

STUDY
„THE ORGANIZATION OF MIGRATION
AND ASYLUM POLICY IN LATVIA”

Riga, December 2008

The Latvian contact point of the European Migration Network is responsible for the development of the study in Latvia

The Office of Citizenship and Migration Affairs is the Latvian contact point of the European Migration Network

Authors of the study:

Māra Prah, coordinator of the Latvian contact point of the European Migration Network

Ilze Siliņa-Osmāne, expert of the Latvian contact point of the European Migration Network

Reviewers:

Iveta Muceniece, JHA counsellor (migration, asylum, visa)

Ilze Briede, Head of the Migration Policy Division

Līga Vijupe, Director of the Refugee Affairs Department

Ineta Logina, Head of the Supervision Division of the Persons' Status Control Department

Daina Rozenberga, Deputy Head of the Migration Policy Division

Contacts:

Čiekurkalna 1.line 1, B-3

Rīga, Latvia, LV-1026

Phone: +371 67219515

Fax: +371 67219431

E-mail: coordination@pmlp.gov.lv

Web: www.pmlp.gov.lv

TABLE OF CONTENTS

| | |
|---|----|
| ANOTATION | 4 |
| INTRODUCTION | 5 |
| 1. POLITICAL, LEGISLATIVE AND INSTITUTIONAL FRAMEWORK OF THE MIGRATION AND ASYLUM POLICY IN LATVIA | 7 |
| 1.1. POLITICAL FRAMEWORK | 7 |
| 1.2. INSTITUTIONAL FRAMEWORK | 10 |
| 1.3. LEGISLATIVE FRAMEWORK | 14 |
| 2. DEVELOPMENT OF THE SYSTEM OF ASYLUM AND MIGRATION | 17 |
| 3. ORGANIZATION OF POLICY IN THE FIELD OF ASYLUM AND MIGRATION | 25 |
| 3.1. MIGRATION | 25 |
| 3.1.1. ENTRY PROCEDURE | 25 |
| 3.1.2. ADMISSION CONDITIONS | 27 |
| 3.1.3. LEGAL RESIDENCE | 31 |
| 3.1.4. ACCESS TO THE LABOUR MARKET | 33 |
| 3.1.5. RETURN | 36 |
| 3.2. ASYLUM | 40 |
| 3.2.1. PROCEDURE OF GRANTING INTERNATIONAL PROTECTION | 40 |
| 3.2.2. LEGAL RESIDENCE | 44 |
| 3.2.3. ACCESS TO THE LABOUR MARKET | 44 |
| 3.2.4. RETURN | 44 |
| 3.3. LINKS OF THE MIGRATION AND ASYLUM FIELD WITH OTHE FILDS OF POLICY | 45 |
| 4. ANALYSIS OF THE SYSTEM OF ASYLUM AND MIGRATION | 48 |
| ANNEX | 50 |
| LIST OF LITERATURE AND SOURCES | 64 |

ANOTATION

In accordance with the work programme 2008 of the European Migration Network the first study in the year 2008 is „**The organisation of Migration and Asylum Policy in the Member States of the European Union**”.

The **aim** of the study is to characterize and describe structure of the migration and asylum policy.

The Latvian contact point of the European Migration Network has characterized and described the structure of migration and asylum policy in Latvia for the time period from the year 1991 till 2008 including.

Main conclusions about effectiveness of the migration and asylum system will be summarized in the synthesis report prepared by the Commission of the European Union using reports submitted by the contact points of 26 Member States.

Political, legal and institutional frame of the migration and asylum field in Latvia has been considered in the **first part of this report**. Namely, answers to following questions have been provided; which are the main institutions involved in the migration and asylum field, what is the general structure of the legal system, which are the most relevant laws and regulations, at what level decisions in the migration and asylum field are taken, as well as who are the main players. In Latvia there is a quite a number of institutions that are responsible for certain scope of questions related to the migration and asylum field, but this does not mean that the system is less effective.

Development of the migration and asylum system has been considered in the **second part of the report**. In this section a short historical retrospect has been provided on how the migration and asylum system has developed in Latvia. If compared to other Member States than Latvia is quite a new country where work on regulation of migration processes has been started only after the restoration of independence on May 4, 1990.

In the **third part** of the study detailed information on organization of migration and asylum policy has been provided; containing such sections as procedures of entry, conditions of admission, access to the labour market, legal residence and return. In the third part organization of migration and asylum has been described separately. In this part general information has been provided as the aim of this work is not to rewrite laws and regulations of the Cabinet of Ministers, but to highlight the significant. Besides in this part policy of migration and asylum has been considered in relation with other fields of policy. In the work most important current relations with other fields of policy have been described, namely, employment policy, education policy, foreign policy, and integration policy.

In the **forth part** of the work conclusions on the effectiveness of the migration and asylum system have been provided. Conclusions have been carried out on the basis of **most relevant** conclusions drawn in other researches, collections, mass media about the effectiveness of the system and performing analysis of these conclusions as the Latvian contact point of the European Migration Network is the Office of Citizenship and Migration Affairs who also accomplishes creation of this study. The Office of Citizenship and Migration Affairs is one of the main institutions in the implementation of the migration and asylum policy therefore analysis of the migration and asylum system might not be objective.

In the development of the work those state institutions and experts of institutions were involved who possess necessary information on the development of the migration and asylum policy. Internet was used to broaden the amount of information meant for analysis and to explore articles, opinions on the migration and asylum policy.

All together the work consists of 67 pages and it has 1 table, 8 diagrams, 9 images, and 11 annexes.

INTRODUCTION

In the work programme of the European Migration Network (hereinafter – the Network) for the second half-year of 2008 it is foreseen to develop one study as well as to start work on the next study.

The Network was officially established on May 14, 2008 when the Council of Europe adopted decision Nr.2008/381/EC¹, establishing European Migration Network, whose main objective is to fulfil the informational needs of the institutions of the Community and the Member States providing current, objective, reliable and comparable information on migration and asylum in order to support the policy making of the European Union in these fields. Participation in the Network is compulsory to all the Member States of the European Union except Denmark who is not taking part in the adoption of this Decision.

In order to integrate in the Network those Member States of the European Union which joined the network only after the Decision came into force not during the experimental phase of the Network (from the year 2003 till 2006) national contact points of the Network proposed and the Steering Board of the Network adopted a study “The Organisation of Asylum and Migration Policies in the EU Member States”. This study is of limited volume and with a clearly defined aim to characterize and describe structure of the migration and asylum policy.

The Latvian contact point of the Network has characterized and described the structure of the migration and asylum policy in Latvia for the time period from 1991 till 2008 including; providing a short insight about the time period from the year 1918 till 1940.

Object of the study is a third country national who wants to enter and reside in Latvia, excluding citizen of the European Union who is using the rights of free movement in the European Union.

Object of the study is effectiveness of the migration and asylum policy in Latvia.

In order to achieve the aim of the work following tasks have been set forward: to examine political, legal and institution frame in the field of migration and asylum as well as organization of the migration and asylum policy including procedures of entry, conditions of admission, legal residence in the country, acceptance to the labour market, as well as return of third country nationals.

The most important task of this work is to identify how effective is the migration and asylum policy in Latvia.

¹ Council Decision of May 14, 2008 No.2008/381/EC establishing European Migration Network, Official Journal of the European Union L 131, 21.05.2008., 7-12 p

This study is mainly meant for the national contact points of the Network and the Commission of the European Union (hereinafter – the Commission). Undeniably this work is going to be a reference object both for the state institutions and persons who are interested in and want to follow the changes in the structure of the migration and asylum policy.

In the development of the work those state institutions and experts of institutions were involved who possess the necessary information on the development of the migration and asylum policy: the Office of Citizenship and Migration Affairs, the State Border Guard, the Naturalization Board, Secretariat of the Special Assignment Minister for Social Integration. Developers of the work did not address the experts of institutions separately as extensive and current information can be found on the external home pages of other state institutions involved in the field of migration and asylum.

Internet was used in order to broaden the amount of information meant for analysis and to explore articles, opinions on the migration and asylum policy. Articles, researches, and opinions used in the work can be found in the section of this work on the literature and sources used in the work.

Latvian legal base, literature found in newspapers on the chosen topic as well as the statistical data and information gathered and provided by the institutions involved in the study was used in the preparation of the study. Besides also the information from the previous studies of the Latvian contact point of the Network was used in the study: [Policy Report about Migration and Asylum Situation in Latvia Reference Year 2006](#), [Policy Report about Migration and Asylum Situation in Latvia Reference Year 2007](#), Country Study [Return Migration](#), [Statistical Report on Asylum, Legal and Illegal Migration in Latvia in 2006](#) as well as the Country Study [Conditions of Entry and Residence of Third Country Highly Skilled Workers in Latvia](#).

As the legislation in the migration and asylum field is quite extensive describing the section on organization of migration and asylum policy only information used in general cases was reflected. If the reader wants to receive information about actions in specific cases than all the legal acts were answers can be found have been added in the annex of this work.

In the work process it was realized that it is hard to describe the legal stay of the third country nationals as so far the integration of immigrants has not been on a priority list of the Latvian government therefore information here is very laconic. Also information reflected in the section on the voluntary return of the third country nationals is concise because the work on implementation of this kind of programmes has been started only this year and there are no concrete results available. In the same way nongovernmental organizations that would be active in the field of migration and asylum have not been mentioned in this study.

1. POLITICAL, LEGISLATIVE AND INSTITUTIONAL FRAMEWORK OF THE MIGRATION AND ASYLUM POLICY IN LATVIA

1.1. Political Framework

Independence of the Republic of Latvia was restored on May 4, 1990² and its fundamental law is the **Constitution of Latvia**³ (Latvian: Satversme) that was adopted in 1922.

Latvia is democratic parliamentary republic. The parliament of Latvia is the **Saeima** that is the main institution of the state and it is only institution that is elected in direct elections by the citizens of the Republic of Latvia who enjoy full rights of citizenship and, who on election day have attained eighteen years. The Saeima is a unicameral parliament. It consists of one hundred members of parliament that are elected for four years by the citizens of Latvia. The elected members of parliament can not be recalled. The Saeima is elected in general, equal and direct elections, and by secret ballot based on proportional representation.

The Saeima implements its most important tasks – legitimization of political regime and implementation of the political power in the interests of the society – by using the rights indicated in the Constitution. The Constitution of Latvia determines the rights and functions of the Saeima:

- a) Elections of the President;
- b) Appointment, resignation of the Cabinet of Minister as well as monitoring of its actions;
- c) Adoption and amendments of laws (also state budget) and decisions;
- d) Appointment and dismissal of different officials.

Internal functions and procedures of the Saeima are determined by the **Rules of Procedure of the Saeima**⁴.

The Cabinet of Ministers is the highest executive body of the Republic of Latvia. **The Cabinet of Ministers Structure Law**⁵ determines judicial, effective, continuous and correspondent to the democratic system functioning of the Cabinet of Ministers. The Cabinet of Ministers is formed by a person invited by the State President. The Cabinet of Ministers

² May 4, 1990 Declaration on the Restoration of Independence of the Republic of Latvia, the Messenger No.20, 17.05.1990.

³ Constitution of Latvia, The Latvian Herald Nr.43, 01.07.1993.

⁴ The Law „Rules of Procedure of the Saeima”, the Latvian Herald No.96, 18.08.1994.

⁵ The Cabinet of Ministers Structure Law, the Latvian Herald No.82, 28.05.2008.

consists of the Prime Minister who invites ministers who are responsible for following ministries:

- a) Ministry of Defence,
- b) Ministry of Foreign Affairs,
- c) Ministry for Children and Family Affairs,
- d) Ministry of Economics,
- e) Ministry of Finance,
- f) Ministry of Interior,
- g) Ministry of Education and Science,
- h) Ministry of Culture,
- i) Ministry of Welfare,
- j) Ministry of Regional Development and Local-governments;
- k) Ministry of Transport,
- l) Ministry of Justice,
- m) Ministry of Health,
- n) Ministry of Environment,
- o) Ministry of Agriculture and
- p) Secretariat of the Special Assignment Minister for Social Integration.

In accordance with the Cabinet Order Nr. 650 of the October 29, 2008 „About the Reorganization of the Secretariat of the Special Assignment Minister for Social Integration”⁶ from the January 1, 2009 the Secretariat of the Special Assignment Minister for Social Integration will be merged with the Ministry for Children and Family Affairs and the new title is going to be **the Ministry of Children, Family and Integration Affairs**.

On November 4, 2008 the Cabinet of Ministers decided from January 1, 2009 to liquidate the Ministry for Special Assignments for Administration of European Union Funds and to hand over its functions to the Ministry of Finance⁷.

If the Saeima gives a non-confidence vote to the Prime Minister, all the Cabinet must resign. If a minister receives a non-confidence vote he/she must resign and the Prime Minister

⁶ The Cabinet Order “About the Reorganization of the Secretariat of the Special Assignment Minister for Social Integration” No.650, 29.10.2008, Latvian Herald No.169, 30.10.2008.

⁷ The regulations of the Cabinet of Ministers on November 4, No.918 „Recognizing the regulations of the Cabinet of Ministers on July 14, 2008 No.557 „Regulations about Competence of the Ministry for Special Assignments for Administration of European Union Funds” as invalid”, the Latvian Herald No.175, 11.11.2008.

shall invite another person. The Saeima expresses its non-confidence to all the Cabinet by adopting a respective decision or by rejecting annual state budget submitted by the Cabinet.

The Cabinet deliberates draft laws prepared by individual ministries as well as matters which pertain to the activities of more than one ministry, and issues of State policy raised by individual members of the Cabinet. The Cabinet starts to fulfil its duties after the Saeima has supported it with the vote of confidence.

The Rules of Procedure of the Cabinet of Ministers⁸ regulate matters of Cabinet's internal order and procedure.

The State Administration Structure Law⁹ ensures a democratic, lawful effective, open and publicly accessible state administration. The law determines the institutional system of the state administration subordinate to the Cabinet of Ministers and basic provisions regarding the operation of state administration.

State administration is organised in a single hierarchical system. State administration under the management of the Cabinet of Ministers performs the administrative functions of executive power, which functions consist of specific administrative tasks and liability for the performance of such tasks.

Elections of 9th Saeima were held on October 7, 2006. The Central Election Commission confirmed the results of 9th Saeima elections on October 25, 2006. Elections seats in the parliament were gained by 7 candidate lists of parties and associations of parties – Peoples' Party (23 seats), "Union of the Greens and Farmers" (18 seats), New Era (18 seats), Concord Centre (17 seats), Electoral Union of Latvia's First Party and Party Latvian Way (10 seats), Latvian National Conservative Union "For Fatherland and Freedom"/LNNK (8 seats), "For Human Rights in United Latvia" (6 seats).

In the Saeima on December 20, 2007 newly established government of Ivars Godmanis was approved. He is a representative of the Union of Latvia's First Party and Party Latvian Way and before being nominated the Prime Minister I. Godmanis was the minister of Interior. The new government was formed by **rightwing centrist coalition** of four parties the People's Party, the Union of Greens and Farmers, the Union of Latvia's First Party and Party Latvian Way and the Union for Fatherland and Freedom/LNNK.

⁸ The regulations of the Cabinet of Ministers on March 12, 2002 No.111 „The Rules of Procedure of the Cabinet of Ministers”, the Latvian Herald No.42, 15.03.2002.

⁹ The State Administration Structure Law, the Latvian Herald No.94, 21.06.2002.

1.2. Institutional framework

The Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Welfare, the Ministry of Economics, the Ministry of Justice, the Ministry of Finance, the Ministry of Health, the Ministry of Education and Science and from January 1, 2009 also the Ministry of Children, Family and Integration Affairs are those Latvian state administration institutions that are responsible for a certain scope of questions related to migration and asylum field (see Annex 1).

[The Ministry of Interior](#) is a leading state administration institution in the field of internal affairs whose one of the subsections is migration. It also develops and implements policy in the field of migration as well as in the state boarder protection of the Republic of Latvia.

[The Office of Citizenship and Migration Affairs](#) is a state institution under the supervision of the Ministry of Interior that is responsible for the implementation of the state migration policy, including development and implementation of repatriation and asylum policy and issuance of person's identification documents and travel documents¹⁰. In accordance with the Latvian legal norms in force the Office of Citizenship and Migration Affairs issues residence and work permits to foreigners, confirms invitations for visa and residence permit application, issues visas inside the country and is the central authority as defined in the second part of the article 17 of the Convention implementing the Schengen Agreement of June 14, 1985.

[The State Border Guard](#) is an armed, direct administration state institution under the supervision of the Minister of Interior that implements the state border security policy as well as, in accordance with its competence, state migration policy. The functions of the State Border Guard are to ensure the inviolability of the state border and the prevention of illegal migration¹¹. In accordance with the laws and regulation the State Border Guard controls how the rules on the entry, residence, exit and transit of aliens into the territory of the Republic of Latvia are observed as well as, in accordance with its competence, performs activities that regulate the migration and asylum field and are foreseen in the rules and regulations¹².

¹⁰ Regulations of the Cabinet of Ministers on October 3, 2006 No.811 „The Statutes of the Office of Citizenship and Migration Affairs”, the Latvian Herald No.160, 06.10.2006.

¹¹ Regulations of the Cabinet of Ministers on February 15, 2005 No.122 „The Statutes of the State Border Guard”, the Latvian Herald No.28, 18.02.2005.

¹² The Border Guard Law, the Latvian Herald No.329/330, 16.12.1997.

[The Ministry of Foreign Affairs](#) is responsible for the external dimension of the migration and asylum field; this means relations with third countries as well as the questions related to the migration and development policy.

The Consular Department¹³ of the Ministry of Foreign Affairs within the framework of its competences collaborates with the responsible authorities of the Ministry of Interior and foreign diplomatic and consular representations on questions related to removal of aliens, coordinates collaboration between the diplomatic and consular representations of the Republic of Latvia and competent institutions in questions of citizenship, issuance of visas and residence permits, etc.

The diplomatic and consular representations of the Republic of Latvia mainly ensure protection of interests of the citizens of Latvia, non-citizens of Latvia, stateless persons who have a long-term residence permit in the Republic of Latvia as well as the interests of legal entities abroad; informs official international institutions and society about Latvia; coordinates international relations of the Latvian state institutions; provides the Latvian state institutions and society with information that is obtained abroad in any legal way as well as performs consular functions, for example, makes decisions about issuance or refusal to issue visas; provides consultations on visa issues; accepts documents for residence permits in Latvia submitted by aliens and send them to the Office of Citizenship and Migration Affairs for a decision making, issues a long term visa for receiving a residence permit; makes the necessary interviews of aliens.

Questions related to the economical migration for the needs of labour market and national economy are under the management of [the Ministry of Welfare](#) that is leading state institution in the field of social protection and gender equality¹⁴ and [the Ministry of Economics](#) that develops and implements structural policy of the national economy¹⁵ and is responsible for forecasting of labour supply and demand.

[The State Employment Agency](#) that is under the supervision of the Ministry of Welfare implements the state policy in the field of reducing unemployment and support to unemployed, to those who are searching for work and to those who are under the risk to become unemployed. One of the tasks of the State Employment Agency in the field of migration is to confirm work invitations and to maintain the register of guest workers.

