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From: Estonian delegation

To: Working Party on Frontiers/Mixed Committee (EU-Iceland/Liechtenstein/  
Norway/Switzerland)

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Subject: Report on the temporary reintroduction of border controls at the Estonian  
internal borders in accordance with Article 25, 27 and 28 of Regulation  
(EU) 2016/399 on a Union Code on the rules governing the movement of  
persons across borders (Schengen Borders Code)

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**DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (05.07.2022)**

Delegations will find attached a copy of the letter received by the General Secretariat of the Council on 13 June 2022 regarding the report on the temporary reintroduction of internal border controls by the Republic of Estonia between 3 March 2022 and 24 May 2022.



PERMANENT REPRESENTATION  
OF ESTONIA TO THE EU

Commissioner for Home Affairs Ylva JOHANSSON  
European Commission

Secretary General Jeppe TRANHOLM-MIKKELSEN  
General Secretariat of the Council of the EU

President of the European Parliament Roberta METSOLA,  
European Parliament

13.06.2022 No 10.2-12S/590-1

*Sent by e-mail only*

**Report to the European Parliament, the Council and the European Commission on the reintroduction of border controls at the internal borders of the Republic of Estonia**

Dear Commissioner, Secretary General, President,

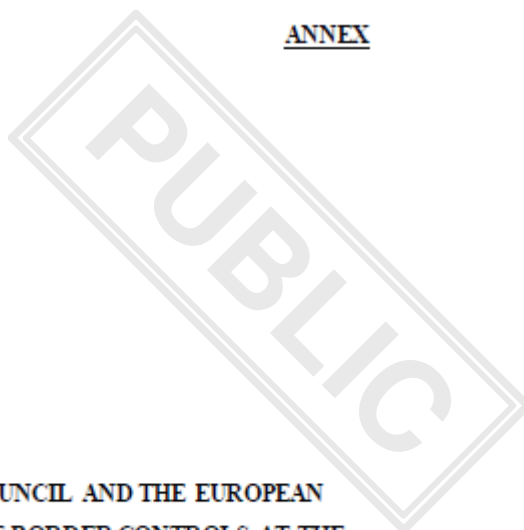
On behalf of the Border Guard and Migration Policy Department of the Ministry of the Interior of the Republic of Estonia, I hereby forward you the report regarding the reintroduction of border controls at the internal borders of the Republic of Estonia between 03 March and 24 May 2022.

Yours sincerely,

  
Representative to the PSC  
Chargé d'affaires a.i.

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**REPORT**  
**TO THE EUROPEAN PARLIAMENT, THE COUNCIL AND THE EUROPEAN**  
**COMMISSION ON THE REINTRODUCTION OF BORDER CONTROLS AT THE**  
**INTERNAL BORDERS OF THE REPUBLIC OF ESTONIA**

**during the period from 3 March to 24 May 2022**

Border Guard and Migration Policy Department  
Ministry of the Interior

Tallinn 2022

## 1. Compliance with the criteria set out in the Schengen Borders Code

On 24 February 2022, the Russian Federation launched a war against Ukraine, accompanied by an extensive wave of refugees. Due to military activities, many people had to flee Ukraine and seek protection from both neighbouring and EU Member States. In the first days of March, war refugees began to arrive in Estonia across the internal border, and these numbers increased day by day. Various compensatory measures were introduced with the abolition of border controls at internal borders, but these were not sufficient to ensure public order because due to the military activities in Ukraine, it was necessary for Estonia to start organizing the entry and reception of people arriving here.

In order to ensure better awareness of the situation, to manage the immigration of Ukrainian refugees and to mitigate possible threats to internal security, the Government of the Republic of Estonia decided to temporarily reintroduce border controls at the internal border as of 3 March 2022. Border controls at internal borders were reintroduced for the period from 3 March to 25 May 2022 in accordance with Article 25, 27 and 28 of Regulation (EU) 2016/399 of the European Parliament and Council from 9 March 2016. An information procedure was carried out in accordance with Article 31 of the Schengen Borders Code. On 3 March 2022, the Minister of the Interior of the Republic of Estonia signed notice No 9-8/5-1 on the temporary reintroduction of border controls at the internal border between the Republic of Estonia and the Republic of Latvia. The notice was sent to the relevant EU institutions. Subsequently, the Republic of Estonia notified on four occasions about the temporary extension of border controls at internal borders. As of 25.05.2022, the temporary border controls at the border between the Republic of Estonia and the Republic of Latvia were terminated.

