



VISA POLICY IN LATVIA AS A MIGRATION CHANNEL

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SUMMARY

The objective of the study *Visa Policy in Latvia as a Migration Channel* is to analyse the potential influence of visa policy on the overall management of migration policy both through facilitating legal and preventing illegal migration.

The **introduction** of the study discloses the tasks, specifies the study object, provides an overview of the applied methods, used definitions, information sources, as well as states the institutions that have provided the required information within the scope of issues of their competence.

The **second section** covers the political and legal framework of visa policy. In general the Latvian visa policy is based on the overall European Union visa policy for issuing both short-stay and long-stay visas. Therefore the norms of the European Union have been introduced in the laws and regulations governing the visa policy in Latvia, and the main stages of the introduction procedure may be specified. The conclusion of bilateral cooperation agreements with third countries that would significantly facilitate legal migration is an important aspect for implementation of visa policy.

The **third section** sets out the general visa procedure by the document submission, assessment, person entry and residence stages. The best practices are stressed and certain significant aspects to be considered are specified in the activities of institutions involved in visa issuance procedures facilitating legal and preventing illegal migration.

In the **fourth section** cooperation with third countries – Belarus and Turkey is looked at in the form of two small studies. Belarus is one of the countries, where not only the largest amount of legal migrants comes from, but also the largest number of illegal immigrants, as well as it has common border and historical links with Latvia. Turkey, in its turn, is an important cooperation partner not only in the area of economics, but also politically. Latvia supports the accession of Turkey to the European Union.

The **fifth section** analyses the effects of the European Union policy and legislation on the national level.

The statistical data summarised in the **sixth section** demonstrate the intensity of visa issuance procedure and its influence on the trends of legal and illegal immigration.

The **seventh section** summarised the conclusions of the study process.

1. INTRODUCTION

The objective of the study *Visa Policy in Latvia as a Migration Channel* is to analyse the potential influence of visa policy on the overall management of migration policy both through facilitating legal and preventing illegal migration.

The task of the study is to outline the political and legal framework for granting visas to facilitate legal migration and prevent illegal migration, to analyse the influence of the European Union regulatory enactments on the national regulatory enactments, to provide an overview of the main stages of the procedure for granting visas – filing of application, review of documents and entry and residence of a person in the country, to analyse the influence of the common European Union policy on national visa policy, procedures and practice, as well as to provide and analyse the available statistical data.

The object of the study is a third-country national¹ intending to travel and stay in Latvia or any other Member State of the Schengen Agreement or in several Member States of the Schengen Agreement by requesting a visa.

The target audience of the study is the government authorities involved in the migration policy and visa policy development, implementation and control processes, representatives of non-governmental organisations and academic environment, as well as other interested parties.

1.1. Methodology and Definitions

The developed study is significant due to the fact that it provides the wider public with an overview of the policy implemented by the European Union in the area of visas, on the national level specifies the regulatory enactments governing the area of visas, the procedure for granting visas, practical activities of involved authorities in prevention of illegal migration.

Experts from the Office of Citizenship and Migration Affairs supervised by the Ministry of Interior and from the Consular Department of the Ministry of Foreign Affairs were involved in the study. The required information on the prevention of irregular migration, the procedures performed on the border crossing places and the respective statistical data was obtained from the State Border Guard supervised by the Ministry of Interior.

¹ Taking into account that in Latvian normative acts the term “foreigner” is used, which also regarding to the definition related to citizens of the European Union Member States, in that study term “foreigner” is related only to third-country nationals.

The study uses information that can be found on the external web sites of the aforementioned institutions, as well as in the database of valid regulatory enactments. All the source units used in the study have been included in the list of used sources.

It was not possible to fully incorporate the statistical data required in the specification. Practically no statistics on visas up to 2004 have been gathered at all – all the data summarised by 2004 are located in the “old” Visa Information System and obtaining it from the system is difficult.

All the statistical data included in the study have been coordinated with the experts of the area of visas in Latvia and summarised in Annex No. 2 hereto.

All the terms and definitions used in the study comply with the requirements of the European Union and national legislation.

2. POLICY AND LEGAL FRAMEWORK FOR THE GRANTING OF VISA

2.1. National policy and legislative framework

In general aspects the Latvian visa policy is based on the common European Union visa policy – visas that are valid for short-stay entry to the territory of Latvia or Latvia and one or several or all the Member States of the Schengen Agreement are granted in accordance with the provisions of the European Union and the Schengen Agreement. The basic principles for granting Latvian national visas are also prescribed in the European Union legislation. Introduction of the Latvian legislation governing visa policy is comprised of three main stages:

- preparation for accession to the European Union;
- preparation for accession to the Schengen Agreement;
- preparation for introduction of Regulation No 810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas² (hereinafter - the Visa Code).

One more important stage within the area of development of regulatory enactments was preparation for introduction of the Visa Information System (hereinafter - the VIS)

² Regulation No.810/2009 of the European Parliament and of the Council of 13 July 2009 establishing a Community Code on Visas (Visa Code). – Official Journal, L 243/1, 15.09.2009 – [applicable as from 05.04.2010]

regulation³ and commencement of the European Union VIS operation planned for 11 October 2011.

No other visa policy is carried out within the area of granting visas in Latvia after adoption of the Visa Code. This Regulation establishes the procedures and conditions for issuing visas for transit through or intended residence in the territory of the Member States not exceeding three months in any six-month period to those third-country nationals who must be in possession of a visa when crossing the external borders of the Member States pursuant to Council Regulation No. 539/2001⁴. That regulation is directly applicable to all the Member States.

The procedures for the entry, residence, transit, exit and detention of third-country nationals, as well as the procedures by which third-country nationals are kept under temporary custody in the Republic of Latvia and returned from it in order to ensure the implementation of migration policy conforming with the norms of international law and the State interests of Latvia are determined by the **Immigration Law**⁵ and the respective Cabinet regulations. Pursuant to Article 10 of the Immigration Law, having regard to the purpose of entry, the following may be issued to a third-country national:

- 1) an uniform visa;
- 2) a visa with limited territorial validity;
- 3) an airport transit visa;
- 4) a long-stay visa.

The aforementioned visas may be intended for single, double or multiple entries. A long-stay visa shall be issued in accordance with the procedure specified in the Immigration Law⁶, but the other visas shall be issued in accordance with the procedure prescribed by the Visa Code.

The period of stay in the Republic of Latvia provided for in a long-stay visa may exceed 90 days within six months from the date of first entry, if it complies with the norms of international law, the State interests of Latvia, or if it is related to *force majeure* or reasons of

³ Regulation No. 81/2009 of the European Parliament and of the Council of 14 January 2009 amending Regulation No. 562/2006 as regards the use of the Visa Information System (VIS) under the Schengen Borders Code. – Official Journal, L 35/56, 04.02.2009

⁴ Council Regulation No. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement. – Official Journal, L 81, 21.03.2001

⁵ Immigration Law. – The Messenger, No.169, 20.11.2002. – [effective as from 01.05.2003]

⁶ The basic regulations, pursuant to which the long-stay visas are issued, have been specified in Regulation No. 265/2010 of the European Parliament and of the Council of 25 March 2010 amending the Convention Implementing the Schengen Agreement and Regulation No. 562/2006 as regards movement of persons with a long-stay visa. Published in: Official Journal, L 85/1, 31.03.2010

a humanitarian nature.⁷ A long-stay visa with a period of stay up to 15 days is issued also to the third-country nationals for entry aimed at obtaining residence permit – based on the decision on granting a residence permit adopted by the Office of Citizenship and Migration Affairs.

Pursuant to Cabinet Regulation No. 373 of 30 August 2011 on Visa Regulations⁸ (hereinafter - the Visa Regulations), the visas are issued by:

- officials of diplomatic and consular representations of the Republic of Latvia abroad (hereinafter - the representations);⁹
- officials of the Office of Citizenship and Migration Affairs;¹⁰
- officials of the Consular Department of the Ministry of Foreign Affairs;¹¹
- officials of the State Border Guard at the specified border crossing points¹².

Only the officials of the Office of Citizenship and Migration Affairs and the Consular Department of the Ministry of Foreign Affairs are entitled to extend a visa according to their competence.

Within the context of the common European Union visa policy the legislative acts introduced in Latvia are closely related to the vision of the State with respect to facilitation of legal migration. The migration system in Latvia is considered to be liberal also in relation to the current visa system, e.g. preferential issuing of visas for employment.

Pursuant to the valid regulatory enactments, a work permit complying with the validity of the visa is issued to a third-country national whose employment in Latvia is related to short-stay or irregular residence (not exceeding 90 days within six months from the date of first entry). If an employer, based on a signed employment or service contract, invites a third-country national for employment, an invitation approved by the Office of Citizenship and Migration Affairs shall be a mandatory¹³ precondition for receipt of visa. In such case the invitation serves also as a part of the labour market test, because when approving the invitation checks are made if employer has registered free vacancy in the State Employment

⁷ Pursuant to Article 11 (2) of the Immigration Law. Article 12 of the Immigration Law sets out conditions for requesting visas.

⁸ Published in: The Latvian Herald, No.144, 13.09.2011 – [effective as from 14.09.2011]

⁹ Visas of all types and categories, including visas marked “Diplomatic visa” and “Service visa”.

¹⁰ All types of unified visas, visas with limited territorial validity and long-stay visas. Administration official visas marked “Diplomatic visa” or “Service visa” issued solely at the request of the Consular Department of the Ministry of Foreign Affairs.

¹¹ All types of unified visas, visas with limited territorial validity and long-stay visas marked “Diplomatic visa” or “Service visa”.

¹² Single entry unified visas and visas with limited territorial validity (maximum period of validity – 15 days). State border guard official visas marked “Diplomatic visa” or “Service visa” issued solely at the request of the Consular Department of the Ministry of Foreign Affairs.

¹³ Pursuant to Article 12.1(3) of the Immigration Law.

Agency one month before, thus providing a possibility for citizens from the Member States of the European Union and for usual residents to apply for a job. Article 11 of Cabinet Regulation No. 553 of 21 June 2010 on Regulations regarding work permits for third-country nationals¹⁴ (hereinafter - the Work Permit Regulations) specifies the categories of persons entitled to request a work permit for the validity period of visa without registering free vacancy in the State Employment Agency. On 26 July 2011 the Cabinet made amendments¹⁵ to the Work Permit Regulations. The amendments prescribe for more simplified procedure for receipt of work permit by the third-country nationals performing commercial activities in Latvia, stating that the right for employment of such third-country nationals is certified by the entry “Business” in the residence permit or visa, and that they shall not acquire a separate work permit for each type of commercial activity or participation in several commercial companies.

The Work Permit Regulations prescribe a possibility for a third-country national, whose employment is related to residence in the Republic of Latvia which exceeds 90 days within six months, counting from the day of first entry, and he or she has been issued a long-stay visa, to obtain a work permit in accordance with the validity period of the visa, if the Head of the Office of Citizenship Migration Affairs or one of its authorised officials has taken a decision thereon, if it conforms to the international liabilities or the State interests of Latvia or is related to *force majeure* or reasons of humanitarian nature.¹⁶

As concerns to the possibility to enter and stay in Latvia in relation to acquiring education, it should be noted that the position of the State is to issue a short-stay visa to a third-country national in case when obtaining education (e.g. internship, different courses) is related to short stay – not exceeding 90 days within six months, counting from the day of first entry, but in case of long-term education (e.g. studies at a higher education establishment) – a temporary residence permit.

It should be noted that visas related to education, family reunification and humanitarian reasons are used only in particular cases.

The Latvian representations do not specially emphasize the principle “*every facility for obtaining the requisite visa*” to those third-country nationals who are admitted in accordance with the directives on legal migration valid in the European Union, e.g. according to Council Directive 2009/50/EC of 25 May 2009 on the conditions of entry and residence of

¹⁴ Published in: The Latvian Herald, No.100, 28.06.2010 – [effective as from 01.07.2010]

¹⁵ Cabinet Regulation No. 582 of 26 July 2011 on Amendments to Cabinet Regulation No. 553, adopted 21 June 2010, “Regulations regarding work permits for third-country nationals. – The Latvian Herald, No.117, 28.07.2011 – [effective as from 29.07.2011]

¹⁶ Pursuant to Article 10 of the Work Permit Regulations.

third-country nationals for the purposes of highly qualified employment¹⁷ etc. The Latvian representations in such cases issue long-stay visas based on the decisions of the Office of Citizenship and Migration Affairs on issuing a residence permit. Therefore the adopted decision is considered and the documents required for granting visa are requested, i.e. the regular visa procedures are applied. However, it may be considered that the visa in such case is a formal document for the third-country national to be able to enter the country with an aim to receive the residence permit.

