed April 1, 2018. https://www.ceps.eu/system/files/PB334%20RefugeeRelocationProgramme.pdf, 3.

[16] Arne Niemann & Natascha Zaun, "EU Refugee Policies and Politics in Times of Crisis: Theoretical and Empirical Perspectives." *Journal of Common Market Studies,* Vol. 56, no. 1, January 2018, https://onlinelibrary.wiley.com/doi/full/10.1111/jcms.12650, 4.

comprehensive approach to reap the benefits and address the challenges deriving from migration."[17] The European Commission had decided in July 2015 to relocate 40,000 asylum seekers from Greece and Italy. The TRS added an additional 120,000 asylum seekers, who are in "clear need of international protection,"[18] to be relocated across the EU from the two countries. Relocations were carried out on the basis of "a mandatory distribution key using objective and quantifiable criteria (40% of the size of the population, 40% of the GDP, 10% of the average number of past asylum applications, 10% of the unemployment rate)."[19] Relocation only covers certain nationalities, remaining limited to countries from which the proportion of asylum decisions granting protection has been 75% or higher.[20] Under the TRS, receiving countries are granted €6000 per each relocated migrant, while €500 is given to Greece or Italy per person to cover transport costs.[21]

Despite high hopes, the TRS–which ended in September 2017—failed to live up to its expectations. Most notably, this failure has been manifested in the form of an implementation deficit; as of March 2018, only 34,323 people had been relocated.[22]

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[17] European Commission, "A European Agenda on Migration." COM(2015) 240 final, 2015, https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/communication_on_the_european_agenda_on_migration_en.pdf, 4.

[18] European Commission, "Relocation and Resettlement: EU Member States urgently need to deliver." (Press Release), March 16, 2016. http://europa.eu/rapid/press-release_IP-16-829_en.htm.

[19] In Sergio Carrera & Elspeth Guild, "Can the new refugee relocation system work? Perils in the Dublin logic and flawed reception conditions in the EU," 4.

[20] Ibid., 6.

[21] Ibid.

[22] European Commission, "State of Play: Member States' Support to Emergency Relocation Mechanism." March 26, 2018, https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/press-material/docs/state_of_play_-_relocation_en.pdf.

Recognising that the TRS was not working as planned, the European Commission proposed reforms to Dublin III on May 4, 2016. Although many see the relocation scheme as having failed, and believe the Dublin principles to be fundamentally flawed, the 2016 proposal—labeled 'Dublin IV'—suggests measures similar to the relocation scheme while preserving the Dublin system as "the cornerstone" of the CEAS.[23] Dublin IV proposes to "streamline and supplement the current rules with a corrective allocation mechanism."[24] Such a mechanism could be triggered automatically if a member state is faced with an inordinate number of asylum seekers. The system would determine automatically when a country is faced with such an inordinate number of asylum applications, through reference to the country's size and wealth.[25] If an EU state refuses to accept this allocation from the EU state under pressure, the former will be expected to make a 'solidarity contribution' of €250,000 per asylum seeker.[26] While almost two years have passed since the Dublin IV proposal, the measure has yet to be approved and adopted.[27]

Due in part to the implementation deficit referred to above, the TRS has received a lot of criticism, both from its proponents and from its opponents.

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[23] Constantin Hruschka, "Dublin is dead! Long live Dublin! The 4 May 2016 proposal of the European Commission." *EU Immigration Law and Asylum Policy.* May 17, 2016, http://eumigrationlawblog.eu/dublin-is-dead-long-live-dublin-the-4-may-2016-proposal-of-the-european-commission/.

[24] European Parliament, *Reform of the Dublin System*. March 10, 2017, http://www.europarl.europa.eu/RegData/etudes/BRIE/2016/586639/EPRS_BRI%282016%29586639_EN.pdf.

[25] European Commission, *Country responsible for asylum application (Dublin)*. April 4, 2018, https://ec.europa.eu/home-affairs/what-we-do/policies/asylum/examination-of-applicants_en.

[26] European Parliament, *Reform of the Dublin System*. March 10, 2017.

[27] While the EU Parliament has approved the new Dublin IV regulation, it must be approved by the Council of Ministers in order to become EU law. This has not yet been done. At the same time, however, there has been a significant reduction in the flow of migrants to Europe due to many factors, including a deal with Turkey. The migrant crisis is now far less threatening thanks to these decreased numbers.

