



POLICY PAPER

VOLUNTEERS IN ESTONIA'S SECURITY SECTOR OPPORTUNITIES FOR ENHANCING SOCIETAL RESILIENCE

| RAMON LOIK |

JUNE 2020

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RAHVUSVAHELINE KAITSEURINGUTE KESKUS
INTERNATIONAL CENTRE FOR DEFENCE AND SECURITY
EESTI • ESTONIA

Title: Volunteers in Estonia's Security Sector: Opportunities for Enhancing Societal Resilience

Author: Loik, Ramon

Publication date: June 2020

Category: Policy Paper

Cover page photo: Emergency situation in Tallinn, 1 April 2020. Ekspress Meedia/ Andres Putting/ Scanpix

Keywords: security, resilience, society, volunteers, law enforcement, defence, police, rescue service, maritime rescue, emergency management, civil-military cooperation, defence league, Estonia

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ISSN 2228-2068

©International Centre for Defence and Security
63/4 Narva Rd., 10152 Tallinn, Estonia
info@icds.ee, www.icds.ee

ACKNOWLEDGMENTS

The author wishes to thank everyone who shared their valuable views and contributed to the topic in various forms, especially Aivar Toom, Siiri Pars, Tomas Jermalavičius, Ivo Juurvee, Rivo Salong, Martin Rickerd, Natalja Silina, Andres Süvari, Mihály Molnár, Marek Miil, Erik Jõesaar, Hannes Kont, Heiki Jakson, Kätlin Rei, Kristjan Repp, Dmitri Teperik, Kristi Luigelaht, Martin Jaško and Margo Klaos.

LIST OF ABBREVIATIONS

CIMIC	Civil-Military Cooperation
EDF	Estonian Defence Forces
EDL	Estonian Defence League
EDL CU	Estonian Defence League's Cyber Unit
HR	Human Resources
IT	Information Technology
JRCC	Joint Rescue Coordination Centre
MoD	Ministry of Defence
Moi	Ministry of the Interior
NATO	North Atlantic Treaty Organisation
PBGB	Police and Border Guard Board
RSS	Rich Site Summary/Really Simple Syndication

INTRODUCTION

Community volunteers play an important role in raising public awareness of and preparedness for potential crises. According to 2018 data, around 16% of Estonians volunteered in areas related to national safety and security work. The average participation rate during 2009-2018 is about 14%, which is slightly above average compared to other types of volunteer activity. Nevertheless, referring to several earlier studies, the Estonian Civil Protection Concept (from 2018) addresses the fact that the preparation of the population for crises, including communication activities, has so far been insufficient and households' independent capability to resist large-scale crises is relatively low. National defence and internal security volunteers, acting as a "bridge" between state institutions and civil society, are an important human resource for ensuring and raising society's resilience.

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The current Estonian legislation on volunteers' rights is based on peacetime principles. The following volunteers can be employed in national defence and internal security tasks under Estonian law: members of the Estonian Defence League, assistant police officers, volunteer rescuers and volunteer maritime rescuers. Volunteers currently cover approximately 25% and 50% of the human resources needs of the police and rescue services respectively. Thus, there is a significant need for volunteers in both national defence and internal security and the authorities are looking for ways to expand the base of well-prepared and motivated human resources available in emergency situations.

As volunteers perform public duties of their own free will and in their spare time, the principles and criteria for their involvement in the security sector—including the organisation of work, opportunities for training and development, and the benefits and social guarantees attached to the performance of public functions—should be further developed to create additional motivation. State responsibilities and the need for advanced resource planning also arise from these issues. Thus, this policy paper aims to assess the involvement of volunteers acting in the public interest under Estonian law in the development

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of key characteristics of a broad security concept and to provide some discussion points for widening volunteers' potential for ensuring collective security and public safety.

The first chapter of the paper outlines the rationale and some general principles for involving volunteers in national security, defence and safety functions in Estonia. The second chapter examines the characteristics of such involvement and compares them with those found in countries that rely heavily on volunteers in their security sector—Austria, Finland, Denmark, Norway, Slovenia, Sweden and Switzerland. The three following chapters focus on the legal competences, the training, and the organisational arrangements for involving volunteers. The next two chapters examine some of the factors that motivate volunteering in this sector, such as social guarantees and benefits, and the overlapping demand from different national security, defence and safety organisations for the same volunteer resources, as well as considering some options for an internal security reserve. The final chapter of the paper draws conclusions and makes recommendations.

1. GENERAL PRINCIPLES AND RATIONALE OF VOLUNTEER INVOLVEMENT

In the current Estonian legal system, the involvement of volunteers in the maintenance of security and public order is based on the same regulatory principles regardless of the situation, which means that the state agencies involving volunteers must also consider any other national defence obligations that the volunteers may find themselves under in a crisis situation.¹ As a basic principle, it should be recognised that volunteers perform public duties of their own free will and in their own spare time in accordance with the law—they cannot be required to perform them and they can also refuse to be involved.

People can also volunteer in several fields at the same time, for example, as a member of the Estonian Defence League (EDL) in a wartime post and a reservist in the Estonian Defence Forces (EDF) while also holding an office or position in national defence. It is therefore important to take into account the converging roles and assess the possible exemptions and special measures applicable to volunteers in a crisis or a state of war.

While volunteers make a very important contribution to internal security and maintaining public order, it is currently difficult to predict how many volunteer resources can be depended upon in a crisis when government authorities have to carry out additional tasks and find ways to mobilise all available reserves. The difficulty arises mainly from the fact that the planned potential volunteers also have other occupations and other statutory responsibilities, including the fact that there are no exceptions applicable to volunteers in the event of mobilisation.²

The involvement of the EDL and the EDF in the maintenance of internal security when necessary is provided for in Estonian law, but

¹ Siiri Pars, "Õiguslik analüüs vabatahtlike riigi ülesannete täitmisele kaasamise regulatsioonist ning riigikaitsealastele kohustustele piirangute kehtestamise vajadusest" [Legal analyses about the regulation of volunteers' involvement in the maintenance of state tasks and need to impose exemptions of state defence duties], Tallinn, 2018, p. 4.

² Siiri Pars, "Õiguslik analüüs," p. 5.

the Ministry of the Interior (MoI) estimates that most of the individuals involved are at the same time also volunteers in the internal security domain and it is thus difficult to involve sufficient number of volunteers during large-scale and long-term crises.³ Thus, more advanced planning of volunteer human resources in the security sector is needed to avoid significant fragmentation and possible capability gaps in reserves.

In such convergent cases, the same individuals in the role of EDF or EDL volunteers have more limited legal authority to maintain public order than they would in the role of assistant police officer, for instance. In particular, under Section 16¹ of the Law Enforcement Act, the EDF and EDL may, for the purpose of maintaining public order, be involved in: the prevention or obstruction of criminal offences specified in Sections 237, 246 and 266 of the Penal Code; the prevention or obstruction of an attack against national defence objects; or the prevention or obstruction of an illegal crossing of the state border or a temporary control line.⁴

The involvement of the EDF or the EDL is decided by the government on a proposal made by the minister responsible for the protection of public order and with the consent of the President of the Republic for maximum period of 30 days; any such involvement is

In Estonian practice the EDL has quite often been involved in supporting the police at high-level summit conferences to mitigate the temporary workload of the Police and Border Guard Board (PBGB)

justified only if the relevant authority cannot implement this function in a timely manner or at all and there are no other means available.

³ The involvement of the EDL and the EDF in the maintenance of internal security is decided by the Government of the Republic on the proposal of the Minister of the Interior and with the consent of the President of the Republic. Detailed references of the estimates are for official use only.

⁴ Riigikogu (Estonian Parliament), "Law Enforcement Act," *Riigi Teataja*, RT I, 22.03.2011, 4 (entry into force 1 July 2014), 7 December 2016, <https://www.riigiteataja.ee/en/eli/ee/507122016001/consolide>; Riigikogu, "Penal Code," *Riigi Teataja*, RT I 2001, 61, 364 (entry into force 1 September 2002), 22 January 2015, <https://www.riigiteataja.ee/en/eli/522012015002/consolide>.

However, in Estonian practice the EDL has quite often been involved in supporting the police at high-level summit conferences to mitigate the temporary workload of the Police and Border Guard Board (PBGB).

Any member of the EDF or active member of the EDL so involved must have completed the special training required for the performance of public-safety functions; the optimum support of the volunteers can be achieved only if they are specifically involved and authorised for the purpose.