Cabinet Regulation No. 554 of 21 June 2010 on Regulation regarding states for the citizens of which in issuing a visa or a residence permit an additional assessment shall be performed¹⁸ specify the states upon whose citizens an additional assessment is performed when requesting a visa or a residence permit. The state security establishments, e.g. the Constitution Protection Bureau and the Security Police, are engaged in the additional inspection procedures. The inspections are performed in accordance with Cabinet Regulation No. 365 of 26 May 2008 on Procedures by which an assessment of accessible information is performed in reviewing the documents of a third-country national requesting a visa or residence permit¹⁹. Thus irregular migration from the countries that create high risk of irregular migration is prevented.

Cooperation with third countries is important in prevention of irregular migration, thus the signed bilateral and multilateral inter-country agreements both form a legal basis and ensure successful cooperation with third countries.

2.2. Agreements with third countries

At the end of 1990's and after the year 2000 Latvia signed several agreements²⁰ with third countries regarding different visa request preferences and abolishment of visa requirement for certain groups of persons, mainly aimed at facilitating legal immigration:

1) on abolishment of visa conditions for holders of citizenship passports (Andorra, Argentina, Iceland, Japan, Monaco, Panama, San Marino, Uruguay, etc.);

2) on abolishment of visa conditions for holders of diplomatic, service, special or official passports (Argentina, Macedonia, Georgia, Israel, Mexico, Chile, Croatia, Peru, Venezuela).

¹⁷ Published in: Official Journal, L 155/17, 18.06.2009

¹⁸ Published in: The Latvian Herald, No.100, 28.06.2010 – [effective as from 29.06.2010]

¹⁹ Published in: The Latvian Herald, No.83, 29.05.2008 – [effective as from 30.05.2008]

²⁰ All signed bilateral agreements with third countries prescribing for visa privileges of different kinds are summarised in Annex No. 1.

One of the reasons for signing agreements on visa request preferences with many countries of South America is the existence of Latvian communities there, since during World War II many Latvians went to those countries as refugees, which means also closer mutual heritage ties. Therefore there is also good diplomatic relationship with those countries.

The agreement made with Turkey²¹ prescribes for visa-free travelling procedure for the citizens of Latvia entering Turkey for a period of stay not exceeding 30 days. The agreement prescribes for visa-free travelling procedure without limitation of the period for stay up to 90 days within six months period for the holders of Latvian diplomatic and service passports, holders of the Turkish diplomatic, service and special passports, as well as visa procedure preferences are prescribed for the Turkish entrepreneurs, truck drivers – issuing a visa within two business days, and the students of the European Union Education Programmes – based on the letter of the educational establishment of the Republic of Latvia.

The agreement made with New Zealand on the working holiday scheme prescribes for issuing a short-stay visa for a period up to one year to Latvian citizens and issuing a residence permit for citizens of New Zealand up to 6 months to persons aged 18 to 30. The purpose of the agreement is to facilitate mobility and exchange of young people, cooperation and partnership between Latvia and New Zealand, as well as to develop the possibilities for the young people of both countries to study, work (up to 90 days during the entire period of stay, the work shall be casual) or acquire practical experience and improve knowledge of the official language and culture of the other party. The agreement prescribes for simplification of administrative procedures for the young citizens to be able to stay in the other country.

It is important to mention that agreements on facilitation of visa procedures with the neighbouring countries – Russia and Belarus, as well as agreements with the Ukraine and Armenia have been signed. Due to the historic situation (former USSR²² countries) the majority of immigrants come from those countries – not only the ones who legally stay in Latvia, but also the ones that most often breach the entry and residence regulations. Thus, the signed agreements both facilitate the legal and concurrently to some extent also prevent the irregular migration.

The signed bilateral agreements with the Ukraine, Armenia and Belarus on mutual travel of citizens prescribe the procedure for entry and stay of holders of citizen passports in the country of the other party to the agreement. Concurrently the agreements contain norms prescribing for certain visa receipt preferences for the holders of citizenship passports, e.g.

²¹ For more detailed information on the measures taken with respect to visas with Turkey please refer to Section 4.2.

²² USSR – the Union of Soviet Socialist Republics, a superpower existing from 1921 until 1991. In 1940 Latvia was incorporated into the USSR.

there is a list of documents that might be used for replacement of an invitation for receipt of visa, or a list of categories of persons receiving free visas. It should be concurrently stated that as from the treaties among the European Union, Russia and the Ukraine coming into effect, the visa issuance preferences specified in the European Union treaties are applied.

On 2 June 1993 the agreement regarding regulation of migration processes and protection of rights of migrants was made between Latvia and Russia. It is applicable to the persons resettling from Latvia to Russia and from Russia to Latvia. The purpose of the agreement is to promote and facilitate migration of repatriates to the country of their citizenship or ethnic origin. Instead of a visa the migrants receive a permit for migration granted by the country of entry according to the international legislation and the valid national regulatory enactments.

2.3. Changes to visa policy and legislation within context of a common European Union dimension and relating to national visas

Significant changes to legislation were carried out in 2007 when Latvia was preparing to become a Member State of the Schengen Agreement²³. It was necessary to make the respective amendments to the Immigration Law for Latvia to be able to comply with the Schengen *acquis* requirements. Thus, on 20 December, 2007 law Amendments to the Immigration Law²⁴ included the main legal norms with respect to free movement within the Schengen area and issuing Schengen visas, and new conditions for entry with a particular visa were determined. The law determines the types of visas and the procedure for issuing them after accession of Latvia to the Schengen Agreement (e.g., the term “visa” was revised, the conditions for issuing Latvian national and Schengen visas were separated and new visa category (D+C visa) was introduced); it prescribes that the invitation approved by the Office of Citizenship and Migration Affairs is not the main document for requesting a visa, but one of the possibilities for the person to prove the purpose of his/her entry and stay and the place of residence in the Republic of Latvia; it extends the range of persons, who do not require an invitation for requesting a visa attributing such provision also to the spouses of Latvians and citizens of Latvia and their or their spouses’ underage children. As from the law coming into effect the notion of Schengen visa was introduced in the regulatory enactments of Latvia. In order to be able to make an agreement with other Member States of the Schengen Agreement

²³ Latvia became a Member State of the Schengen Agreement on 21 December 2007.

²⁴ Published in: The Latvian Herald, No.4, 09.01.2008 – [effective as from 23.01.2008]

on representation in issuing Schengen visas and thus creating broader possibilities for third-country nationals to obtain visas for travelling to Latvia the respective authorisation was incorporated in the law. For the Latvian visa issuance to be adjusted to the Schengen visa regulations amendments were also made to Article 16 and Article 17 of the Immigration Law with respect to criteria for refusal of visa and revocation and annulment of an issued visa. One of the examples is the mandatorily introduced requirement that all visa applications shall be verified in the Schengen Information System (SIS), and if it is established that a third-country national has been prohibited to enter the Schengen territory, no visa (also national) should be issued or the already issued visa should be annulled.

During preparation for introduction of the Visa Code, on 22 April 2010 amendments to the Immigration Law were made²⁵ – the visa categories were adjusted (excluded B visa and D+C visa), the procedure for extending a Schengen visa was introduced, a new type of documents – a written request was introduced (similar to the one specified in the European Union and several third-country treaties on preferential issuing of visas) in addition to the invitation as one of the possible source documents for requesting a visa. Those amendments, inter alia, specify the reasons for refusal and cancellation of approval for invitation and written request, as well as determine the procedure for contestation of the agreement on refusal of invitation – the decision may be referred to the Head of the Office of Citizenship and Migration Affairs, whose decision, in its turn, may not be appealed. This norm was introduced based on the legal norms incorporated in the Visa Code prescribing the contestation mechanism in case of visa refusals, since the invitation is a component of the visa issuance procedure in cases when it is used for requesting a visa. In line with the Visa Code coming into effect amendments to the respective Cabinet regulation were required as well – new Visa Regulations²⁶ (hereinafter - the Visa Regulations) were adopted.

The procedure for approval of invitations and drawing up of written requests, as well as the scope of information to be included in the state information system – invitation registry, and the procedure for its use is prescribed by Cabinet Regulation No. 552 of 21 June 2010 on Procedure for approval of invitations and drawing up of written requests²⁷.

Administration of invitations is performed electronically and the Invitation Registry is available to all the diplomatic and consular representations abroad.

In order to comply with the provisions of Article 58(5) of the Visa Code stating that the Member States shall introduce contestation and appeal of the decision on refusal,

²⁵ Law of 22 April 2010 on Amendments to the Immigration Law. – The Latvian Herald, No.74, 12.05.2010 – [effective as from 01.07.2010]

²⁶ Cabinet Regulation No. 958 of 12 October 2010 on Visa Regulations. – The Latvian Herald, No.164, 15.10.2010 – [lost effect as from 14.09.2011]

²⁷ Published in: The Latvian Herald, No.100, 28.06.2010 – [effective as from 01.07.2010]

revocation and annulment of visas as from 5 April 2011, amendments²⁸ to Article 17 of the Immigration Law were made; the procedure for contestation of decisions on refusal to issue short-stay visa was determined. It should be mentioned that a decision regarding the refusal to issue a national visa, a decision regarding the annulment or revocation of a national visa shall not be subject to challenge or appeal.

Introduction of the Visa Code and compliance with the requirements thereof did not cause circumstances resulting in the necessity to amend the legal regulation for issuing national visas. However, material changes with respect to issuing national visas were required, since concurrently with the Visa Code coming into effect, Regulation No. 265/2010²⁹, came into effect specifying the basic criteria for issuing national visas – maximum period of validity is one year (the Latvian legislation permitted the period of validity of five years), mandatory verifications in the Schengen Information System prior to issuing a visa for the person to be able to move within the Schengen area for up to three months within a period of six months, the requirements prescribed in the Visa Code shall be complied with when filling in the visa stickers.

3. PRACTICAL IMPLEMENTATION AND ORGANISATION

3.1. General procedure followed in the stages of the visa procedure

The main posed criterion for a person requesting a visa, including a long-stay visa, is the ability to comply with the requirements determined in the regulatory enactments with respect to submission of the set visa application, the ability to prove by the submitted visa application documents the purpose of entry and the availability of financial resources for covering the travel and residence expenses. Another very important criterion is that the person requesting a visa may not be a person, whose data have been registered in the Schengen Information System with the purpose to refuse entry into the Schengen area. Those criteria have been fixed both in the Visa Code and in the national regulatory enactments governing the visa requesting and decision making procedures.

Application submission stage

²⁸ Law of 26 May 2011 on Amendments to the Immigration Law. – The Latvian Herald, No.93, 15.06.2011 – [effective as from 16.06.2011]

²⁹ Regulation No. 265/2010 of the European Parliament and of the Council of 25 March 2010 amending the Convention Implementing the Schengen Agreement and Regulation No. 562/2006 as regards movement of persons with a long-stay visa. - Official Journal, L 85/1, 31.03.2010

An overview on the types of visas issued in Latvia, the regulatory enactments governing the procedure for granting visas and the responsible authorities is set out in Section 2.1 hereof.

It should be reminded that airport transit visas, uniform visas and the visas with limited territorial validity or the Schengen Visas are issued in accordance with the requirements of the Visa Code.

Long-stay visas are issued in the following cases:

- a third-country national has received the decision of the Office of Citizenship and Migration Affairs on issuing a residence permit or a visa is required for entry to Latvia for submission the documents necessary to receive the residence permit (e.g., in case of studies at the higher education establishments of Latvia, etc.) – visas are issued by the representations;
- a third-country national has submitted a document proving that the aforementioned person intends to submit documents in the Republic of Latvia for accreditation in the diplomatic or consular representation of the respective country – the Consular Department of the Ministry of Foreign Affairs issues a long-stay visa to the person with a note “Diplomatic visa” or “Service visa”;
- in cases when a third-country national has justified reason for obtaining a visa according to the international legislation of the interests of the State of Latvia, or based on the *force majeure* or humanitarian considerations – visas are issued by the representations, as well as the Office of Citizenship and Migration Affairs.

When filing a long-stay visa application to the Latvian representation, the deadlines for filing the visa application specified in Paragraphs 1, 2 and 3 of Article 9 of the Visa Code shall be complied with.