Proponents have censured the scheme for remaining anchored to the much-criticised Dublin system, and for giving little consideration to the preferences of asylum seekers, [28] as well as their "personal, family and economic circumstances and capabilities" when determining the country of relocation.[29] They have expressed concern that the clause that accepts only asylum seekers from countries with an asylum recognition rate of 75% or higher ignores many asylum seekers.[30] Concerns also focused on fair and equal reception conditions (such as social support services) for relocated refugees in different EU states.

The TRS has also sparked much controversy from its opponents, which include several EU member states, particularly in Eastern Europe. Member states Hungary, Czech Republic (Czechia), Slovakia, and Romania all strongly opposed a compulsory TRS involving quotas.[31] They were further supported by Poland after its Law and Justice (PiS) party won elections in October, 2015.[32] Hungary and Slovakia filed a lawsuit before the European Court of Justice against the TRS, which was rejected.[33] They did so citing concerns that a mandatory quota system "threatened their sovereignty, their ability to fully control their borders, and their ability to maintain

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[28] Carrera & Guild, "Can the new refugee relocation system work? Perils in the Dublin logic and flawed reception conditions in the EU," 2.

[29] Arne Niemann & Natascha Zaun, "EU Refugee Policies and Politics in Times of Crisis: Theoretical and Empirical Perspectives."

[30] Ibid.

[31] Ibid. Finland also abstained from the vote.

[32] Katerina Linos, Laura Viktoria Jakli & Melissa Carlson, "Hungary and Slovakia challenged Europe's refugee scheme. They just lost badly," *Washington Post*, September 8, 2017, https://www.washingtonpost.com/news/monkey-cage/wp/2017/09/08/hungary-and-slovenia-challenged-europes-refugee-scheme-they-just-lost-badly/?utm_term=.de4f385fbf9d.

[33] Ibid.

their nations' ethnocultural identities."[34] To date, neither Poland nor Hungary have relocated any asylum seekers, despite infringement proceedings launched against these states by the European Commission in June 2017.[35]

There are also many EU member states which have found themselves somewhere in between the most ardent proponents and opponents of the TRS. In these countries opposing forces have often been more balanced, with governments seeking to find middle ground acceptable to all. Estonia is an example of this situation.

Estonia

Context

Estonia, the small, northernmost Baltic State, has a population of less than 1.3 million. Its period of independence from 1918-1939 was followed by a brutal and devastating Soviet occupation lasting until 1991. Since regaining independence, Estonia has become a member of both the EU and of NATO, and is lauded as a highly developed liberal democracy with a strong economy, which is renowned for its digital and cybersecurity innovation and leadership.

What had been one of Europe's most ethnically homogenous populations, emerged from the Soviet occupation with a large minority of non-Estonians, mostly ethnic Russians, thanks to colonialist Soviet policies aimed at diluting the local nationality and erasing its culture. The country's experience with non-European refugees formally began in 1997, when it acceded to the 1951 Refugee Convention and

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[34] Ibid.

[35] European Commission, "State of Play: Member States' Support to Emergency Relocation Mechanism," March 26, 2018.

its Protocol.[36] Estonia receives among the lowest numbers of asylum applications of the entire EU, both in absolute and in relative terms.[37] Between 1997 and 2015, Estonia received 821 asylum applications, granting international protection to 172 people overall (88 refugee status, 84 complementary protection).[38] The vast majority of these were for single men.[39]

In 2015, Estonia agreed to take 550 refugees for relocation or resettlement across the country by the end of 2017.[40] Despite this, by February 2018 Estonia had relocated only 141, and resettled and additional 20.[41] Moreover, less than half of these 141 have remained in Estonia; most have moved to Germany or Sweden.[42] Estonia provides an interesting case, because despite relatively strong rhetoric and support for the relocation scheme on the government level, a majority of Estonians oppose the policy, leading to something of a discrepancy between official discourse and popular sentiment. Although there has been no comprehensive evaluation of how Estonia has fared under the relocation scheme, important distinctions can be drawn between

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[36] United Nations High Commission on Human Rights (UNHCR), *Integration of refugees in Estonia Participation and Empowerment*. December, 2016, https://www.valitsus.ee/sites/default/files/content-editors/failid/unhcr-print_version_estonia-integration_mapping.pdf, 12.

[37] Ibid. In 2013, it received the lowest of all of Europe.

[38] Government of Estonia, "Pagulased," 1 Mar 2018, https://www.valitsus.ee/et/pagulased.