From the national defence perspective, well-prepared and organised volunteers are also a valuable resource for enhanced CIMIC functions and societal resilience-building tasks

From the national defence perspective, well-prepared and organised volunteers are also a valuable resource for enhanced CIMIC functions and societal resilience-building tasks such as supporting police with crowd management and mass evacuation, distributing crisis communications and delivering emergency supplies, to give only some examples.⁵ During the rapid reaction phase of the Covid-19 situation in Estonia, 150 EDL troops were initially called to support the PBGB on border guarding and patrolling the land border. According to the Estonian Minister of Defence, Jüri Luik, this kind of joint border-patrolling is unprecedented and the PBGB highly values such supportive cooperation.⁶

To give some recent examples from the public-safety perspective, the day after a state of emergency situation was declared by the Estonian government on 12 March 2020 against the spread of the coronavirus, members of the EDL volunteer corps and its women's branch (*Naiskodukaitse*) began assisting with temperature-monitoring and awareness-raising activities at the Port of Tallinn, L. Meri Tallinn airport and Tartu bus station following a request by the Estonian Health Board.⁷ During some very busy subsequent days, the EDL and Naiskodukaitse widened their supportive capabilities to medical personnel to organise Covid-19 testing, triage and guidance of medical patients, as well as assisting the Emergency Response Centre and Health Board with a special 24/7 hotline in connection with the outbreak.⁸

In view of the above characteristic examples, the existing and potentially available additional volunteer resources should be evaluated and possible solutions proposed for the further enlargement of volunteer bases in Estonia's security sector, development of a possible cooperation model and planning arrangements in accordance with the objectives of a broad concept of national security, related government strategies such as Estonia's

⁵ Enhanced CIMIC opportunities planning follows NATO's view of future civilian affairs and the challenges of developing a whole-of-society approach as an essential basis for deterrence and a cornerstone of the CIMIC Vision 2025. See also Ramon Loik, "NATO Seeks Opportunities to Enhance CIMIC Capabilities," ICDS, 25 June 2019, <https://icds.ee/nato-seeks-opportunities-to-enhance-cimic-capabilities/>. Some options about volunteers' involvement in crises management are also discussed in the ICDS report summary. See Ivo Juurvee et al, *Preparing for Crises in Estonia: Improvement Options for Civilian Food and Emergency Goods Supplies* (Tallinn: International Centre for Defence and Security, February 2020), https://icds.ee/wp-content/uploads/2020/02/ICDS_Report_Summary_Preparing_for_Crises_in_Estonia_Juurvee_Loik_February_2020.pdf.

⁶ Toomas Sildam, "Kaitseminister Luik: mõeldamatu, et koroonatõttu läheb Eesti armee koju" [Defence minister Luik: Unthinkable that the Estonian military goes home due to coronavirus], ERR, 26 March 2020, <https://www.err.ee/1068733/kaitseminister-luik-moeldamatu-et-koroonatottu-laheb-eesti-armee-koju>.

⁷ "Kaitseliit, Naiskodukaitse helping with coronavirus monitoring duties," BNS/ERR, 13 March 2020, <https://news.err.ee/1063620/kaitseliit-naiskodukaitse-helping-with-coronavirus-monitoring-duties>.

⁸ "Mobiilsetes jaamades on kolme päevaga võetud 669 koroonaviiruse proovi" [669 coronavirus tests have been taken during three days in movable sites], *Postimees*, 23 March 2020, https://tervis.postimees.ee/6930624/mobiilsetes-jaamades-on-kolme-paevaga-voetud-669-koroonaviiruse-proovi?_ga=2.146591348.1188356099.1584952657-1228796636.1559808203; "Naiskodukaitse aitavad ööpäevaringselt PERHi" [Women's voluntary defence organization offers nonstop help to North Estonia Medical Centre], *Postimees*, 25 March 2020, <https://www.postimees.ee/6933135/naiskodukaitse-aitavad-oo-paevaringself-perhi>; "Emergency Response Centre and Health Board to open hotline 1247 in connection with the spread of coronavirus," Emergency Response Centre, 16 March 2020, <https://www.112.ee/en/news/the-emergency-response-centre-and-the-health-board-to-open-hotline-1247-in-connection-with-the-spread-of-coronavirus-23>.

Internal Security Development Plan, and the Estonian Civil Protection Concept, to be better prepared for substantial crises resolution.⁹

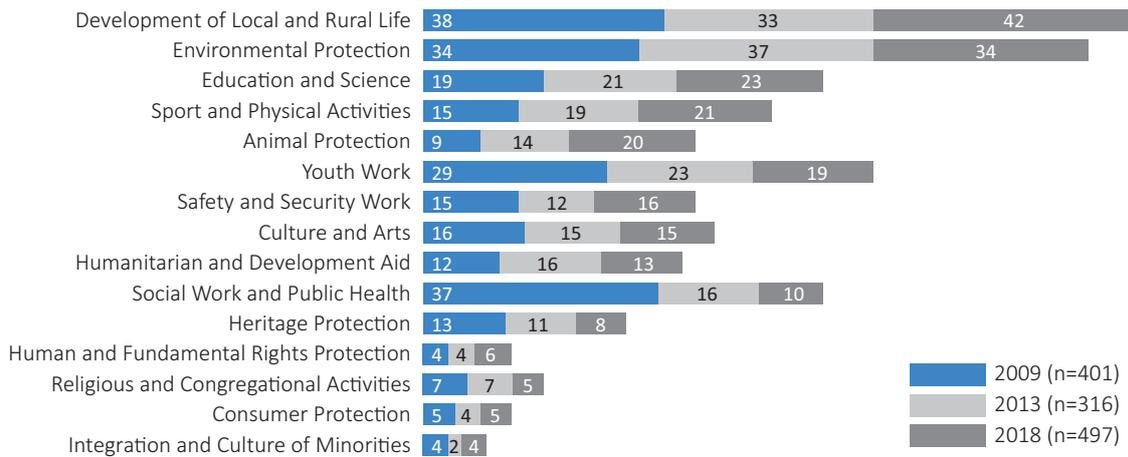
2. MAIN CHARACTERISTICS OF VOLUNTEER INVOLVEMENT

According to 2018 data, about 16% of Estonians volunteered in areas related to safety and security work. The participation rate was 15% in 2009 and 12% in 2013. The average rate during 2009–18 is around 14%. The trends in comparison to other areas of voluntary involvement and activities are shown in Figure 1

Estonian national defence and internal security agencies actively seek to increase the involvement of volunteers, who make a significant contribution to maintaining internal safety and public order. According to the MoI, in 2018 there were about 2,082 volunteer rescuers, 1,017 assistant police officers and 371 volunteer maritime rescuers, accounting for some 35% of the human resources of the PBGB and the Rescue Board. On average, about 25% of the PBGB’s and about 50% of the Rescue Board’s human resources are covered by volunteers.¹⁰

There has been a modest increase in the number of volunteers, although the overall growth rate in 2014–17 fell (see Figure 2). The overall annual growth rate in the number of internal security volunteers was about

Figure 1. Trends in different types of volunteering in Estonia, 2009–18
(% of the population, previous 12 months)



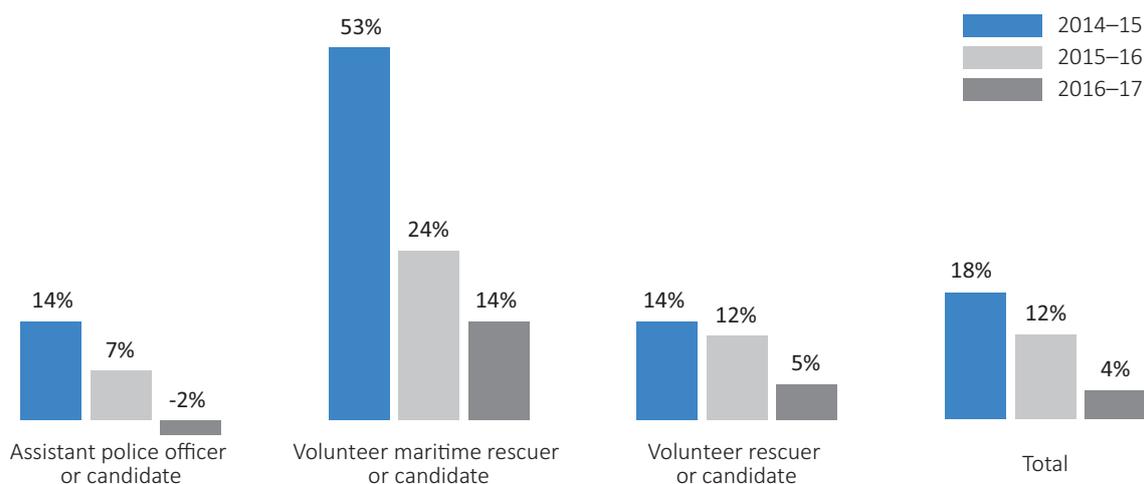
Source: Maarja Käger et al, *Vabatahtlikus tegevuses osalemise uuring 2018* [A survey of participation in voluntary activities], (Tartu: Balti Uuringute Instituut, 2019), <https://vabatahtlikud.ee/wp-content/uploads/2015/04/Vabatahtlikus-tegevuses-osalemise-uuring-2018.pdf>.