Pursuant to the provisions of the Visa Regulations, when requesting a long-stay visa, the following documents shall be submitted:

1) a valid travel document whose period of validity exceeds the period of validity of the requested visa by at least three months and where there are at least two free pages for affixing visas;

2) a visa application form:

- a special form meant for requesting a long-stay visa shall be filled in, which like the Schengen visa application form shall be signed by the visa applicant in person;

- 3) a photo,³⁰
- 4) a valid health insurance policy guaranteeing coverage of expenses related to health care during the anticipated period of stay within the Republic of Latvia, including repatriation of the third-country national to his/her country of origin in case of severe illness or death;
- 5) a document justifying the purpose of entry and stay or an invitation prepared and approved by the Office of Citizenship and Migration Affairs;
- 6) a document justifying the place of stay in Latvia;
- 7) a document proving that the visa applicant has the necessary financial means for stay in the Republic of Latvia;
- 8) a payment document attesting the payment of the State fee:
 - third-country nationals of certain categories³¹ are exempt from the payment of the State fee;
- 9) a document justifying the necessity to receive a visa in accordance with international legal provisions or national interests of Latvia, or related to *force majeure* or humanitarian considerations.

When filing the documents for requesting a visa the original documents or notary certified copies thereof shall be submitted. Upon filing notary certified copies of documents the original documents shall be presented.

It should be mentioned that a visa, including a long-stay visa, is issued to a third-country national who has not reached 18 years of age and who travels independently or together with another person who is responsible for him or her, if a notary certified permission of a parent or a guardian for the travel of the child to the Republic of Latvia has been submitted. A notary certification is not requested if a parent or a guardian submits the permission to the diplomatic or consular representation or the Office of Citizenship and Migration Affairs in person in the presence of an official.

Documents for requesting a long-stay visa may be submitted also by an authorised person, and a notary certified power of attorney shall be submitted to the diplomatic or consular representation or the Office of Citizenship and Migration Affairs or such authorisation shall be prepared at the presence of a consular official at the moment the documents for receipt of residence permit are submitted to the representation.

Document verification and assessment stage

³⁰ Produced in accordance with the requirements set out in Article 13.4(2) of the *Visa Code*.

³¹ Those categories are mentioned in the Article 10 of the Cabinet Regulations No.571 of 21 June 2010 on Regulations regarding state fee for examination of the documents necessary for the requesting a visa, residence permit or the status of a long-term resident of the European Community in the Republic of Latvia and the services related thereto. Published in: The Latvian Herald, No.101, 29.06.2010. – [effective as from 01.07.2010]

During the document review and assessment procedure the officials of both the representations and the Office of Citizenship and Migration Affairs are entitled, if necessary, to carry out negotiations with the visa applicant, including the long-stay visa, and his/her inviter, to request additional documents and explanations proving the purpose for entry and stay and the genuineness of the information provided by the applicant, as well as to verify the information provided by the applicant in order to adopt a decision on issuing a visa or refusal to issue a visa. With respect to the applications of nationals of particular countries³² a verification – the visa applications are reviewed by the Constitution Protection Bureau and the Security Police – is performed in addition to the aforementioned verifications. Moreover, it shall be mentioned that the data of the visa applicant is verified in a set of information systems, e.g. the Schengen Information System, the national information systems.

Based on the submitted documents, as well as the information obtained from additional verifications and interviews with the visa applicant, the official, when adopting a decision on issuing a visa, specifies the validity of the visa to be issued and the permitted period of stay in the Republic of Latvia.

Currently the competent authorities of Latvia do not issue visas containing fingerprints; however, it is planned to introduce such in the nearest future. Issuing such visas would facilitate prevention of irregular immigration. As from 11 October 2011 the embassy of Latvia in Egypt will participate in the *roll-out* stage of the first VIS. As from that moment the fingerprints (10 fingers) of the visa applicants will be taken in the embassy, and that information will be input in the Central VIS available to all the Member States of the Schengen Agreement. Thus, in case of doubt about the identity of a visa holder the Member States using the information included in the information system will be able to verify whether the biometrical data complies by using the prints of 1, 2 or 4 fingers.

With respect to the aforementioned it may be concluded that unified criteria have been followed during the long-stay visa application acceptance and review stages at the diplomatic and consular representations, and the visa applicants shall follow the same requirements that are posed during the Schengen visa application review and decision making procedure in accordance with the requirements of the Visa Code. Therefore there is basis for considering that upon receipt of a long-stay visa for entry to Latvia a third-country national has complied with all the main criteria and requirements posed for receipt of the Schengen visa, and may, if necessary, fully use the long-stay visa as a uniform visa for entry to the other Member States of the Schengen Agreement.

³² Cabinet Regulation No. 554 of 21 June 2010 on Regulation regarding states for the citizens of which in issuing a visa or a residence permit an additional assessment shall be performed.

Entry, stay and exit

Entry, stay and exit of foreigners are controlled by the State Border Guard in cooperation with other state authorities. During entry and exit of foreigners at the places for crossing the state border the officials of the State Border Guard, firstly, verify the compliance with the term specified in the visa; secondly, the information on the mutual compliance of the purposes for issue and use of the visa is verified in the National Visa Information system (hereinafter - the NVIS). Information on the foreigners who have entered the Republic of Latvia with visas issued by the Latvian representations is obtained from the databases.

Pursuant to the Visa Regulations, the officials of the State Border Guard may annul or revoke a visa not only at the places of border crossing, but also anywhere in the country. The decision on annulment/revocation of a Schengen visa is adopted in accordance with the requirements specified in Article 34 of the Visa Code. It should be mentioned that the officials of the State Border Guard are entitled to annul or revoke not only the visas issued by the Latvian representations, but also visas issued by other Member States of the Schengen Agreement by notifying the Office of Citizenship and Migration Affairs thereon, which will forward the information to the respective Member State.

Pursuant to the requirements of the Visa Code, upon annulment or revocation of a Schengen visa a respective form is filled in, which contains the procedure for contestation of the decision in accordance with the provisions of the regulatory enactments of the Republic of Latvia.

A foreigner is entitled to challenge the decision on annulment or revocation of a Schengen visa prepared in accordance with the requirements of the Visa Code within a period of 30 days as from the respective decision coming into effect. The foreigner may appeal the decision on the contested administrative deed to the Administrative District Court. The court ruling is final and may not be appealed.

The decision on annulment or revocation of a long-stay visa may not be challenged or appealed, as well as officials are not entitled to provide any clarifications on the grounds of annulment or revocation.

The State Border Guard electronic information system (BGEIS) contains data on those foreigners who have entered Latvia with the issued visas. Considering the information on the number of days of stay specified in the NVIS the officials of the State Border Guard control exit of foreigner from Latvia within the specified period in the BGEIS system. If it has been established that a foreigner has not left the Republic of Latvia by the end of the validity of visa, the information on the anticipated place of stay of the person in the Republic of Latvia is clarified in the NVIS. After receipt of information the structural unit of the State Border

Guard performing the immigration control and within the territory of responsibility of which the established place of stay of the foreigner is located organises immigration control activities.

If during his/her stay in the Republic of Latvia a foreigner has breached the procedure for entry or stay of foreigners in the Republic of Latvia prescribed by the regulatory enactments (exceeded the period of stay specified in the visa), an exit order is served on him/her. The exit order provides a possibility for the foreigner to leave the territory of Latvia within a period of seven days as from the date of receipt of the exit order. Upon making a decision on issue of an exit order and having assessed all the case circumstances an entry ban for a period of up to three years may be determined.

In the event there is a possibility that the foreigner might flee, there is basis for considering that he/she will evade the return procedures or disturb preparation thereof, the official of the State Border Guard will be entitled to adopt a decision on retention of the foreigner aimed at his/her forced return. In case of forced return the entry ban for a period of three years is determined.

It should be mentioned that lately considering the negative consequences of violations, including the ban on entering the entire Schengen area, foreigners tend to comply with the period of entry specified in the visas.

3.2. Visa issuance for the purpose of legal immigration

3.2.1. National visa practices for admission of third-country nationals

A foreigner who intends to legally stay in Latvia with respect to studies, employment, family reunification, etc. has to receive a residence permit. The Immigration Law prescribes the cases when a foreigner is entitled to request a residence permit. It should be mentioned that the migration system in Latvia is liberal and provides a lot of possibilities for a foreigner to officially register his/her stay in the country.

Pursuant to the provisions of the Immigration Law, a foreigner shall submit documents for requesting a residence permit to the Latvian representation, which is located outside the Member State of the Schengen Agreement. If a foreigner has a valid residence permit in any of the Member States of the Schengen Agreement, he/she is entitled to submit the documents to the representation located in the Member State of the Schengen Agreement.

Article 4 of Cabinet Regulation No. 564 of 21 June 2010 on Regulation regarding residence permits³³ specifies the categories of foreigners who reside in Latvia with a valid Schengen visa and are entitled to submit the documents necessary for the request of a residence permit to the Office of Citizenship and Migration Affairs (e.g., researchers, composers, musicians, choreographers, sportsmen, minor children, repatriates, etc.).

The documents submitted to the representation for the request of a residence permit are forwarded to the Office of Citizenship and Migration Affairs for adoption of a decision on issuing a residence permit or refusal to issue a residence permit. If the Office of Citizenship and Migration Affairs is adopted the decision on issuing a residence permit, after submission of all necessary documents to the representation a long-stay visa is issued to the foreigner (if the foreigner at this moment does not have any valid visa issued by the other Member State or could not use visa-free entry rights).

In order to receive a long-stay visa for entry to Latvia aimed at receipt of a residence permit a foreigner shall submit the following documents:

- 1) a valid travel document, the validity whereof exceeds the validity of the residence permit specified in the aforementioned decision of the Office of Citizenship and Migration Affairs by at least three months (if a temporary residence permit will be issued) or the validity whereof is not less than one year (if a permanent residence permit will be issued);
- 2) a visa application form;
- 3) a photo;
- 4) a valid health insurance policy;
- 5) a document proving the purpose for entry and stay (usually the purpose is stated in the decision of the Office of Citizenship and Migration Affairs).

In case of a positive decision on issuing a residence permit the person's long-stay visa application is pegged in the NVIS to the invitation initially approved by the Office of Citizenship and Migration Affairs for that purpose.

After verification of all the submitted documents, based on the decision of the Office of Citizenship and Migration Affairs on issuing the residence permit, the consular officials issue a long-stay visa with a period of stay up to 15 days (a note *For residence permit* is made on the visa sticker).

Thus, save the cases when a foreigner is entitled to submit documents for receipt of a residence permit to the Office of Citizenship and Migration Affairs concurrently staying in the country with a Schengen visa, the principle that the documents for request of a residence

³³ Published in: The Latvian Herald, No.101, 29.06.2010 – [effective as from 01.07.2010]

permit are reviewed in Latvia, while the documents for receipt of visa in relation to the adopted decision on issuing a residence permit are reviewed by the representations is applied.

3.2.2. Challenges and success factors for facilitating legal immigration

Agreements

Signing of different bilateral and multilateral agreements with third countries, especially the ones the largest number of immigrants is coming from, is a significant factor for facilitation of successful legal immigration. Existence of such agreements stimulates the persons to register their entry and stay in a country legally, since the mutual agreement prescribe different preferences for terms of entry and stay for the citizens of both parties.

The most significant factors facilitating legal immigration with respect to issuing visas are the treaties of the European Union with Russia, the Ukraine, Moldova, Georgia, Bosnia and Herzegovina, Montenegro, Serbia, Albania and the Former Yugoslav Republic of Macedonia.

The aforementioned treaties with third countries on preferential issuing of visas regulate the visa-free conditions for holders of diplomatic passports, the categories of persons who might be granted multi-entry visas, the source documents to be submitted for certain categories of persons, the reduced fee for review of visa application, as well as the categories of persons exempt from a fee for review of visa application. As the result of correct application of the preferences specified in the treaties approach to legal migration is facilitated - the mutual contacts of people are promoted, as well as sustainable economic, culture and science connections with third countries are facilitated. In particular, the application of the prescribed preferences when assessing each particular situation individually, is an important precondition for the application of preconditions not to create risks of irregular immigration, but only to facilitate legal immigration.

Representation in visa issuing

Making agreements with the Member States of the Schengen Agreement on representation activities³⁴ is an important factor. The main purpose of such an agreement is facilitating legal entry from those countries, where Latvia does not have its own representation, but has political, economic, social or humanitarian interest to facilitate the

³⁴ The obligation of the Member States of the Schengen Agreement to make such agreements has been incorporated in Article 8(6) of the Visa Code.

possibilities for receipt of visa by the respective third-country nationals, who intend to travel to Latvia.

As from the Visa Code coming into effect the number of representations representing Latvia and issuing Schengen visas in the name of Latvia has considerably increased, namely from 20 representations in 2008 to 57 representations in 2011.³⁵ Considering the fact that the main purpose of a visa representation is facilitating legal immigration, the following main aspects and differences in visa representation issues may be specified:

- adoption of independent visa resolution, incl. on refusal to issue a visa (all the valid representation agreements (save Germany representing Latvia and Latvia representing Sweden) contain adoption of such resolutions);
- consultation process on visa issuance (*VISION* consultations);
- previously coordinated activities on the possible consulting mechanism in case of doubt by adopting a visa resolution within the scope of representation.