[39] SaarPoll (Pollster), for the Ministry of the Interior of Estonia, "Eesti Elanike Teadlikkus ja Hoiakud Pagulasküsimustes," Tallinn, 2014, https://www.siseministeerium.ee/sites/default/files/dokumendid/Uuringud/Kodakondsus_ja_r2nne/2014_pagulasuuring_aruanne.pdf, 6.

[40] Government of Estonia, "Pagulased," 1 Mar 2018.

[41] Government of Estonia, "Eestisse ümberpaigutatud ja -asustatud pagulased," July 7, 2017, https://www.valitsus.ee/sites/default/files/content-editors/failid/eestisse_umberpaigutatud_tabel_26.07.17.pdf.

[42] "Kuhu on Eestis kvoodipagulased paigutatud ja kui paljud neist on lahkunud?" *ERR,* 20 Oct 2017, https://www.err.ee/637653/kuhu-on-eestis-kvoodipagulased-paigutatud-ja-kui-paljud-neist-on-lahkunud.

Estonia and other countries in Eastern Europe with majority populations against refugee intake.

For the remainder of this paper, I will look closely at Estonia within the context of the relocation scheme. I will provide a chronology of events; an analysis of public opinion, including a look at the Estonian populist radical right party; and will then focus on survey data that tracks changes in Estonians' attitudes toward refugees and asylum seekers. From this information, I will propose explanations for the divergence in government-public discourse and discuss how this has been navigated, and will then apply the Estonian case to academic literature to speculate on the impact of the relocation scheme on Estonia's future.

Divergence: Difference Between Government Decision and Public Opinion

Responding to the EU relocation scheme in 2015, Estonia agreed to take and relocate its share of refugees from Greece and Italy over two years. Officially, it showed strong support for the EU's plan, saying that:

> "Our moral duty is to help the people in distress, and the Estonian state is strong enough to accomplish this. Estonia is participating in resolving the crisis voluntarily and in proportion to its weight within the European Union."[43]

While there was some minor political debate on how best to take and integrate these migrants, politicians of various stripes generally agreed to allow technocrats and experts deal with the refugees, and I could not find evidence—in 2015—of any significant government official having demurred from the consensus position that Estonia will do its mandated part under the TRS.[44] However, opposition to the quota

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[43] Government of Estonia, "Pagulased."

[44] This was from having conducted a media analysis over three years (2015-2018).

scheme among elements of the population led to the relative success of Estonia's populist radical right party and contributed to a shift of the discourse (especially within the first year of the relocation scheme).

Clearly, the official government response did not fully reflect the general public opinion. While polls in 2015 delivered a variety of results, they all showed a considerable degree of public opposition to TRS. For example, some polls suggested that in June 2015, up to 80% of Estonians viewed this refugee intake negatively.[45] In November 2015, while 63% of respondents thought that people should have a right to freely migrate, only 43% supported the intake of people in danger.[46] According to a public opinion survey conducted for the government in December 2015, 53% of Estonian residents opposed taking in relocated refugees on the grounds that they pose a threat to Estonia's security.[47] The study also showed that 30% of Estonian residents considered the relocation scheme to be a threat to the survival of the Estonian state and the Estonian people.[48] Despite this, the government was steadfast in its acceptance of the relocation quota.

The reason for this is likely fairly simple, and comes down to realistic geopolitical considerations given Estonia's small size and its threats from the East. Like Latvia and Lithuania, whose populations were also strongly against relocating refugees, Estonia is very dependent on the EU for much of its security and the vast

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[45] Ester Vaitmaa, "Hirm Pagulaste Ees," *Eesti Päevaleht*, 26 Jun 2015, http://epl.delfi.ee/news/eesti/hirm-pagulaste-ees?id=71780185.

[46] Government of Estonia. "Pagulased," 1 Mar 2018.

[47] TNS EMOR (Pollster), for Government of Estonia, *Arvamusuuring Eesti elanike suhtumisest põgenikekriisi*. November, 2015, https://www.valitsus.ee/sites/default/files/content-editors/failid/arvamusuuring_eesti_elanike_suhtumisest_pogenikekriisi_dets2015.pdf, 5

[48] Ibid.

majority of its economy. As a result, it has little leverage against legally binding EU directives and other top-down decisions, and has long sought to do its part and carry its share of the burden in the hopes that this will better secure and deepen its position in the EU. A liberal and Western foreign policy and orientation has long been a chief foreign policy aim of Estonia, in large part to brand itself as part of Europe and distant from its often unfriendly neighbour, Russia.