## 2. Carrying out controls

Regulation No 19 of the Government of the Republic from 3 March 2022 established border controls upon entry into the Republic of Estonia at the internal border with the purpose of ensuring public order and organizing the entry into Estonia of people leaving Ukraine due to military activities. The controls were established at 4 border crossing points of the land border between the Republic of Estonia and the Republic of Latvia, through which the majority of people

who were forced to leave Ukraine passed. No patrols or surveillance activities were carried out in the area between the border crossing points.

The controls carried out established whether the border crosser was a Ukrainian citizen or a close relative of other nationalities moving with him who had left Ukraine due to military activities.

The data of all such border crossers were recorded together with observations on whether they want to stay in Estonia or move on to another country. Information was also provided on the location of refugee reception centers and accommodation facilities.

No border control operations were carried out in regard to other border crossers.

If the person subject to border control did not fulfill the condition laid down in Article 6 (1) (a) of the Schengen Borders Code, they were allowed to enter the country on humanitarian grounds. Compliance with the conditions set out in Article 6 (1) (b) and (c) of the Schengen Borders Code was also not checked.

During the period of the temporary reintroduction of border controls, more than 40,000 people were inspected at the four land border crossing points – 94% of the people inspected were Ukrainian citizens. In other cases, the person inspected was a family member of another nationality or a person accompanying a Ukrainian citizen; 38% of the Ukrainian citizens were under the age of 18 and 62% were over the age of 18. Of those over 18, 78% were women and 22% were men; 1/3 of the Ukrainian citizens who entered Estonia across the internal border wanted to transit Estonia. For humanitarian reasons, no war refugees were prevented from crossing the internal border.

### 3. Practical cooperation with neighbouring Member States

Information exchange with neighbouring countries in the period of the temporary reintroduction of border controls took place at all levels via established contact points (International cooperation units, National Coordination Centre 24/7, Liaison Officers, and Border Representatives at Estonian-Latvian border). Information exchange included regular operational information sharing, for example, about border crossings, granting international protection and temporary protection.

Meetings at the Heads of Border Guard and Police authorities' level between Estonia, Latvia and Lithuania took place in order to discuss strategic questions, specifically the roles and

responsibilities of the Border Guard and Police authorities in times of war, the situation in Ukraine, and the activities of the organisations.

Expert level bi-weekly meetings with the Finnish Border Guard took place to discuss border control measures, general trends of border crossings, granting international and temporary protection, measures taken by neighbouring third country and the possibilities for enhancing cooperation.

Practical cooperation with neighbouring Member States proved effective with no problems encountered.

#### **4. The impact of controls on the free movement of people**

Estonia reintroduced temporary border controls as an estimated 1,000 Ukrainian war refugees were arriving in Estonia from the Republic of Latvia every day. At the peak, when border controls were reintroduced, almost 2,000 refugees arrived in Estonia across the internal border every day. As the purpose of the border controls was to raise awareness of the situation of war refugees arriving in Estonia and to assist and direct these people to the necessary services, other border crossers were not subject to the usual control. Border controls were also not reintroduced on roads that were away from major highways and where it was presumed that people fleeing the war would not use these roads to enter Estonia. Therefore, the controls primarily affected war refugees, but the aim was primarily to help these people and share necessary information so that the people who had escaped the war could feel safe in Estonia. For other border crossers, the impact of the controls was minimal.

#### **5. Effectiveness and proportionality of the reintroduction of border controls**

The temporary reintroduction of border controls at the state border of the Republic of Estonia and the Republic of Latvia gave the institutions involved in resolving the situation an awareness of the situation and helped the war refugees obtain immediate information on the organization of their reception in Estonia. The measures taken were appropriate, effective and proportionate, benefiting the refugee reception authorities as well as the people fleeing Ukraine. It was also beneficial to neighbouring countries, who got an overview of the actual flow of war refugees in the region.

While in March more than 1,000 refugees were identified at the internal border on average, in the second half of May the number dropped to 100. At the same time, about 3,000 people continued to arrive in Estonia per week, but there had been a significant change in the arrival of refugees compared to previous weeks. Namely, most of the refugees had started arriving in Estonia across the eastern border, which is the external border of the European Union. Consequently, the Government of the Republic decided to end internal border controls as of 25 May 2022.