It should be stated that the agreement on representation with respect to issuing Schengen visas has been one of the main priorities of the Ministry of Foreign Affairs during the recent years. Due to the signed agreement in the area of visa representation legal immigration has been considerably facilitated and promoted, this fact is proven by an increase in the number of visa applications accepted both by the Latvian representations and the representations of other Member States of the Schengen Agreement in the name of Latvia. The objective of the Ministry of Foreign Affairs is to continue future negotiations with the Member States of the Schengen Agreement on new representation options, thus increasing and facilitating the legal immigration possibilities.

It should be mentioned though that the representation agreements do not provide for issuing long-stay visas. Considering the fact that Latvia has a comparatively small number of representations abroad, obtaining long-stay visas is considerably difficult, especially if such are issued for receipt of the residence permit. For example, the citizens of India intending to receive a long-stay visa for entry to Latvia in case of receipt of residence permit have to go to the nearest Latvian representation, which, in its turn, is located in China, although in India Latvia has been represented in two places – New Dehli and Mumbai.

Other aspects for issuing visas

Outsourcing of different service providers facilitates the procedures for receipt of visas. Thus, since 2009 the Latvian representations in Russia and the Ukraine cooperate with the courier mail company *Pony Express* with whose help visa application documents are

³⁵ Information source: the Consular Department of the Ministry of Foreign Affairs.

received from visa applicants in Russia and the Ukraine. In 2010 with the help of the aforementioned company 12,804 visa applications were received (in 2009 – 2,782).³⁶ The courier mail company is authorised to accept visa application documents from visa applicants, to collect the State fees for review of application documents, as well as to deliver the accepted visa documents to the respective representation and to deliver the passports back to the visa applicants after adoption of the visa resolution.

Due to the above cooperation the legal immigration of Russian and Ukrainian citizens is promoted and facilitated as follows:

- visa applicants from distant regions of countries do not have to appear in person at the embassy/consulate for submission of documents;
- visa applicants do not have to wait in long queues at the embassy/consulate;
- the process for submission – accepting visa application documents is facilitated at the embassy/consulate;
- due to the developed system the visa applicant is able to follow the progress of his/her application up to the moment of adoption of the decision on issuing a visa.

Latvia is currently interested in engaging outsourcing service providers in those third countries, where Latvia has only one representation, thus facilitating the possibility of the citizens of the respective country to submit applications and promoting legal immigration.

One more factor facilitating legal immigration in the visa issuance procedure is establishing functionally organised visa departments and work organisation in the representations, as well as establishing a system for issue, acceptance and review of visa application documents. It should be mentioned that the above conditions are significant prerequisites for visa work irrespective of the number of visa applications in the particular representations.

Considering the seasonal nature of the increase in the number of visa applications, those Latvian representations, where the increase in number of visa applications is significant, especially in particular periods (e.g., in summer and winter), would be provided additional work resources during those periods, namely, experienced visa experts of the central apparatus of the Ministry of Foreign Affairs, as well as technical personnel that might help accepting and reviewing the visa application, as well as adopting decisions on issuing visas. Thus, not only permanent work capacity of visa departments of representations and their ability to process and review the accepted visa applications in good quality is ensured, but also the possibility of visa applicants to receive visas and enter Latvia in the planned period of time is ensured.

³⁶ Information source: the Consular Department of the Ministry of Foreign Affairs.

3.3. Visa procedures for the purpose of preventing irregular migration

3.3.1. Prevention of irregular migration during visa issuing and monitoring process

Application submission stage

In order to reduce the irregular immigration risks in the visa application acceptance stage it is important to pay attention to and to verify the relationship of the person with the country of origin, as well as the genuineness of the purpose for entry declared by the visa applicant.

For the consular official to be able to successfully verify the aforementioned, the documents providing information on the actual purpose of entry are requested as the evidence proving the purpose. Depending on the purpose of entry different documents might be requested and submitted – an invitation approved by the Office of Citizenship and Migration Affairs, an invitation letter of a private individual, the reservation confirmation of the anticipated place of stay (guest house, hotel, etc.), receipts issued by accredited tourism company, confirmation of transport reservation or tickets. The decision on what documents are considered to be documents proving the purpose in the respective country is made by the Member States by developing uniform lists of requested documents within the scope of local Schengen cooperation. Thus, during the visa request stage it is important to follow the developed and harmonised lists of requisite documents in order to propose and apply uniform criteria to all visa applicants with respect to the documents to be submitted within the scope of the uniform practice of Member State representations.

Document verification and assessment stage

In order to prevent the risks of irregular immigration several inspections are made during the procedure for review of visa application documents after input of the visa application data into the NVIS. As the result of the inspections it is established whether the visa applicant has/has not been included in any list of persons whose entry into the territory of the Republic of Latvia or the Member States of the Schengen Agreement is prohibited.

During verification of the submitted documents an official may establish that additional information is required, or he/she is doubtful of the purpose of entry, status and relationship with the country of origin declared by the visa applicant. In such case the missing

information may be obtained by requesting submission of additional documents, carrying out an interview, consulting with experts of other Member States or addressing the competent authorities of the place of residence for confirmation of information.

The interview is an instrument of particular importance within the procedure for review of visa application documents, as well as in cases of requesting a visa extension while the person stays in Latvia. The interviews are carried out by the consular officials in the representations and the officials of the Office of Citizenship and Migration Affairs. During the interview the main task of the official is to verify the genuineness of the information provided by the visa applicant (as well as the inviter, if any), as well as to obtain additional information proving the declared purpose of entry complies with the statements in the documents, or just the opposite – confirming the fact that any doubt on the purpose of entry has been justified. The interviews may be performed by the consular official asking questions to the visa applicant or by the visa applicant being requested to provide replies to written questions in writing in the presence of the official. Sometimes the interview is carried out in cooperation with the Office of Citizenship and Migration Affairs – concurrently with the visa applicant and his/her inviter.

The consular official precisely fixes the facts and circumstances, established during the interview, in the minutes as well as uses them thereafter in cases when a decision on refusal to issue a visa is adopted and it is necessary to prepare a substantiated decision on refusal of visa.

If a visa applicant comes from a country, where an additional verification is performed for its citizens according to the valid regulatory enactments when issuing a visa or residence permit, the consular official will mandatorily carry out an interview when accepting the visa application documents.³⁷ In such manner the potential irregular immigration and security risks with respect to entry of the particular person in Latvia and the Schengen area are assessed.

In cases of doubt with respect to the genuineness of the provided information on the identity of the visa applicant and his/her relationship with the country of origin, the consular official is obliged to verify the information by contacting the respective authorities of the country of origin or by verifying that the information provided, e.g. on the marital status, employment or place of employment complies with the information available in the official registries.

³⁷ Cabinet Regulation No. 554 of 21 June 2010 on Regulation regarding states for the citizens of which in issuing a visa or a residence permit an additional assessment shall be performed.

In addition to the aforementioned the consular official is entitled to request a reference from the uniform visa applicant proving that the aforementioned person has no criminal record.

In cases when the travelling document of a person contains a stamp of another Schengen Member State proving that the person has applied for visa to the representation of the respective Member State, but has not received a visa, the consular official will contact the consular official of the respective Member State to clarify the reasons for not granting the visa, whether the visa applicant has been refused a visa or what have been the reasons for that.

If a visa applicant has a completely new travelling document without previous travelling history, the consular official is obliged to try to consult the representatives of other Schengen Member States to clarify whether the respective person has not previously addressed any of the representations to receive a uniform visa. Such a practice provides an opportunity for additional inspections of the NVIS to clarify the visa history of a person, which is a significant factor when adopting a decision on issuing a visa.

For the decisions of the consular officials on visa refusal cases to be justified and legal, the Consular Department of the Ministry of Foreign Affairs has developed a form for provision of additional information on the circumstances for adoption of a visa refusal decision and substantiation thereof. The purpose for establishing thereof is to summarise the facts and to substantiate the justification of a visa refusal decision in one document. It is planned to append the aforementioned document after preparation thereof to the visa file.

Control measures during entry and stay in the territory of the country

Section 3.1 already discussed the general activities for prevention of irregular migration through visa control at the moment a foreigner crosses the external border.

During inspection of the travelling documents of a foreigner at the places of crossing the state border, the verification of visa is performed both visually and by using technical means. During the border inspection using the information included in the NVIS the visa is examined to compare the reason for issue with the purposes of use. After assessment of different risk factors in case of necessity profiling measures are performed (interviewing of persons in order to clarify the actual purpose of entry, inspection of financial means for stay necessary for the person and other measures). During 24-hour period travelling documents of approximately 4,000³⁸ foreigners are reviewed.

During entry and exit visual inspection of the date of issue and validity of visa is performed, i.e. whether the foreigner, who has stayed in the Schengen Area, has not exceeded the period specified in the visa. In such case the information specified on the visa sticker and

³⁸ Data source: the State Border Guard.

in the NVIS (with respect to the permitted length of stay and number of entries) is compared with the actual situation, which is calculated based on the chronological stamps of border guards.

In addition to the aforementioned, considering certain risk factors the border guards of the structural units of Immigration Service of the State Border Guard patrol within the territory of the state by performing regular control activities on the motor roads near the border. Preventive immigration control activities are regularly performed also, e.g. in guest houses, places of recreation, store car parks and other public places.

The State Border Guard regularly cooperates with other law enforcement authorities and institutions through exchange of information within the area of irregular immigration and employment, as well as organisation of joint control activities at different objects.

The fast notification (pre-emptive information) system practised in the State Border Guard has a significant role. Warnings on the trends within the area of forged travelling documents (including also stolen visa sticker numbers and the most common visa forgery both in Latvia and other countries) are prepared based on the information received both from the structural units of the State Border Guard and the foreign cooperation partners. The aforementioned information is delivered to the structural units responsible for border guard with the mediation of the territorial divisions of the State Border Guard.

The State Border Guard orders that are prepared at the beginning of each month on the results of the border guarding and immigration control during the preceding month contain indications of the irregular immigration trends, including the trends within the area of forged visas and other forged documents.

3.3.2. Prevention of irregular migration through other measures during visa issuing

A significant role in prevention of irregular migration is played by implementation of measures ensuring the abilities of the personnel involved in visa issuance and control to identify the categories of foreigners the permanent relationship with their country of origin of whom may not be observed, thus causing a significant risk of irregular immigration.

Personnel training on visa and immigration issues

The personnel of all the institutions involved in visa issuance procedure are regularly trained on the current events within the area of visas – both the practical and theoretical aspects thereof.

In order to inform on the current developments within the area of visas, improve the efficiency of consular officials and their ability to establish the threats of irregular immigration risk during the visa issuance procedure, the Ministry of Foreign Affairs in cooperation with the European Union External Borders Fund regularly organises the training of consular officials on visa issues. During the training the consular officials are informed on the current developments in the visa and immigration area, as well as introduced to the best practices in visa issuance and application of irregular migration control mechanisms during the visa issuance procedure. The consular officials are given the opportunity to discuss and solve different practical tasks aimed at determining, fixing and verification of irregular immigration risk features, and the purpose whereof is to look for solutions in more complex cases. It should be mentioned that annual consular training provides a possibility for the consular officials to meet colleagues of other migration and security services – the representatives of the Office of Citizenship and Migration Affairs, the State Border Guard and other institutions informing the consular officials on the current developments in their respective areas and discussing the possibilities and procedures for application of irregular immigration risk control mechanisms.

The State Border Guard personnel have regular trainings in exposure of forged documents (passports, visas, residence permits, driver's licences, etc.).

In order to maintain adequate high qualification of personnel in the State Border Guard within the area of recognition of document forgeries regular training is organised in the State Border Guard College, its programmes cover issues on visa specimens, methodology for detecting forged visa and use of technical means for detecting forgeries. The training is organised on two levels, and in 2011 it is planned to organise a total of eight Level 1 courses and nine Level 2 courses for over 200 employees.³⁹

In addition to the aforementioned training the State Border Guard College performs regular personnel training in each territorial structural unit of the State Border Guard based on the approved plan. After assessing the need, the training materials (as well as test questions) contain issues on conditions for entry of citizens of different countries, visa specimen, current developments in visa issuance and annulment issues, as well as the area of detecting document forgery.