The Relocation Scheme: Implementation

Thus, Estonia agreed to the EU scheme, and did so in a way that received praise, including in a comprehensive UN report.[49] Starting on March 29, 2016, with the arrival of seven refugees via Greece, [50] Estonia began relocating refugees from Italy and Greece according to a detailed and well-conceived plan. Before making selections, Estonian specialists were deployed to camps in the two countries and carefully chose those refugees they felt to be best suited for integration in Estonia. In no single month did more than 30 refugees enter Estonia, and upon arrival, they were dispersed throughout the country following carefully detailed plans. Estonia has several comprehensive national policy documents that address specific issues related to integrating refugees in Estonia. These include: a government action plan specifically in response to the relocation scheme;[51] the Internal Security Development Plan

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[49] United Nations High Commission on Human Rights (UNHCR), *Integration of refugees in Estonia Participation and Empowerment*, December, 2016.

[50] "Eestisse saabus seitse sõjapõgenikku kreekast," Siseministeerium, 29 Mar 2016, https://www.siseministeerium.ee/et/uudised/eestisse-saabus-seitse-sojapogenikku-kreekast.

[51] Ministry of the Interior of Estonia, *Täpsustatud tegevuskava Euroopa Liidu ümberasustamise ja ümberpaigutamise tegevuste elluviimiseks*. 2015, Tallinn, https://www.valitsus.ee/sites/default/files/content-editors/failid/vastuvotmise_tegevuskava_08102015.pdf.

2015-2020;[52] and Integrating Estonia 2020.[53] Furthermore, an inter-governmental coordination group led by the Interior Ministry was established between various other ministries, meant to oversee the implementation of the relocation scheme.[54] The group convenes regularly with civil society actors engaged in activities that help integrate and protect refugees. This paper cannot delve too deep into other Estonian services and programs for refugees, but heavily prominent are regular free language courses and tutoring, which is constantly one of the key 'demands of assimilation' of Estonians.[55] Thanks to these factors and advanced study and preparation by the Estonian government, Estonia's implementation of the relocation scheme has been organised, professional, and even successful.

While the UN report on integration of refugees in Estonia was conducted only midway through the implementation of the relocation scheme, it concluded that "Estonia has taken commendable steps within a very short period of time to strengthen the institutional coordination and capacity to provide for the reception and integration of the refugees it has committed to receive under the EU's emergency relocation and

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[52]Ministry of the Interior of Estonia, *Siseturvalisuse Arengukava 2015-2020*, 2015, https://www.siseministeerium.ee/sites/default/files/dokumendid/Arengukavad/siseturvalisuse_arengukava_2015-2020_kodulehele.pdf.

[53] Ministry of the Interior of Estonia, *Lõimuv Eesti 2020*. 2015, https://wwwkul.rik.ee/sites/kulminn/files/23748_en_proofreading_le2020_eng.pdf. This is mainly focused on integrating Estonia's Russian minority, but includes plans to support recently arrived immigrants.

[54] United Nations High Commission on Human Rights (UNHCR). *Integration of refugees in Estonia Participation and Empowerment*. December, 2016, 39.

[55] For more work on 'demands of assimilation', see: Marco Antonsich, "Exploring the demands of assimilation among white ethnic majorities in Western Europe," *Journal of Ethnic and Migration Studies*, Vol. 38, No. 1, January 2012, pp. 59-76. A 2014 poll conducted by SaarPoll provides various data related to Estonians' demands and expectations of refugees, and how these have changed since 2010: https://www.siseministeerium.ee/sites/default/files/dokumendid/Uuringud/Kodakondsus_ja_r2nne/2014_pagulasuuring_aruanne.pdf.

resettlement schemes."[56] The report further found that these steps "constitute key foundations on the basis of which a comprehensive and holistic refugee integration strategy and programme can be developed."[57] All in all, in 2016, 65 refugees were relocated in Estonia, plus 11 resettled from Turkey.[58]

2017 saw Estonia relocate an additional 79 quota refugees: four via Italy and 75 via Greece.[59] 19 were also resettled from Turkey, under a different scheme. This is significantly less than the 550 originally discussed and agreed by the Estonian government in 2015. Further detracting from the relocation scheme's success was the fact that over half of those accepted for relocation have since left.[60] Nevertheless, Estonia likely performed well enough to avoid being seen in an unfavourable light by its key EU partners.

