



TO:

Prime Minister
Riigikogu Factions

06.05.2020

The American Chamber of Commerce (AmCham Estonia) in cooperation with Foreign Investors Council of Estonia (FICE) that in its turn represents the Austrian, British, Danish, Finnish, German-Baltic, Dutch, Norwegian, Swedish and French Chambers of Commerce, would like to address the Estonian government and parliament on the topic of talent and foreign work migration. Together, the 10 countries represented by us account for over 80% of the total foreign direct investments in Estonia. Our members are often leaders in innovation, global expertise and foreign investment in Estonia.

We would like to commend the Estonian government for the measures taken and the ability to contain the effects of the COVID-19 pandemic so well – by end of April our infection and hospitalization rates are slowing down and Estonia ranks 3rd in the world for the number of people tested for the virus per 100,000 inhabitants (after only Iceland and Luxembourg). This demonstrates that the emergency steps taken by the Estonian Government and Riigikogu have been swift and have had the intended effect.

While appreciating the need for restricting parts of the Estonian society and economy during the crisis, we would like to emphasize two important principles that would contribute to the quick recovery and long-term strengthening of the Estonian economy.

- All measures must only serve the **slowdown of the COVID-19 spread**
- All restrictive measures taken during the state of emergency, need to be **rolled back timely** after the state of emergency has ended

It is precisely in this context that we witness with concern the following decisions taken by the Estonian Government and Parliament, concerning foreigners living and working here.

1. Changes to the Foreigners Act adopted by Riigikogu on April 20, limiting the third-country nationals to leave **immediately** after their work contract has ended (or has been terminated) is counterproductive for attracting talent and the required workforce we need for Estonia's economy. Many of our member companies employ foreign talent and many of these foreigners are in Estonia, based on the short-term registration of their work simply because the quota restrictions prevent them from applying for residence permits.



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2. The law adopted by Riigikogu on April 20¹, which eliminates the possibility for foreigners to appeal the decisions made by the Estonian Police and Border Guard Board immediately, undermines the legal security of foreigners in Estonia and creates a situation where they do not have the same protection of the law as is enjoyed by citizens. Furthermore, this initiative does not in any way contribute to bullet #1 stated above (i.e. does not contribute to the fight against the coronavirus.)

The possibility for the courts of first instance to selectively choose which appeals to consider, further aggravates the problem described above.

We invite the Estonian government and Parliament to quickly withdraw these emergency measures as soon as the COVID-19 related circumstances allow.

We believe that instead of restricting Estonian companies' access to foreign expertise, Estonia should develop ways to facilitate it even further as soon as the immediate threat from the COVID-19 virus recedes. We can do this, by maintaining an open, future-oriented and innovative atmosphere by which this country is known in the world.

Sincerely,

AmCham Estonia & Foreign Investors Council of Estonia*

**Foreign Investors Council of Estonia is the umbrella organization for British, Finnish, Swedish, French, Danish, Norwegian, German, Austrian Chambers of Commerce and Holland Business Club)*

¹ Abipolitseiniku seaduse ja teiste seaduste muutmise seadus (COVID-19 haigust põhjustava viiruse SARS-Cov-2 levikuga seotud meetmed)⁴