⁹ The broad concept of Estonian national security consists of several parliamentary and government acts, key among them the National Security Concept of the Republic of Estonia (2017) approved by Parliament and the National Defence Act. See Riigikogu, *National Security Concept of Estonia* (Tallinn: Government Office, 2017), https://www.riigikantselei.ee/sites/default/files/content-editors/Failid/national_security_concept_2017.pdf; Riigikogu, “National Defence Act,” Riigi Teataja, RT I, 12.03.2015, 1 (entry into force 1 January 2016), 17 November 2015, <https://www.riigiteataja.ee/en/eli/517112015001/consolidate>; Ministry of the Interior, *Estonia’s Internal Security Development Plan 2015–2020* (Tallinn: Ministry of the Interior, n.d.), https://www.valitsus.ee/sites/default/files/content-editors/arengukavad/taiendatud_siseturvalisuse_arengukava_2015-2020.pdf; Riigikantselei (Government Office), Siseministerium (Ministry of the Interior), *Elanikkonnakaitse kontseptsioon* [Civil Protection Concept] (Tallinn: Riigikantselei, 2018), https://www.riigikantselei.ee/sites/default/files/content-editors/organisatsioon/failid/rakkerhmad/elanikkonnakaitse_kontseptsioon_15.02.2018.pdf.

18% in 2015, 12% in 2016 and 4% in 2017. The highest proportional increase was in the category of volunteer maritime rescuers, while the increase in the number of assistant police officers came to a halt in 2017. The slowing increase in the number of internal security volunteers signals, among other things, that developing the volunteering system requires some additional energy, motivation measures, and means to ensure sustainability.

¹⁰ Based on the data input from the PBGB and the Estonian Rescue Board. The author notes that data from different sources may vary.

Figure 2. Growth trends in internal security volunteers and candidates (% , 2014–17)



Source: Primary data supplied to the author by the Estonian Mol in 2018.

2019 marked the 25th anniversary of the Estonian system of assistant police officers. During this period, the number of officers has grown steadily, for example from 610 in 2014 to 1,038 in 2018 and 1,050 by the end of 2019. The fastest growth took place in 2007–8, when many volunteers wanted to contribute in case events like those in April 2007 (“Bronze Night”) in Estonia happened again.

In 2014, the 610 assistant police officers carried out a total of 79,360 hours of voluntary work, which equates to the working hours of an average police division. In 2018, the 1,038 assistant police officers contributed a total of 95,442 hours of voluntary work, as follows:¹¹

- Patrolling (67,025 hrs);
- Administrative tasks (10,964 hrs);
- Community policing (8,726 hrs);
- Preventive work (5,231 hrs);
- Border Guard activities (1,829 hrs);
- Criminal police tasks (1,667 hrs).

In 2018, the active assistant police officers were divided geographically as follows:

- 369 in North Estonia Region;
- 366 in South Region;

- 160 in West Region;
- 143 in East Region.

Preventive work has become the priority area for assistant police officers. Fifty-nine assistant police officers were accredited to be career police officers in 2018, compared to 44 in 2017 and 22 in 2016.

As civil society evolves, the number of volunteer rescuers and their involvement and role in ensuring public safety have increased rapidly. In 2016, there were 115 volunteer rescue stations in Estonia. Direct support of volunteer rescue initiatives from the budget of the Estonian Rescue Board in 2015 amounted to 1.3 million euros, supplemented by other project grants.

The number of certified volunteer rescue personnel has increased as follows: 640 in 2012, 1,768 in 2015 and 1,932 in 2018. Today there are 117 volunteer rescue stations in Estonia, comprising 2,070 volunteer rescuers who respond to calls daily from home or work.¹² Volunteers are becoming more and more important in rescue efforts with each passing year. A decade ago, they were merely an auxiliary force to assist professional rescuers, but today they successfully respond

¹¹ Data declared by the Police and Border Guard Board on 5 February 2019. Ragne Keisk, “Abipolitseinikud panustasid mullu turvalisusesse peaaegu 100 000 töötundi” [Assistant police officers contributed almost 100,000 working hours to security last year], Politsei- ja Piirivalveamet (Police and Border Guard Board), 5 February 2019, <https://www.politsei.ee/et/uudised/abipolitseinikud-panustasid-mullu-turvalisusesse-pea-100-000-toeotundi-420>. On assistant police officers, see also “Avaleht,” [Home page] Abipolitseinik.ee, www.abipolitseinik.ee.

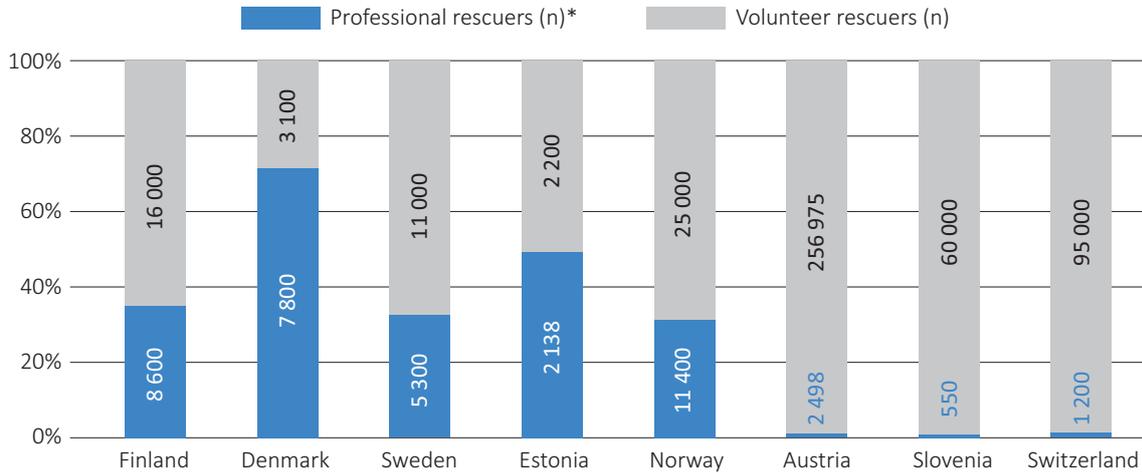
¹² “Vabatahtlikud päästjad” [Volunteer rescuers], Päästeamet (Rescue Board), <https://www.rescue.ee/et/vabatahtlikud-paeaeestjad>. See also interactive map about locations of professional and volunteer rescue stations in Estonia at “Kutselised ja vabatahtlikud komandod” [Professional and volunteer stations], ArcGIS, <http://www.arcgis.com/home/webmap/viewer.html?webmap=499a09be5c6d4ef28fd338f222adea49&extent=20.9944,57.4346,29.1079,59.8268>.

to a significant proportion of ordinary rescue events completely independently.

The large-scale involvement of volunteers in the rescue sector is used as an operational model in a number of countries (see Figure 3). In Austria,

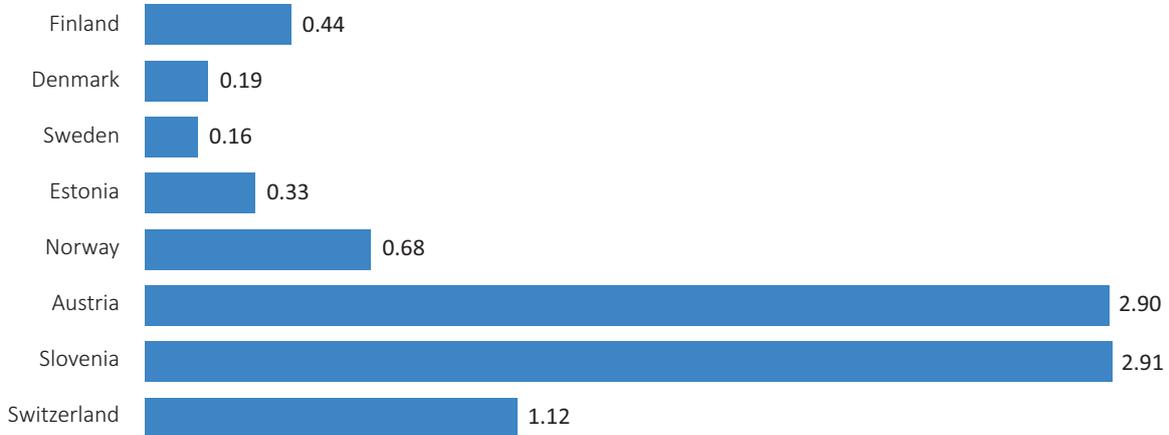
representing about 50% of the rescue services as a whole. The proportion of volunteer rescuers to the total population of Estonia is approximately 0.33%. A comparison with other sample countries is provided in Figure 4.

Figure 3. International comparison of rescue service models (sample countries)



*Professional rescuers including part-time rescuers in the Nordic countries
Source: International Association of Fire and Rescue Services (CTIF), national data sources.

Figure 4. Comparative proportion of volunteer rescuers to general population (%)



Source: International Association of Fire and Rescue Services (CTIF), national data sources.

Slovenia and Switzerland, the proportion of professional rescuers is very small; these countries' rescue services are almost entirely based on volunteers. In Denmark, approximately 30% of rescue services work on a voluntary basis. In other Nordic countries, such as Finland, Norway and Sweden, volunteers make up about 60–70% of the national rescue services.