Consequences: The Rise of Populism and Radicalisation of Discourse

In the months that followed the September 2015 quota scheme, and particularly around March and April 2016 when the refugees first began to arrive in Estonia, illiberal populist forces and sentiments rose sharply. This has been seen particularly with the case of Estonia's populist radical right party, EKRE (Conservative People's Party of Estonia). EKRE is an ultranationalist party, that is radically Russophobe, anti-immigrant and anti-refugee, Eurosceptic, anti same-sex marriage, xenophobic and

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[56] United Nations High Commission on Human Rights (UNHCR). *Integration of refugees in Estonia Participation and Empowerment*. December, 2016, 10.

[57] Ibid., 11.

[58] Government of Estonia. "Eestisse ümberpaigutatud ja -asustatud pagulased." July 7, 2017.

[59] "Eestisse jõudis tänavu ligi sada kvoodipagulast," *ERR*, 31 Dec 2017, https://www.err.ee/651564/eestisse-joudis-tanavu-ligi-sada-kvoodipagulast.

[60] "Kuhu on Eestis kvoodipagulased paigutatud ja kui paljud neist on lahkunud?" *ERR,* 20 Oct 2017.

often openly racist.[61] The party won 8.1% of the vote in Estonia's 2015 parliamentary elections—passing for the first time the 5% threshold needed to enter the parliament (*Riigikogu*).[62] According to leading Estonian populist scholar Andres Kasekamp, Estonia has long been a European exception when it comes to populism, having no serious populist forces until EKRE in 2015.[63] Much of EKRE's 2015 support derived from fears that the European migration crisis would spread to Estonia,[64] and its main policy platform is focused on ending immigration to Estonia, with the exception of repatriating the Estonian diaspora. Support for EKRE shot up with Estonia's announcement of its refugee relocation, particularly in the months leading up to, and immediately following, the arrival of the first refugees.

Like many similar parties across the EU, EKRE's support was strongest when fear of refugees was highest. In 2016, within the first month of arrivals under the relocation scheme, support for EKRE rose to 19% popularity.[65] By the year's end, EKRE had seen the second largest growth of any party across Estonia, and had

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[61] "EKRE poliitik: Euroopa inimesi peab ühendama see, et oleme valged," *Postimees*, May 30, 2016, https://elu24.postimees.ee/3714429/ekre-poliitik-euroopa-inimesi-peab-uhendama-see-et-oleme-valged.

[62] Vabariigi valimiskomisjon, "Hääletamis- ja valimistulemus hetkeseisuga," March 20, 2015, http://rk2015.vvk.ee/voting-results.html.

[63] Daunis Auers and Andres Kasekamp, 'The impact of radical right parties in the Baltic states,' in Minkenberg, Michael (ed.), *Transforming the Transformation? The East European radical right in the political process*. London: Routledge (2015).

[64] Andres Kasekamp, "The Populist Radical Right in Estonia," lecture at University of Toronto, Toronto, November 25, 2016.

[65] Külli-Riin Tigasson & Teele Tammeorg, "Reportaaž EKRE kevadtuurilt: "Eesti on nagu vammi täis maja. Pistad põlema ja hakkad uut ehitama!"" *Eesti Ekspress*, 13 Apr 2016, http://ekspress.delfi.ee/kuum/reportaaz-ekre-kevadtuurilt-eesti-on-nagu-vammi-tais-maja-pistad-polema-ja-hakkad-uut-ehitama?id=74204885.

become the nation's fourth largest party overall.[66] However, the party's popularity dropped from its peak of 19% to steady out at around 10% in the last few months of 2016.[67] Partly due to clever politicking and loud opposition on various nationalist issues, but also thanks to continued mobilisation using anti-immigrant rhetoric, EKRE currently stands at around 18% public support.[68]

EKRE's rise led to some radicalisation of the Estonian political mainstream,[69] particularly the Pro Patria and Res Publica (IRL) conservative party.[70] Responding to public pressure, the Estonian government decided in an April 19, 2016 cabinet meeting that it would stand against revisions to the Dublin Convention, as proposed by the EU.[71] EKRE has repeatedly brought motions to the parliament pushing for anti-refugee and anti-immigration measures, which have so far failed despite sometimes receiving considerable public support.[72]

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66 Karin Kangro, "Ülevaade: Keskerakond on aastaga juurde saanud 766, IRL aga vaid 12 liiget," *Postimees*, 28 Dec 2016, http://www.postimees.ee/3960185/uelevaade-keskerakond-on-aastaga-juurde-saanud-766-irl-aga-vaid-12-liiget.

67 Karin Kangro & BNS, "Keskerakonna edu Reformierakonna ees kahanes," *Postimees*, 2 Dec 2016, http://www.postimees.ee/3932255/keskerakonna-edu-reformierakonna-ees-kahanes.