During the period from 1 June 2010 until 30 June 2011 the Office of Citizenship and Migration Affairs in cooperation with the State Border Guard and the Ministry of Foreign Affairs implemented the European External Borders Fund 2009 programme project "The development of national VIS providing its compliance with the final version of the technical

³⁹ Information source: the State Border Guard.

documentation provided by the EC and ensuring the necessary training for system users”. Within the scope of the project the training of the employees of the Office of Citizenship and Migration Affairs, the State Border Guard and the Ministry of Foreign Affairs was organised, during which the personnel got theoretical and practical training on the issues of visa issuance and registration in the NVIS.⁴⁰

Development of guidelines, manuals

In order to explain the valid regulatory enactments and to provide guidelines for applying best practice in visa issuance the Consular Department of the Ministry of Foreign Affairs has developed the Methodological Instructions setting out in a demonstrative manner the guidelines to the consular officials for issues on uniform visa issuance in accordance with the procedure prescribed in the Visa Code.

During the period from 1 October 2010 until 30 June 2011 the Office of Citizenship and Migration Affairs carried out the European External Borders Fund 2009 programme project “Development of the Visa Issuance Best Practices Manual”. As the result of the project an electronic tool or Manual was developed, which is a site containing training materials. The site may be accessed solely by the users of the NVIS (the employees of the State Border Guard, the Ministry of Foreign Affairs and the Office of Citizenship and Migration Affairs). The purpose is to prevent the possible problems related to information processing in the NVIS, as well as to facilitate, improve and provide information to the current and future users of the NVIS, thus facilitating the visa application registration and visa issuance procedures.

Information systems

The existence and development of the information systems is of great importance. They contain the maximum required information during the visa issuance and control procedure, especially for prevention of irregular migration.

The Unified Migration Information System (UMIS), which is a state information system including such significant subsystems as the Population Register, invitation register, entry prohibition register, etc., is widely used in visa issuance and control in line with the aforementioned NVIS and BGEIS systems. Since the UMIS contains restricted access information it is available solely to the respective employees of the State Border Guard, the Ministry of Foreign Affairs and the Office of Citizenship and Migration Affairs.

The irregular immigration register contains data on the foreigners detained or returned in accordance with the procedure prescribed in the Immigration Law in order to ensure

⁴⁰ Information source: the Office of Citizenship and Migration Affairs.

effective identification of persons and prevent irregular immigration.⁴¹ The register contains information on the persons, the exit orders issued to them, decisions on forced return, detention, enforcement of forced return. The register is kept by the State Border Guard.

It is essential to mention that there is a possibility to use the Schengen Information System (SIS). All the Member States of the Schengen Agreement are obliged to verify all the visa applications in the SIS prior to issuing the Schengen visa and the national (long-stay) visa. In the event it is established that an entry ban to the Schengen territory has been imposed on a foreigner based on Article 96 of the Schengen Convention⁴² a visa (including the national visa) shall not be issued or the already issued visa shall be annulled.

Existence of “black lists”

The Immigration Law contains legal norms which prescribe maintaining a list of foreigners who are prohibited to enter the Republic of Latvia. The procedure according to which the Office of Citizenship and Migration Affairs maintains and updates the information on the list is prescribed by Cabinet Regulation No. 605 of 16 August 2005 on Procedures by which the list of third-country nationals who are prohibited to enter the Republic of Latvia shall be maintained and updated⁴³. The list includes the foreigners that have breached conditions for entry and stay in Latvia, as well as the information on the *personas non grata* in Latvia who cause or might cause a threat to the state. The persons of the above category are included on the list for a definite or indefinite period of time and the decision on them are adopted based on the opinions rendered by the competent state authorities (most often - the Security Police, the Constitution Protection Bureau). It should be mentioned that the information is maintained in the register for an unlimited period of time and it is not deleted, as well as it has been assigned the status of restricted access information. Existence of such lists ensures not only efficient prevention of irregular migration risks, but also the state security.

Local Schengen cooperation and expert examination of documents

The capacity of the Latvian consular officials to establish the irregular immigration risk threats and to timely prevent them has increased as from the accession to the Schengen Agreement. It is possible due to the active local Schengen cooperation in third countries, within the scope of this cooperation information on the most common forms of irregular migration risk in the respective state is exchanged among the consular officials and experts in

⁴¹ Cabinet Regulation No. 502 of 7 July 2008 on Maintenance and utilization of the illegal immigration register. – The Latvian Herald, No.106, 11.07.2008 – [effective as from 12.07.2008]

⁴² Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders. – Official Journal, L 239/19, 22.09.2000

⁴³ Published in: The Latvian Herald, No.132, 23.08.2005 – [effective as from 24.08.2005]

immigration issues of the Member States, as well as the experience, the expert examinations and the practised issues of representatives of other Member States are followed.

Considering the fact that a significant element within the area of control of irregular immigration is the ability to perform expert examination of documents, the consular officials cooperate both with the experts of immigration issues of their own countries and the experts present at the country of origin of other Schengen Member States. Such cooperation is very important in the so-called high irregular immigration risk countries, as they ensure the possibility to detect forged documents in time and prevent possible irregular immigration risks.

3.3.3. Challenges and success factors for preventing irregular migration

Agreements

In order to reduce and prevent irregular immigration Latvia has signed bilateral readmission agreement with the Ukraine, Croatia, Armenia, Uzbekistan and Georgia.

Pursuant to the bilateral agreements each party, at the request of the other party, without delay and unnecessary formalities accepts the person failing to comply with the necessary conditions for entry or stay within the territory of the other party, if it has been proven or there is adequate basis for considering that such person is a national of that party it is being delivered to. Likewise the parties admit also the third-country nationals and stateless persons having a permit to stay in the territory of the parties, and the persons who after entry to the territory of one of the parties have lost the citizenship of the other party without acquiring the citizenship of any country.

Likewise Latvia has signed protocols in order to implement the readmission agreements signed by the European Community with Russia and Moldova.

Latvia has not signed such visa preference agreements that would concurrently prescribe for readmission of irregular immigrants. However, during negotiations on signature of particular agreements, e.g., on abolition of visa conditions for holders of diplomatic passports, Latvia has recurrently offered signing such agreements together with the readmission agreements.

Visa shopping

As from the moment of accession to the Schengen Agreement on 21 December 2007 the issue on the ability of Latvian representations to apply uniform criteria to visa applicants that would be equal to the requirements posed by the other Schengen Member States became

topical. The new Member States of the Schengen Agreement in particular were the first targets for the potential visa shoppers, whose purpose was to find the consulates or embassies of those Schengen Member States, where it would be easier to submit visa applications and obtain Schengen visas.

Therefore the task of the Latvian representations was to gather information on the practice of other Schengen Member States and to follow the guidelines accepted within the scope of local Schengen cooperation, the developed lists of visa application documents to be requested, as well as to follow the instructions for consular officials issued by the Consular Department of the Ministry of Foreign Affairs.

In order to prevent possible visa shopping cases the representatives of the visa departments of Latvian representations in the countries of origin cooperated with the representatives of other Schengen Member States, consulted on the instruments and mechanisms used for detecting irregular immigration risks, as well as consulted their own and other Member States' immigration experts in cases, when more extensive inspection of travelling documents of third-country nationals and other visa application documents was required.

Also currently one of the visa work priorities is to prevent potential visa shopping cases, especially in the countries with high irregular immigration risk, where the possibility to obtain a visa in a preferential manner is closely related to other irregular immigration risks.

Although the visa shopping trend is usually related to activities of the Member States of the Schengen Agreement within the area of some third country, after analysis of the situation from a broader perspective the signed agreements with other Schengen Member States on visa issuance in the name of Latvia may be mentioned as one of the important factors for preventing visa shopping. Such agreements decrease and eradicate situations when a third-country national might submit a visa application to the Latvian representation in another country which has not had previous experience with the visa application documents of the particular third-country nationals and for which it is hard to assess the possible irregular immigration risks.

Representation in visa issuing

Due to the possibility to agree with other Member States of the Schengen Agreement on the representation in issuing visas in the places, where Latvia does not have its representation, the possibilities of third-country nationals to obtain a visa for entry to Latvia are promoted and facilitated. At the same time the representation is related also to ensuring correct entry procedure, which reduces the number of cases when the Schengen visas are requested in any Schengen Member State representation, thus hiding the actual purpose for

entry to Latvia. Concurrently due to the agreements within the area of visa representation the potential irregular immigration risks are prevented, which are easier to establish when working on site in the particular country and knowing the specifics of that country. The representation of the Member State reviewing the visa applications and adopting a decision in the name of Latvia has a good knowledge of the documents to be submitted by the third-country nationals, the political, social and economic environment of the particular country, as well as the existing immigration trends. Therefore the assessment of visa applications and the possibilities for detecting and determining irregular immigration risk are based on the practical knowledge on the specifics of the particular third country, and the adopted decisions might be more justified.

Other aspects for issuing visas

One of the most important factors for organising work within the area of visa issuance is a well-considered management of work and distribution of functions among the officials and employees involved in acceptance, review of visa applications, adoption of decision and notification thereof to the visa applicant. In the countries with high irregular immigration risk it is essential to ensure the distribution of work so that the visa department is available to the visa applicant during the specified working hours and the information provided by the visa applicant might be listened to and fixed concurrently decreasing the ability of the visa applicant to reach and influence the official authorised to adopt the decision on visa issuance to a minimum during the period preferable to him/her.

The possibility to decrease or be exempt from paying the State fee is a considerable factor and significant visa receipt preference, especially thinking of the facilitation of legal immigration. In practice the consular officials may apply the preferences specified in the Visa Code and the European Community and third country treaties and reduce the payment of State fee or exempt it. Whereas with respect to the nationals of the countries characterised by high risk of irregular immigration reduction of the payment of State fee or exemption from payment of a State fee is a factor of comparatively low importance as opposed to the financial means paid for conclusion of fictitious transactions (preparation of invitation, registration of marriage, etc.), document forgery, etc. In order to prevent situations when due to the preferential procedure for obtaining visas and reduced fee for review of the visa application documents the number of improper visa applicants increases, in the countries with high risk of irregular immigration the aforementioned preferences and exemption from the fee are applied solely in the cases prescribed in Article 16 of the Visa Code and in accordance with the decisions adopted within the scope of the local Schengen cooperation and in accordance with the harmonised practice.

4. CO-OPERATION WITH THIRD COUNTRIES: BELARUS AND TURKEY

This section analyses the possible link between the visa policy and management and control of migration flows through facilitation of legal and prevention of irregular migration in the form of a short study on the two chosen third countries. The choice of countries was determined by the intensity of migration flow, existence of signed agreement and therefore also cooperation in different areas, as well as the availability of statistical data.

4.1. Belarus

Belarus has been chosen as the country to be studied due to the fact that the common history – being within the USSR until 1991 and the consequences thereof, the common land border, which concurrently is also the external border of the European Union and the Schengen area, as well as the complicated political situation in Belarus made it one of the countries, from which one of the largest migration flows, both legal and irregular, originates (for more details please refer to Annex No. 2, Tables 6-8). According to the number of issued visas Belarus is “overtaken” only by Russia. Belarus is also the country the European Union has commenced negotiations on preferential visa agreements that would facilitate the mutual contacts of persons in future.

As already mentioned above, Latvia and Belarus were members of the USSR until 1991. As the result of the population transmigration policy carried out in the USSR currently approximately 80,000 (see Table 4.1.1) people of Belarus nationality are staying in Latvia, this figure does not exceed 4% of the total number of the resident population. The majority of people of Belarus nationality residing in Latvia hold Latvian non-citizen status⁴⁴. The number of Belarus nationals is rather small, however, there is an obvious trend for gradual increase thereof.

Table 4.1.1
Number of Belarus nationals, belarusians and total resident population

⁴⁴ Pursuant to the law On the Status of those Former USSR Citizens who do not have the Citizenship of Latvia or that of any Other State, Latvian **non-citizens** are such citizens of the former USSR who reside in the Republic of Latvia as well as who are in temporary absence and their children 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.

at the beginning of the year, 2002-2011⁴⁵

	Belarus nationals	Belarusians	Total population
2002	1 131	93 583	2 345 768
2003	1 162	91 768	2 331 480
2004	1 459	89 984	2 319 203
2005	1 598	88 287	2 306 434
2006	1 674	86 658	2 294 590
2007	1 755	85 274	2 281 305
2008	1 769	83 520	2 270 894
2009	1 865	81 862	2 261 294
2010	1 904	80 259	2 248 374
2011	1 925	78 556	2 229 641

Considering the fact that some of the Belarusians residing in Latvia stay near the border of Belarus and their closest relatives often reside on the other side of the border, on 23 August 2010 both countries signed the *Agreement between the government of the Republic of Latvia and the government of the Republic of Belarus on simplification of mutual travel for the inhabitants of the borderland of the Republic of Latvia and the Republic of Belarus*, which prescribes for issuing simplified border crossing and borderland traffic permissions to borderland inhabitants, as well as the borderland inhabitants carry out mutual cooperation based on the basic principles of cross border cooperation. In September 2011, both countries will hold a consultation on the aforementioned agreement coming into effect and application, as well as making amendments to the 31 January 2008 Agreement between the government of Latvia and the government of Belarus on mutual travel of citizens⁴⁶. Thus the mutual contacts of persons will be facilitated.