Estonia has now adopted a rescue organisation quite similar to the Nordic model, with voluntary and professional rescuers each

Associations of more than 500 voluntary maritime rescue workers in Estonia are brought together by the non-profit associations *MTÜ Päästeliit* (Rescue Association) and *MTÜ Eesti Vabatahtlik Mere- ja Järvepääste* (Estonian Maritime Rescue Organisation).¹³ Since 2010,

¹³ Ingeldrin Aug, "The one goal of the Rescue Association – to save lives," Päästeliit (Rescue Association), <https://paasteliit.ee/blog/2019/03/12/the-one-goal-of-the-rescue-association-to-save-lives/?lang=en>; "Eesti Vabatahtlik Mere- ja Järvepääste" [Estonian Maritime Rescue Organisation], Eesti Vabatahtlik Mere- ja Järvepääste (Estonian Maritime Rescue Organisation), <https://vomare.ee/>.

these associations have been members of the International Maritime Rescue Federation, with direct cooperation partners in Denmark, Finland and Sweden.¹⁴

The largest voluntary organisation in the Estonian defence sector is the EDL, a legal successor to the Defence League established as a self-defence organisation in 1918, with around 16,000 active members in 2020.¹⁵ The EDL also involves an additional approximately 10,000 members in affiliated organisations such as the Women's Voluntary Defence Organisation (*Naiskodukaitse*), the Young Eagles (*Noored Kotkad*) and the Home Daughters (*Kodutütred*)—together comprising some 26,000 members trained and equipped to operate in crisis situations. The EDL comprises 15 districts, with spheres of responsibility coinciding (with a few exceptions) with the borders of Estonian counties.¹⁶

The largest voluntary organisation in the Estonian defence sector is the EDL, a legal successor to the Defence League established as a self-defence organisation on 11 November 1918, with around 16,000 active members in 2020

The EDL includes a unique Cyber Unit (EDL CU), which is a voluntary network aimed at protecting Estonian cyberspace. More specifically, the EDL CU's mission is to protect Estonia's high-tech way of life, including protection of information infrastructure and supporting broader national defence objectives. The Cyber Unit comprises specialists in key cybersecurity positions in national critical infrastructure, patriotic individuals with IT skills, including young people who are ready to contribute to cybersecurity and specialists in other fields that concern cybersecurity (lawyers, economists, etc.).

The EDL includes a unique Cyber Unit (EDL CU), which is a voluntary network aimed at protecting Estonian cyberspace

The main objectives of the EDL CU are as follows:

- Development of cooperation among qualified volunteer IT specialists;
- Raising the awareness of and the level of cybersecurity for critical information infrastructure through the dissemination of knowledge and training;
- Creation of a network to facilitate public-private partnerships and enhance preparedness in operating during crisis situations;
- Education and training in information security;
- Participation in international cybersecurity training events.¹⁷

One of the characteristic products developed by the EDL CU is *Propastop*—an independent blog founded in November 2015.¹⁸ It is run by volunteers, of whom many belong to the EDL.

If *Propastop*'s members detect that someone is disseminating fake news or biased or disinformation in the media, or somebody is seeking to influence processes concerning Estonia by manipulating information, they will bring it to the public's attention. *Propastop* currently publishes about two pieces per week and has content in four languages (Estonian, English, Russian and German). The *Propastop*

team has also created the monitoring robot *Propamon*, which searches for the word «Эстония» (“Estonia” in Russian) and its various forms in the Russian media and on Twitter and RSS feeds.¹⁹

¹⁴ On the International Maritime Rescue Federation, see: “The IMRF & our mission,” International Maritime Rescue Federation, <https://www.international-maritime-rescue.org/>.

¹⁵ The legal basis of the EDL is the Estonian Defence League Act. Riigikogu, “Estonian Defence League Act,” *Riigi Teataja*, RT I, 20.03.2013, 1 (entry into force 1 April 2013), 3 June 2019, <https://www.riigiteataja.ee/en/eli/503062019013/consolide>.

¹⁶ “Estonian Defence League,” *Kaitseliit* (Estonian Defence League), <https://www.kaitseliit.ee/en>.

¹⁷ “Estonian Defence League's Cyber Unit,” *Kaitseliit*, <https://www.kaitseliit.ee/en/cyber-unit>.

¹⁸ “What is Propastop?,” *Propastop*, 6 March 2017, <https://www.propastop.org/eng/2017/03/06/what-is-propastop/>.

¹⁹ “The monitoring robot Propamon looks for news related to Estonia in the Russian media,” *Propamon*, <http://propamon.org/>.

3. LEGAL COMPETENCES OF VOLUNTEERS IN THE SECURITY SECTOR

3.1. ASSISTANT POLICE OFFICERS

Under Section 2 of the Assistant Police Officer Act, an assistant police officer is a person who, on a voluntary basis, participates in his or her own spare time in police activity on the basis of and pursuant to the procedure provided by law.²⁰ An assistant police officer is not a member of the police. Participation in police activity means fulfilment of a duty within the competence of an assistant police officer by that person together with a police officer or on the order of a police officer.

While participating in police activity, an assistant police officer is a representative of state powers whose lawful orders have obligatory force

While participating in police activity, an assistant police officer is a representative of state powers whose lawful orders have obligatory force. During participation in police activity, including when an assistant police officer is applying measures or direct coercion, the assistant police officer is acting on behalf of the PBGB.

Section 3 of the Assistant Police Officer Act states that an assistant police officer is competent to assist the police in preventing, ascertaining and countering a threat endangering public order, eliminating a breach of public order, ensuring road safety and exercising traffic supervision. On the assignment of the police, an assistant police officer may also independently exercise supervision over the requirements for conduct in a public place and perform a duty for countering an immediate serious threat endangering public order. The main legal competences of an assistant police officer are set out in Table A-1 and the requirements for service in Table A-2 in Annex A.

²⁰ Riigikogu, "Assistant Police Officer Act," *Riigi Teataja*, RT I, 20.12.2010, 1 (entry into force 1 January 2011), 26 June 2014, <https://www.riigiteataja.ee/en/eli/ee/526062014002/consolide>.

3.2. VOLUNTEER RESCUERS

Volunteer rescuers operate in accordance with the Rescue Act, which defines one as a person who voluntarily participates in rescue work or prevention work on the basis of and pursuant to the procedure provided by law.²¹ For the purposes of the act, participation in rescue work means performance of rescue work by a voluntary rescuer together with a rescue official or on the order of a rescue official. The main legal competences of voluntary rescuers are presented in Table A-1 and the requirements for service in Table A-2 in Annex A.

3.3. VOLUNTEER MARITIME RESCUERS

Chapter 5¹ of the Police and Border Guard Act establishes the legal basis for voluntary maritime rescuers and their participation in police activity.²² Section 108¹ defines a voluntary maritime rescuer as a person who is a member of a non-profit association with which the PBGB has concluded a civil law contract for the organisation of maritime rescue operations; who has been acknowledged by the PBGB as a voluntary maritime rescuer; and who voluntarily participates in the activity of the PBGB on the basis and conditions provided for in the act.

Participation of a voluntary maritime rescuer in the activity of the police is the performance of maritime rescue operations by the individual on the assignment of the police, independently or together with a police officer.²³ During participation in police activity a voluntary maritime rescuer is a representative of state powers whose legal order in the performance of maritime rescue operations is mandatory for the person being rescued and for other persons concerned.²⁴ The main legal competences of

²¹ Riigikogu, "Rescue Act," *Riigi Teataja*, RT I 2010, 24, 115 (entry into force 1 September 2010), 25 June 2015, <https://www.riigiteataja.ee/en/eli/525062015001/consolide>.

²² Riigikogu, "Police and Border Guard Act," *Riigi Teataja*, RT I 2009, 26, 159 (entry into force 1 January 2010, partially 1 January 2012), 12 November 2013, <https://www.riigiteataja.ee/en/eli/512112013003/consolide>.

²³ Section 1081(2) of the Police and Border Guard Act. Riigikogu, "Police and Border Guard Act."

²⁴ Section 1081(3) of the Police and Border Guard Act. Riigikogu, "Police and Border Guard Act."

the volunteer maritime rescuers are presented in Table A-1 and the requirements for service in Table A-2 in Annex A.

3.4. ESTONIAN DEFENCE LEAGUE

The Estonian Defence League Act establishes the main concept of the EDL as a voluntary national defence organisation operating in the area of government of the Estonian Ministry of Defence (MoD) which is organised in accordance with military principles, possesses weapons and holds exercises of a military nature.²⁵ The purpose of the EDL is to enhance, by relying on free will and self-initiative, the readiness of the nation to defend the independence of Estonia and its constitutional order.²⁶ As for assistant police officers, volunteer rescuers and volunteer maritime rescuers, members of the EDL are also covered by social guarantees and some benefits, as set out in Table B-1 in Annex B.