¹³ Regulations of the Consular Department of the Ministry of Foreign Affairs, see internet 05.11.2008. <http://www.am.gov.lv/lv/Ministrija/struktura-funkcijas/KonsularaDepartamentaReglaments/>

¹⁴ Regulations of the Cabinet of Ministers on January 27, 2004 No.49 „The Statutes of the Ministry of Welfare”, the Latvian Herald No. 16, 30.01.2004.

¹⁵ Regulations of the Cabinet of Ministers on April 29, 2003 No.238 „The Statutes of the Ministry of Economics”, the Latvian Herald No.70, 13.05.2003.

[The State Revenue Service](#) is a direct administration state institution under the supervision of the Minister of Finance provides information that a legal entity who wants to employ an alien or who has invited an alien does not poses outstanding payments of taxes and duties that are under the administration of the State Revenue Service.

[The Naturalization Board](#) is an institution of direct administration under the supervision of [the Minister of Justice](#) its objective is to implement state policy in the field of the citizenship of Latvia by reviewing applications for granting the citizenship, by organizing examinations before granting the citizenship, by reviewing applications of renunciation of the citizenship of Latvia, by making decision on acknowledging the person as having lost the citizenship of Latvia or on refusal to acknowledge the person as having lost the citizenship of Latvia¹⁶.

Administration of Legal Assistance is a direct state administration institution under the supervision of the Minister of Justice that manages funds that are meant for the State granted legal support and for the State compensations to victims. The administration of Legal Assistance provides legal support to persons in whose cases the Refugee Affairs Department of the Office of Citizenship and Migration Affairs has made a decision about refusal to grant a refugee or alternative status.

[The Ministry of Health](#) is a leading state administration institution in health sector¹⁷, confirms the list of illnesses and health disorders that might cause threat to public health and that might be a reason to refuse to issue or confirm a residence permit to an alien.

[The Centre for Curriculum Development and Examination](#)¹⁸ is subordinated to the [Ministry of Education and Science](#) its task is to organize tests of the state language for those aliens who have rights to apply for a long-term residence permit.

Till January 1, 2009 the question of integration of migrants is in the competence of **the Secretariat of the Special Assignment Minister for Social Integration**. The Secretariat will be reorganized till December 31, 2008 and will be merged with **the Ministry for Children and Family Affairs** and the new title is going to be the [Ministry of Children, Family and Integration Affairs](#).

¹⁶ Regulations of the Cabinet of Ministers on February 22, 2005 No.137 „The Statutes of the Naturalization Board”, the Latvian Herald No.33, 25.02.2005

¹⁷ Regulations of the Cabinet of Ministers on April 13, 2004 No.286 „The Statutes of the Ministry of Health”, the Latvian Herald No.60, 16.04.2004.

¹⁸ Regulations of the Cabinet of Ministers on November 9, 2004 No.915 „The Statutes of the Centre for Curriculum development and Examination”, the Latvian Herald No.180, 12.11.2004.

Besides the institutions mentioned before also **the State security institutions** (the Constitution Protection Bureau, the Security Police and [the State Police](#)), **courts** ([the Senate of the Supreme Court](#), the Administrative Court, the Administrative Regional Court, the court of first instance of the corresponding administrative territory) and **local and regional governments** (administrative commissions and custody courts) should be mentioned who also are involved in the field of migration and asylum.

The State security institutions perform preventive measures, ensure information exchange, and coordinate decisions about issuance of visas to the risk countries of illegal migration and terrorism as well as decisions about issuance/non-issuance/annulment of residence permit.

The courts ensure control over the decisions taken by the Office of Citizenship and Migration Affairs and the State Border Guard.

The administrative commissions of local and regional governments impose administrative penalties on aliens about violations of the immigration rules while the custody court appoints representative to unaccompanied minors.

To coordinate cooperation and to ensure successful work of all the institutions involved in controlling of migration processes several constantly functioning working groups have been created:

- a) **The Visa Working Group**¹⁹ takes place six times a year. The tasks of the working group are:
 - to improve and enhance the work of the institutions involved in the visa issuance by securing coordinated and harmonized actions;
 - to analyse migration trends;
 - to evaluate compliance of the corresponding legal enactments of the Republic of Latvia with the requirements of the legal enactments of the European Union in the field of visas, international obligations of Latvia, and national and safety interests of the state;
 - to produce suggestions for the development of the information system for the control of the migration process and implementation of the Schengen Information System;
 - to analyse the process of visa issuance, improve visa issuance and control.

¹⁹ Order of the Prime Minister on August 7, 2002 No.254 „On Establishment of Visa Working Group”, the Latvian Herald No.114, 09.09.2002.

Representatives from the Office of Citizenship and Migration Affairs, the State Border Guard and the Consular Department of the Ministry of Foreign Affairs participate in the working group.

b) **Joined Latvia – Russia working group on questions related to the fight against illegal migration**²⁰.

Coordination of the working group activities from the Latvian side is implemented by the Ministry of the Interior of the Republic of Latvia (representatives from the Ministry of Interior, the Ministry of Foreign Affairs, the Office of Citizenship and Migration Affairs and the State Border Guard) while from the Russian side the Federal Migration Service. The aim of creating this working group is to improve the coordination of the activities of the Republic of Latvia and the Russian Federation in the field of fight and prevention of illegal migration, including strengthening cooperation between the competent institutions of both countries.

Parallel with these coordinating working groups regular meetings of the representatives of all the institutions involved in the control of the migration processes during which topical problem questions are being addressed in order to gain agreement about the most rational and effective solution in each specific case.

1.3. Legislative Framework

Both external (for example, law, regulations of the Cabinet of Ministers) and internal (for example, instruction, statutes) drafts of laws and regulations are suggested by the leading state administration institution in the field of migration and asylum – **the Ministry of Interior** as well as by **the Office of Citizenship and Migration Affairs** and **the State Border Guard** that are under the supervision of the Ministry of Interior.

After coordination inside of the institution and/or in the ministry the State Secretary of the Ministry of Interior submits the prepared draft external legal act²¹, draft policy document²² or draft order²³ (hereinafter – Draft) to **the State Secretaries' meeting** where the draft is

²⁰ Regulations of the Cabinet of Ministers on September 13, 2005 No.709 „About the Protocol between the Government of the Republic of Latvia and the Government of the Russian Federation about Establishment of the Joined Latvia-Russia Working Group on Questions Related to the Fight Against Illegal Migration”, the Latvian Herald No.147, 15.09.2005.

²¹ In accordance with the Rules of Procedure of the Cabinet of Ministers external legal act can be: international agreement or its draft, draft law, the Saeima draft resolution.

²² In accordance with the Rules of Procedure of the Cabinet of Ministers policy documents can be: draft guidelines, draft programme, draft plan, draft concept paper, draft strategy of operation of a direct administration institution.

²³ In accordance with the Rules of Procedure of the Cabinet of Ministers draft order of the Cabinet of Minister can be: informative statement, draft national position, draft position.

announced and discussed. During the meeting it is decided about the further progress of the Draft, namely endorsement and discussion.

After announcement of the Draft the Ministry of Interior endorses the Draft with those ministries and other institutions identified in the protocol of the State Secretaries' meeting. **Interministerial (interinstitutional) meeting** is organised if the Ministry of Interior disregards the opinions expressed or observes them partly.

If ministries and other institutions accept the draft without objections or opinions include only proposals, the draft is regarded as coordinated and the Ministry of Interior prepares the draft for submission to **the meeting of the Cabinet Committee or the sitting of the Cabinet of Ministers**.

If no agreement has been reached in the State Secretaries' meeting the draft is considered at the meeting of the Cabinet of Ministers. Each Draft is discussed separately, aspects and questions related to the adoption of the Draft are considered, and results that should be reached are evaluated as well as inaccuracies are eliminated. Therefore the Drafts that have been accepted in the meeting of the Cabinet Committee are accepted in the sitting of the Cabinet of Ministers without repeated consideration.

Decisions²⁴ in the **sitting of the Cabinet of Ministers** are made in accordance with the procedure described in the Cabinet of Ministers Structure Law.

The draft law supported by the Cabinet of Ministers is sent to **the Saeima**. The adoption of the draft law in the Saeima is described schematically in annex 2.

The legal regulation of the migration and asylum field in the Republic of Latvia consists of collection of legal enactments development of which was started after the independence of the Republic of Latvia was restored (see annex 3).

To ensure the execution of migration policy according to rules of international law and state interests of Latvia, **the Immigration Law**²⁵ and its subordinate regulations of the Cabinet of Ministers still define the procedure of entry, residence, transit, departure and detention of a foreigner, as well as procedure according to which the foreigner is held in guard in the Republic of Latvia and is expelled from it.

²⁴ Decisions of the Cabinet of Ministers are processed in form of regulations, instructions, orders and sitting protocol of the Cabinet of Ministers.

²⁵ Immigration Law, the Latvian Herald No.169, 20.11.2002.

The **Asylum Law**²⁶ and its subordinate regulations of the Cabinet of Ministers ensure the rights of the persons to receive the asylum in the Republic of Latvia, the refugee's status, temporary protection or alternative status.

„The Law on the Status of Permanent Residents of the European Community in the Republic of Latvia”²⁷ determines the procedures for granting and withdrawing the status of a long-term resident of the European Community in the Republic of Latvia in accordance with the Council Directive 2003/109/EC of November 25, 2003 concerning the status of third-country nationals who are long-term residents.

²⁶ Asylum Law, the Latvian Herald No.48, 27.03.2002.

²⁷ Law on the Status of Permanent Residents of the European Community in the Republic of Latvia, the Latvian Herald No.107, 07.07.2006.

2. DEVELOPMENT OF THE SYSTEM OF ASYLUM AND MIGRATION²⁸

The development of the migration and asylum system in Latvia can be related both to the time of the 1st World War and the period of first independence of the Republic of Latvia from year 1918 till 1940 when the economical development reached the situation when the government was interested to attract guest workers who were mainly occupied in new and old farms in the rural areas.

At that time this context was based on rational calculations. From the point of view of the political process attraction of the guest workers from Poland and Lithuania in the end of 1930s was considered as acceptable policy. Basically this example that the guest workers had a favoured access to gaining the citizenship of Latvia testifies about the rather liberal approach to the questions of migration of that time.

On the basis of the secret protocol of the Molotov-Ribbentrop Pact of Non-aggression²⁹ August 23, 1939 **the Soviet Union** in summer of 1940 occupied, annexed and incorporated Latvia. Formally it was reached by the so called decision of July 21, 1940 of the Saeima of Latvia "On the Republic of Latvia Joining the USSR"³⁰.

Remarkable numeral prevalence of immigration over emigration was observed while Latvia was a part of the USSR (see table 2.1). The numeral prevalence can be explained by the active policy of Russification that was initiated by the USSR.

Table 2.1
Long-term migration of inhabitants between countries 1951-1990

| Years | Immigration | Average per year | Emigration | Average per year | Migration net | Average per year |
|------------------|-------------|------------------|------------|------------------|---------------|------------------|
| 1951-1960 | 639880 | 63988 | 459832 | 45983 | 180048 | 18005 |
| 1961-1970 | 476934 | 47693 | 335872 | 33587 | 141062 | 14106 |
| 1971-1980 | 548643 | 54864 | 428235 | 42823 | 120408 | 12041 |
| 1981-1990 | 506576 | 50658 | 423953 | 42395 | 82623 | 8263 |

The USSR deliberately created conditions for migration of persons from the Russian Soviet Federative Socialist Republic to Latvia; therefore already in the end of the 1950s in some of the biggest cities of Latvia the proportion of foreigners exceeded 50 percents³¹. The big flows of migration from other Republics of the USSR in the last decade of the soviet rule

²⁸ Development of the migration and asylum system in Latvia is described schematically in annex 4.

²⁹ See the secret protocol of the Treaty of Non-aggression between Germany and the Union of Soviet Socialist Republics on line http://www.historia.lv/alfabets/M/mo/molot_ribent/dok/1939.08.23..htm

³⁰ So called decision of July 21, 1940 of the Saeima of Latvia „On the Republic of Latvia Joining the USSR”. Source: *Padomju varas atjaunošana Latvijā un Latvijas PSRS iestāšanās PSRS sastāvā. Dokumenti un materiāli. Rīga: Zinātne, year 1987., p.207.*

³¹ The history of the Office of Citizenship and Migration Affairs, Necessity for Migration Policy, Data of the Office of Citizenship and Migration Affairs.

created a situation that the society in Latvia is shaped from two numerically similar – Latvian speaking and Russian speaking – communities.

The migration policy in Latvia started to develop in the end of 1980s when the **migration was restricted** for the immigrants from other territories of the USSR. Big dissatisfaction was observed among the inhabitants of Latvia about the advantages enjoyed by the immigrants from the territories of the USSR who were employed in the newly built factories. Immigrants did not have to face the household difficulties that were mainly related with the question of lodging, they were provided with apartments while the inhabitants of Latvia had a serious lack of apartments.

Feasible work of regulating the migration processes was started only after the restoration of the independence.

On May 4, 1990 the Supreme Council of the Latvian SSR adopted the declaration „On Renewal of the Independence of the Republic of Latvia”, with which the independence of the Republic of Latvia was restored. On August 21, 1991 the Supreme Council of the Republic of Latvia adopted „the Law on the Statehood of the Republic of Latvia³²”, that established that Latvia is an independent, democratic republic wherein the sovereign power of the State of Latvia belongs to the people of Latvia and the statehood thereof is determined by February 15, 1922 Constitution of the Republic of Latvia.

Already in 1991 the first decisions in the migration field were taken by the Supreme Council of the Republic of Latvia and the Council of Ministers in order to secure and fortify the independence of the state.

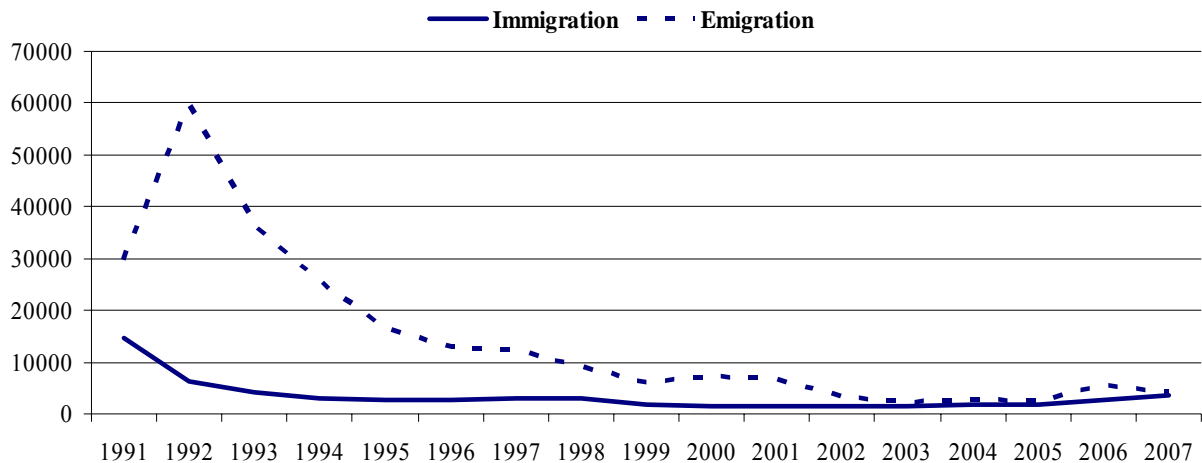
In 1991 under the supervision of the Council of Ministers the Department of Migration Affairs³³ was established that was solving questions related to migration. 15 employees started work in the Department. The Department of Migration Affairs prepared first legal enactments that regulated the migration. As one of the first should be mentioned the decision “On Temporary Interruption of Registering Immigrants”³⁴ with which in the Republic of Latvia registration of all persons who had entered from territories of other countries was interrupted (see diagram 2.1).

³² Law on the Statehood of the Republic of Latvia, the Herald No.42, 24.10.1991.

³³ Decision of the Supreme Council on March 27, 1991 „On Establishing the Department of Migration Affairs at the Council of Ministers of the Republic of Latvia”, Herald/Messenger No. 21, 1991.06.06.

³⁴ Decision of the Council of Ministers on October 8, 1991 No.266 „On Temporary Interruption of Registering Immigrants”, Supreme Council, Council of Ministers, No.7, 1991.10.25

Diagram 2.1
Long-term migration of inhabitants between countries 1991-2007³⁵



The big emigrations flows from the year 1991 till 1997 can be explained by the removal of the armed forces located under the jurisdiction of the Russian Federation from the territory of Latvia. From 1991 till 1997 10 000 military persons and their family members left Latvia³⁶.

In 1992 the Department of Migration Affairs became a part of **the Ministry of Justice** where it was closed³⁷ and instead **the Department of Citizenship and Immigration** was established whose tasks contained migration questions, the Population Register and issuance of persons identification documents. In this year one of the most important legal acts regulating the migration flows was issued the law “On the Procedure for Foreign Nationals and Stateless Persons to Enter and Reside in the Republic of Latvia”³⁸.

From 1993 with the decision of the Cabinet of Ministers the Department of Citizenship and Immigration came under the **supervision of the Ministry of Interior**.

On May 1994 the Department of Citizenship and Immigration took over from the Public Order Police Passport and Visas Division of the Police Department **functions of passports-visas**.

In 1996 the Department of Citizenship and Immigration was renamed into **the Office of Citizenship and Migration Affairs**. The title has remained till this moment.

³⁵ Statistical data in annex 5. Source the Central Statistical Bureau

³⁶ Data of the Office of Citizenship and Migration Affairs

³⁷ Decision of the Council of the Ministers on January 14, 1992 No.14 „On Liquidation of the Department of National Issues, the Department of Migration Affairs, and the Department of Religious Affairs of the Council of Ministers”

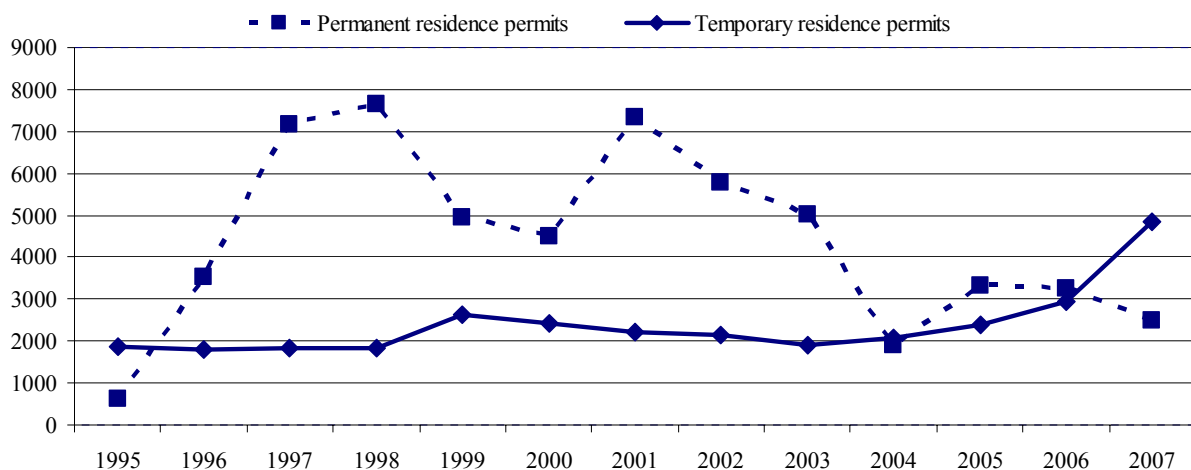
³⁸ Law “On the Procedure for Foreign Nationals and Stateless Persons to Enter and Reside in the Republic of Latvia”, Messenger of the Supreme Council and Government of the Republic of Latvia No.27/28, 1992

Since 1997 the Office of Citizenship and Migration Affairs is an institution under the supervision of the Ministry of Interior.