Latvia and Belarus have developed good economic relationship that has been developing for centuries. The geopolitical location of both countries – intersection of main transit routes serves as the basis for such relationship. Historically the economic relationship was facilitated by the waterway along the Daugava River. During soviet times the economic relationship strengthened even more, since the economic structure existing in the USSR ensured close cooperation among the production companies. A new stage in the development of economic relationship commenced as from establishment of mutual diplomatic relationship after regaining independence. Currently the bilateral economic relationship is developing in three directions: foreign trade, cooperation in the area of investments and transit.

⁴⁵ Data source: the Central Statistical Bureau.

⁴⁶ Information on the signed bilateral agreements with Belarus is available in the Bilateral Agreement Database on the web site of the Ministry of Foreign Affairs at www.mfa.gov.lv.

After accession of Latvia to the European Union and NATO Latvia carries out its foreign policy interests – security, stability and facilitating democracy – in the Eastern direction not only by bilateral relationship, but also by active development of the European Union Eastern Partnership Policy⁴⁷, as well as by using the NATO partnership instruments to support stability and democracy in the neighbouring countries of the European Union. Latvia particularly supports facilitating inhabitant contacts and mobility with Eastern partnership countries, therefore successful progress of visa preferences and visa liberalisation agreements in 2010 should be considered to be an achievement. Visa preferences are especially important for the inhabitants of Belarus.

Considering the interest of the Belarus nationals to enter Latvia and in order to facilitate the possibilities for obtaining visas, Latvia has its representations in Belarus – the embassy in Minsk and the consulate in Vitebsk. The embassy in Minsk is one of the busiest Latvian representations abroad (see Annex No. 2, Tables 3-4).

As from 2004 the ratio of visas issued to the Belarus nationals amount on average to 10—20% of the total number of issued visas (see Table 4.1.2). In 2010 the quota of visas issued to Belarus nationals considerably decreased, which fact may be explained by deterioration of the political and economic situation in Belarus. The largest number of visas was issued in 2006-2008, when the development of national economy of Latvia was observed, which, in its turn, created a labour force demand.

As from 24 January, 2011, noticing the interest of Latvia to facilitate people to people mutual contacts and accordingly promoting consolidation of the civic society and democratic institutions at the neighbourhood, Belarus nationals who submit necessary documents for requesting long-term visa in the diplomatic and consular representations of the Republic of Latvia in the Republic of Belarus, are exempted from payment of the State fee for examination of the documents necessary for the requesting visa. The exemption is adjusted to the Point 10.2. of the Cabinet Regulation No.571 of 21 June 2010 on Regulations regarding the state fee for examination of the documents necessary for the requesting a visa, residence permit or the status of a long-term resident of the European Community in the Republic of Latvia and the services related thereto⁴⁸.

⁴⁷ Eastern partnership countries – Armenia, Azerbaijan, Belarus, Georgia, Moldova and the Ukraine.

⁴⁸ Published in: The Latvian Herald, No.101, 29.06.2010 – [effective as from 01.07.2010]

Table 4.1.2
Total number of short-stay and long-stay visas issued to Belarus nationals, 2004-2010⁴⁹

	Short-stay	Long-stay	Total	Total issued visas
2004	14 665	141	15 500	91 251
2005	20 992	206	22 449	123 451
2006	28 273	321	30 382	150 602
2007	36 763	372	37 665	168 983
2008	24 829	441	25 395	135 103
2009	22 927	308	23 349	120 036
2010	23 382	301	23 699	218 682

Most often visas are issued with a purpose of visiting relatives, friends, i.e. private visit (see Table 4.1.3). Considering the well developed bilateral economic cooperation with Latvia visas with the purpose of engaging in commercial activity are often issued.

Table 4.1.3
Number of issued visas to Belarus nationals by purpose of entry, 2004-2010⁵⁰

	Tourism	Commercial activity	Private visit	Culture	Sports
2004	893	601	6 172	56	1 826
2005	1 506	1 056	8 272	59	2 116
2006	3 615	1 250	13 150	105	2 579
2007	7 030	1 525	15 657	134	3 934
2008	1 256	1 628	9 605	70	3 644
2009	1 272	1 832	8 870	21	3 514
2010	1 632	2 636	9 407	217	2 917

It should be mentioned that the trends for issuing visas are closely tied also with issuing residence permits. Thus, the largest number of first time residence permits was issued to Belarus nationals in 2006-2008 (see Table 4.1.4). Stay in Latvia is most often related to the employment of persons and family reunification. Belarus nationals choose working in Latvia due to the fact that there is a possibility to earn a larger salary, there is no language barrier, there is quite a large national diaspora in Latvia, as well as the climate is quite similar, etc.

⁴⁹ Data source: the Office of Citizenship and Migration Affairs.

⁵⁰ Data source: the Office of Citizenship and Migration Affairs.

Table 4.1.4
First time residence permits issued to
Belarus nationals by purpose, 2004-2010⁵¹

	Studies	Employment	Family reunification	Other	Total	Total issued
2004	-	-	-	-	123	1 264
2005	-	-	-	-	115	1 386
2006	11	8	111	1	191	1 751
2007	10	117	115	2	244	3 201
2008	26	119	214	75	434	7 706
2009	5	19	78	16	118	2 304
2010	9	40	49	13	111	2 329

The ratio of annulled and refused visas does not exceed 1% of the total number of visas issued to the Belarus nationals (see Table 4.1.5). Since 2004 the number of annulled visas has decreased considerably that may be explained by the fact that already prior to accession of Latvia to the Schengen area in the annulled visa statistics were included visas annulled in the Latvian representations also due to technical errors caused by incorrect provision or recording of information. Currently revocation and annulment of visas is performed in accordance with the Visa Code. Visas are annulled only in cases when after issuing a visa it has been established that in time of visa issuing conditions of visa issuing were not fulfilled, especially if there is justified reason to consider that the visa has been obtained in a fraudulent manner, which is quite a rare occasion. In its part the separate registration of the visas annulled due to technical errors are carried out.

Table 4.1.5
Number of refused, revoked and annulled visas, 2004-2010⁵²

	Refused	Revoked	Annulled
2004	23	150	190
2005	139	466	165
2006	281	669	130
2007	376	517	125
2008	535	396	16
2009	268	256	14
2010	210	223	12

A comparatively large flow of irregular migration is coming from Belarus. The Belarus nationals choose Latvia as the final destination of their irregular entry due to the fact that they do not have a language barrier in Latvia and there is quite a large Belarus diaspora in

⁵¹ Data source: 2004-2007 the Office of Citizenship and Migration Affairs; 2008-2010 the Eurostat.

⁵² Data source: the Office of Citizenship and Migration Affairs.

Latvia, the representatives whereof have established companies and are indirectly supporting employment of their nationals there. Likewise the Latvian historical aspects and the similar climate of Belarus, as well as the common land border with Latvia play a significant role. The flow of irregular migration is also influenced by the development of Belarus economy and the politics carried out in the country (see Table 4.1.6).

Table 4.1.6
**Number of entry refusals, number of persons apprehended
and forcibly returned, 2003-2010⁵³**

	Entry refusals	Apprehensions	Forcible returns
2003	104	34	27
2004	73	29	19
2005	101	9	9
2006	138	14	6
2007	258	10	12
2008	130	10	5
2009	75	5	15
2010	130	25	25

To promote development of the democratic processes in Belarus, mutual contacts of persons and cooperation in various economic sectors with neighbouring country of Latvia – Belarus, various entry facilitations for Belarus nationals should be adjusted in the framework of current legal regulation.

Especially positively are appreciated activities in the framework of the Eastern partnership, as well as facilitations in visa field currently defined or existent in practice, inter alia, launched negotiations between the European Union and Belarus on concluding facilitation agreement on visa issuing for certain categories of persons, which will promote contacts between representatives of NGO's, exchanges of pupils and students groups, as well as activities of youth sports and cultural contacts and will improve cooperation in the field of tourism, are supportable and maintainable.

For facilitation of mutual contacts of person cooperation it is necessary to start application of signed agreement between Latvia and Belarus on simplification of mutual travel for the inhabitants of the borderland.

⁵³ Data source: 2003-2007 the State Border Guard; 2008-2010 the Eurostat (data rounded to the nearest 5).

4.2. Turkey

Turkey was chosen as the country to be studied due to the fact that it is officially a European Union candidate country, it has successful cooperation with Latvia in different areas, Latvia supports accession of Turkey to the European Union and previously Turkey supported accession of Latvia to the NATO. In the area of visa issuance Turkey holds a stable position among 10 countries whose nationals are issued visas most often.

The relationship between Latvia and Turkey is constructive and diverse, and a positive trend is observed in its development. Latvia and Turkey have common foreign policy interests in facilitating European security and stability. Cooperation of both countries within NATO is successful. Latvia strongly supports the European Union integration procedure of Turkey and its accession to the European Union after compliance with all the European Union membership criteria and successful completion of the accession negotiations. Turkey is a strategically important partner of the European Union having large potential in guaranteeing Europe's energy interests, as well as in strengthening the overall economic and political influence globally and especially in the neighbouring regions of Europe. In recent years Turkey has significantly promoted its foreign policy activities both in the neighbouring regions (the Middle East, Caucasus and the Balkans) and in a wider political arena (Asia, Africa and Russia).

Latvia is interested in establishing good bilateral relationship with the potential future partners of the European Union. The priority is facilitating economic relations that still have significant growth potential. In particular, the most active are the economic relations with Turkey, where the sales turnover in recent years amounted to EUR 40-60 million. Latvia has developed a legal framework for facilitating cooperation with Turkey: the conventions for avoiding double taxation and prevention of tax evasion have been signed and have come into effect, the investment mutual facilitation and protection agreements are effective. More than 70 Turkish-Latvian joint ventures have been registered in Latvia.⁵⁴

A good political dialogue has developed between Latvia and Turkey. The history of diplomatic relationship between the countries started in 1925. Turkey has never acknowledged the annexation and incorporation of Latvia into the USSR. The diplomatic relationship between the countries was resumed on 22 October 1992. During the recent years several high level meetings have been carried out between both countries.

At the beginning of 2005 the Latvian embassy was opened in Ankara, and at the end of the same year – the Turkish embassy in Riga. In 2006 the agreement of abolishment of visa

⁵⁴ Information source: the Ministry of Foreign Affairs.

requirement for holders of diplomatic, service and special passports and preferential visa procedures for holders of citizen passports was made. Thus, the citizens of Latvia are able to enter the territory of Turkey without a visa and stay there for 30 days within a period of six months. In such case the most popular purpose of entry is tourism. Likewise the holders of diplomatic, service and special passports of both countries may enter the respective country without a visa and stay there for 90 days within a period of six months as from the date of first entry.

Currently on the European Union level no visa preferences are planned with respect to the Turkish nationals, since according to the opinion of Schengen Member States Turkey may be characterised as country of rather high irregular immigration risk, especially the eastern regions of Turkey, where the situation is unstable due to military conflicts and activities of terrorist groups. In future the issue on abolishment of visa requirement for certain categories of Turkish nationals might be considered on the European Union level by setting particular criteria and requirements for Turkey.

The number of Turkish nationals permanently residing in Latvia is not large (see Table 4.2.1), but there is a trend of gradual increase of that number.

Table 4.2.1
Number of Turkish nationals and total resident population
at the beginning of the year, 2002-2011⁵⁵

	Turkish nationals	Total population
2002	16	2 345 768
2003	16	2 331 480
2004	27	2 319 203
2005	38	2 306 434
2006	44	2 294 590
2007	46	2 281 305
2008	58	2 270 894
2009	71	2 261 294
2010	87	2 248 374
2011	80	2 229 641

Although the total number of visas issued to Turkish nationals is not large as compared with the number of total visas issues, it is gradually increasing as from 2009 (see Table 4.2.2). Moreover, the number of issued short-stay visas is increasing, while the number of long-stay visas continues decreasing. Issuing long-stay visas is related to issuing residence permits. In the event a person has once received a long-stay visa for receipt of temporary

⁵⁵ Data source: the Central Statistical Bureau.

residence permit in Latvia the person continuing his/her stay in Latvia does not have to obtain a long-stay visa for receipt of the next residence permit.

The number of visas issued to Turkish nationals significantly decreased in 2008 that was explained by the fact that after accession of Latvia to the Schengen area a part of the Turkish nationals having valid multi-entry Schengen visas issued by other Member States started using such visas for entry to Latvia.