4. PRINCIPLES OF VOLUNTEER TRAINING IN THE SECURITY SECTOR

The Estonian Civil Protection Concept emphasises that there is no comprehensive

There is no comprehensive training system for personnel working in national defence positions that would give them a broad-based knowledge of the threats relating to crisis situations and the principles of national defence and crisis management

training system for personnel working in national defence positions that would give them a broad-based knowledge of the threats relating to crisis situations and the principles of national defence and crisis management. According to the concept document, the

²⁵ Section 2(1) of the Estonian Defence League Act. Riigikogu, "Estonian Defence League Act."

²⁶ Section 2(3) of the Estonian Defence League Act. Riigikogu, "Estonian Defence League Act."

absence of such a system constitutes a capability gap in both peacetime and wartime.²⁷

This criticism is justified to an extent, but it should also be pointed out that the Estonian Academy of Security Sciences, the Estonian Military Academy and the Baltic Defence College all offer curricula covering some of the relevant competences at the level of senior officials.²⁸ The objectives set out in the Civil Protection Concept, including enhancing the development options of volunteers, could be supported by better integrating national defence and internal security curricula.

The objectives set out in the Civil Protection Concept, including enhancing the development options of volunteers, could be supported by better integrating national defence and internal security curricula

National defence education is provided in Estonian upper secondary schools and vocational education institutions in cooperation with the MoD.²⁹ The Estonian Academy of Security Sciences trains both assistant police officers and volunteer rescuers and conducts pre-vocational training in internal security in upper secondary schools throughout Estonia, including preparedness for and offering assistance to others in crisis situations.

This contributes towards Objective 1.2. of the Civil Protection Concept, whereby every student in upper secondary or vocational secondary education who has chosen national defence or internal security training as an elective subject should acquire age-appropriate knowledge of the threats relating to crisis situations and the basic principles of national defence

²⁷ Riigikantslei, Siseministeerium, *Elanikkonnakaitse kontseptsioon*, p. 17.

²⁸ "The Estonian Academy of Security Sciences," Estonian Academy of Security Sciences, <https://www.sisekaitse.ee/en/eass-home>; "Estonian Military Academy," Estonian Military Academy, <https://www.ksk.edu.ee/en/>; "About the Baltic Defence College," Baltic Defence College, <https://www.baltdefcol.org/?id=15>.

²⁹ On national defence education by the Estonian Ministry of Defence, see: "Riigikaitseõpetus" [National defence education], Kaitseministeerium (Ministry of Defence), last updated 19 March, 2020, <https://kaitseministeerium.ee/et/eesmargid-tegevused/laiapindne-riigikaitse/riigikaitseopetus>.

and crisis management, including the ability to prepare for and adequately act in crisis situations.

4.1. ASSISTANT POLICE OFFICER TRAINING

The training of an assistant police officer and of a candidate for such a position may be organised by the PBGB, a person holding a permit to that effect or the Estonian Academy of Security Sciences as an institution of professional higher education for internal security and law enforcement. A suitable candidate for being an assistant police officer must complete first-stage training of at least 40 hours. After passing a final evaluation, the candidate will be appointed as an assistant police officer by a decision of the PBGB Director-General (or an official authorised by the Director-General).

An assistant police officer engaged solely in preventive work does not apply special measures or direct coercion and thus does not infringe the fundamental rights of individuals

Assistant police officers who have completed this training will be involved in police activities as assigned by the police and will carry out assignments with a police officer. Assistant police officers who have been involved in police activities for at least 100 hours can attend second-stage training, which again lasts at least 40 hours. In the course of the training, knowledge and skills necessary for performing assignments independently are acquired. The competence to do this is decided by the PBGB Director-General or an official authorised by him/her, who issues an appropriate decree after the assistant police officer has completed the training and passed the evaluation.³⁰

It is important to note that assistant police officers are not required to complete physical training to participate in preventive work, in

³⁰ Minister of the Interior Regulation No. 64 of 21 December 2010. Siseminister (Minister of the Interior), "Abipolitseiniku kandidaadi ja abipolitseiniku väljaõppe nõuded ning arvestuse sooritamise kord" [Regulation of the requirements for assistant police officer candidate and assistant police officer training and evaluation], *Riigi Teataja*, RT I, 29.12.2010, 142, last updated 2 September 2019, <https://www.riigiteataja.ee/akt/130082019003>.

contrast to police patrols or special operations. An assistant police officer engaged solely in preventive work does not apply special measures or direct coercion and thus does not infringe the fundamental rights of individuals. Preventive work requires first-stage training to be completed. In addition to assistant police officers engaged in preventive work, specific training requirements also apply to candidates who have served as police officers, border guard officials or employees of a security authority, and individuals qualified as security guards. Such persons are not required to undergo first- or second-stage training.³¹

In order to receive a service firearm, an assistant police officer must complete at least 40 hours' firearms training, ending with an assessment. This comprises an examination on knowledge of weapons and legislation governing the use of weapons as well as a practical test on handling. To carry a firearm, an assistant police officer must pass a shooting test at least once per calendar year in addition to the annual in-service training.³²

4.2. TRAINING OF A VOLUNTEER RESCUER

Candidates applying as volunteer rescuers must acquire the basic knowledge and skills necessary for the work through first-stage training lasting at least 16 hours and ending with an evaluation. The preliminary training requirement does not apply to individuals who have served at least three years in the rescue services or completed the 16-hour first-stage training. The successful completion of the preliminary training grants access to second-stage training, which lasts at least 36 hours and provides the knowledge and skills required for the independent completion of assignments.

³¹ Under Section 8(4) of the Assistant Police Officer Act, such individuals must still comply with the general requirement to complete in-service training and pass an annual evaluation.

³² The regulation specifies exceptions that apply to candidates who have served as police officers, border guard officials or employees of a security authority, as they have previously held the right to carry a service weapon. They may complete the firearm evaluation directly or, if they wish, undergo firearms training first. No exceptions apply to assistant police officers or candidates holding a valid personal firearms licence. Although these individuals would have passed a weapons exam and have knowledge about the handling and use of weapons, they are not familiar with their rights and obligations regarding the use of a firearm to maintain public order as an assistant police officer.

The second-stage training requirement does not apply to persons who have served at least three years in the rescue services or completed 30 hours of training before the entry into force of the current Rescue Act. In order to be allowed to participate independently in rescue work assigned by a rescue officer, a volunteer rescuer must complete a minimum of six hours of second-stage training every five years; a volunteer participating in rescue work that requires special training must complete a special training course and in-service training.³³

4.3. TRAINING OF A VOLUNTEER MARITIME RESCUER

The training of volunteer maritime rescuers may be carried out by the PBGB, the Rescue Board or a training provider or educational institution recognised by the PBGB. The latter may recognise as a training provider carrying out such training a person or institution in private or public law who provides training corresponding to the requirements provided for in the Police and Border Guard Act and in the regulations established on the basis of the act. A training provider carrying out the training of volunteer maritime rescuers must be recognised by a decree of the PBGB Director-General (or a written decision of a person authorised by the Director-General).

The first-stage training of volunteer maritime rescuers lasts 40 hours and provides the basic knowledge and skills necessary for the work and the knowledge necessary for the prevention of maritime rescue events. The training ends with an evaluation.

In contrast to the Assistant Police Officer Act and the Rescue Act, there are no statutory exemptions from the training.

The second-stage training of volunteer maritime rescuers lasts 20 hours and provides advanced knowledge for the work and knowledge and skills for leading units of volunteers and for planning their search and

³³ Minister of the Interior Regulation No. 57 of 10 November 2010. Siseminister, "Vabatahtliku päästja kutsesobivuse nõuded ja nende vastavuse kontrollimise kord ning väljaõppe ja arvestuse läbiviimise kord" [Regulation of the requirements for professional qualification of voluntary rescuers and the procedures for verifying conformity thereto, training and evaluation], *Riigi Teataja*, RT I, 19.11.2010, 1, last updated 21 September 2018, <https://www.riigiteataja.ee/akt/118092018009?leiaKehtiv>.

rescue operations. The training ends with an evaluation. A volunteer maritime rescuer must also undergo in-service training and pass an evaluation at least every three years.³⁴

4.4. TRAINING OF A MEMBER OF THE EDL

Training for members of the EDL is provided at various levels and in different specialities by the Estonian Defence League School, which has developed curricula on general military command, advanced military command, special military command, personal development and leadership, and to enhance skills for conducting and managing training.³⁵

The junior non-commissioned officer (squad leader) training includes 16 hours of patrol training. As part of the advanced or special training courses, students will be able to complete a 40-hour defence object control officer course, which provides the ability to lead an internal security team in the guarding and defence of facilities and assets in a variety of crisis situations. Those members of the EDL who are involved in supporting police activities must pass a short special training session on firearms and the use of force.