Comparison of the Latvian and the European Union legislation took place already from the year 1998. Harmonization of the Latvian national legislation with the legislative acts of the European Union set new requirements for the immigration area; therefore a new **Immigration Law** was drafted that is updated on on-going basis.

The number of first-time temporary residence permits and permanent residence permits from the year 1995 till 2007 allows to evaluate portion of foreigners from the total number of population in Latvia as well as allows to analyse the intensity of migration flow (see diagram 2.2).

Diagram 2.2
First-time temporary residence permits and permanent residence permits, 1995 – 2007³⁹



It was necessary to create a specialized structure - **the Immigration Police** - in order to provide more effective control over the conditions of residence of foreigners in Latvia, perform detention of illegal immigrants and forced expulsion as well as to fight against organizers of illegal immigration. The Immigration Police in the structure of the State Police (at that time – the Department of Police) of the Ministry of Interior was established on **September 14, 1994⁴⁰**.

In the primary structure of the Immigration Police there was Passport and Visas Control Division, Criminal Police Division and Public Order Police Division. In each territorial structure of police department a group of immigration police was established. In

³⁹ Statistical data can be found in annex 6. Source: The Office of Citizenship and Migration Affairs

⁴⁰ Cabinet Order on September 14, 1990 No.418 „About Immigration Police”, the Latvian Herald No.111, 22.09.1994.

every border district of Latvia immigration police employees were located that implemented function of operative division, deportation division, and passport and visas regime control division.

In 1996 additional immigration structure was established at the Riga Central Police Department – **Riga City Immigration Police**.

In 1995 within the framework of Immigration Police Board **detention centre for illegal immigrants „Olaine”** was established with aim to accommodate illegal immigrant till their expulsion.

Following tasks were put forward to the Immigration Police in the fight with illegal immigration: detection and detention of foreigners who have entered into the Republic of Latvia illegally; control of the residence conditions of foreigners; control of travel and residence documents; accommodation of detained illegal immigrants into institutions and their sustention; expulsion of illegal immigrants; escort of persons that will be expelled as well as identification and interviewing of asylum seekers.

The Immigration Police with the measures mentioned actively restricted threats of the illegal immigration. From 1995 till 2001 more than five thousand aliens were detained for violation of passport and visas regime, almost three thousand illegal immigrants were forcibly expelled.

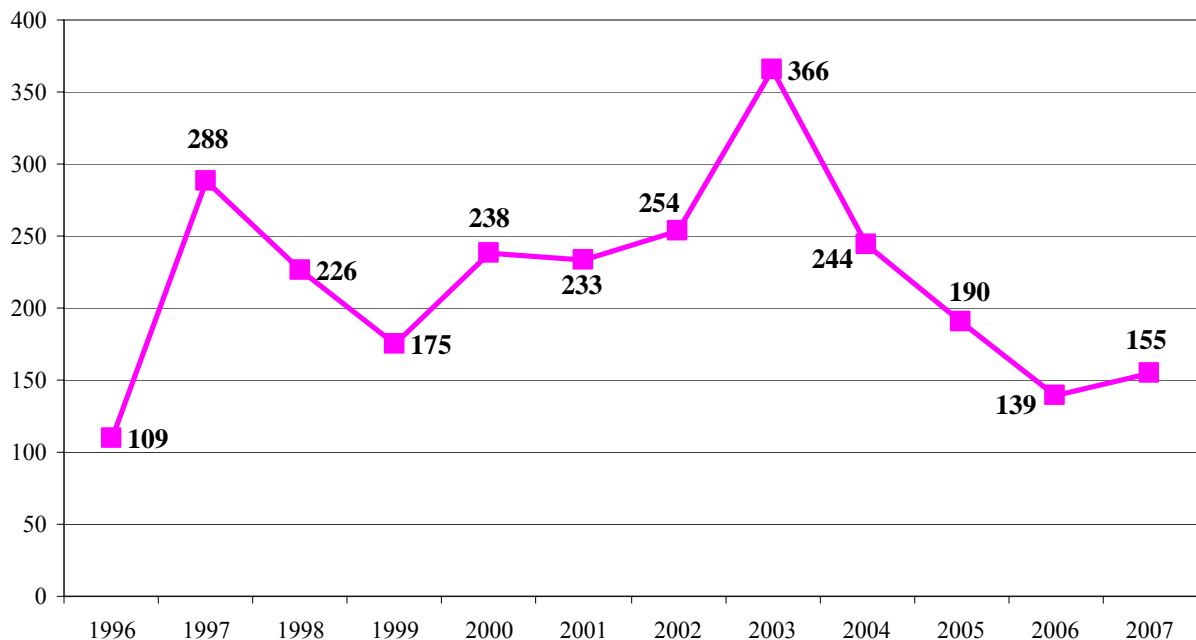
Nevertheless in the end of the 20th century illegal immigration in the world and in Europe had become a mass phenomenon, but cross border organized crime had become one of the most developed and profitable forms of criminal occupations. As a reaction to the development of this situation there was a need for deeper and more detailed immigration control: firstly, by combining alien control functions and competences of the responsible services on the state borders and inside the country; secondly, by preventing duplication of functions inside the institutions of the Ministry of Interior who are responsible for combating the illegal migration and questions of the asylum seekers; thirdly, by using the funds of the state budget more effectively for the accomplishment of these functions.

Implementing the mentioned measures the Immigration Police of the Public Order Police of the State Police Department was reorganized and from January 2, 2002 incorporated into the structure of **the State Border Guard**. With this the State Border Guard took over all the tasks related to the control of the conditions of aliens all across the country. **The Immigration Board of the State Border Guard Central Board** was established. Immigration services/divisions were created in all the territorial departments of the State Border Guard.

In 2004 fingerprint identification system *Eurodac* was introduced in the State Border Guard in order to improve the possibilities of immigration institutions. To improve control of residence conditions of aliens and level of automatization of registration of detained aliens new information systems „Register of Illegal Immigrants” and „Control System of Time of Residence of Aliens” were introduced in the State Border Guard from 2005 till 2006.

The number of aliens removed allows evaluate work of the Immigration Police and the State Border Guard as well as allows evaluating the level of illegal migration. Although it must be admitted that the number of aliens removed does not reflect the actual number of illegal immigrants in Latvia (see diagram 2.3).

Diagram 2.3
Foreigners removed, 1996-2007



One of the most important events for the **development of asylum procedure** and development of appropriate legal enactments was the dramatic incident in Christmas of 1994 when in the Baltic Sea ship ran aground. On the ship there were more than 100 refugees who were going to Sweden through Latvia. These people were brought back to Latvia. At that time Latvia did not have asylum legislation therefore fate of these people was not solved for a very long time. Special commission was created with the representatives from the Ministry of Interior, Ministry of Foreign Relations, Bureau of Human rights and United Nations High Commissioner for Refugees to solve the situation. The United Nations High Commissioner for Refugees on the basis of interviews and gathered information addressed the Scandinavian states to accept the refugees that was done in autumn of 1996.

Both influenced by this incident and by the need to follow the demands brought forward in the accession discussions with the European Union in 1997 Law „On Asylum Seekers and Refugees in the Republic of Latvia”⁴¹ was adopted. In this year also the UNHCR Convention Relating to the Status of Refugees and Protocol of the Convention Relating to the Status of Refugees came into force in the Republic of Latvia.

To ensure the asylum procedure in January 1998 at the Office of Citizenship and Migration Affairs **the Refugee Affairs Centre** was established; from 2005 it is called **the Refugee Affairs Department**.

In 1997 in Latvia work on the development of the asylum seekers reception centre „Mucenieki” (hereinafter – the Centre) was started. The Centre is located in the former military base of the Soviet army. The renovation of the building was finished in the end of 1998 and already in December first asylum seekers were put there. Official opening ceremony of the Centre took place on February 17, 1998. The main objective of the centre is to provide asylum seekers with lodging while their cases are being processed and decision is taken in their asylum cases, to encourage their adaptation in the society of Latvia.

In 1998 under the supervision of the Ministry of Justice the **Refugee Case Appeal Board** was established it was responsible for the protection of rights of asylum seekers, refugees and persons who are granted alternative status processing their cases in the Republic of Latvia. One of the main tasks of the council was to consider complains about the decisions made by the Office of Citizenship and Migration Affairs in cases on granting the refugee or alternative status or refusal to grant the status. With Latvia joining the European Union the number of asylum seekers **did not increase**. Usefulness of the Council was evaluated and the conclusion was that a separate institution **is not necessary** to fulfil the mentioned functions. Therefore with amendments in the Asylum Law on June 7, 2006 functions designated in the Asylum Law to the Board were entrusted to **the Administrative District Court**.

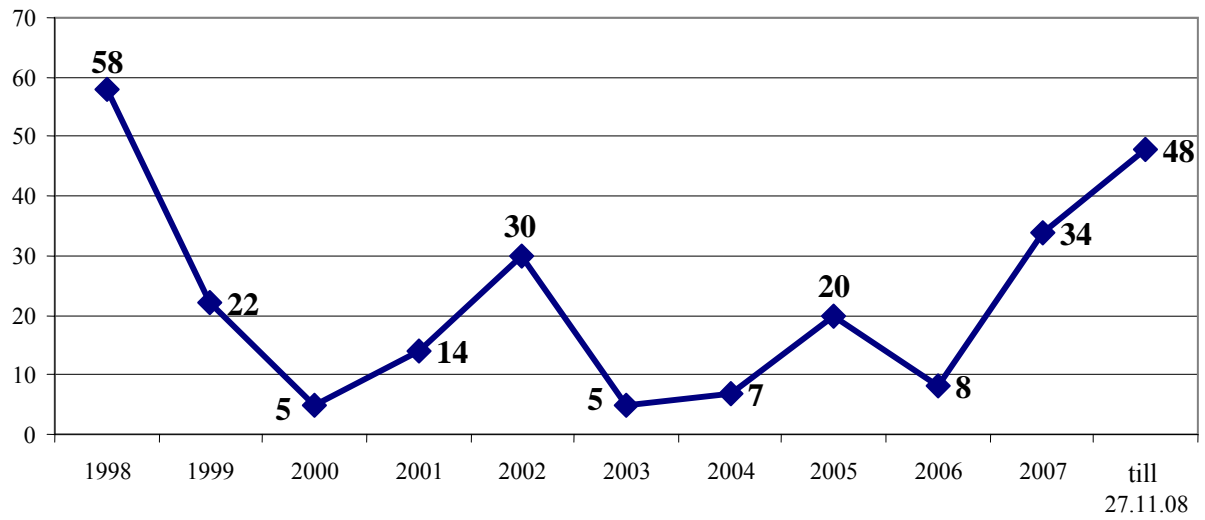
On September 1, 2002 the new Asylum Law came into force that replaced the law of 1997. Currently active work takes place on the adoption of a **new** Asylum Law. The law is adopted in the Saeima 1st reading and passed on to the Human Rights and Public Affairs Committee for preparation of proposals.

From 1998 when the asylum procedure was started all together **251**⁴² person has made a request for asylum. In the first years most persons applying for asylum were from Asian countries, but during the last years those are mainly persons from former Republic of the USSR (see diagram 2.4).

⁴¹ Law „On Asylum Seekers and Refugees in the Republic of Latvia”, the Latvian Herald No.171/174, 04.07.1997.

⁴² Data of the Office of Citizenship and Migration Affairs till 27.11.2008.

Diagram 2.4
Total number of first-time
asylum applications, 1998-2007⁴³



⁴³ Information and data of the Office of Citizenship and Migration Affairs

3. ORGANIZATION OF POLICY IN THE FIELD OF ASYLUM AND MIGRATION

3.1. Migration

3.1.1. Entry procedure

Following institutions are involved in the issuance of visas: **the Office of Citizenship and Migration Affairs**, that is the central institution in visas questions, **the Consular Department** of the Ministry of Foreign, **diplomatic and consular representations of the Republic of Latvia**, **the State Border Guard**, **the State security institutions** as well as **the State Employment Agency** (see image 3.1.1.1).

Image 3.1.1.1

Institutions involved in the issuance of visas

THE OFFICE OF CITIZENSHIP AND MIGRATION AFFAIRS

- a) coordinates visas policy;
- b) makes decisions about invitations;
- c) makes decisions in questions of visas (all types of entry visas and transit visas, except diplomatic and service visas);
- d) develops drafts of legal enactments in visas field.

THE CONSULAR DEPARTMENT OF THE MINISTRY OF FOREIGN AFFAIRS

- a) implements visas policy in questions related to cancelation of visas regime;
- b) makes decisions in questions of visas (long-term visas with remark „diplomatic visa” and „service visa”);
- c) develops drafts of legal enactments in visas field.

THE STATE BORDER GUARD

- a) makes decisions in questions of visas if related to issuance of visas on the Latvian border to foreign seamen and in cases when the purpose of entry corresponds with the international legal norms, interests of the Latvian State or is related to force majeure or humanitarian considerations.

DIPLOMATIC AND CONSULAR REPRESENTATIONS

- a) performs examination of the documents submitted to receive, implements visas policy in questions related to cancelation of visas regime;
- b) makes decisions in questions of visas (long-term visas with remark „diplomatic visa”).

THE STATE SECURITY INSTITUTIONS

- a) performs preventive measures;
- b) information exchange;
- c) coordinates decisions about approval/non-approval of invitations, issuance/non-issuance of visas to citizens of countries of illegal immigration and risk of terrorism.

THE STATE EMPLOYMENT AGENCY

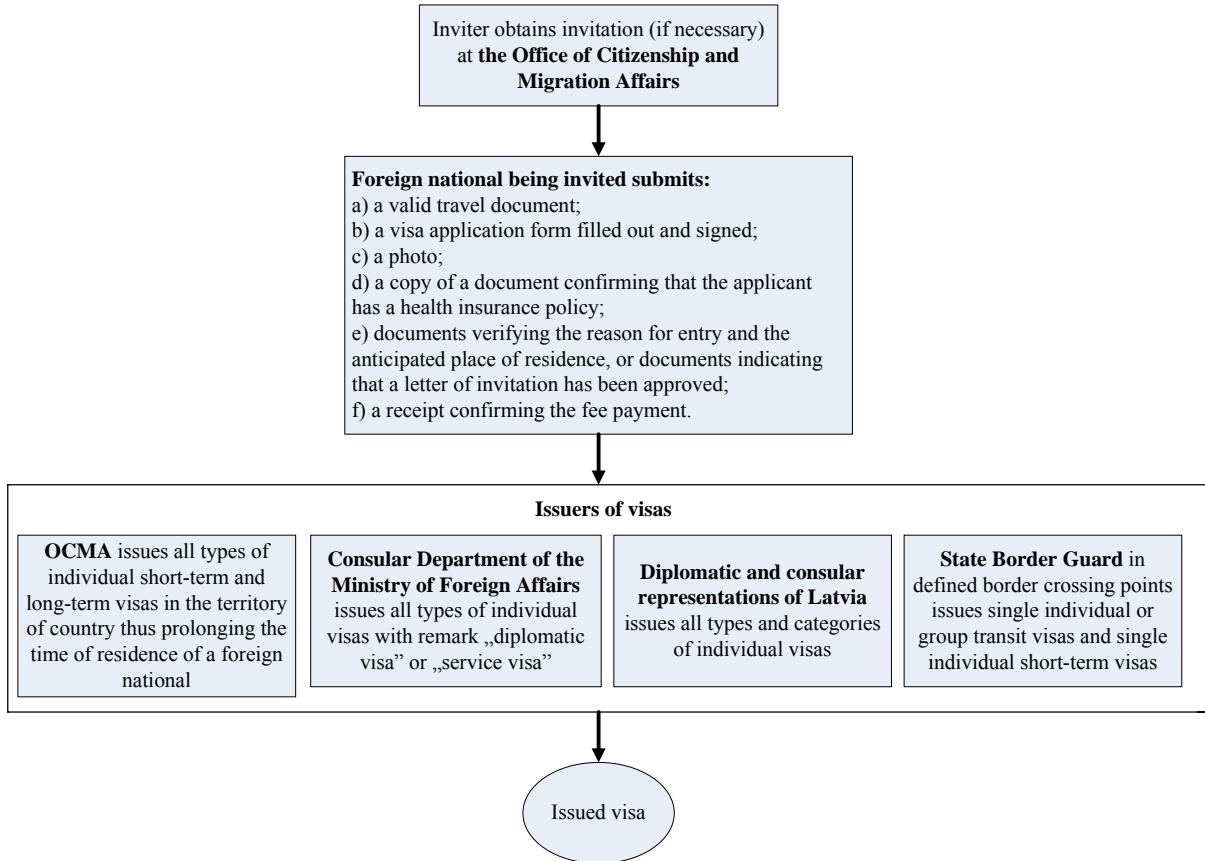
- a) coordinates agreements of enterprises in cases when an alien wants to receive a work permit for the time period of validity of visa.

In accordance with the legal enactments⁴⁴ for entry into Latvia transit visas, short-term visas, long-term visas as well as long-term visas that can be used as short-term visas can be issued. Visa can be meant for single, double or multiple entries into Latvia it can be individual or group visa.

⁴⁴ In accordance with the Immigration Law, regulations of the Cabinet of Ministers on April 15, 2003 No.183 „Procedure for Approval of Invitations” and regulations of the Cabinet of Ministers on April 29, 2003 No. 217 „Visa Regulations”.

Visa for the entry into republic of Latvia can be issued to an alien if he/she possesses valid travel document, valid health insurance, and necessary financial means for residing in Latvia and returning to country of residence as well as documents that fortify reason for entry and residence or the person has approved invitation⁴⁵ (see image 3.1.1.2).

Image 3.1.1.2
Procedure how to receive a visa



Visa can be issued to a foreigner for entry into Latvia in other diplomatic and consular representations of Schengen agreement member states if Latvia has signed an agreement about this kind of representation in visa issuance.

Residence period foreseen in visa does not exceed **90 days** in six months, counting from the first day of entry. But the residence period in the Republic of Latvia of the long-term visa that at the same time can be used as a short-term visa can exceed period of 90 days in six months, counting from the first day of entry, if it corresponds to the international legal norms, interests of the Latvian state or is related to force majeure or humanitarian considerations.