68 "Toetused erakondadele," *TNS Emor* (Pollster), Jan 2018, http://www.erakonnad.info/reiting.html.

69 For more on the concept of "mainstreaming", see Tjitske Akkerman, Sarah L. De Lange and Matthijs Rooduijn (eds). *Radical Right-Wing Populist Parties in Western Europe: Into the Mainstream?* (Routledge, 2016).

70 Andres Kasekamp, "The Populist Radical Right in Estonia," lecture at University of Toronto, Toronto, November 25, 2016.

71 Lakson, Piret. "Valitsus ei toeta põgenike automaatset ümberjagamist." *Postimees*, 19 Apr 2016, accessed 12 Feb. 2017. http://www.postimees.ee/3661885/valitsus-ei-toeta-pogenike-automaatset-uemberjagamist. Revisions included "automatic redistribution" of refugees from EU border countries, and Estonia pushed for greater border control and the maintenance of Dublin.

72 Piret Lakson, "Riigikogu ei toetanud EKRE ettepanekut korraldada immigratsiooni küsimuses rahvahääletus," *Postimees*, 27 Sep 2016, http://www.postimees.ee/3851933/riigikogu-ei-toetanud-ekre-ettepanekut-korraldada-immigratsiooni-kuesimuses-rahvahaeaeletus.

The Estonian government announced publicly in December 2017, that it considers the relocation scheme fulfilled, and thus will no longer relocate refugees under that plan.[73] Justice Minister Urmas Reinsalu justified this, explaining that relocation was a temporary commitment.[74] Expressing commitment to the sustainability of relocated refugees in Estonia, Interior Minister Andres Anvelt stressed in September 2017 that Estonia's commitment to the relocated refugees is a longterm one, despite the scheme formally ending in September.[75] Support for EKRE has remained relatively high, and new right-wing media outlets, affiliated with EKRE and other far-right groups have emerged as popular voices.[76] Thanks to EKRE's success, Estonia's discourse on migration issues has changed overall to include more radical right voices. But that change does not tell the whole story.

Changing Attitudes: Cautious Acceptance of Refugees

Despite the rise of the populist EKRE party, by the end of 2016, there was a trend toward softening of attitudes concerning refugees. Pollster Kantar Emor, in cooperation with the EU's Asylum, Migration and Integration Fund (AMIF), surveyed Estonian attitudes toward the intake of refugees and its changes from June

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73 Ibid.

74 "Eesti loeb rändekavaga võetud kohustuse täidetuks," *ERR,* Decemeber 21, 2017, https://www.err.ee/650170/eesti-loeb-randekavaga-voetud-kohustuse-taidetuks.

75 "EL-i liikmesriikide rändekava lõppeb septembris," *ERR,* September 21, 2017, https://www.err.ee/631599/el-i-liikmesriikide-randekava-loppeb-septembris.

76 In particular, two news portals called "Objektiiv" and "Uued Uudised" have concrete links to EKRE and radical conservative movements, and regularly publish biased and erroneous stories in line with the ideology and policies of these groups.

2015 to November 2016.[77] The poll revealed that over the course of a year, Estonians' fears related to the arrival of refugees in Estonia have subsided. A total of 75% of the participants in the study believed that people have the right to migrate freely; in June 2015, the same number of respondents was 63%.[78] There was a 7% decrease in those who feared that refugees would not integrate into Estonian society, and after having seen the well-organised, orderly and slow process of relocation, there was a 13% increase in those who felt that refugees were not a threat to Estonian society,[79] and a further 13% increase in the number of respondents in favour of receiving people under threat.[80] The belief that refugees would positively contribute to Estonian culture and help enrich it rose by 9%, as did the pragmatic understanding that if Estonians are to expect help if they ever should one day need it, Estonia must help other countries with the refugee relocation.[81] Moreover, support for the state to support refugees grew, by 10%.

At the same time, the survey revealed an 8% drop in those who think that the state should not support or help refugees, which correlated with people's exposure and education about the refugee crisis through government information and through media.[82] All in all, the comprehensive survey suggests that the earlier position, in 2015,

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[77] Marion Pajumets, Mari-Liis Jakobson, & Silver Stõun, "Eesti elanikud suhtuvad pagulastesse varasemast sallivamalt ja nõudlikumalt," *ERR*, June 20, 2017.

[78] "Eestlaste suhtumine pagulastesse on oluliselt paranenud," *Õhtuleht*, December 6, 2016, https://m.ohtuleht.ee/774907/eestlaste-suhtumine-pagulastesse-on-oluliselt-paranenud.