Those members of the EDL who are involved in supporting police activities must pass a short special training session on firearms and the use of force

³⁴ Minister of the Interior Regulation No. 10 of 12 September 2012. Siseminister, "Nõuded vabatahtlikule merepäästjale, vabatahtliku merepäästja välja- ja täiendusõppele, vabatahtliku merepäästja tunnistusele ja vabatahtliku merepäästja eritunnusele ja selle kandmise korrale" [Regulation of the requirements for voluntary maritime rescuers, their training and continuing education, certification, identification and the procedure of carrying the identification], *Riigi Teataja*, RT I, 18.09.2012, 1, last updated 21 September 2018, <https://www.riigiteataja.ee/akt/118092018007?leiaKehtiv>.

³⁵ "Õppetöö" [Education], Kaitsealiidu kool (Estonian Defence League School), last updated 11 May 2020, <https://kool.kaitsealiit.ee/et/oppe-too>.

5. ARRANGEMENTS FOR INVOLVEMENT OF VOLUNTEERS

5.1. INVOLVEMENT OF ASSISTANT POLICE OFFICERS

A candidate who meets the requirements to be an assistant police officer and has successfully completed the basic training will be appointed as an assistant police officer by a decision of Director-General of the PBGB (or an official authorised by him/her). An assistant police officer will be involved in police activity in the territorial jurisdiction of the police prefecture where he or she was approved as an assistant police officer. Involvement in another jurisdiction requires the prior consent of the assistant police officer. For improved organisation of the activity of assistant police officers, a prefect may form by decree a unit of assistant police officers and establish its modus operandi.

An assistant police officer may commence the performance of a duty only on the basis of a written assignment issued by the head of a police authority or a police officer designated by the authority

An assistant police officer who has completed first-stage training may participate in police activity together with a police officer; an assistant police officer who has completed second-stage training may be authorised to perform the duties independently by a decree of the PBGB Director-General (or an official authorised by him/her).

An assistant police officer may commence the performance of a duty only on the basis of a written assignment issued by the head of a police authority or a police officer designated by the authority. An assignment may also be issued orally by the police control centre if necessary to counter an immediate serious threat. The police will give to an assistant police officer the information necessary for performing a duty, inform him or her of the procedure for carrying

it out and of means of communication, and caution against possible threats.³⁶

5.2. INVOLVEMENT OF VOLUNTEER MARITIME RESCUERS

The police may involve volunteer maritime rescuers in maritime rescue operations under Section 108¹ of the Police and Border Guard Act.³⁷ A volunteer maritime rescuer is a member of a non-profit association that has signed a civil law contract with the PBGB for the organisation of maritime rescue operations and must be recognised by the Board as a volunteer maritime rescuer.

In concluding the contract, the Board considers: the need to involve volunteer maritime rescuers in maritime rescue operations; the number of volunteer maritime rescuers needed in such an operation in the relevant region and the possibilities they provide in the performance of operations; contracts already concluded for the organisation of maritime rescue operations; and other relevant circumstances.

According to the Mol, as of 2018 the PBGB had signed contracts with about 37 maritime rescue associations located in Estonian coastal areas.

Such a contract sets out the working arrangements for the volunteer maritime rescuer; it may also cover the performance of preventive work. After signing the contract, the volunteer maritime rescuer will be recognised by a decree of the PBGB Director-General (or a written decision of a person authorised by him/her). Their competence must be confirmed with specific certificate.

A volunteer maritime rescuer may perform maritime rescue operations, either with a police officer or independently, only when assigned to do so by the police

A volunteer maritime rescuer may perform maritime rescue operations, either with a police officer or independently, only when assigned to do so by the police. Only a

³⁶ Riigikogu, "Assistant Police Officer Act."

³⁷ Riigikogu, "Police and Border Guard Act."

volunteer rescuer who has completed second-stage training may perform independently. Volunteer maritime rescuers are assigned to perform, or participate in the performance of, maritime rescue operations by the Maritime Rescue Coordination Centre.³⁸

5.3. INVOLVEMENT OF VOLUNTEER RESCUERS

Under Section 2(5) of the Rescue Act a rescue service agency may enter into civil law contracts with legal persons for organising the activity of volunteers participating in rescue or preventive work. The law precludes the participation of volunteers in any other type of work specified in the act such as ordnance disposal, processing of emergency notifications, fire safety supervision and crisis management.

Volunteer rescuers are assigned to a rescue officer by a decree of the Director-General of the Rescue Board (or a person authorised by him/her) or are included in a voluntary rescue unit operating under the Rescue Board. The organisation of working arrangements for voluntary rescue units is established by the Director-General of the Board. As a rule, volunteer rescuers will be involved in rescue or preventive work in the territorial jurisdiction of the rescue centre where they are approved as a volunteer rescuer. If necessary and with the consent of the volunteer rescuer, they may also be involved in the territory of another rescue centre.

A volunteer participating in rescue work that requires special capabilities must meet the same physical and health requirements as a professional rescuer

Volunteer rescuers commence rescue work when they receive an oral order to do so, either on site or through other means of communication. Volunteer rescuers who have completed first-stage training may participate in rescue work when assigned by a rescue officer and accompanied by that officer; volunteers who have completed second-stage training may perform rescue work

independently when assigned by a rescue officer. A volunteer participating in rescue work that requires special capabilities must meet the same physical and health requirements as a professional rescuer.³⁹

6. SOCIAL GUARANTEES AND BENEFITS FOR VOLUNTEERS

The need for volunteer resource planning by the state stems from, among other things, the budgetary responsibilities to provide volunteers with the benefits and social guarantees required if they are involved in the performance of public duties. Table B-1 in Annex B summarises the benefits and social guarantees for volunteers compared to those available to the officials employed in the sector, including those for internal security volunteers and Defence League volunteers, as members of the EDL may be involved in responding to a variety of crisis situations.

Under Section 108¹⁵ of the Police and Border Guard Act, when an assistant police officer or volunteer maritime rescuer is killed or injured in the course of performing service duties, benefits are paid and property damage compensated.⁴⁰ The benefits are linked to the salary rate corresponding to the lowest salary grade of a police officer. The social guarantees for assistant police officers and volunteer maritime rescuers do not depend on their length of involvement in service activities.

The benefits for volunteer rescuers are linked to the salary they receive for their principle job. Compensation for the loss of capacity for work resulting from injury or illness sustained in the course of rescue work is also linked to the person's salary. In the event of death of a member of the EDL, lump-sum compensation will be paid by the EDL from funds allocated from the state budget in the amount of 150 times the last average gross monthly salary published by Statistics Estonia prior to the

³⁸ Riigikogu, "Police and Border Guard Act."

³⁹ Riigikogu, "Rescue Act."

⁴⁰ In accordance with Sections 38 and 39 of the Assistant Police Officer Act. Riigikogu, "Assistant Police Officer Act."

month of death.⁴¹ The state will compensate for any direct property damage caused to assistant police officers or their family members as a result of performing their service duties.

While benefits and social guarantees may be a motivating factor for choosing to become a volunteer, the government should consider reasonable favouring of volunteers but avoiding enticing them with benefits

While benefits and social guarantees may be a motivating factor for choosing to become a volunteer, the government should consider reasonable favouring of volunteers but avoiding enticing them with benefits. However, there is also a grey area relating to the fact that many volunteers may not have health insurance, which should be planned for. It is also important to note that the same guarantees apply to volunteers during a crisis or state of war as in normal circumstances. There are no increased compensation rates for police or rescue officers during a crisis situation.

7. THE CHALLENGE OF OVERLAP AND THE INTERNAL SECURITY RESERVE OPTION

In maintaining public order under the Law Enforcement Act, the EDF and the EDL

are not categorised as law-enforcement agencies; instead, they are engaged by the competent law-enforcement agency to provide professional assistance to ensure the application of a special measure applied by that agency. On account of this, any assistant police officers involved as members of the EDF or the EDL are not entitled to fully apply the special measures that they would be authorised to use under the Assistant Police Officer Act.

In order to maximise the effect on the maintenance of public order and internal security, volunteers should be reasonably involved in the role that gives them the greatest statutory powers, while minimising the challenge of overlap in contingency reserves planning. Given that involvement is voluntary, some “double-booking” of volunteers is

In the worst-case scenario, the potential size of the voluntary resources available may be subject to significant overestimates, which could lead to undesirable capability gaps in crisis situations

probably unavoidable and normal, but it should be planned for and managed based on national defence and internal security needs. In the *worst-case scenario*, the potential size of the voluntary resources available may be subject to significant overestimates, which could lead to undesirable capability gaps in crisis situations

Table 1. Division of volunteers and overlapping statuses in the Estonian security sector (indicative)

Status	Assistant police officers (incl. candidates)	Volunteer maritime rescuers	Volunteer rescuers	Total
Persons in MoI civil reserve	1110	503	2200	3813
Engaged with EDF or EDL	406	120	294	820
of which in active military service (KVTS §7)	27	9	27	63
of which conscripted (KVTS §5 lg2)	11	3	3	17
active member of EDL	304	96	236	636
active member of Women’s Voluntary Defence Org. (EDL)	32	4	14	50
employment relationship with EDL	32	8	14	54
Net civil reserve (indicative)	704	383	1906	2993

*KVTS – Kaitseväeteenistuse seadus [Military Service Act]

Source: Primary data supplied to the author by the Estonian MoI in 2018. Data is unofficial and indicative due to constant changes.