The decision on approval of an invitation is taken within **seven working days** after all the documents have been submitted. If additional information or consultations with the

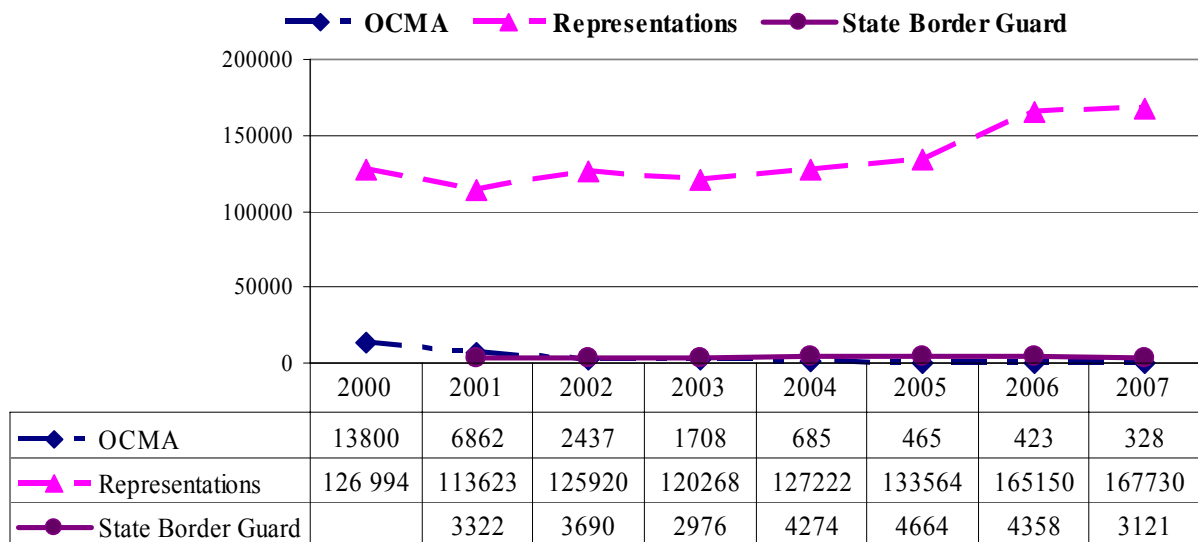
⁴⁵ In accordance with the Immigration Law a document in which an inviter undertakes the obligations specified in this Law in relation to the third-country national whom he or she has invited to reside in the Republic of Latvia (with a visa). The invitation is register in the Invitation Data Base that was implemented on February 1, 2003.

competent authorities of the Republic of Latvia or other Member States of the Schengen Agreement defined in the second part of the article 17 of the Schengen Convention are necessary for issuance of visa the decision is taken within **90 days**.

General description is provided to the procedure of entry of aliens into Latvia. It is possible to find more information on types of visas, on annulment or withdrawal of visas, on registration of visas, on the amount of information included in the visas information system in the legal regulation of visas field (see annex 7).

The number of issued entry visas indicates the intensity of work of the institutions involved in the field of issuance of visas, also it allows to judge about the organization and development of the tourism industry (see diagram 3.1.1.1).

Diagram 3.1.1.1
Amount of issued entry visas, 2000 – 2007⁴⁶



3.1.2. Admission conditions

The biggest number of institutions is involved in the admission field of aliens: the Office of Citizenship and Migration Affairs, the State Border Guard, the State security institutions, the State Employment Agency, diplomatic and consular representations of the Republic of Latvia, the State Labour Inspectorate, the Ministry of Health, the Office of Religious Affairs, the Centre for Curriculum Development and Examinations, the Commercial Register of the Register of Enterprises, local and regional governments, administrative commissions of local and regional governments as well as courts (see image 3.1.2.1).

⁴⁶ Source of data the Office of Citizenship and Migration Affairs

Image 3.1.2.1**Institutions involved in the field of issuance of residence permits****THE OFFICE OF CITIZENSHIP AND MIGRATION AFFAIRS**

- a) coordinates control of the migration processes;
- b) makes decisions in questions of residence permits;
- c) performs registration of foreigners;
- d) issues work permits;
- e) develops draft legal enactments in the field of residence permits.

DIPLOMATIC AND CONSULAR INSTITUTIONS

- a) accepts documents, sends them to the Office of Citizenship and Migration Affairs for decision making on the issuance of the residence permit;
- b) issues long-term visas for acceptance of residence permits;
- c) interviews foreigners who have submitted documents to receive residence permit.

THE STATE BORDER GUARD

- a) provides control over the residence of foreigners in Latvia;
- b) provides control over the employment of foreigners

COURT

- a) examines complaints about the decisions made by the Office of Citizenship and Migration Affairs both for refusal to issue a residence permit and about annulment of residence permit.

THE STATE SECURITY INSTITUTIONS

- a) performs preventive measures;
- b) information exchange;
- c) coordinates decision on issuance/non-issuance/annulment of residence permits.

THE STATE EMPLOYMENT AGENCY

- a) confirms work invitations;
- b) coordinates agreements of enterprises.

THE MINISTRY OF HEALTH

- a) confirms the list of diseases and health disorders that might cause threat to the public health;
- b) coordinates agreements about foreigners who receive medical treatment in Latvia

THE STATE LABOUR INSPECTORATE

- a) performs employment control of foreigners.

THE OFFICE OF THE RELIGIOUS AFFAIRS OF THE MINISTRY OF JUSTICE

- a) confirms invitation letters of religious organization registered in Latvia.

THE CENTER FOR CURRICULUM DEVELOPMENT AND EXAMINATIONS

- a) organizes tests of the state language to those foreigners who have rights to apply for a long-term residence permit

LOCAL GOVERNMENTS

- a) issues licence to self-employed persons.

THE COMMERCIAL REGISTER OF THE REGISTER OF ENTERPRISES

- a) provides information about investments of foreigners in Latvia;
- b) provides information about all the businessmen registered in Latvia.

THE STATE REVENUE SERVICE

- a) provides information that a legal entity who wants to employ a foreigner or who has invited a foreigner does not pose outstanding payments of taxes and duties that are under the administration of the State Revenue Service.

ADMINISTRATIVE COMMISSION OF LOCAL GOVERNMENT

- a) impose administrative penalties about violations of the immigration rules

Two types of residence permits are issued in Latvia – temporary residence permits and permanent residence permits. Both types of residence permits are **issued, registered and annulled** by the Office of Citizenship and Migration Affairs.

To receive a residence permits foreign national must submit documents in person to **diplomatic or consular representations of the Republic of Latvia** although the Cabinet of Ministers determines the range of those persons who are entitled to submit documents to the Office of Citizenship and Migration Affairs⁴⁷.

To apply for residence permit foreign national needs an **invitation**⁴⁸ confirmed by the Office of Citizenship and Migration Affairs. The Cabinet of Ministers also determines persons who do not need an invitation to receive a residence permit⁴⁹.

To receive a residence permit foreign national must present valid travel document and submit: a definite sample form, a photo, a statement on health condition, a statement on punishability, a document confirming the necessary subsistence, a document confirming anticipated place of residence in Latvia, valid health insurance (presented when receiving the residence permit) and a receipt confirming the fee payment.

Depending on the anticipated aim of residence in Latvia (**family reunification, employment or other aim** (studies, medical treatment, religious activities))⁵⁰ a third-country national must submit **supplementary documents** confirming this aim.

The decision about granting the residence permit is made after verification of **all the submitted** documents: in 30 days if documents are submitted to receive a temporary residence permit, in 90 days if documents are submitted to receive a permanent residence permit⁵¹.

Decision is issued to a person if documents to receive a residence permit are submitted in Latvia. If documents are submitted to diplomatic or consular representations of Latvia decision is sent to the representation. Diplomatic or consular representation of Latvia after it receives a positive decision issues (if necessary) a **single long-term visa** that is valid up to 30 days⁵² during which third country national must come to Latvia to the Office of Citizenship and Migration Affairs to receive the residence permit in person (see image 3.1.2.2)

⁴⁷ Sections 2., 3., 4., 5. of the regulations of the Cabinet of Ministers October 6, 2003 No.813 „Regarding Residence Permits” determines the range of persons

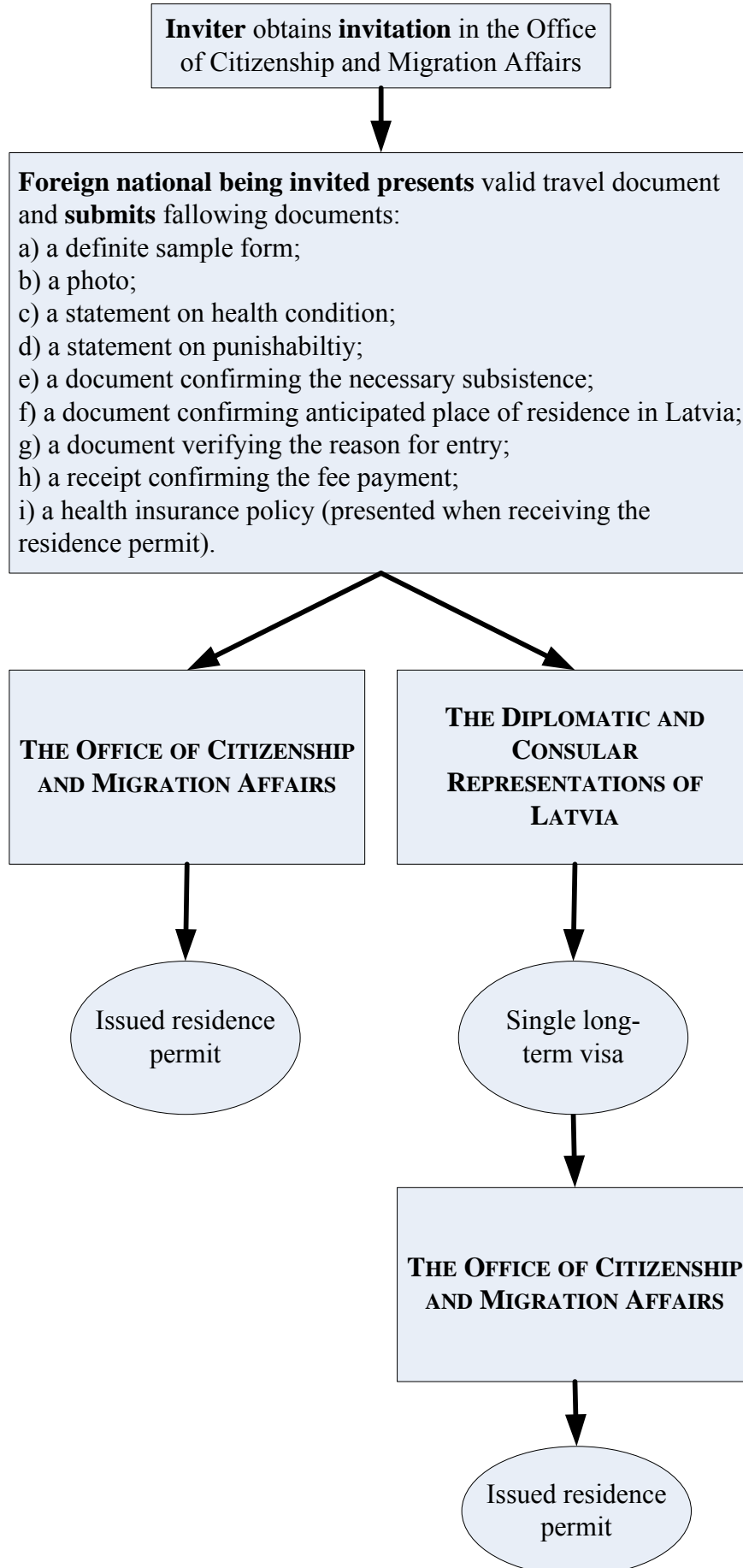
⁴⁸ Invitation a document in which an inviter undertakes the obligations specified in this Law in relation to the third-country national whom he or she has invited to reside in the Republic of Latvia with residence permit.

⁴⁹ Section 7 of the regulations of the Cabinet of Ministers October 6, 2003 No.813 „Regarding Residence Permits” determines range of persons

⁵⁰ Sections IV, V, VI of the regulations of the Cabinet of Ministers October 6, 2003 No.813 „Regarding Residence Permits” defines supplementary documents

⁵¹ In accordance with the article 33 of the Immigration Law

⁵² In accordance with the section 63 of the regulations of the Cabinet of Ministers on April 29, 2003 No.217 „Visa Regulations”

Procedure of issuance of residence permits

General description is provided for the procedure of application and issuance of residence permits. It is possible to find more information about additional documents that should be submitted, for example, in relation to family reunification, employment, registration procedure of residence permits, procedure of declaration of long-term absence as well as the amount of state fees and amount of necessary financial means in the legal regulations (see annex 8).

3.1.3. Legal residence

As mentioned before there are two types of residence permits issued in Latvia – temporary residence permits and permanent residence permits. Temporary residence permit that is valid for more than one year is registered **every year**. While permanent residence permits once in **five years**⁵³.

One of the **integration measures** that a third-country national must fulfil in the Republic of Latvia is **Latvian language training**. Still no State support is provided for this integration measure because up to now, taking into consideration the small number of third-country nationals who yearly enter into Latvia, no policy document in the field of integration of third-country nationals has been developed where supported measures would be indicated.

If a third-country national wishes to apply for a permanent residence permit when submitting the necessary documents person must present also a certificate that testifies about acquirement of the Latvian language⁵⁴. To receive a permanent residence permit person must acquire Latvian language at least **B level of the first (lowest) skill level**⁵⁵. B level of the first (lowest) skill level means that the person is able to communicate by using simple sentences about social and professional issues, can read and understand simple sentences, is able to fill in standard documents, forms, bills and receipts⁵⁶. If a third-country national **does not acquire** Latvian language at the required level, person has rights to reside in Latvia with the temporary residence permit.

A third-country national can receive **the Latvian citizenship** only through **procedure of naturalization**. One of the main conditions to receive the citizenship of Latvia: on the day

⁵³ In accordance with the second part of the article 22 of the Immigration Law

⁵⁴ In accordance with the article 28 of the regulations of the Cabinet of Ministers on October 6, 2003 No.813 „Regulations Regarding Residence Permits”

⁵⁵ In accordance with the section 3 of the regulations of the Cabinet of Ministers on April 4, 2006 No.252 „Regulations of the Level of Proficiency in the Official Language and the Procedure of Testing the Level of Language Proficiency for Foreign Nationals Eligible to Apply for a Permanent Residence Permit”

⁵⁶ In accordance with the section 12.2. of the regulations of the Cabinet of Ministers on August 22, 2000 No.296 „Regulation of the Level of Proficiency in the Official Language Required for Employment and the Procedure of Testing the Level of Language Proficiency”

when submitting the naturalization application person's **permanent place of residence** for not less than **five years** must have been Latvia. The time period of five years is calculated from the day when the permanent residence permit is received.

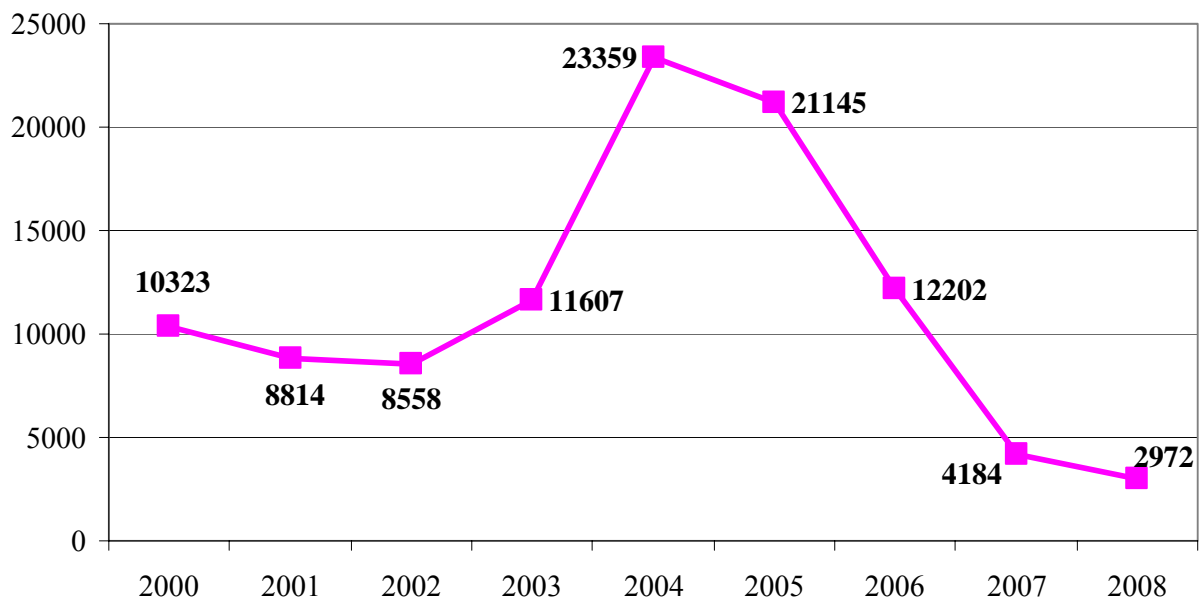
In order to receive the citizenship of Latvia through the procedure of naturalization an applicant must pass an examination of the Latvian language, basic principles of the Constitution, the text of national anthem and the history of Latvia.

Examination of the knowledge of Latvian language takes place in two parts. In the first part listening, reading and writing abilities of an applicant are tested. The applicant receives examination materials and in a written form fills in the necessary information in time of 90 minutes. In the second part oral knowledge of applicant is tested. Examination commission interviews the applicant for up to 15 minutes about some topics from social life.

All applicants who have reached 65 years of age have to pass only the oral part of the Latvian language examination.

At this point most of the persons who have received the citizenship of Latvia through the procedure of naturalization are **non-citizens of Latvia**⁵⁷ (98%) (see diagram 3.1.3.1).

Diagram 3.1.3.1⁵⁸
Number of persons who have received the citizenship of Latvia through the procedure of naturalization



⁵⁷ Non-citizens of Latvia are such citizens of the former USSR who permanently reside in the Republic of Latvia and who simultaneously comply with the following conditions: 1) on 1 July 1992 they were registered in the territory of Latvia regardless of the status of the living space indicated in the registration of residence, or up to 1 July 1992 their last registered place of residence was in the Republic of Latvia, or it has been determined by a court judgment that they have resided in the territory of Latvia for 10 consecutive years until the referred to date; 2) they are not citizens of Latvia; and 3) they are not and have not been citizens of another state. In accordance with the decision of the Latvian Government non-citizens of Latvia are regarded as third country nationals concerning the European Union.

⁵⁸ Source of data the Naturalization Board

3.1.4. Access to the labour market

The labour migration policy with regard to labour immigration of third-country nationals is mainly oriented on protection of the local labour market especially from flows of low-qualified labour force.

Third-country national who wishes to establish labour relations needs a **work permit**⁵⁹.