[79] Marion Pajumets, Mari-Liis Jakobson, & Silver Stõun, "Eesti elanikud suhtuvad pagulastesse varasemast sallivamalt ja nõudlikumalt," *ERR*, June 20, 2017.

[80] "Eestlaste suhtumine pagulastesse on oluliselt paranenud," *Õhtuleht*, December 6, 2016.

[81] Marion Pajumets et. al., "Eesti elanikud suhtuvad pagulastesse varasemast sallivamalt ja nõudlikumalt."

[82] Ibid.

of "We do not want or refuse to accept refugees!" has been replaced by the general attitude of "Refugees are welcome if…"[83] This is an important development which speaks to the importance of a well-designed and implemented plan for refugees. During the second half of 2015, and in the beginning of 2016, Estonians worried about the unfair size of the EU's quota scheme, and fears of refugees dominated. But the initial panic seems to have changed relatively quickly to be more constructive, meaningful and understanding as Estonians have begun to learn more about the process and better grasp the context. With the exception of the few far-right outlets, media coverage has also become more balanced and accepting.

In summary, the general outlook of the Estonian population was manifested in a careful attitude toward refugees. Estonians worried about the impact that absorbing people from vastly different cultures would have on Estonia's culture, social system, and security. But attitudes have gradually become more tolerant and encouraging. Estonians have faith that the state's policies regarding the reception of refugees are well thought-out.[84] There have not been comprehensive studies on the subject since, but media reports and government reports indicate that the trends of increased Estonian tolerance and understanding of refugees continue to rise.

Reality Check: Immigration and Multiculturalism as Inevitable?

The most up to date figures suggest that attitudes in Estonia toward refugees are continuing to improve, and the UNHCR has lauded Estonia's treatment of refugees and organisation of its plans. But ultimately, with less than 100 of the relocated and resettled refugees remaining in Estonia, one must ask whether there was

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[83] Ibid.

[84] Ibid.

really any reason for this. What is the point? Does a few dozen people relocated to Estonia really help Italy and Greece with burden sharing?

It has become something of a consensus both in academic thought and in most European policymaking that, given Europe's large projected demographic deficit and current trends in labour market demands, immigration to Europe is most likely to continue and to "take on unprecedented dimensions."[85] According to Schierup et. al., it is reality that European societies across the EU will have to become "increasingly 'plural' in terms … ethnic, cultural, and religious diversity."[86] It is unclear how this will be managed. For many years, and spurred on by the recent migrant crisis, the effects of this likely scenario have been manifested particularly through populist backlash across Europe. Schierup et. al. detail the 'turning points' in the migration process that have—and continue to—undermine the traditional ideas of mono-cultural identities in Europe. Estonia's refugee intake under the relocation scheme could well constitute one such key 'turning point' in Estonia's identity and in its reality of managing migration and diversity. While Estonia has gone to great lengths to promote an internationalist 'e-residency' program and an 'e-state' of which anyone in the world can be a member, a growing openness to diversity and foreigners could serve as an important and lucrative physical complement to this.

Estonia took in very few refugees. Yet overall, given the attention it received and the successful way it was planned and carried out, the Estonian experience may ultimately provide elements of a blueprint for other Eastern and Central European

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[85] Schierup, Carl-Ulrik, "The 'migration crisis' and the genesis of Europe's new diversity" in Carl-Ulrik Schierup, Peo Hansend, and Stephen Castles, *Migration, Citizenship, and the European Welfare State: A European Dilemma*, Oxford, Oxford University Press, 2006, 46.

[86] Ibid.

nations in an increasingly globalised world. Attitudes in Estonia are changing, thereby changing the way Estonians perceive immigration and foreigners, shedding the painful historical association of immigration with Soviet colonisation. Similar changes should be possible in other countries as well.

In terms of having an impactful effect on Europe's migrant crisis, it is unlikely that the small group of refugees currently in Estonia has been anything but symbolic. But it certainly might be an important step in helping Estonians warm up to multicultural and pluralistic ideas. Perhaps the Visegrad countries, who were most adamantly against accepting refugees, will be worse off because of their refusal to take refugees; Estonia's case has shown that fears of refugees can be far greater before the refugees even arrive. If countries like Hungary, Poland or Slovakia do not dilute their ethno-nationalist aspirations, they may be hurt in the long run.