⁴¹ Section 61(5) of the Estonian Defence League Act. Riigikogu, “Estonian Defence League Act.”

in the event of a lack of pre-planning and coordination between the relevant agencies.

There is a significant challenge of overlap in human resources planning. In 2017–18, an average of 21% of internal security volunteers were also committed to the EDF or the EDL, of which approximately 36% were assistant police officers, 24% volunteer maritime rescuers and 13% volunteer rescuers. The division of volunteers and indicative overlapping statuses in the Estonian security sector is shown in Table 1.

7.1. INTERNAL SECURITY RESERVE DEVELOPMENT APPROACH

An analysis from 2018 by the MoI suggested the creation of a unit of internal security volunteers quite similar in status to national defence officers in reserve.⁴² This would mean in general that in peacetime the volunteers give their consent to take part in maintaining public order in a state of war and this commitment would become binding unless consent is withdrawn before a crisis situation arises.

This kind of volunteers would not be subject to mobilisation, EDF reservist training or temporary work obligation and the state assets at the disposal of the unit, such as vehicles, weapons, special equipment and communication equipment, would not be reallocated. The volunteers in the unit should be provided with training as assistant police officers and rescuers. Alternatively, the volunteers could be instated as police officers or rescue officers in a state of war based on their consent given in peacetime, which would exempt them from mobilisation in the EDF. In this case, as volunteers they could still withdraw their consent before a crisis arises and the government would not have a legally binding guarantee for capability-planning purposes.

The MoI revised the idea of creating a *voluntary* internal security reserve and moved towards a concept in which selected and appropriately trained reserve personnel would be instated in wartime positions. It is planned

to train and supply around 700 internal security reservists between 2020 and 2024, at a cost of approximately 20 million euros.⁴³ This number of units roughly corresponds to the current

It is planned to train and supply around 700 internal security reservists between 2020 and 2024, at a cost of approximately 20 million euros

estimated overlap in the use of national defence and internal security volunteers. Creating an internal security reserve of wartime strength would improve the planning and development of human resources, as Estonian legislation does not currently permit long-term planning of the use of volunteer resources.

Since the core scope of the establishment of an internal security reserve is to create a mandatory system for those who are in police service in reserve, this would no longer be a voluntary mechanism. Alternatively, volunteers could be instated as police officers or rescue officers in an emergency or state of war based on their prior consent, but even then they would be able to withdraw their consent, which is why this model for the involvement of reservists would also not provide a guaranteed basis for sustainable planning. However, the advanced volunteer human resources management model in the Estonian security sector needs to be agreed between the MoI and the MoD.

The advanced volunteer human resources management model in the Estonian security sector needs to be agreed between the MoI and the MoD

⁴² Detailed reference is for official use only.

⁴³ "Sisekaitse reservi loomine nõuab nelja aastaga 20 miljonit eurot" [Establishment of internal security reserve demands 20 million euros during four years], ERR, 17 September 2019, <https://www.err.ee/981248/sisekaitse-reservi-loomine-nouab-nelja-aastaga-20-miljonit-eurot>.

CONCLUSION AND RECOMMENDATIONS

Estonia's experience with the mass disorder of April 2007 and the emergency caused by the spread of Covid-19 increased the urgent temporary need for additional human resources to support various kinds of policing and other public-safety tasks. There is a significant need for volunteers in both national defence and internal security and the authorities are looking for ways to expand the base of well-prepared and motivated human resources available in emergency situations. In Estonian practice the EDL has also quite often been involved in supporting the police at high-level summit conferences to mitigate the temporary workload of the PBGB.

One of the bottlenecks for the involvement of volunteers in a state of emergency has been their relatively limited legal powers, which were strengthened to better fit for purpose by recent amendments. Appropriate distinctions about the involvement of volunteers during periods of crisis should be further assessed and enacted in Estonian legislation. In parallel, the proportionality between their legal competences, public tasks and actual skills should be guaranteed to avoid errors in action with some serious consequences. The government can involve volunteers in implementing important public-safety tasks but ultimate responsibility remains with the state authorities.

The proportionality between their legal competences, public tasks and actual skills should be guaranteed to avoid errors in action with some serious consequences

In addition, the regulations should be supplemented to enable better inter-agency HR coordination about individuals who could be involved in assistant policing and other voluntary tasks if needed. It is also important to note that any significant enhancement of law-enforcement powers must be reflected in the terms and conditions of specialised training and advanced qualification assessment.

In order to support this, a comprehensive competence model and a cooperation system that correspond to a broad concept of national defence should be further developed; these

Any significant enhancement of law-enforcement powers must be reflected in the terms and conditions of specialised training and advanced qualification assessment

should include voluntary functions and allow for enhancing the effectiveness of voluntary resource involvement. The centre for competence should bring together the training and development capabilities of the Estonian Military Academy, the Estonian Academy of Security Sciences and the Estonian Defence League School.

Considering some options to enhance the legal competences of volunteers' work in progress, the Law Enforcement Act provides

The centre for competence should bring together the training and development capabilities of the Estonian Military Academy, the Estonian Academy of Security Sciences and the Estonian Defence League School

for exceptions extending the scope of special measures for the identification of persons during mass disorder and detention of persons that a police officer is authorised to use.⁴⁴ Assistant police officers are also authorised to implement a number of special measures when operating on a police assignment, either together with a police officer or independently in certain situations.

However, while potential large-scale detention during mass disorder requires the involvement of assistant police officers in the process at detention facilities or custodial facilities, current legislation does not provide for such an independent role for them. Mass disorder may also entail the need to disperse

⁴⁴ Sections 32(9), 46(6) and 46(7) of the Law Enforcement Act. Riigikogu, "Law Enforcement Act."

public gatherings, but assistant police officers are not authorised to do this either. The proposal to extend the authority of volunteers in situations of mass disorder should therefore be considered but in parallel their training programmes and evaluation criteria need to be correspondingly supplemented and improved.

A similar approach would be helpful concerning events at sea, which are coordinated by the Joint Rescue Coordination Centre (JRCC), involving volunteer maritime rescuers on duty in the area or nearby as necessary. A specific event may require the nearby coastal area to be cordoned off, which could be carried out by certified and legally empowered assistant police officers.⁴⁵

Performing border guarding functions in cases of quarantine or mass immigration may require assistant police officers or members of the EDL to be deployed at national borders or at designated locations for the identification of individuals. A need for additional custodial facilities and resources for escorting migrants to the facilities and guarding them may also arise during crises.

Depending on the reasons for the irregular mass immigration, the involvement of assistant police officers may be necessary for imposing and guarding temporary exclusion zones to prevent the spread of communicable diseases. In such emergencies, the right to impose an exclusion zone or break up illegal gatherings with the permission and under the supervision of the responsible commanding police officer should be an appropriate measure as an enhanced mandate for accredited assistant police officers in emergencies.

In the event of irregular migrants arriving by sea, volunteer maritime rescuers may be needed but most of them have no specific border guard and law enforcement training. In this case, assistant police officers should be legally authorised to work alongside police officers in escorting to detention facilities, detaining individuals at the facilities or other places for temporary detention and imposing an exclusion zone. Volunteer maritime rescuers

⁴⁵ The Estonian term “viibimiskeeld” basically means a ban that is applied to cordon off or close down an area imposing an “exclusion zone”.

should also have access to necessary border guard training.

Volunteers involved in and with practical experience of the maintenance of public order have an important role to play in emergencies.⁴⁶ The most needed group of volunteers is assistant police officers with experience in patrolling and maintaining road safety. When dealing with an emergency, the police and other competent law-enforcement agencies are authorised to apply the general and specific measures specified in the Law Enforcement Act on the same principles as they are normally applied, according to the type of threat.

According to amendments adopted in April 2020, volunteers have extended authority in emergency situations

According to amendments adopted in April 2020, volunteers have extended authority in emergency situations. However, assistant police officers are not fully mandated to be involved in mass evacuation activities performed by the police. As mass evacuation is a task that requires extensive additional resources, appropriately trained assistant police officers and members of the EDL should be fully mandated to take part in evacuation operations under the supervision of commanding police officers.

According to the Emergency Act, the Government of the Republic may declare an emergency situation⁴⁷ to deal with an emergency caused by a natural disaster, catastrophe or spread of a communicable disease. A catastrophe means, above all, a large-scale accident or emergency or other incident with a similar effect caused by human

⁴⁶ Section 2(1) of the Emergency Act states that an emergency is an event, a chain of events or an interruption of a vital service which endangers the life or health of many people, or causes major property damage, major environmental damage or severe and extensive interference in the continuity of vital services and the resolution of which requires the prompt coordinated activities of several authorities or individuals involved by them, the application of a different command organisation from usual and the involvement of more human and other resources than usual. Riigikogu, “Emergency Act,” *Riigi Teataja*, RT I, 03.03.2017, 1, 13 June 2017, <https://www.riigiteataja.ee/en/eli/ee/513062017001/consolide>.