In the Immigration Law also the persons who do not need a work permit are defined⁶⁰. A work permit is not necessary if a third-country national:

- a) has received a permanent residence permit;
- b) has received a temporary residence permit for a period that is not longer than one year; if the residence in Latvia is related to pupil or student exchange, practice or apprenticeship in one of the educational establishments of the Republic of Latvia or in a commercial company registered in the commercial register or performance of another task and does not receive a compensation for the work;
- c) has arrived in the Republic of Latvia for a performance on tour (concert on tour) as a performer (musician, singer, dancer, actor, circus performer and others), an author (composer, choreographer, director, scenographer and others), administrative or technical worker to ensure the performance (concert) and the intended length of stay does not exceed 14 days;
- d) arrives in the Republic of Latvia on the basis of an invitation from an educational institution or scientific institution, or individual scientist in relation to scientific research or participation in the implementation of an educational programme and the intended length of stay in the Republic of Latvia does not exceed 14 days
- e) has received a European Community long-term resident residence permit in the Republic of Latvia;
- f) has received a temporary residence permit for a time period that is mentioned in the plan of scientific cooperation, but not longer than four years;
- g) is a crew member of a ship that has been registered in the Ship Register as a ship that performs international sea trips;
- h) is legally working in another Member State of the European Union, in the country of European Economic Area or Swiss Confederation and employer appoints him/her to provide services in Latvia.

⁵⁹ In accordance with the first part of the article 9 of the Immigration Law

⁶⁰ In accordance with the second part of the article 9 of the Immigration Law

A work permit to a foreign national is issued by **the Office of Citizenship and Migration Affairs**. Work permit to foreign national is issued on basis of visa, residence permit or persons' document of asylum seeker.

The State Employment Agency must confirm **the work invitation** before an employer can employ a third-country national. The work invitation can be confirmed if at the State Employment Agency a free working place or a vacancy for a specialist is registered and it is free not less than a month after registration after the employer has submitted the documents⁶¹ at the State Employment Agency to receive the work invitation. The potential guest worker must also provide documents confirming qualification.

Before a third-country national enters in Latvia with purpose of employment the employer needs to confirm an invitation for the residence permit or invitation for visa at the Office of Citizenship and Migration Affairs.

At the same time a third-country national submits documents⁶² at the diplomatic or consular representations of the Republic of Latvia or at the Office of Citizenship and Migration Affairs⁶³ to apply for visa or residence permit.

The decision about issuance of residence permit is made after inspection of **all submitted documents**. The decision is made within **30 days**. If the documents are submitted in Latvia the decision is handed out to the person. If the documents are submitted in the diplomatic or consular representations of Latvia the decision is sent to the representation. After the diplomatic or consular representation of Latvia has received positive decision it issues (if necessary) to a foreigner a single long-term visa with validity up to 30 days⁶⁴, during which the foreigner must come to Latvia, to the Office of Citizenship and Migration Affairs **in person** to receive a work and/or residence permit (see image 3.1.4.1).

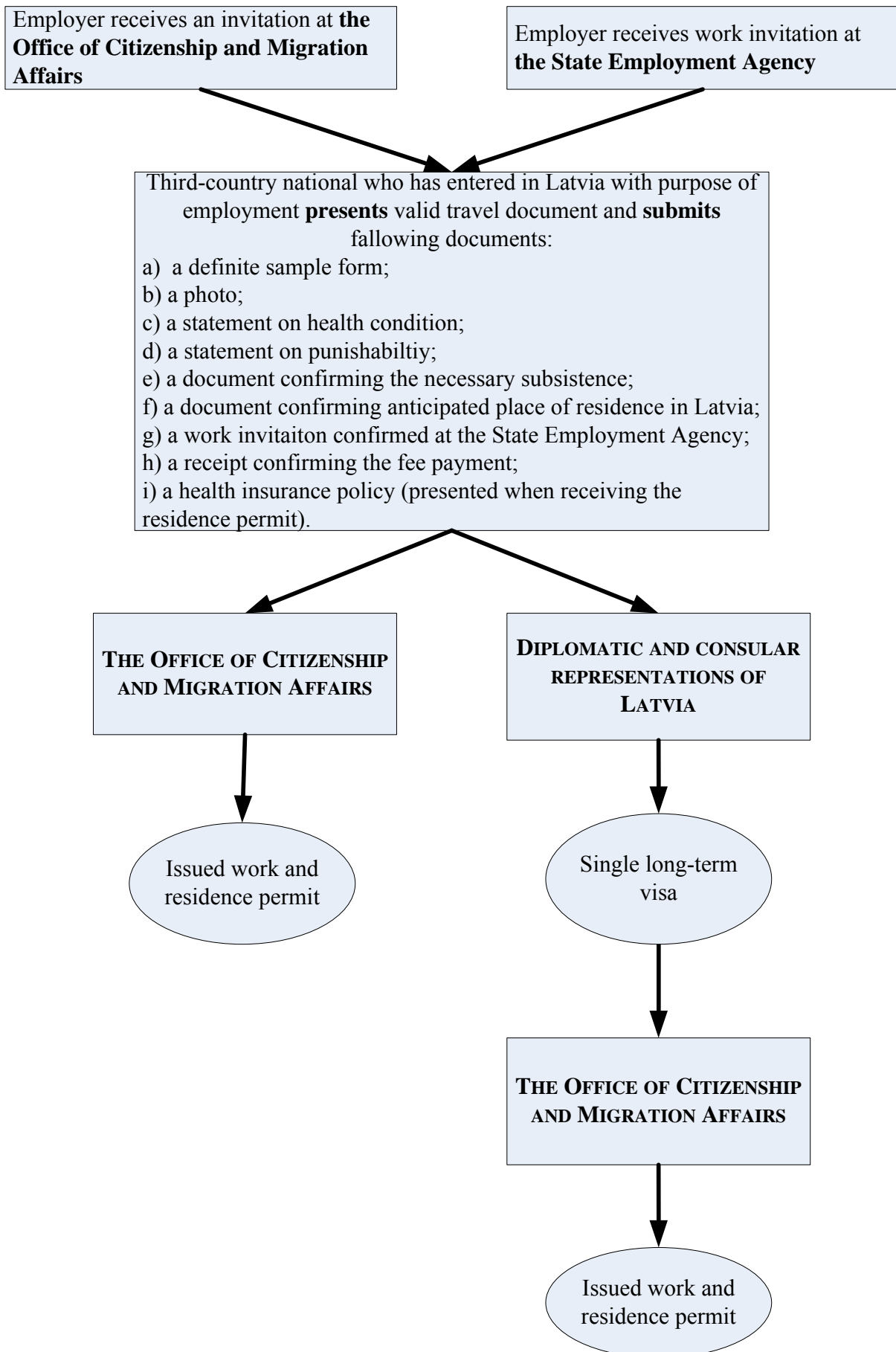
⁶¹ Documents that should be submitted are indicated in the article 18 of the regulations of the Cabinet of Ministers on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”

⁶² Documents that should be submitted are indicated in the 3rd and 5th paragraph of the regulations of the Cabinet of Ministers October 6, 2003 No.813 „Regulations on Residence Permits” and in the 2nd part of the Cabinet of Ministers on April 29, 2003 No.217 “Visa Regulations”

⁶³ Group of persons who is allowed to submit the documents at the Office if Citizenship and Migration Affairs is defined in paragraphs 2-5 of the regulations of October 6, 2003 No.813 „Regulations on Residence Permits”

⁶⁴ In accordance with the paragraph 63 of the regulations of the Cabinet of Ministers on April 29, 2003 No.217 „Visa Regulations”

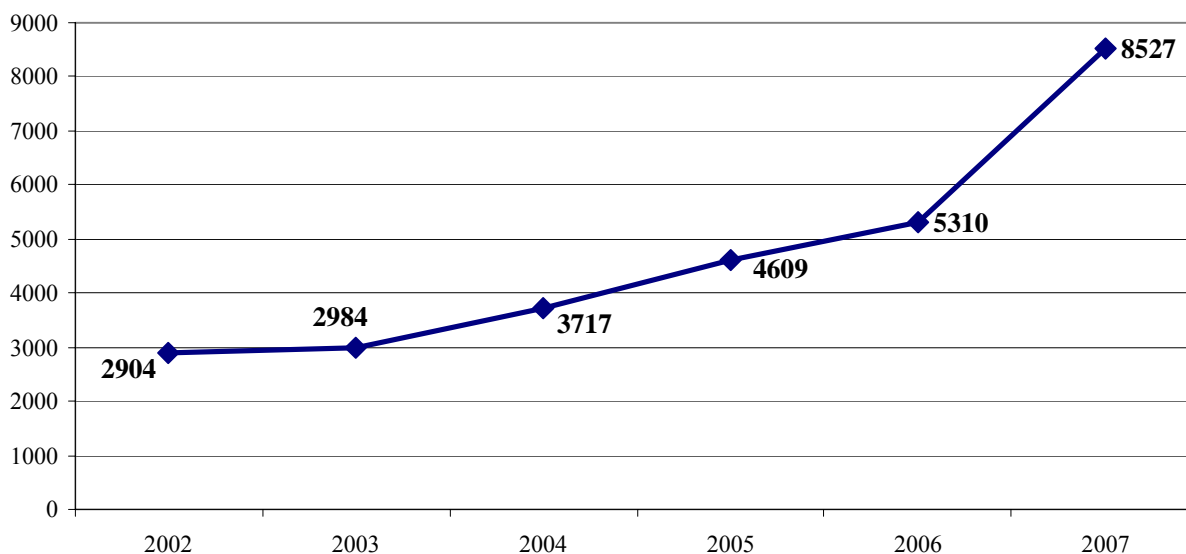
Image 3.1.4.1
Entry with purpose of employment



The mentioned procedure is used in general cases. Information about all the cases when a work permit can be issued can be found in legal regulations related to the migration in the context of employment (see annex 9).

The relatively high administrative application expenses for residence and work permits as well as the remuneration that should be ensured to the guest worker by the employer is one of the reasons why the number of guest workers in Latvia is not very high (see diagram 3.1.4.2).

Diagram 3.1.4.2
Work permits issued, 2002 – 2007



3.1.5. Return

Following institutions are involved in the field of return: **the Office of Citizenship and Migration Affairs, the State Border Guard, the Consular Department** of the Ministry of Foreign Affairs, **foreign diplomatic and consular representations in Latvia, state security institutions and court** (see image 3.1.5.1).

Image 3.1.5.1**Institutions involved in the field of return****THE STATE BORDER GUARD**

- a) performs border control and takes decisions regarding persons' entry into the Republic of Latvia;
- b) controls compliance with visa and residence requirements;
- c) performs preventive measures;
- d) detains and accommodates aliens whose stay in the State is illegal;
- e) takes decision regarding aliens' forced return;
- f) provides travel documents to an alien who is going to be expelled;
- f) expels aliens;
- g) performs aliens' employment control;
- h) determines, reduces, and cancels entry bans;
- i) performs the procedural execution of readmission agreements;
- j) adjusts administrative penalties to aliens for violation of the immigration rules;
- k) takes decision on entering the information about the alien in the list of those aliens who are prohibited to enter Latvia (hereinafter – the List).

THE MINISTER OF INTERIOR

- a) takes decisions on entering the information about the alien into the List;
- b) determines, reduces, and cancels entry bans;
- c) takes decision about expulsion of the citizen of the European Union and his family members from the country.

THE OFFICE OF CITIZENSHIP AND MIGRATION AFFAIRS

- a) issues removal orders;
- b) takes decisions regarding persons' forced return (including those persons who are refused granting refugee or alternative status);
- c) determines, reduces, and cancels entry bans;
- d) takes decisions on entering the information about the alien into the List;
- e) maintains the List;
- f) issues travel documents;
- g) provides information to the State Border Guard about the persons residing in the country illegally.

THE STATE SECURITY INSTITUTIONS

- a) Detains up to 3 hours aliens who reside in the country illegally (the State Police);
- b) provides opinion about inclusion of foreigners in the List;
- c) performs preventive measures.

THE COURT

- a) takes decision on prolongation of the aliens' detention;
- b) after the end of detention imposes additional punishment – forced return from Latvia, with no rights to enter Latvia from 3 to 10 years;
- c) provides control over the decisions of the Office of Citizenship and Migration Affairs and the State Border Guard.

THE CONSULAR DEPARTMENT OF THE MINISTRY OF FOREIGN AFFAIRS

- a) requests travel documents from the foreign diplomatic and consular institutions in Latvia for the aliens who are going to be expelled;
- b) reduces, and cancels entry bans.

DIPLOMATIC AND CONSULAR INSTITUTIONS

- a) takes decisions on entering the information about the alien into the List.

Mainly forced return of persons is implemented in Latvia. This procedure is performed by **the Office of Citizenship and Migration Affairs** and **the State Border Guard**.

Latvia uses a **two-step system** – initially a **removal order**⁶⁵ is issued against an alien demanding his or her departure from the State within seven days. If the alien has failed to leave the State voluntarily in the specific period and has not appealed the removal order then decision regarding the alien's **forced return**⁶⁶ from the State is taken. The Immigration Law

⁶⁵ Removal order is an administrative act ordering an alien to leave the Republic of Latvia in a specific period.

⁶⁶ Return decision is an administrative act providing ground for the forced removal of an alien.

also provides for exceptions when a decision regarding alien's forced return maybe taken without issuing a removal order.

If during an alien's stay in the Republic of Latvia he or she has violated the procedures for alien's entry or stay in the Republic of Latvia as prescribed by the law, an official of the Office of Citizenship and Migration Affairs issues a removal order. Prior to the issue of the removal order, the official of the Office of Citizenship and Migration Affairs grants the alien a possibility **to provide explanation** of the committed violation.

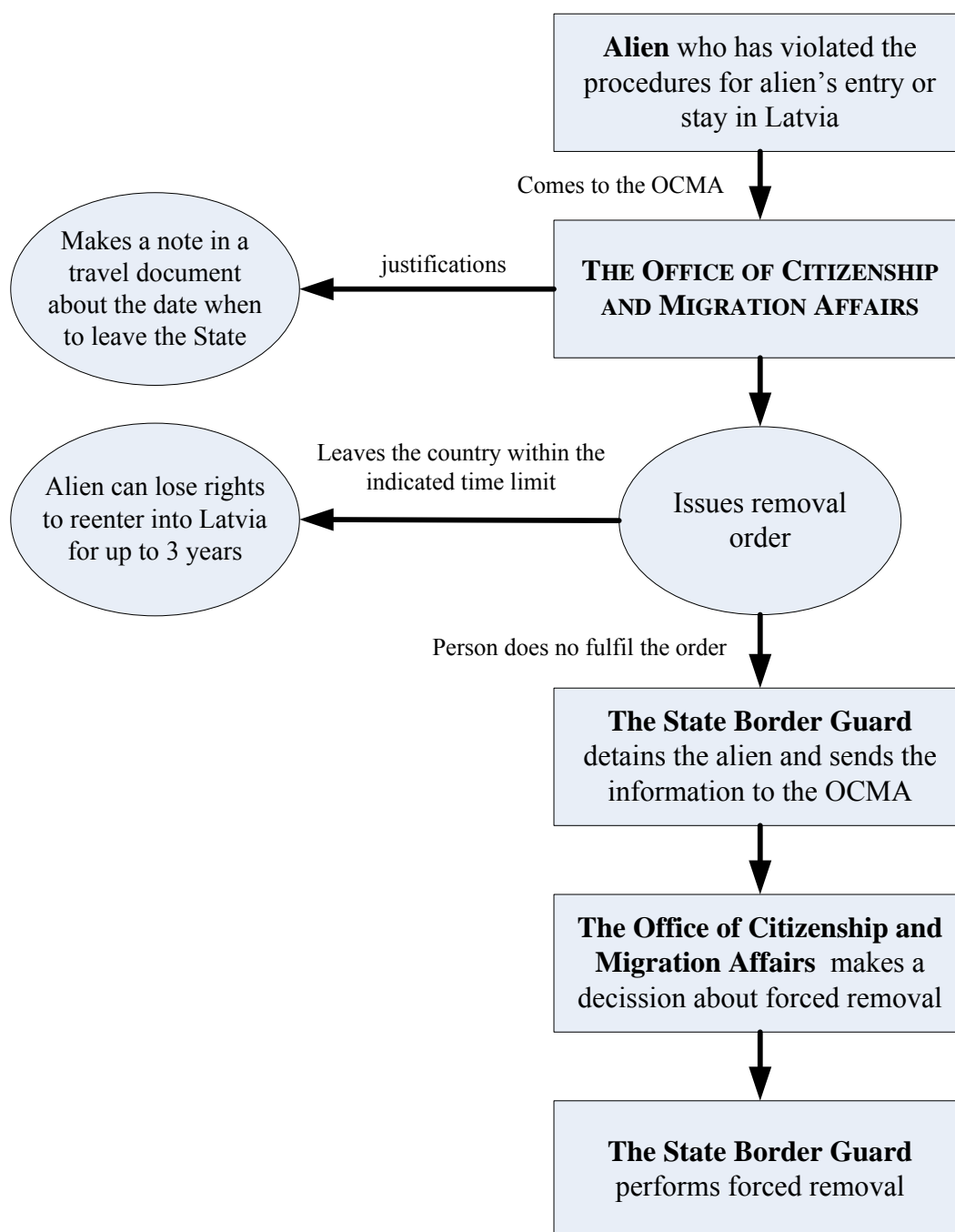
If by assessing the severity of the violation, circumstances of the violation and the alien's identity, the official of the Office of Citizenship and Migration Affairs establishes that it is not preferable to issues the removal order, the alien is ordered to leave the Republic of Latvia **within a specific period** by making a note in the alien's travel document specifying the date by which the alien is required to leave the State.

The Office of Citizenship and Migration Affairs in cooperation with the State Border Guard controls weather an alien who has received a removal order departs from the Republic of Latvia in a timely manner.

In case an alien fails to leave the Republic of Latvia within seven days after he or she has received a removal order and has not appealed it to the Head of the Office of Citizenship and Migration Affairs or the Head of the Office of Citizenship and Migration Affairs has dismissed it, or an official of the State Border Guard has detained an alien in the territory of the Republic of Latvia, the official of the Office of Citizenship and Migration Affairs takes a decision regarding the alien's forced return.

After adopting a return decision, the Office together with the State Border Guard takes measures to ensure the expulsion of the alien (see image 3.1.5.2).

Image 3.1.5.2
Procedure of return



The Head of the State Border Guard or his or her authorised official takes a decision to expel an alien if the alien has crossed the state border of the Republic of Latvia illegally or otherwise violated the procedures for aliens' entry or stay in the Republic of Latvia as prescribed by the law **in the border zone** or **at the crossing place** of the state border.

Forced return from Latvia is also applied when an alien who after serving one's custodial sentence for crimes committed in the Republic of Latvia has no legal grounds to stay in the Republic of Latvia.

When a removal order is issued to a person or a decision regarding forced return has been taken, the alien **is not enabled** to return to his or her country of origin by using the principle of voluntary return.