Table 4.2.2
Total number of short-stay and long-stay visas issued to Turkish nationals, 2004-2010⁵⁶

	Short-stay	Long-stay	Total	Total issued visas
2004	475	12	504	91 251
2005	902	17	1 004	123 451
2006	1 699	49	1 879	150 602
2007	1 692	155	1 918	168 983
2008	982	102	1 101	135 103
2009	1 167	61	1 288	120 036
2010	1 797	40	1 848	218 682

In 2010 63% of the visas issued to Turkish nationals were issued with tourism as the purpose of entry to Latvia (see Table 4.2.3). Considering the successful cooperation of both countries in the economic area, as well as the existence of mutual contacts of persons, commercial activity, visiting relatives and friends are essential reasons for entry to Latvia.

Table 4.2.3
Number of issued visas by purpose of entry, 2004-2010⁵⁷

	Tourism	Commercial activity	Private visit	Culture	Sports
2004	49	98	105	-	83
2005	137	213	200	-	67
2006	551	295	251	-	89
2007	636	332	297	-	172
2008	389	125	194	-	71
2009	636	97	109	-	14
2010	1173	168	135	4	4

The situation with the residence permits issued to Turkish nationals is slightly different, namely the number thereof has been gradually decreasing since 2007 (see

⁵⁶ Data source: the Office of Citizenship and Migration Affairs.

⁵⁷ Data source: the Office of Citizenship and Migration Affairs.

Table 4.2.4). It should be mentioned that the residence permits to Turkish nationals are most often issued with respect to studying, this fact may be explained by the successful cooperation between Latvia and Turkey in the area of education, as well as the mutual contacts of educational establishments developed within the cooperation.

Table 4.2.4
First time residence permits issued to Turkish nationals, 2004-2010⁵⁸

	Studies	Employment	Family reunification	Other	Total	Total issued
2004	-	-	-	-	16	1 264
2005	-	-	-	-	14	1 386
2006	10	25	7	-	42	1 751
2007	27	55	17	-	99	3 201
2008	29	13	35	5	82	7 706
2009	29	6	14	3	52	2 304
2010	33	4	4	2	43	2 329

The number of refused visas to the Turkish nationals has significantly decreased in 2010 as compared with 2008 and 2009 (see Table 4.2.5). That may be explained by the fact that in 2010 the Latvian embassy in Turkey was actively involved in attracting tourists from Turkey by commencing the accreditation of the Turkish tourism agencies. Thus, many tourism agencies started organising tourist group travels to Latvia, as well as to other countries through Latvia.

Table 4.2.5
Number of refused, revoked and annulled visas, 2004-2010⁵⁹

	Refused	Revoked	Annulled
2004	10	5	2
2005	23	0	9
2006	34	24	20
2007	39	4	17
2008	205	15	23
2009	206	1	10
2010	89	7	2

The flow of irregular migration is very small (see Table 4.2.6) with a trend to decrease. Most often the Turkish nationals try illegally crossing the external border of Latvia in airports. Considering the above situation no special measures are implemented for prevention of irregular immigration of Turkish nationals except the standard procedures.

⁵⁸ Data source: the Office of Citizenship and Migration Affairs.

⁵⁹ Data source: the Office of Citizenship and Migration Affairs.

Table 4.2.6
Number of entry refusals, number of persons apprehended and forcibly returned, 2003-2010⁶⁰

	Entry refusals	Apprehensions	Forcible Returns
2003	-	9	9
2004	20	-	-
2005	12	-	-
2006	12	1	-
2007	13	1	-
2008	50	5	5
2009	25	-	5
2010	20	-	-

In order to continue current cooperation in various economic sectors and to promote beginning of cooperation in new fields, as well as to improve mutual contacts of persons, it is necessary to adapt current legal regulation efficiently, especially as regards to facilitation of entry and visa issuing for Turkish nationals.

5. EFFECTS OF THE EUROPEAN UNION POLICY AND LEGISLATION ON THE NATIONAL LEVEL

The accession of Latvia to the Schengen Agreement has had the largest effect at the national level ensuring free movement of persons within the Schengen area. Accession to the Schengen Agreement has facilitated development of tourism and movement of persons for business purposes and has promoted personal contacts.

As concerns preventing irregular migration the benefit related to the accession of Latvia to the Schengen area – the possibility to use the Schengen Information System (SIS) has to be mentioned. A norm prescribing mandatory requirement of verification of all visa applications in the SIS was incorporated in the regulatory enactments of Latvia.

The requirement to verify each long-stay (national) visa application in the SIS included in Regulation No. 265/2010 was appreciated by Latvia. Statistical data proves that the illegal migration in Latvia has not significantly increased; it has even decreased.

Pursuant to the Prime Minister's Order of 7 August 2002 No. 254 On establishment of visa working group⁶¹ a visa working group was established for permanent operation, whose tasks included analysis of visa issuance procedures and trends, optimising and improvement

⁶⁰ Data source: 2003-2007 the State Border Guard; 2008-2010 the Eurostat (data rounded to the nearest 5).

⁶¹ Published in: The Latvian Herald, No.144, 09.08.2002 – [effective as from 07.08.2002]

of visa issuance and control, assessment of legislation and development of proposals for necessary amendments within the area of legal and irregular migration. The visa working group is comprised of the representatives of the Consular Department of the Ministry of Foreign Affairs, the Office of Citizenship and Migration Affairs and the State Border Guard.

It should be mentioned that as from and as the result of accession of Latvia to the Schengen Agreement ensuring common approach has caused fragmentation of regulatory enactments. A person intending to enter the Schengen area has to face a difficult procedure for obtaining information. Prior to entry to the Member State of the Schengen Agreement a person has to review not only the terms of the Visa Code, but also the national legislation of the respective Member State specifying the procedure for receipt, issuing visas and entry thereto.

With respect to the influence of the common European Union migration policy on the visa policy in Latvia it shall be mentioned that visa policy is related to the development of migration policy, in a way facilitating implementation of different aspects of migration policy. For example, Recommendation⁶² of the European Parliament and of the Council of to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research is applied in practice. The Latvian representations do not specifically highlight the principle of “every facility for obtaining the requisite visa” to those third-country nationals that are accepted in accordance with the directives on legal migration valid in the European Union.

Other instruments:

► Treaties signed by the European Union with third countries on facilitation of issuing visas to certain groups of persons⁶³

Signing of treaties required extensive information work both prior to the treaties coming into effect and after. Special stress was on the fact that an invitation as one of the source documents is not mandatory for requesting a visa (it is replaced by a written request prepared according to a specific procedure). However, considering the fact that in case of Latvia an invitation ensures faster and simpler receipt of visas, many foreign inviters, especially private individuals, still use it to invite their relatives. The inviter does not have to take care of the delivery of the invitation to the invited person (after approval of the invitation it is available on-line to all institutions issuing visas), while the foreigners do not have to

⁶² Recommendation of the European Parliament and of the Council of 28 September 2005 to facilitate the issue by the Member States of uniform short-stay visas for researchers from third countries travelling within the Community for the purpose of carrying out scientific research. – Official Journal, L 289/23, 03.11.2005

⁶³ At present the agreements have been made with Russia, Georgia, the Ukraine, Macedonia, Serbia, Montenegro, Bosnia and Herzegovina, Albania and Moldova.

prove to the institution issuing visas the availability of adequate financial means, since by preparation of the invitation the inviter has undertaken to ensure the place of residence and the financial resources for stay to the invited foreigner.

One more important reason in favour of the invitation is the fact that the inviter may purchase in Latvia a travel insurance policy valid in the Member States of the Schengen Agreement, and in such case the Office of Citizenship and Migration Affairs includes the information on the existence of insurance policy in the database when registering the invitation. Moreover Latvia consistently supports use of invitations, since the inviter undertakes the obligations prescribed in Article 9¹ of the Immigration Law⁶⁴.

Latvia has decided to use the source document specified in the treaties on preferential issuing of visas signed with the European Union – the written request in practice also in other visa request cases, and specified uniform requirements and procedure for preparation of that document⁶⁵.

► Amendments to Council Regulation No. 539/2001⁶⁶

The aforementioned amendments have had no influence/effect or repercussions on the regulatory enactments of Latvia nor on their practical application. The abolition of visa requirement for Taiwan nationals facilitating entry of tourist groups to Latvia has been particularly positive.

► Visa Information System (VIS)

Intensive preparation for implementation of the VIS Regulation and commencement of the European Union VIS operations planned for 11 October 2011 is carried out – the activities within the area of information technologies are performed in accordance with the instructions and schedule developed by the European Commission, personnel training on taking fingerprints and input of data into the VIS has already been carried out, the necessary technical equipment has been purchased for the Latvian embassy in Egypt that will participate in the first VIS *roll-out* stage, as well as the necessary base of regulatory enactments has been developed – the necessary norms have been included in new Cabinet Regulations - Cabinet Regulation No. 676 of 30 August 2011 on Visa Regulations.

► The Visa Code and the Common Consular Instruction⁶⁷

⁶⁴ **Article 9¹** of the Immigration Law prescribes that an inviter shall take responsibility for the compliance of the purpose of entry and residence of the invited foreigner with the purpose specified in the documents submitted for requesting a residence permit, for his or her exit from the State on the specified time, as well as, if necessary, shall ensure the covering of expenditure related to the health care, residing in the Republic of Latvia and return to the country of residence of the foreigner.

⁶⁵ The invitation has to be prepared in accordance with Cabinet Regulation No. 552 of 21 June 2010 on Procedures for approval of invitations and drawing up of written requests.

⁶⁶ Council Regulation No. 539/2001 of 15 March 2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

With the Immigration Law coming into effect on 1 May 2003 and development of the subordinate Cabinet regulations the Latvian national legislation compliant with the European Union legislation was fully introduced in respect of visa issuance in Latvia, including the norms of the Common Consular Instruction and the criteria for review of visa applications being taken over by the Latvian national legislation.

During preparation for introduction of the Visa Code on 5 April 2010 a package of preparatory work for development of regulatory enactments was performed – amendments to the Immigration Law were prepared, new Cabinet Regulations subordinate to the law were developed and the current regulations were amended related to issuing both the Schengen visas and Latvian long-stay (national) visas, personnel training has been carried out, as well as activities for information of public have been performed. Changes to the NVIS, e.g., with respect to the reasons for refusal of visas, were required in line with the introduction of the Visa Code.

The additional amendments⁶⁸ to the Immigration Law was developed in order to introduce in the Visa Code determined that since 5 April, 2011 any decision on refusal of issuing visa, as well as decision on revocation or annulment of visa could be challenged and appealed.

► Regulation No. 265/2010⁶⁹

Regulation No. 265/2010 came into effect concurrently with the Visa Code – on 5 April 2010, and the requisite changes to the national regulatory enactments were made concurrently. As from the introduction of the regulation the most important changes relate to the validity of long-stay visas – the regulation permits the maximum validity of one year as compared with the previous maximum validity of five years. In order to comply with the provision of the regulation on the validity of a long-stay visa, Article 63 of Cabinet Regulation No. 958 of 12 October 2010 on Visa Regulations⁷⁰ prescribes that previously issued long-stay visas for a longer period shall be valid only until 5 April 2011.

In relation to the discussions in public and in political circles on the current and future visa policy with respect to the visa dialogues commenced by the European Union with third countries it should be mentioned that overall commencement of such dialogues is positive –

⁶⁷ Common consular instructions on visas for the diplomatic missions and consular posts. – Official Journal, C 326, 22.12.2005

⁶⁸ Law of 26 May, 2011 Amendments to the Immigration Law. – The Latvian Herald, No.93, 15.06.2011. – [effective as from 16.06.2011]

⁶⁹ Regulation No. 265/2010 of the European Parliament and of the Council of 25 March 2010 amending the Convention Implementing the Schengen Agreement and Regulation No. 562/2006 as regards movement of persons with a long-stay visa.

⁷⁰ Lost effect as from 14.09.2011.

after the execution of stated demands and that question is defined as long-term priority. The most incisive, especially in the political environment, are treated the dialogue on introduction of a visa-free conditions commenced by the European Union with Russia. Taking into account historical events and the consequences caused by them it is to a large extent an issue of political will and determination for Latvia.

As regards to visa facilitation agreements it should be noted that Latvia has expressed support for amendments in the European Union agreements with Russia, Ukraine and Moldova, as well as conceptual support to commence negotiations with Belarus on signing a visa facilitation agreement. Particularly it should be highlighted that such agreement with Belarus in the future will promote mutual contacts of persons. On the same time it should be mentioned that Latvia considers that the visa facilitation agreement could not be in force until the readmission agreement will be signed. Similarly the political statements on possibilities to commence negotiations on signing visa facilitation agreements with Armenia and Azerbaijan are sounded – the pre-negotiations are started and are prepared mandate projects of negotiations. It should be highlighted that such agreements will promote mutual contacts of persons, as well as cooperation in various fields of economics.