⁴⁷ The term “emergency situation” is used here as in the English translation of the Emergency Act. Riigikogu, “Emergency Act.”

activity, including an interruption with severe consequences or prolonged interruption of an essential service.⁴⁸ Applying special procedures, the EDF and the EDL may be involved in dealing with an emergency that has led to the declaration of an emergency situation for emergency work, some traffic management during the emergency situation or ensuring safety in the emergency situation zone.⁴⁹

In such cases, the EDF and the EDL will be involved in what is essentially policing and resolution of rescue events. The servicemen and active members of the EDL will be authorised to apply coercion in accordance with the provisions of the Emergency Act on

the use of coercion by the police, provided that they have the appropriate additional training.

In the event that the EDL is involved, its members will have the right to apply some coercion, but as the EDL is not a law-enforcement agency under Estonian legislation, they are limited to applying special measures. Hence, those EDL members involved who also have the status of assistant police officer could be more reasonably employed in that role with the enhanced legal authority that comes with it in safeguarding public order. However, the advanced volunteer human resources management model in the Estonian security sector needs to be negotiated and agreed between the MoI and the MoD.

⁴⁸ Section 19 of the Emergency Act. Riigikogu, “Emergency Act.”

⁴⁹ Section 34 of the Emergency Act. Riigikogu, “Emergency Act.”

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ANNEX A: COMPETENCIES, REQUIREMENTS AND RESTRICTIONS

Table A-1. The main competencies of volunteers in maintaining public order

Law Enforcement Act measure*	Assistant police officer	Volunteer maritime rescuer	Volunteer rescuer
§28. Precept and application of administrative coercive measure	+	–	–
§30. Questioning and requiring of documents	+	+	+
§32. Establishment of identity	+ (subsections 1–3)	–	–
§34. Processing of personal data by using monitoring equipment	+ (limited)	–	–
§38. Checking and establishment of intoxication by alcohol on site	+ (using an indicator device only)	–	–
§41. Establishment of consumption of narcotic drug or psychotropic substance or another intoxicating substance, or state of intoxication caused thereby	+ (with reservations)	–	–
§42. Taking of person in state of intoxication to recover from intoxication	+ (not independently)	–	–
§44. Prohibition on stay	+ (with reservations)	–	–
§45. Stopping of vehicle	+ (with reservations)	–	–
§46. Detention of person	+	–	–
§47. Security check	+	–	–
§48. Examination of person	+	–	–
§49. Examination of movable	+	–	–
§50. Entry into premises	+ (with reservations)	+ (with reservations)	+ (with reservations)
§51. Examination of premises	+ (with reservations)	–	–
§52. Taking into storage of movable	+	–	–

* The table uses the terminology in the English translation of the *Riigi Teataja*. “Home,” *Riigi Teataja* (State Gazette), <https://www.riigiteataja.ee/en>, as of 1 May 2020.

Table A-2. Service requirements and restrictions for volunteers

Requirements	Assistant police officer	Volunteer maritime rescuer	Volunteer rescuer
<i>Age and Citizenship</i>	18 or above, Estonian citizen.	18 or above	18 or above
<i>Education</i>	At least basic education. At least secondary education to work independently. Certified professional course.	Certified professional course.	Certified professional course.
<i>Language levels</i>	At least B2 level in Estonian. At least C1 level to work independently.	Not specified.	Not specified.
<i>Restricting circumstances</i>	Limited active legal capacity; criminal record for an intentionally committed crime; suspected or accused in criminal proceedings; deprived of the right to work as a police officer by a court judgment that has entered into force; addicted to alcohol, narcotic drugs or psychotropic substances; mental disorder; severe personality or behavioural disorder; a health disorder that prevents the performance the duties of an assistant police officer; behaviour or lifestyle that endangers own safety or that of another person. Being a judge or prosecutor.	Limited active legal capacity; convicted of an intentionally committed criminal offence in the first degree; addicted to alcohol, narcotic drugs or psychotropic substances; mental disorder; severe personality or behavioural disorder or physical disability that prevents the performance of the duties of a volunteer maritime rescuer; unsuitability for performing the duties due to behaviour or way of life or behaviour endangering own safety or that of another person.	Limited active legal capacity; addicted to alcohol, narcotic drugs or psychotropic substances; mental disorder or severe personality or behavioural disorder; physical disability that prevents the performance of the duties of a volunteer rescuer, except for persons participating in preventive work.

Sources: Riigikogu, “Assistant Police Officer Act” (§§4 and 5); Riigikogu, “Rescue Act” (§§33 and 34); Riigikogu, “Police and Border Guard Act” (§§108⁶ and 108⁷) as of 1 May 2020.

ANNEX B: SOCIAL GUARANTEES AND BENEFITS

Table B-1. Social guarantees and benefits for volunteers

Basis for implementing guarantee	Assistant police officers	Volunteer maritime rescuers	Volunteer rescuers	Defence League volunteers	Uniform arrangements for civil servants
<i>Immediate death or fatal injury</i>	For children, parents, widow(er) and other persons maintained by the deceased in accordance with the Family Law Act, a lump-sum compensation equal to 120 times the salary rate corresponding to the lowest salary grade of a police officer.	For children, parents, widow(er) and other persons maintained by the deceased in accordance with the Family Law Act, a lump-sum compensation equal to 120 times the salary rate corresponding to the lowest salary grade of a police officer.	For family members and persons maintained by the deceased in accordance with the Family Law Act, a lump-sum compensation equal to 10 years' salary of the deceased. The state covers funeral expenses as specified in Civil Service Act.	Lump-sum compensation in the amount of 150 times the last average gross monthly salary published by Statistics Estonia prior to the month of death. The state covers funeral expenses as specified in the Estonian Defence League Act.	For children, parents, widow(er) and other persons maintained by the deceased in accordance with the Family Law Act, a lump-sum compensation equal to 10 years' average salary of the deceased. If an officer is killed or fatally injured as a result of an attack while performing service-related duties or in the course of preventing an offence, resolving a rescue event or countering a threat, the children, parents and widow(er) of the deceased and other persons maintained by the deceased in accordance with the Family Law Act receive a lump-sum compensation equal to 20 years' average salary of the deceased.
<i>Partial loss of capacity for work</i>	Compensation equal to 12 times the salary rate corresponding to the lowest salary grade of a police officer.	Compensation equal to 12 times the salary rate corresponding to the lowest salary grade of a police officer.	Compensation in the amount of up to 2 years' salary of the person.	In relation to the incapacity extent, compensation in the amount of 6–72 times the last average gross monthly salary published by Statistics Estonia prior to the month of evaluation of the person's capacity for work.	Compensation in the amount of up to 8 years' average salary of the person.

<i>Total incapacity for work</i>	Compensation equal to 60 times the salary rate corresponding to the lowest salary grade of a police officer.	Compensation equal to 60 times the salary rate corresponding to the lowest salary grade of a police officer.	Compensation in the amount of up to 7 years' salary of the person.	Compensation in the amount of 96 times the last average gross monthly salary published by Statistics Estonia prior to the month of evaluation of the person's capacity for work.	Compensation in the amount of up to 13 years' average salary of the person.
<i>Bodily injury accompanied by temporary loss of capacity for work</i>	Lump-sum compensation equal to the salary rate corresponding to the lowest salary grade of a police officer.	Lump-sum compensation equal to the salary rate corresponding to the lowest salary grade of a police officer.	Not specified.	Not specified.	Lump-sum compensation in the amount of one month's average salary of the officer.
<i>Injury or illness</i>	Medical treatment and medication costs.	Medical treatment and medication costs.	Medical treatment and medication costs.	Medical treatment and medication costs.	Medical treatment and medication costs.
<i>Transport, communications and other costs necessary for performing an assignment</i>	Compensated by the PBGB or local government.	Compensated by the PBGB in the amount established by the Government of the Republic to the volunteer maritime rescuer who incurred the expenses or to the non-profit association that holds a contract with the PBGB.	Compensated under considerations by the Rescue Board.	Compensation is paid for expenses incurred during the performance of service duties. A maximum limit applies.	Compensation is paid for expenses incurred during the performance of service duties. A maximum limit applies.

Sources: Riigikogu, "Assistant Police Officer Act" (§§38–40); Riigikogu, "Police and Border Guard Act" (§§10815 and 10816); Riigikogu, "Rescue Act" (§§40 and 41); Riigikogu, "Civil Service Act," Riigi Teataja, RT I, 06.07.2012, 1, 9 July 2014, <https://www.riigiteataja.ee/en/eli/509072014003/consolide> (§§47 and 49); Riigikogu, "Estonian Defence League Act" (§§58, 601, 61–65 and 67) as of 1 May 2020.

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