No voluntary return programmes are actually launched in Latvia. The voluntary return principle is applied to the following groups of third-country nationals:

- a) third-country nationals who reside in the Republic of Latvia legally and who have taken decision to leave the State and return voluntarily to their country of citizenship or ethnic origin;
- b) third-country nationals the validity of whose residence permit has expired or their residence permit is annulled. Such person shall leave the State within 45 days as prescribed by law⁶⁷.

The procedure of return has been described generally. Information about specific cases when the decision of return is made can be found in the legal regulations of the return field (see annex 10).

3.2. Asylum

3.2.1. Procedure of granting the international protection

A person is considered to be **an asylum seeker** if he or she, in accordance with procedures prescribed in the Asylum Law, has submitted an application for granting of refugee or alternative status.

The Refugee Affairs Department of the Office of Citizenship and Migration Affairs examines the application of a person and takes a decision to grant or to refuse the granting of refugee or alternative status. Besides the Office of Citizenship and Migration Affairs also **the State Border Guard, the Administrative Regional Court, the Administrative court, city (region) court, custody court and the Administration of Legal Assistance** of the Ministry of Justice (see image 3.2.1).

⁶⁷ In accordance with the section 88 of the regulations of the Cabinet of Ministers on October 3, 2006 No.813 : Regulations Regarding Residence Permits”

Image 3.2.1 Institutions involved in the asylum field

OFFICE OF CITIZENSHIP AND MIGRATION AFFAIRS

- a) examines asylum applications;
- b) makes decision about granting the status (refugee or alternative) or refusal to grant;
- c) accommodates asylum seekers;
- d) issues identity documents to refugees and persons granted the alternative status;
- e) pays allowance (to a refugee or person granted the alternative status);
- f) makes decision on family reunification (to a refugee or person granted the alternative status);
- g) makes decision about forced return if the decision is taken not to grant the status.

ADMINISTRATION OF LEGAL ASSISTANCE

- a) provides legal support during the decision appeal process.

CUSTODY COURT

- a) appoints representative to unaccompanied minor.

STATE BORDER GUARD

- a) identifies an asylum seeker;
- b) interviews an asylum seeker;
- c) accommodates an asylum seeker (if an asylum seeker has been detained by the State Border Guard);
- d) detains asylum seekers;
- e) issues identification documents to an asylum seeker;
- f) implements decision about forced return if a decision is taken about refusal to grant the status.

ADMINISTRATIVE DISTRICT COURT

- a) examines complaints about the decisions made by the Refugee Affairs Department of the Office of Citizenship and Migration Affairs.

ADMINISTRATIVE REGIONAL COURT

- a) examines those applications that are submitted in relation to newly discovered circumstances .

A person who **arrives** in the Republic of Latvia in order to receive asylum and obtain refugee or alternative status shall submit **an application** to a border guard at the **border control point** before entry into the Republic of Latvia. A person **located** in the Republic of Latvia shall submit an application to **the territorial unit of the State Border Guard**.

The State Border Guard negotiates with the asylum seeker, performs identification of the asylum seeker (if it is not clarified), accommodates in the facilities meant for this purpose. The State Border Guard sends the information gained during the negotiations to the Department of the Refugee Affairs of the Office of Citizenship and Migration Affairs.

The Department of the Refugee Affairs of the Office of Citizenship and Migration Affairs makes a decision about granting or refusal to grant refugee or alternative status in the terms indicated in the law⁶⁸.

The decisions of the Department of the Refugee Affairs of the Office of Citizenship and Migration Affairs about granting or refusal to grant the status of refugee or alternative status can be appealed in **the Administrative District Court**.

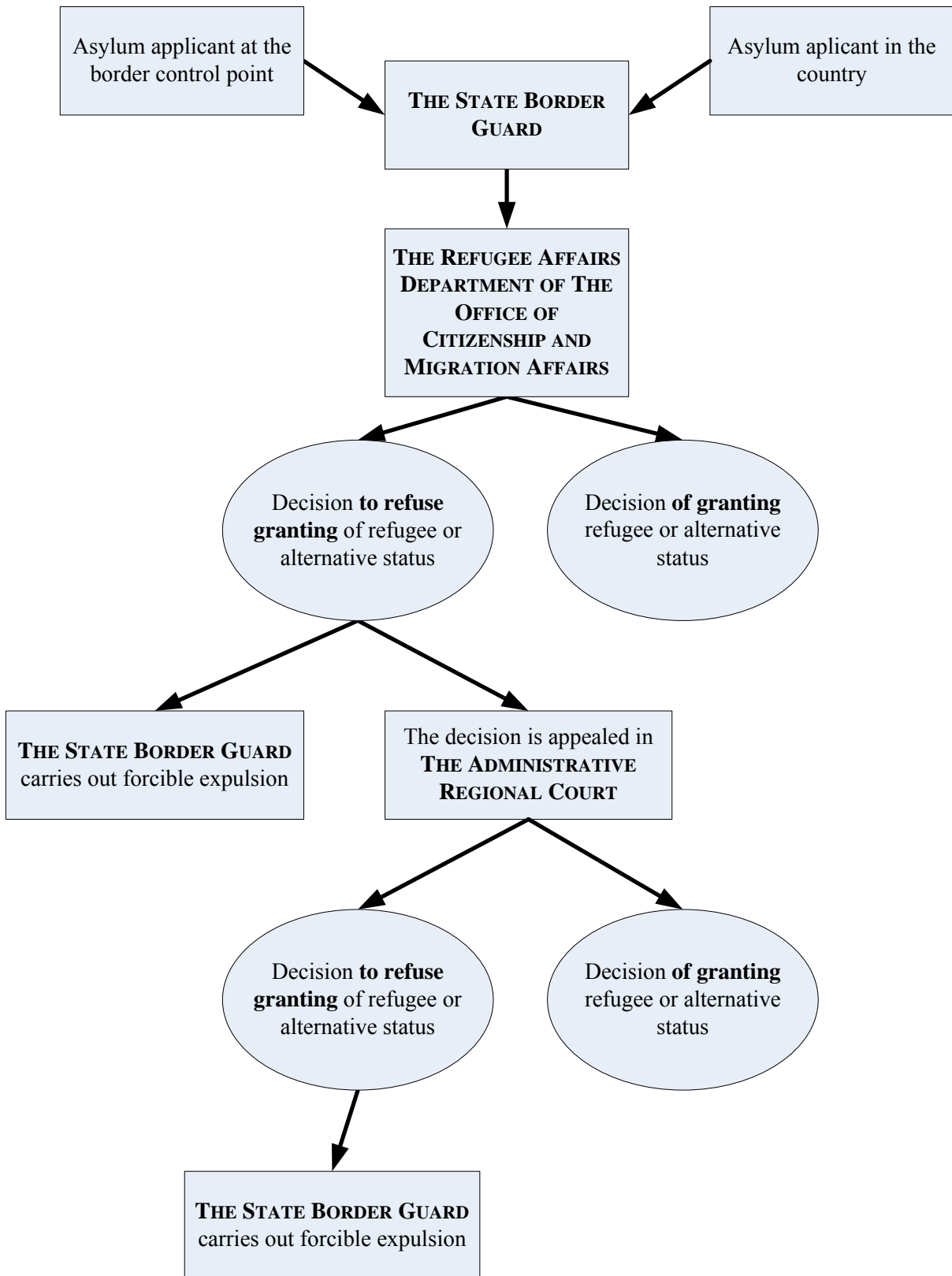
If an application is submitted about examination of the case with newly discovered circumstances it is examined by **the Administrative Regional Court**.

The person to whom a decision about refusal to grant the status of refugee or alternative status is **expelled** from Latvia in the procedure indicated in the regulations of the

⁶⁸ Examination time of applications is described in section 13 and 16 of the Asylum Law, the examination time of the application depends on the place where the application is submitted and on the content of the application.

Cabinet of Ministers if the person does not have any legal grounds to remain in Latvia (see image 3.2.1.2).

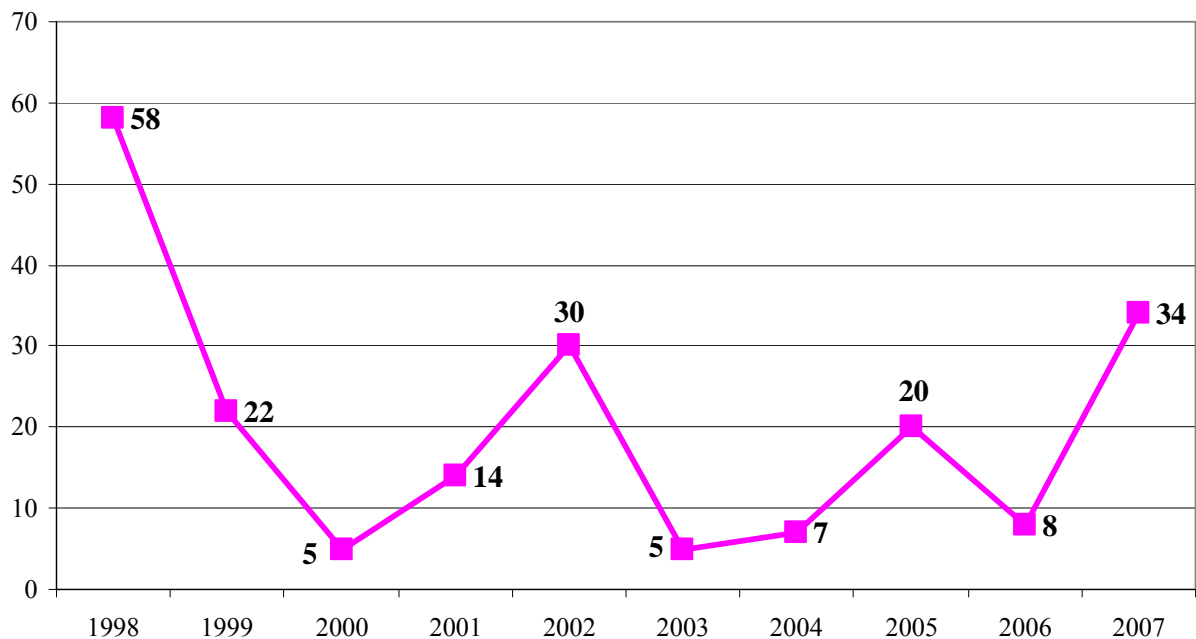
Image 3.2.1.2
Procedure of granting international protection



In the legal regulation of the asylum field it is possible to find information about documents of asylum seekers and procedure of their issuance, about amount of allowances, about education possibilities, about the procedure how the person to whom decision is made not to grant the status of refugee or alternative status is expelled (see annex 11).

The number of asylum seekers in Latvia in comparison to all together statistics of the world is just a small part from the common statistics of Europe and the rest of the world (see diagram 3.2.1.4).

Diagram 3.2.1.4
Application number of asylum seekers, 1998-2007



The economic situation in Latvia as well as the geographical location of the country, the small allowance and the lack of diaspora encourages the asylum seekers to choose other countries. However it is anticipated that the number of asylum seekers could increase in the nearest future. It should be pointed out that in 2008 has grown the number of applications (from 34 in 2007 to 169 in 2008⁶⁹) from Member States that are received in accordance with the Council Regulation No.343/2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national.

⁶⁹ Data on December 15, 2008. Source of data the Office of Citizenship and Migration Affairs.

3.2.2. Legal residence

Permanent residence permit **free of charge** is issued to a person who has been granted refugee status⁷⁰. Temporary residence permit **up to four years** will be issued to a person who has been granted alternative status. If the person presents a submission regarding the extension of the residence time period and the conditions on which the decision about granting the status was based on still exist a new temporary residence permit is issued for a period up to four years⁷¹.

The State support is envisaged to refugees for integration into the society⁷². The State provides support for mastering of the Latvian language. The amount of allowance covers the actual expenses of the Latvian language trainings, but not more than 35 lats per month. If the refugee has acquired the Latvian language at the first skill level and has received a document confirming his skills the payment of allowance is ceased.

3.2.3. Access to the labour market

A third-country national who is willing to work needs a work permit. As a long-term residence permit is issued to an asylum seeker work permit is not necessary⁷³.

To a person who has been granted an alternative status or a family member who has received a temporary residence permit and wishes to work the Office of Citizenship and Migration Affairs issues a work permit without an invitation of an employer⁷⁴.

Work permit to an asylum seeker is issued if the Department of the Refugee Affairs of the Office of Citizenship and Migration Affairs has not made a decision about granting or refusal not to grant the status of refugee or alternative status within one year⁷⁵.

3.2.4. Return

If the person to whom a decision about refusal to grant the status of refugee or alternative status **has** a valid travel document the Office of Citizenship and Migration Affairs in time of **one working day** takes a decision about persons expulsion from Latvia. To this

⁷⁰ In accordance with the section 27 of the Asylum Law

⁷¹ In accordance with the section 37 of the Asylum Law

⁷² In accordance with regulations of the Cabinet of Ministers on September 20, 2005 No.721 „Regarding Allowances to Refugees and Persons who have been Granted Alternative Status”

⁷³ In accordance with the 1st point of the 2nd part of the section 9 of the Immigration Law.

⁷⁴ In accordance with section 30.2.12. of the regulations of the Cabinet of Ministers on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”.

⁷⁵ In accordance with section 28¹ of the regulations of the Cabinet of Ministers on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”.

person removal order is issued. After the person has received the removal order he or she must leave the country within **five days**. If the person does not execute the order the Office of Citizenship and Migration Affairs makes a decision about the forced removal of the person.

If the person to whom a decision about refusal to grant the status of refugee or alternative status **does not have** a valid travel document the Office of Citizenship and Migration Affairs in time of **one working day** takes a decision about forced removal of the person from Latvia. Till the implementation of the decision person is accommodated by the State Border Guard in the facilities meant for this purpose.

3.3. Links of the migration and asylum field with other fields of policy

The migration and asylum policy has always been linked with other fields of policy. It is proved by the projects discussed and implemented at the European Union level (for example, Global Approach to Migration, the Council Directive on a specific procedure for admitting third-country nationals for the purposes of scientific research⁷⁶, the Council Directive on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service⁷⁷ and others) by the institutional framework and procedural schemes mentioned earlier in this work that demonstrates how many state institutions are responsible for certain scope of questions related to the migration and asylum field.

Mainly the migration and asylum policy is related with the employment and welfare. Besides these two fields also other areas should be mentioned, for example, education policy, foreign policy, integration policy.

Employment policy – one of the top themes during the time when after joining the European Union in 2004 the rapid development of the Latvian economy positively influenced the labour market: increase in employment, decrease of unemployment and increase in the number of economically active citizens. Still the rapid increase in separate fields, significant emigration of labour force, irregular regional development has created unbalanced supply and demand of labour force in separate fields, groups of professions and regions. As one of the policy priorities in order to balance the supply and demand of the labour force is to support

⁷⁶ Council Directive 2005/71/EC of October 12, 2005 on a specific procedure for admitting third-country nationals for the purposes of scientific research, the Official Journal L 289 15-22 p., 03.11.2005.

⁷⁷ Council Directive 2004/114/EC of December 13, 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service, the Official Journal L 375 12-18 p., 23.12.2004.

attraction of highly skilled labour force. To reach this aim corresponding migration policy should be secured, keeping in mind that the policy of labour force migration must be explicitly oriented on the national interests of Latvia. Even though the economical crisis has also diminished the rapid economical development of Latvia it allows to use the existing labour force resources more valuably.

Education policy – attraction of foreign students is essential for the development of the Latvian universities. Foreign students enrich the academical environment of the universities and offers economical support to the country. As pointed out by the Ministry of Education and Science the most important benefit from foreign students is diversification of the study environment as well as the best specialists can be attracted to solve the problems of labour force of Latvia after graduation from the university⁷⁸. Foreign students are a very important source for international recognition of universities. At this point it is considered that the migration policy in Latvia hinders entry of foreign students willing to study in Latvia thus losing millions of lats.

To foster entry of foreign students into Latvia with purpose of studies and to relief the entry of these students amendments in the existent legal acts will be made in order to prevent administrative and legal obstacles for attraction of foreign students.

Integration policy – changes in the migration policy is closely related with the integration questions of society. Integration of immigrants till now has not been a priority of the Latvian government. Opinion governing in the society is that the state institutions does not pay enough attention to the problem of integration of immigrants as there have been no proper research done (for example, in what is the socioeconomic situation of immigrants and their families, what are the available services in health sector, education, and social field). Never the less, year 2008 has been quite fruitful in the integration of immigrants. Namely, Integration confidence point for persons granted a refugee or alternative status was established where consultations on different social issues are provided including on courses of Latvian language and integration possibilities.

In 2008 also work of the European Fund for the Integration of the Third Country Nationals was started in Latvia, the aim of this fund is to support efforts of the Member States to help third country nationals with different economical, social, cultural, language, religious and ethnic origin fulfil residence requirements and ease their integration in Latvia and in the

⁷⁸ Helmane I., DB akcija: vēlas uzlabot augstskolu eksportspēju, see on line <http://www.db.lv/Default2.aspx?ArticleID=6d38fc2b-7911-4667-b0d7-262963e5ab64&RubricID=fc129459-2144-4659-b7ae-0ea5e1504aa2&readcomment=1&open=four#>

European Union. In the same way a working group has been established with an aim to develop an action plan to secure with obligatory all-around education children of third country nationals who have received the refugee or alternative status. Besides in the integration conception of immigrants is being developed.

Foreign policy – The Ministry of Foreign Affairs actively involves in the development of migration (visas) policy. The Ministry of Foreign Affairs is responsible for formation and development of migration policy that corresponds with the priorities of foreign policy. Diplomatic and Consular representations of the Republic of Latvia are the front points implementing the State migration policy abroad.

The Ministry of Foreign Affairs continues to sign two sided agreements about non-visas regime or to define one sided non-visas regimes with the so called European Union *white list* countries with which did not succeed to sign two sided agreements about no-visas regime.

4. ANALYSIS OF THE SYSTEM OF ASYLUM AND MIGRATION

The Office of Citizenship and Migration Affairs is the contactpoint of the Network that also responsible for the development of this study. As mentioned before the Office of Citizenship and Migration Affairs is one of the main institutions responsible for the implementation of the migration and asylum policy. Therefore the analysis of the migration asylum system might not be objective. In order to make conclusions about the effectiveness of the migration and asylum in Latvia authors of the study reflected **most relevant** conclusions made in other researches, collections, mass media and performed analyses of these conclusions.

Authors of the study consider that the migration and asylum policy in Latvia is continuously developing as it is following the migration and asylum tendencies in the world and in Europe. It is testified by 12 amendments made to the Immigration Law within the last five years after its adoption, by the amendments to the Asylum Law – three amendments as well as **the new** Asylum Law that is going to be a third law that is created improving the current Asylum law in force. The legislation in the asylum and migration field can react in due time if the situation requests relevant changes. The authors of this study consider that it is possible to make changes in the legislative acts regulation migration and asylum field in relatively short time.

The mass media with the word „immigrant” usually understands only guest workers who have come to Latvia for a limited period of time⁷⁹. In the research done by the marketing and public opinion research centre SKDS „Attitude of Society towards Guest Workers Entering and Residing in Latvia” 69 % of respondents indicated that their overall attitude towards guest workers coming to Latvia is negative and only 17% attitude is positive; 64% do not support spending the State money on integration of guest workers while 66% consider that the government should prevent, reduce the number of foreign citizens who are coming to Latvia to work.