This theory fits with work by Schierup et. al., who argue that since the 1990s, "ideologies of ethnically homogeneous national populations and monocultural identities have become unsustainable."[87] They posit the early 2000s as a 'turning point', characterised by "a hesitant admission that Europe needs immigrants for both demographic and economic reasons… by a growing realization that border control alone cannot achieve effective migration realization, and by new (and often emotionally charged) discourses on security and identity."[88] Yet these timelines are more appropriate for Western Europe than for Central and Eastern Europe, which have only begun to enter these 'turning points' recently. The upsurge in xenophobia,

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[87] Ibid., 23.

[88] Ibid., 24.

racism, extreme populist-nationalist mobilisation and scapegoating of foreigners and of Islam—all of which are described by Schierup et. al.[89]—have only started to appear in Central/Eastern Europe in the past several years, and in the past three years in Estonia's case. In Western Europe, such reactionary anti-immigrant sentiment has become a constant feature of society.[90] Here lies a word of caution; despite seemingly improving attitudes in Estonia, trends from the rest of Europe suggest that the empowerment, legitimisation and audience for illiberal anti-immigrant forces might be here to stay.

Thanks to Estonia's successful implementation of the quota scheme, and perhaps also thanks to the low numbers of refugees involved, the perception of threat that immigration is alleged to represent to Estonian society has been reduced. Estonia has now undergone a significant taste of post-Soviet diversity, leading to a change in how foreign migrants are seen. Now it is critical for Estonia to continue to work on the longterm integration of these people into society, to show Estonians that others can become Estonian and can contribute to the country and its diversity in a way that is unthreatening. This is easier said than done; refugees often do not want to stay in Estonia, and the language is very difficult and of little use in the rest of the world. It is easy to get by in Estonia with English; most of the urban population speaks it. That said, lessons from Estonia nevertheless suggest that with competent and professional implementation of refugee relocation, combined with well thought-out plans, the EU's

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[89] Ibid., 33.

[90] Ibid.

relocation scheme could be to the long-run benefit of other Central and Eastern European states. This could strengthen the EU's longterm sustainability.

Conclusion

In evaluating the impact of the 2015 EU relocation policy on Estonia, it is hard to come to concrete conclusions and to predict future events. The EU is a nebulous and extraordinarily complicated project, and through an examination of the Dublin Regulation, this paper has aimed to clarify the context behind one element of the CEAS: the 2015 relocation scheme. Given that a similar quota system has been proposed in the reforms of the so-called Dublin IV proposal, the effects of the relocation scheme must be carefully studied and understood. This paper offers the first study of its kind, looking specifically at how Estonia has fared under its implementation of the scheme. Despite hostile public opinion, particularly within the first several months of the scheme, the Estonian government was steadfast in its commitment to do its part, a pragmatic move that is largely explained by Estonia's geopolitical reality. Estonia, which had virtually no experience with non-European migration, proved itself to be well prepared and professional in its implementation of the scheme and in its services offered to refugees, receiving praise from the UN. As a result of its successful implementation, the Estonian public attitudes toward refugees and migration have quickly become more tolerant, understanding and supportive. That said, radical right populist forces still managed to capitalise and mobilise on existing fears and emotions, which has led and will likely continue to lead to a change in Estonian public discourse that legitimises those populists and possibly will radicalise mainstream positions.

Many would argue that the EU relocation scheme was a mass failure, including in Estonia, which took far less people than it had originally pledged. If the EU is going to continue to use a quota system to remedy the flaws of Dublin III, it will have to work to solidify the quota system as a new and robust norm, as Dublin III has become.[91] It will also need to draw on country-specific analyses, like this paper, in order to understand how its migration policies manifest themselves in different countries and different cultural contexts, particularly in parts of Europe less experienced with multiculturalism and migration. Given the likelihood that the spread of diversity and multiculturalism is inevitable, the Estonian case may offer lessons on how to securely and measuredly introduce and integrate migrants into an otherwise 'homogeneous' society.[92] This study of Estonia must be combined with others in order to fully understand the implications of any common European policy on an issue as emotional and volatile as migration.

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[91] See work by Roos & Zaun on this, who show how norms impact on EU asylum and migration policy: Christof Roos and Natascha Zaun, "Norms matter! The role of international norms in EU policies on asylum and immigration," *European Journal of Immigration and Law*, Vol. 16, 2014, pp. 45-68.

[92] Note that with an ethnic Russian minority of around 24%, Estonia is not particularly 'homogeneous'. Yet cultural myths abound of cultural homogeneity and the particular threat of visible minorities is one that few Estonians are accustomed to.

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