- *Current procedure of issuance of residence permits is complicated as two state institutions are involved (the Office of Citizenship and Migration Affairs and the State Employment Agency) and in each of them documents should be submitted separately.*

In 2008 the government to simplify the procedure how to receive work and residence permit made a decision to create „**the One-stop Agency**” to receive work and residence permits, optimizing the invitation procedure for work and residence permits, performing them in the same institution and during the same visit. As mentioned before employer who wishes

⁷⁹ Kaša R., Ķešāne I. „Mācāmies uzņemt. Imigrantu integrācija Latvijā un Polijā”, 2008, Sabiedriskās politikas centrs Providus, see on line www.politika.lv

to hire foreigner must register a vacancy at the State Employment Agency that must remain free for at least one month and afterwards must confirm work invitation that is sent to the foreigner as one of the basic documents to apply for residence permit. At the same time employer at the Office of Citizenship and Migration Affairs must confirm an invitation to apply for residence permit. Only after both invitations are confirmed the foreigner can submit documents to apply for residence permit. After the one-stop agency was established the Office of Citizenship and Migration Affairs will look through all the documents related to application for residence permit and electronically will ask for the opinion of the State Employment Agency. It should be pointed out that this will increase the load of the Office of Citizenship and Migration Affairs.

- *Information about issuance of residence permits is not coordinated and easily available.*

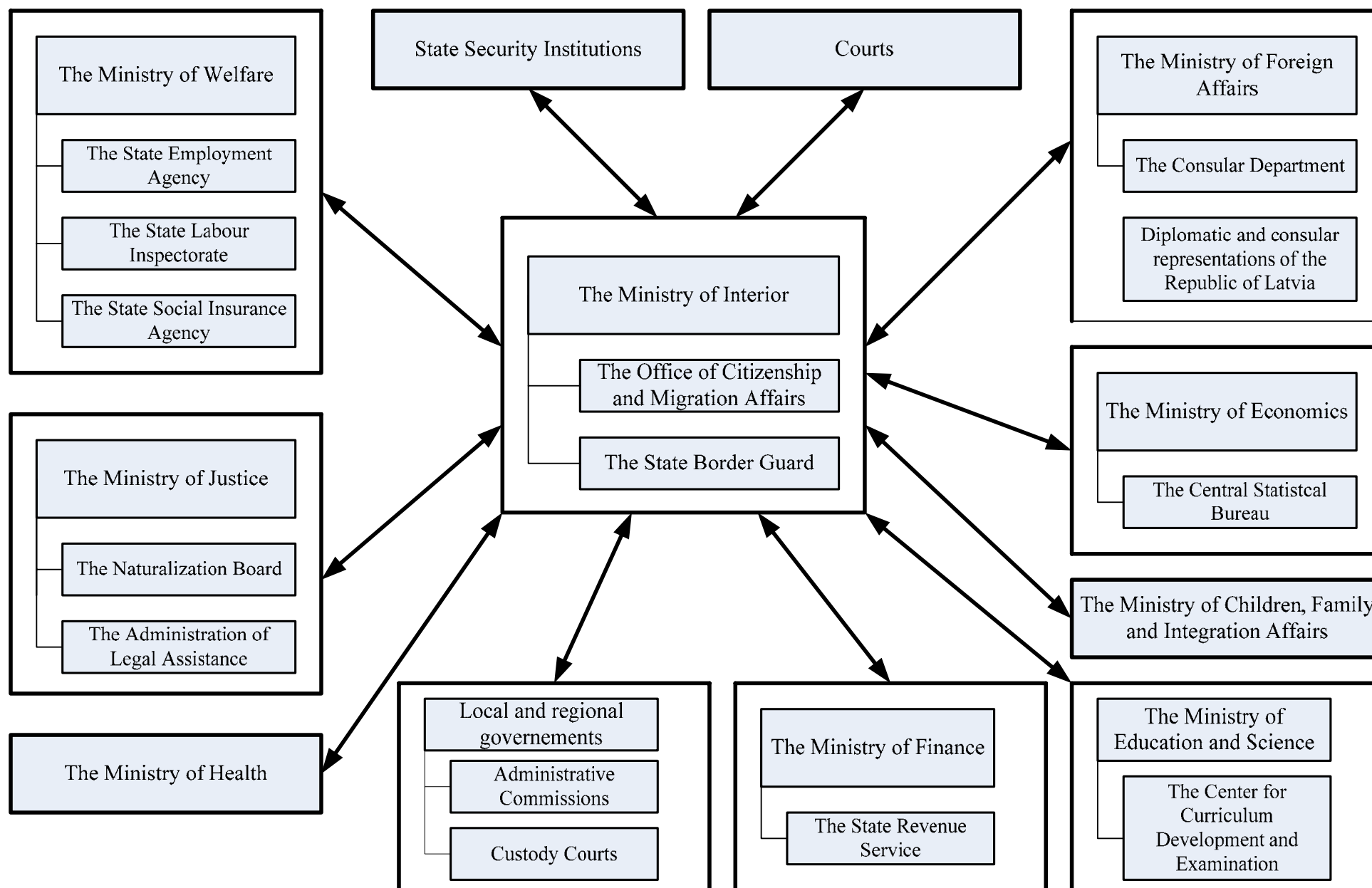
In 2006 the Office of Citizenship and Migration Affairs created the Entry and Residence Wizard with help of which it is possible to find all the necessary information about entry procedure into Latvia – necessary documents and deadlines for their submission. Entering the information about the planned visit in the portal the user reaches the result page in which information about the necessary procedures in the concrete case is indicated. Link to the Entry and Residence Wizard is also available in such web pages as www.latvija.lv, www.latviatourism.lv and, of course, in the home page of the Ministry of Foreign Affairs www.am.gov.lv. The information is available in three languages – Latvian, Russian, and English.

- *The State does not have a long-term vision about immigration policy.*

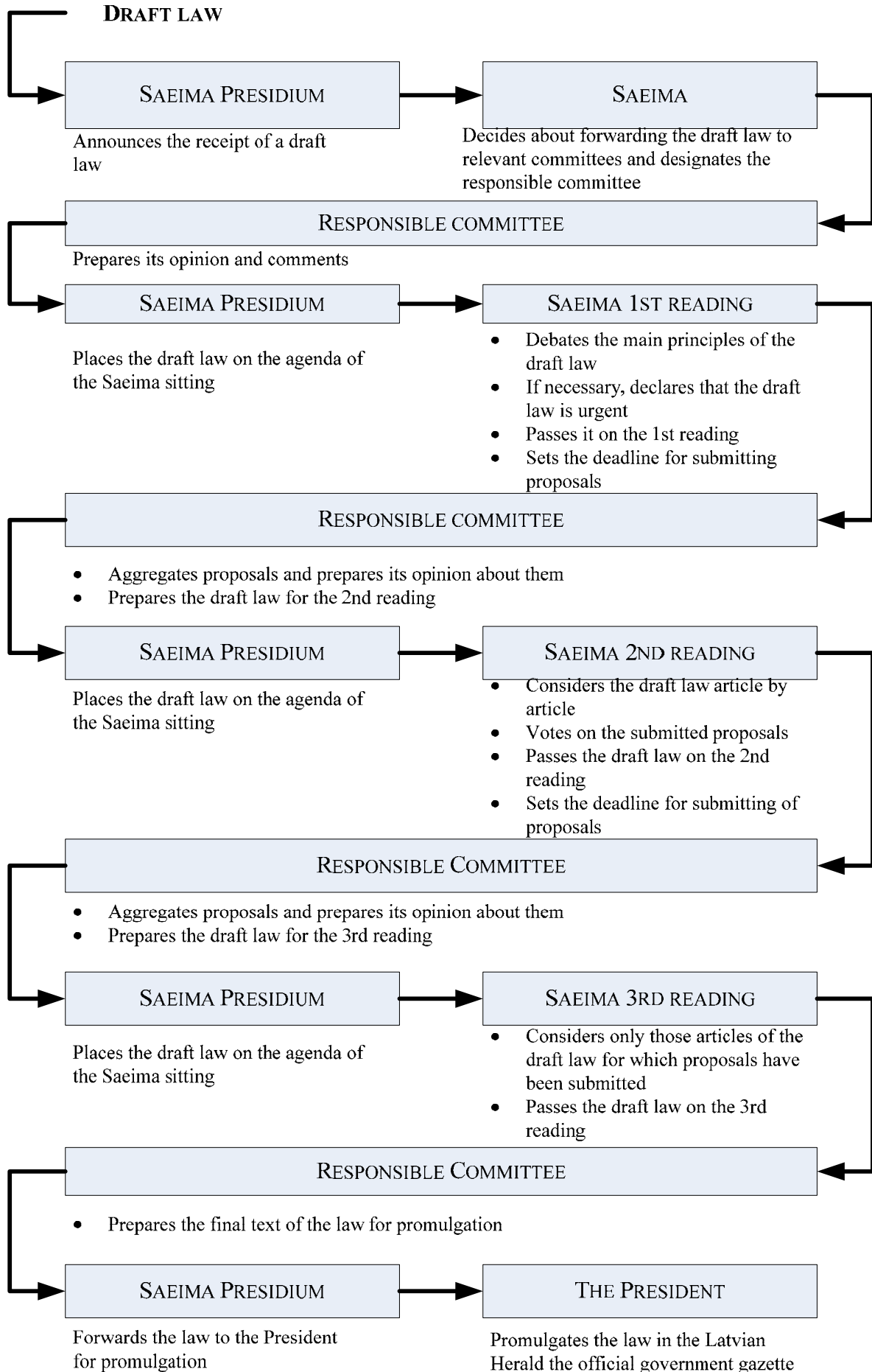
On this conclusion the authors of the study would like to replay „yes” and „no”. For example, the vision of family reunification is clear. Latvia observes all the norms implied in the legal enactments of the European Union as well as family entry procedure is quite liberal. No special declinations to one or another side are envisaged. In its turn there are bigger doubts about acceptance of labour force from third countries. It can be considered that there is no long-term vision in this field. Partly it is because of the different possible economical development scenarios of the country. For example, at the time when a rapid economical development was observed in Latvia the State felt a need for guest workers. The State ignored this need and right now, during the global economical crisis, this decision has paid off. If before a huge number of labour force from third countries would have been accepted at this point there would be problems with their employment. But if we will keep to this scenario in future when economy will recover it will not testify about strategically correct decision and will cause chain of problems.

ANNEXES

Institutions involved in the field of migration and asylum



ANNEX 2 Procedure of adoption of a draft law



ANNEX 3
Legal regulation of the migration and asylum field

IMMIGRATION LAW

Subordinate regulations of the Cabinet of Ministers

- Regulations on July 10, 2001 No.310 „Procedures for Persons Crossing the State Border of the Republic of Latvia”.
- Procedure for Approval of Invitations No.183, 15.04.2003.
- Visa Regulations, No.217, 29.04.2003.
- Procedures for the Forcible Expulsion of Aliens Form of Standard Travel Document and Procedures for Issue Thereof, No.212, 29.04.2003.
- Regulations on April 29, 2003 No.215 „Procedure for Recognition of Foreigners’ Travel Documents”.
- Regulations on August 5, 2003 No.436 “Regulations on Establishment and Utilization of the Information Exchange System of the Samples of Personal Identification Documents and Certificate of Authority”
- Regulations on September 9, 2003 No.504 „Procedures by which Expenses Related to the Expulsion, Apprehension and Detention of a Foreigner shall be Determined and Recovered”.
- Regulations on December 9, 2003 No.692 „Amount of Information to be Included in the State Border Guards’ Border-crossing Electronic Information Exchange System and Procedures for the Utilisation of this Information”.
- Regulations on December 16, 2003 No.707 „Procedures by which Foreign Minors Enter and Reside in the Republic of Latvia Unaccompanied by Parents or Guardians”.
- Regulations on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”.
- Regulations on July 12, 2005 No.515 “Regulations on the Amount of Financial Resources Necessary for Foreigners and Procedure of Recognition of Existence of Financial Resources”.
- Regulations on August 16, 2005 No.605 „Procedures for Utilisation, Maintenance and Updating of a List of Aliens who are Prohibited to Enter the Republic of Latvia”.
- Regulations on February 14, 2006 No.149 „Regulations List the Countries whose Citizens are Subjects to an Additional Check when Issued a Visa or Residence Permit, as

well as whose Citizens Need to Obtain a visa to Enter the Republic of Latvia in the Status of the Cruise Liner Passenger”.

- Regulations on April 4, 2006 No.252 „Regulations of the Level of Proficiency in the Official Language and the Procedure of Testing the Level of Language Proficiency for Foreign Nationals Eligible to Apply for a Permanent Residence Permit”
- Regulations on April 25, 2006 No.337 „Regarding Procedures by which the Republic of Latvia Receives and Renders Assistance to Member States of the European Union and the Schengen Treaty Countries in Cases of Forced Return by Air, Amount of Assistance Thereof and Procedures for Organisation of Join Flights among Member States of the European Union and the Schengen Treaty Countries”.
- Regulations on June 6, 2006 No.459 „Concerning Sample Form of decision Regarding Refusal of Entry for an Alien to the Republic of Latvia and Procedures of Completion Thereof”.
- Regulations on July 18, 2006 No.586 „Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and their Family Members”.
- Regulations on October 3, 2006 No.825 „Health Disorders and illnesses because of which the Foreigner shall be Refused the Issuance and Registration of the Residence Permit”.
- Regulations on October 3, 2006 No.813 „Regarding Residence Permits”.
- Regulations on February 13, 2007 No.109 “On State Fee for Language Examination for Foreigner and Procedure of Payment”.
- Regulations on Application Fees for Processing Visa, Residence Permit or the Status of the Permanent Resident of the European Community in the Republic of Latvia Applications and Related Services, No.222, 01.04.2008.
- Regulations on May 26, 2008 No.365 „Procedures by which the Examination of the Information Available is Performed Examining the Documents of a Foreigner Submitted for an Application for a Visa or a Residence Permit”.
- Regulations on June 17, 2008 No.435 “Regulations on Requirements for Arrangement and Equipment of the Reception Centre”.
- Regulations on June 17, 2008 No.434 “On the Subsistence Standards for the Foreigners Placed in the Reception Centre as well as on the Procedures of Reception and Amount of Health Care Services”.

- Regulations on July 7, 2008 No.502 “Maintenance and Utilization of the Illegal Immigration Register”.
- Regulations on July 28, 2008 No.591 „Health Insurance Regulations for Foreign Nationals”.
- Regulations on September 15, 2008 No.742 “Internal Regulations of the Reception Centre”

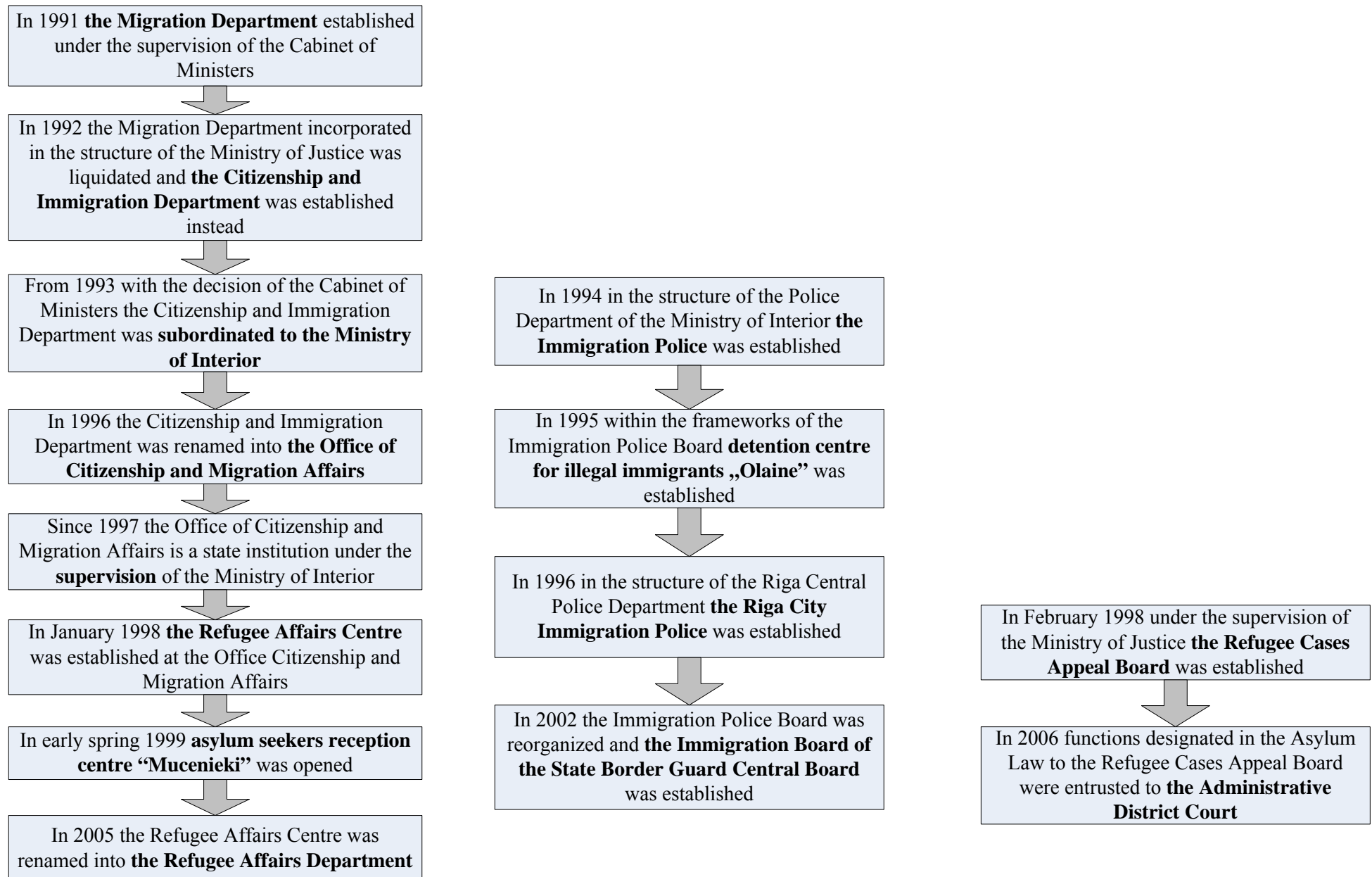
ASYLUM LAW

Subordinate regulations of the Cabinet of Ministers

- Regulations on September 3, 2002 No.406 „Regarding Personal Identity Documents of Asylum Seekers and Procedures for Issuance Thereof”.
- Regulations on January 20,2003 No.29 „Procedures by which a Person in Relation to whom Decision has been Taken on Refusal to Grant Refugee or Alternative Status shall be Expelled from the Republic of Latvia”.
- Regulations “On the Allowed Expenditures on Food, Hygiene Products and other Basic Necessities for Asylum Seekers, and the Procedures of Reimbursing those Expenditures" No.119, 08.02.2005.
- On August 9, 2005 No.586 “Procedure by which to Education is to be Ensured for Minor Children of Asylum Seekers or Minor Asylum Seekers”
- Regulations on August 30, 2005 No.652 „Procedures by which Refugee Family Reunification, as well as Family Reunification of such Persons who have been Granted Alternative Status is Performed in the Republic of Latvia”.
- Regulations on September 20, 2005 No.721 “Regarding Allowances to Refugees and Persons who have been Granted Alternative Status”.
- Regulations on May 26, 2008 No.360 “On the Procedure how the Expense of the Local Authorities are Reimbursed from the State Budget for Maintenance of Unaccompanied Minors in the Day-care Centre”.

LAW ON THE STATUS OF PERMANENT RESIDENTS OF THE EUROPEAN COMMUNITY IN THE REPUBLIC OF LATVIA”

Development of migration and asylum system



Long-term migration of inhabitants between countries 1991 - 2007

| Year | Immigration | Emigration | Migration net |
|-------------|--------------------|-------------------|----------------------|
| 1991 | 14684 | 29729 | -15045 |
| 1992 | 6199 | 59673 | -53474 |
| 1993 | 4114 | 36447 | -32333 |
| 1994 | 3046 | 25869 | -22823 |
| 1995 | 2799 | 16512 | -13713 |
| 1996 | 2747 | 12828 | -10081 |
| 1997 | 2913 | 12333 | -9420 |
| 1998 | 3123 | 8874 | -5751 |
| 1999 | 1813 | 5898 | -4085 |
| 2000 | 1627 | 7131 | -5504 |
| 2001 | 1443 | 6602 | -5159 |
| 2002 | 1428 | 3262 | -1834 |
| 2003 | 1364 | 2210 | -846 |
| 2004 | 1665 | 2774 | -1079 |
| 2005 | 1886 | 2450 | -564 |
| 2006 | 2801 | 5252 | -2451 |
| 2007 | 3541 | 4183 | -642 |

First-time temporary residence permits and permanent residence permits, 1995 - 2007

| | 1995 | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 |
|------------------------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Permanent residence permits | 612 | 3545 | 7180 | 7634 | 4944 | 4496 | 7347 | 5764 | 5035 | 1914 | 3317 | 3238 | 2484 |
| Temporary residence permits | 1859 | 1806 | 1821 | 1846 | 2631 | 2437 | 2212 | 2154 | 1896 | 2061 | 2396 | 2928 | 4831 |

Immigration Law*Subordinate regulations of the Cabinet of Ministers*

- Procedure for Approval of Invitations No.183, 15.04.2003.
- Visa Regulations, No.217, 29.04.2003.
- Regulations on April 29, 2003 No.215 „Procedure for Recognition of Foreigners’ Travel Documents”.
- Regulations on July 12, 2005 No.515 “Regulations on the Amount of Financial Resources Necessary for Foreigners and Procedure of Recognition of Existence of Financial Resources”.
- Regulations on February 14, 2006 No.149 „Regulations List the Countries whose Citizens are Subjects to an Additional Check when Issued a Visa or Residence Permit, as well as whose Citizens Need to Obtain a visa to Enter the Republic of Latvia in the Status of the Cruise Liner Passenger”.
- Regulations on July 18, 2006 No.586 „Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and their Family Members”.
- Regulations on April 1, 2008 No.222 “Application Fees for Processing Visa, Residence Permit or the Status of the Permanent Resident of the European Community in the Republic of Latvia Applications and related Services”.
- Regulations on May 26, 2008 No.365 „Procedures by which the Examination of the Information Available is Performed Examining the Documents of a Foreigner Submitted for an Application for a Visa or a Residence Permit”.
- Regulations on July 28, 2008 No.591 „Health Insurance Regulations for Foreign Nationals”.

ANNEX 8
Legal regulation of the residence permit field

Immigration Law

Subordinate regulations of the Cabinet of Ministers

- Regulations on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”.
- Regulations on July 12, 2005 No.515 “Regulations on the Amount of Financial Resources Necessary for Foreigners and Procedure of Recognition of Existence of Financial Resources”.
- Regulations on February 14, 2006 No.149 „Regulations List the Countries whose Citizens are Subjects to an Additional Check when Issued a Visa or Residence Permit, as well as whose Citizens Need to Obtain a visa to Enter the Republic of Latvia in the Status of the Cruise Liner Passenger”.
- Regulations on April 4, 2006 No.252 „Regulations of the Level of Proficiency in the Official Language and the Procedure of Testing the Level of Language Proficiency for Foreign Nationals Eligible to Apply for a Permanent Residence Permit”
- Regulations on July 18, 2006 No.586 „Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and their Family Members”.
- Regulations on October 3, 2006 No.825 „Health Disorders and illnesses because of which the Foreigner shall be Refused the Issuance and Registration of the Residence Permit”.
- Regulations on October 3, 2006 No.813 „Regarding Residence Permits”.
- Regulations on February 13, 2007 No.109 “On State Fee for Language Examination for Foreigner and Procedure of Payment”
- Regulations on April 1, 2008 No.222 “Application Fees for Processing Visa, Residence Permit or the Status of the Permanent Resident of the European Community in the Republic of Latvia Applications and related Services”.
- Regulations on May 26, 2008 No.365 „Procedures by which the Examination of the Information Available is Performed Examining the Documents of a Foreigner Submitted for an Application for a Visa or a Residence Permit”.
- Regulations on July 28, 2008 No.591 „Health Insurance Regulations for Foreign Nationals”.

Legal regulation in the employment field

- 1) Employment Law;
- 2) Latvian Code of Administrative Offence;
- 3) Law on Personal Income Tax;
- 4) Law on Taxes and Fees;
- 5) Law on Regulated Occupation and Recognition of Professional Qualifications;
- 6) Law on State Social Insurance;
- 7) Law on the Status of Permanent Residents of the European Community in the Republic of Latvia;
- 8) Official Language Law;
- 9) Immigration Law

Subordinate regulations of the Cabinet of Ministers:

- Visa Regulations, No.217, 29.04.2003.
- Regulations on December 9, 2003 No.691 „On the Health Insurance of Foreigners”
- Regulations on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”.
- Regulations on July 12, 2005 No.515 “Regulations on the Amount of Financial Resources Necessary for Foreigners and Procedure of Recognition of Existence of Financial Resources”.
- Regulations on January 21, 2006 No.84 „On the Fee Charged for Processing Residence Permit Applications and Related Services”
- Regulations on July 18, 2006 No.586 „Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and their Family Members”.
- Regulations on October 3, 2006 No.813 „Regarding Residence Permits”.
- Regulations of the Cabinet of Ministers on December 27, 2005 No.1036 “Pricelist of the Consular Services Provided by the Ministry of Foreign Affairs”.

ANNEX 10
Legal regulation of the return field

- 1) Criminal law
- 2) Administrative Procedure Law
- 3) Immigration Law

Subordinate regulations of the Cabinet of Ministers

- Regulations on April 29, 2003 No.212 „Procedures for the Forcible Expulsion of Foreigners, Form of Standard Travel Document and Procedures for Issue Thereof”.
- Regulations on August 5, 2003 No.436 “Regulations on Establishment and Utilization of the Information Exchange System of the Samples of Personal Identification Documents and Certificate of Authority”
- Regulations on September 9, 2003 No.504 „Procedures by which Expenses Related to the Expulsion, Apprehension and Detention of a Foreigner shall be Determined and Recovered”.
- Regulations on December 9, 2003 No.692 „Amount of Information to be Included in the State Border Guards’ Border-crossing Electronic Information Exchange System and Procedures for the Utilisation of this Information”.
- Regulations on August 16, 2005 No.605 „Procedures for Utilisation, Maintenance and Updating of a List of Aliens who are Prohibited to Enter the Republic of Latvia”.
- Regulations on April 25, 2006 No.337 „Regarding Procedures by which the Republic of Latvia Receives and Renders Assistance to Member States of the European Union and the Schengen Treaty Countries in Cases of Forced Return by Air, Amount of Assistance Thereof and Procedures for Organisation of Join Flights among Member States of the European Union and the Schengen Treaty Countries”.
- Regulations on June 6, 2006 No.459 „Concerning Sample Form of decision Regarding Refusal of Entry for an Alien to the Republic of Latvia and Procedures of Completion Thereof”.
- Regulations on July 18, 2006 No.586 „Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and their Family Members”.
- Regulations on October 3, 2006 No.813 Regarding Residence Permits
- Regulations on June 17, 2008 No.435 “Regulations on Requirements for Arrangement and Equipment of the Reception Centre”.
- Regulations on June 17, 2008 No.434 “On the Subsistence Standards for the Foreigners Placed in the Reception Centre as well as on the Procedures of Reception and Amount of Health Care Services”.
- Regulations on July 7, 2008 No.502 “Maintenance and Utilization of the Illegal Immigration Register”.

ANNEX 11 Legal regulation of the asylum field

1) Asylum Law

Subordinate regulations of the Cabinet of Ministers

- Regulations on September 3, 2002 No.406 „Regarding Personal Identity Documents of Asylum Seekers and Procedures for Issuance Thereof”.
- Regulations on January 20,2003 No.29 „Procedures by which a Person in Relation to whom Decision has been Taken on Refusal to Grant Refugee or Alternative Status shall be Expelled from the Republic of Latvia”.
- Regulations “On the Allowed Expenditures on Food, Hygiene Products and other Basic Necessities for Asylum Seekers, and the Procedures of Reimbursing those Expenditures" No.119, 08.02.2005.
- On August 9, 2005 No.586 “Procedure by which to Education is to be Ensured for Minor Children of Asylum Seekers or Minor Asylum Seekers”.
- Regulations on August 30, 2005 No.652 „Procedures by which Refugee Family Reunification, as well as Family Reunification of such Persons who have been Granted Alternative Status is Performed in the Republic of Latvia”.
- Regulations on September 20, 2005 No.721 “Regarding Allowances to Refugees and Persons who have been Granted Alternative Status”.
- Regulations on May 26, 2008 No.360 “On the Procedure how the Expense of the Local Authorities are Reimbursed from the State Budget for Maintenance of Unaccompanied Minors in the Day-care Centre”.

2) Immigration Law

Subordinate regulations of the Cabinet of Ministers

- Regulations on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”.

3) Personal Identification Documents Law

Subordinate regulations of the Cabinet of Ministers

- On November 13, 2007 No.775 Passport Regulations

LIST OF LITERATURE AND SOURCES

- Law on the Statehood of the Republic of Latvia, the Messenger No.42, 24.10.1991.
- Law “On the Procedure for Foreign Nationals and Stateless Persons to Enter and Reside in the Republic of Latvia”, the Messenger of the Supreme Council and Government of the Republic of Latvia No.27/28, 1992
- Constitution of the Republic of Latvia, the Latvian Herald No.43, 01.07.1993.
- Law „Rules of Procedure of the Saeima”, the Latvian Herald No.96, 18.08.1994.
- Law „On Asylum Seekers and Refugees in the Republic of Latvia”, the Latvian Herald No.171/174, 04.07.1997.
- Border Guard Law, the Latvian Herald No.329/330, 16.12.1997.
- Personal Identification Documents Law, the Latvian Herald No.84, 05.06.2002.
- State Administration Structure Law, the Latvian Herald No.94, 21.06.2002.
- Asylum Law, the Latvian Herald No.48, 27.03.2002.
- Immigration Law, the Latvian Herald No.169, 20.11.2002.
- Law on the Status of Permanent Residents of the European Community in the Republic of Latvia, the Latvian Herald No.107, 07.07.2006.
- Cabinet of Ministers Structure Law, the Latvian Herald No.82, 28.05.2008.
- Council Decision of May 14,2008 No.2008/381/EC establishing European Migration Network, the Official Journal of the European Union L 131, 21.05.2008., 7 – 12 p.
- Declaration of the Supreme Council of the Latvian SSR May 4, 1990 „On the Renewal of the Independence of the Republic of Latvia”, the Herald No. 20, 17.05.1990.
- Decision of the Supreme Council on March 27, 1991 „On Formation of Migration Affairs Department of the Council of Ministers of Republic of Latvia”, the Messenger No.21, 1991.06.06.
- Decision of the Council of Ministers on October 8, 1991 No.266 „On Temporary Interruption of Registering Immigrants”, Supreme Council, Council of Ministers, No.7, 25.10.1991.
- Decision of the Council of the Ministers on January 14, 1992 No.14 „On Liquidation of the Department of National Issues, the Department of Migration Affairs, and the Department of Religious Affairs of the Council of Ministers”.
- Regulations of the Cabinet of Ministers on August 22, 2000 No.296 „Regulations of the Level of Proficiency in the Official Language Required for Employment and the Procedure of testing the Level of Language Proficiency”, the Latvian Herald No.302, 29.08.2000.

- Regulations of the Cabinet of Ministers on March 12, 2002 No.111 „The Rules of Procedure of the Cabinet of Ministers”, the Latvian Herald No.42, 15.03.2002.
- Regulations of the Cabinet of Ministers on April 15, 2003 No.183 „Procedure for Approval of Invitations”, the Latvian Herald No.65, 30.04.2003.
- Regulations of the Cabinet of Ministers on March 6, 2007 No.217 „Visa Regulations”, the Latvian Herald No.65, 30.04.2003.
- Regulations of the Cabinet of Ministers on April 29, 2003 No.238 „The Statutes of the Ministry of Economics”, the Latvian Herald No.70, 13.05.2003.
- Regulations of the Cabinet of Ministers on October 6, 2003 No.813 „Regulations Regarding Residence Permits”, the Latvian Herald No.171, 26.10.2006.
- Regulations of the Cabinet of Ministers on January 20, 2004 No.44 „On Work Permits for Foreign Nationals”, the Latvian Herald No.12, 23.01.2004.
- Regulations of the Cabinet of Ministers on January 27, 2004 No.49 „The Statutes of the Ministry of Welfare”, the Latvian Herald No.16, 30.01.2004.
- Regulations of the Cabinet of Ministers on April 13, 2004 No.286 „The Statutes of the Ministry of Health”, the Latvian Herald No.60, 16.04.2004.
- Regulations of the Cabinet of Ministers on November 9, 2004 No.915 “The Statutes of the Centre for Curriculum Development and Examination”, the Latvian Herald No.180, 12.11.2004.
- Regulations of the Cabinet of Ministers on February 15, 2005 No.122 „The Statutes of the State Border Guard”, the Latvian Herald No. 28, 18.02.2005.
- Regulations of the Cabinet of Ministers on February 22, 2005 No.137 “The Statutes of the Naturalization Board”, the Latvian Herald No.33, 25.02.2005.
- Regulations of the Cabinet of Ministers on September 13, 2005 No.709 „About the Protocol between the Government of the Republic of Latvia and the Government of the Russian Federation about Establishment of the Joined Latvia-Russia Working Group on Questions Related to the Fight Against Illegal Migration”, the Latvian Herald No.147, 15.09.2005.
- Regulations of the Cabinet of Ministers on September 20, 2005 No.721 “Regarding Allowances to Refugees and Persons who have been Granted Alternative Status”, the Latvian Herald No.152, 23.09.2005.
- Regulations of the Cabinet of Ministers on April 4, 2006 No.252 „Regulations of the Level of Proficiency in the Official Language and the Procedure of Testing the Level of Language Proficiency for Foreign Nationals Eligible to Apply for a Permanent Residence Permit”, the Latvian Herald No.57, 07.04.2006.
- Regulations of the Cabinet of Ministers on October 3, 2006 No.811 „The Statutes of the Office of Citizenship and Migration Affairs”, the Latvian Herald No.160, 06.10.2006.

- Regulations of the Cabinet of Ministers on November 13, 2007 „Passport Regulations”, the Latvian Herald No.185, 16.11.2007.
- The Cabinet Order “About the Reorganization of the Secretariat of the Special Assignment Minister for Social Integration” No.650, 29.10.2008, Latvian Herald No.169, 30.10.2008.
- The regulations of the Cabinet of Ministers on November 4, No.918 „Recognizing the regulations of the Cabinet of Ministers on July 14, 2008 No.557 „Regulations about Competence of the Ministry for Special Assignments for Administration of European Union Funds” as invalid”, the Latvian Herald No.175, 11.11.2008.
- Regulations of the Cabinet of Ministers on September 14, 1994 No.418 “About Immigration Police”, the Latvian Herald No.111, 22.09.1994.
- Order of the Prime Minister on August 7, 2002 No.254 „On Establishment of Visa Working Group”, the Latvian Herald No.114, 09.09.2002.
- So called decision of July 21, 1940 of the Saeima of Latvia „On the Republic of Latvia Joining the USSR”. Source: Padomju varas atjaunošana Latvijā un Latvijas PSRS iestāšanās PSRS sastāvā. Dokumenti un materiāli. Rīga: Zinātne, 1987. 207 p.
- Gailītis V. „Nepieciešamā un nerasniedzamā”, see on line www.diena.lv
- Helmane I., DB akcija: vēlas uzlabot augstskolu eksportspēju, <http://www.db.lv/Default2.aspx?ArticleID=6d38fc2b-7911-4667-b0d7-262963e5ab64&RubricID=fc129459-2144-4659-b7ae-0ea5e1504aa2&readcomment=1&open=four#>
- Indāns I. „Integrācijas politika: ES pieredze un Latvijas nākotne”, see on line www.lv.lv
- Kaša R. „Gaišos prātus, paldies, nevajag”, see on line www.politika.lv
- Kaša R., Ķešāne I. „Mācāties uzņemt. Imigrantu integrācija Latvijā un Polijā”, 2008, the Center for Public Policy Providus, see on line www.politika.lv
- Kāle M. „Marokānī iemīlēties nedrīkst”, see on line www.politika.lv
- Kvantitatīvs un kvalitatīvs pētījums par sabiedrības integrācijas un pilsonības aktuālajiem aspektiem, 2008, contracting authority: the Secretariat of the Special Assignments Minister for Social Integration Affairs; contractor: SIA „AC Konsultācijas”, see on line www.politika.lv
- Mūrniece I. „Integrācija uz šķībiem pamatiem”, see on line www2.la.lv
- Paiders J. „Latvijai vairāk jāattīsta izglītības eksports”, see on line www.nra.lv
- Pētījums „Jauno sabiedrības locekļu integrācija”, Kvalitatīvo pētījumu studija, 2008, see on line www.integracija.gov.lv
- Rostovskis A. „Kavējot izglītības eksportu, Latvija ik gadu zaudē 100 miljonus latu:”, see on line www.db.lv

- Sprance B. „Valsts valodas stiprināšana vai ceļš uz provinciālismu”, see on line www.knl.lv
- The Statutes of the Consular Department of the Ministry of Foreign Affairs
<http://www.am.gov.lv/lv/Ministrija/struktura-funkcijas/KonsularaDepartamentaReglaments/>
- Secret protocol of the Treaty of Non-aggression between Germany and the Union of Soviet Socialist Republics, http://www.historia.lv/alfabets/M/mo/molot_ribent/dok/1939.08.23..htm