6. STATISTICAL DATA AND EMPIRICAL EVIDENCE

After review of the statistical data on the issued visas, residence permits and the data characterising irregular migration (see Annex No. 2), it may be concluded that the accession of Latvia to the Schengen area and the global economic downturn at the end of 2008 have had the largest influence. Likewise the area of visas is closely related to the areas of legal and irregular migration.

Thus, after the accession of Latvia to the Schengen area the total number of issued visas has decreased by 20%, if comparing 2007 with 2008 – many people entered Latvia with visas issued by other Member States of the Schengen Agreement, and the flow of irregular migration increased with the purpose of reaching Scandinavian and Western European countries by crossing the territory of Latvia (see Tables 1, 7, 8). As the result of the rapid downturn of economic development commenced at the end of 2008, in its turn, the number of issued residence permits has rapidly decreased (see Table 5) – the total number of first-time residence permits issued in Latvia has decreased to a third, if data of 2008 and 2009 are compared.

In 2010 the irregular migration flow and total number of first-time residence permits has not increased that might be explained by the consequences of economic downturn - decrease in places of employment and salary, remuneration, as well as limitation of social guarantees. Whereas the number of issued visas has almost doubled, this fact indicates the high interest of third-country nationals in entering and short-stay in Latvia.

Long-stay visas are most often issued to the citizens of Russia, the Ukraine and Belarus, which form the majority of the legal migration flow (see Tables 2 and 6). The aforementioned trends may be observed also with respect to the data on issued long-stay visas, namely, during the period when a demand for foreign labour force arise due to the rapid growth of the national economy of Latvia (up to 2009) a large number of long-stay visas for receipt of residence permits was issued to the citizens of Moldova who entered Latvia for the purpose of employment, while in 2009 the number of long-stay visas issued to Moldova nationals has decreased to a tenth compared with 2008.

The largest number of visas is issued in the Latvian representations in Russia, Belarus and the Ukraine (see Tables 3 and 4). The busiest Latvian embassy in the area of visa issuance is the embassy in Moscow.

The Schengen visas are most often requested and issued due to the intent of the persons to visit friends or relatives, for tourism travels and for commercial activity purposes (see Table 4).

It should be pointed out that the flow of irregular migration is rather small. Considering the fact that the largest flow of not only legal, but also irregular migration comes from Russia, Belarus and the Ukraine, the nationals of those countries are the ones that most often receive refusals to enter the country due to the lack of a valid visa or residence permit (see Table 8). It should be mentioned that also citizens of Uzbekistan, Tajikistan, India and Israel are not able to present a valid visa or residence permit, as well as more often those are also people whose nationality is unknown.

7. CONCLUSIONS

The visa and migration policy are mutually closely related, and both of them in general aspects are based on the common policy carried out in the European Union. In case of Latvia both policies were materially influenced by the accession of Latvia to the Schengen Agreement, the economic development downturn commenced in 2008 its consequences were

clearly observed in the statistics for 2009, as well as the regulatory enactments governing the migration and visa policy adopted on the European Union level.

Signing of different bilateral and multilateral agreements with third countries, especially the ones the largest number of immigrants come from, is a significant factor for facilitating successful legal migration and the respective prevention of irregular migration.

Significant factors facilitating legal migration:

- closure of agreements on representation activities with the Member States of the Schengen Agreement. The main purpose of such agreements is facilitation of legal entry from those countries, where Latvia does not have its own representation, but has political, economic, social or humanitarian interest to facilitate the possibilities for receipt of visa by the respective third-country nations, who intend to travel to Latvia;
- establishment of functionally reasonable visa departments and organisation of work in the representations, as well as establishment of an efficient system for submission, acceptance and review of visa application documents;
- engagement of outsourcing service providers in those third countries, where Latvia has only one representation, thus facilitating the possibility of the nationals of the respective country to submit visa applications;
- development of guidelines and manuals aimed at clarification of the valid regulatory enactments, providing instruction on application of best practices in visa issuance, facilitating data processing in the information systems.

A significant role in prevention of irregular migration is played by implementation of measures ensuring the abilities of the personnel involved in visa issuance and control to identify the categories of foreigners the permanent relationship with their country of origin of whom may not be observed, thus causing a significant risk of irregular immigration.

Significant factors preventing of irregular migration:

- existence and development of information systems. They gather the maximum information required during the visa issuance and control procedure;
- regular personnel training on identification of irregular migrants and existence of handbooks, guidelines, recommendations and instructions;
- active local Schengen cooperation in third countries, within the scope of this cooperation the information on the most common forms of irregular migration risk in the respective state is exchanged among the consular officials and experts in immigration issues of the Member States, as well as the experience, the expert

examinations and the practised issues of representatives of other Member States are followed;

→ the possibility to perform expert examination of documents in cooperation with both the experts of migration issues of their own country and experts located in the country of origin of other Schengen Member States. Such cooperation is very important in the so-called high irregular immigration risk countries, as they ensure the possibility to detect forged documents in time and prevent the possible irregular immigration risks.

8. LIST OF USED SOURCES

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ANNEX No. 1

Bilateral Agreements:

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2. International document signed on 1 March 1996 Agreement between the government of the Republic of Latvia and the government of the State of Israel on waiving visa requirement for the holders of diplomatic or service passports. – The Latvian Herald, No. 122, 16.08.1995.
3. International document signed on 18 April 1997 Agreement between the government of the Republic of Latvia and the government of the Republic of Iceland concerning abolition of visa conditions. – The Latvian Herald, No. 122, 20.05.1997
4. International document signed on 24 July 1997 Agreement between the government of the Republic of Latvia and the government of Ukraine on mutual travel of citizens. – The Latvian Herald, No. 136, 15.05.1998.
5. International document signed on 11 February 1998 Agreement between the government of the Republic of Latvia and the government of the Republic of Croatia on mutual abolishing of visa requirements for holders of diplomatic and service passports. – The Latvian Herald, No. 21, 07.02.2001
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ANNEX No. 2

Table 1
Total number of issued, applied and rejected visas by category,
2004-2010⁷¹

		Total A	Total C	Total D	Total issued
2004	Issued	0	89 826	1 425	91 251
	Applied	0	91 369	1 429	92 798
	Rejected	0	1 422	3	1 425
2005	Issued	0	121 349	2 102	123 451
	Applied	0	124 030	19	124 049
	Rejected	0	2 585	2 121	4 706
2006	Issued	16	148 089	2 497	150 602
	Applied	16	150 984	2 523	153 523
	Rejected	0	2 755	16	2 771
2007	Issued	1	164 974	4 008	168 983
	Applied	1	169 114	4 046	173 161
	Rejected	0	3 490	31	6 521
2008	Issued	0	131 547	3 556	135 103
	Applied	1	137 159	3 629	140 789
	Rejected	0	4 912	63	4 975
2009	Issued	0	117 919	2 117	120 036
	Applied	0	120 625	2 159	122 784
	Rejected	0	2 114	38	2 152

⁷¹ Data source: the Office of Citizenship and Migration Affairs.

2010	Issued	1	215 157	3 524	218 682
	Applied	1	220 998	3 580	224 579
	Rejected	0	2 635	27	2 662

Table 2
Number of issued national visas by citizenship, 2004-2010⁷²

	Citizenship	Number		Citizenship	Number		Citizenship	Number
2004	Russia	636	2005	Russia	1 005	2006	Russia	988
	Ukraine	141		Ukraine	286		Ukraine	344
	Belarus	141		Belarus	206		Belarus	321
	Kazakhstan	46		Kazakhstan	43		Moldova	147
	China	27		China	40		Azerbaijan	60
	Armenia	21		Armenia	38		China	50
	India	20		Uzbekistan	34		Kazakhstan	42
	Uzbekistan	20		Azerbaijan	33		Armenia	34
	Azerbaijan	17		India	29		Georgia	31
	Sri Lanka	16		Georgia	24		India	23
2007	Russia	1 178	2008	Russia	920	2009	Russia	700
	Ukraine	693		Ukraine	834		Ukraine	369
	Moldova	560		Belarus	441		Belarus	308
	Belarus	372		Moldova	351		Turkey	61
	Uzbekistan	256		Georgia	104		Georgia	53
	Turkey	155		Turkey	102		Azerbaijan	50
	Georgia	112		Azerbaijan	94		China	47
	Armenia	99		China	64		Uzbekistan	41
	Kazakhstan	59		Kazakhstan	25		Moldova	38

⁷² Data source: the Office of Citizenship and Migration Affairs.

	China	53		India	19		Kazakhstan	28
2010	Russia	811						
	Belarus	301						
	Ukraine	295						
	Uzbekistan	66						
	Kazakhstan	54						
	Georgia	51						
	China	40						
	Turkey	40						
	Azerbaijan	39						
	Moldova	28						

Table 3
Number of issued national visas by consular post, 2004-2010⁷³

	Consular post	Number		Consular post	Number		Consular post	Number
2004	Russia, Moscow	409	2005	Russia, Moscow	639	2006	Russia, Moscow	606
	Ukraine	139		Ukraine	304		Ukraine	450
	Russia, Sanktpeterburg	76		Russia, Sanktpeterburg	153		Belarus, Minsk	213
	Belarus, Minsk	75		Belarus, Minsk	119		Russia, Sanktpeterburg	135
	Russia, Pskov	70		Russia, Pskov	112		Russia, Pskov	105
	Belarus, Vitebsk	52		Belarus, Vitebsk	50		Belarus, Vitebsk	90
	Uzbekistan	18		Uzbekistan	32		Uzbekistan	77
	UK, London	15		China	22		Turkey	49
	China	5		Turkey	11		China	32

⁷³ Data source: the Office of Citizenship and Migration Affairs.

	USA	2		UK, London	11		UK, London	23
2007	Ukraine	1 192	2008	Ukraine	1 175	2009	Ukraine	403
	Russia, Moscow	653		Russia, Moscow	486		Russia, Moscow	349
	Belarus, Minsk	264		Belarus, Minsk	208		Belarus, Vitebsk	150
	Uzbekistan	254		Belarus, Vitebsk	203		Belarus, Minsk	111
	Russia, Sanktpeterburg	190		Uzbekistan	169		Russia, Sanktpeterburg	99
	Georgia	168		China	149		Turkey	66
	Turkey	167		Russia, Sanktpeterburg	128		Georgia	61
	Russia, Pskov	123		Georgia	116		China	38
	Belarus, Vitebsk	86		Russia, Pskov	105		Uzbekistan	37
	China	71		Turkey	83		Azerbaijan	34
2010	Russia, Moscow	388						
	Ukraine	315						
	Belarus, Vitebsk	147						
	Russia, Sanktpeterburg	109						
	Belarus, Minsk	105						
	Uzbekistan	70						
	Georgia	52						
	Turkey	47						
	Kazakhstan	45						
	Russia, Pskov	30						

Table 4
Number of issued short-stay (C visas) by reason and consular post,
2004-2010⁷⁴

	Consular post	Tourism	Business	Visiting family / friends	Cultural	Sports	Official	Medical reasons	Transit	Airport transit	Other reasons
2004	Russia, Moscow	7 914	2 517	19 882	81	4 935	0	0	2	0	1 926
	Russia, Sanktpeterburg	2 274	688	10 390	58	1 611	0	0	4	0	382
	Belarus, Minsk	804	536	4 410	52	1 662	0	0	0	0	2 325
	Ukraine	329	646	4 208	97	905	0	0	0	0	452
	Belarus, Vitebsk	112	76	2 388	5	378	0	0	1	0	982
	Russia, Pskov	248	196	2 880	0	107	0	0	0	0	117
	Uzbekistan	29	102	128	12	41	0	0	0	0	115
	China	2	54	9	0	103	0	0	0	0	127
	UK, London	30	58	160	1	11	0	0	0	0	18
	USA	9	16	122	1	15	0	0	0	0	18
2005	Russia, Moscow	9 926	4 181	24 847	151	5 874	0	0	7	0	2 358
	Russia, Sanktpeterburg	2 983	1 171	13 026	34	1 846	0	0	8	0	802
	Belarus, Minsk	1 358	929	5 985	55	1 990	0	0	0	0	3 185
	Ukraine	690	1 255	6 523	75	1 453	0	0	1	0	799
	Belarus, Vitebsk	161	146	2 971	6	417	0	0	0	0	1 912
	Russia, Pskov	448	322	3 651	0	402	0	0	0	0	227
	Uzbekistan	43	193	190	8	76	0	0	0	0	144
	UK, London	163	120	281	1	39	0	0	0	0	31
	Turkey	63	125	112	0	53	0	0	0	0	65

⁷⁴ Data source: the Office of Citizenship and Migration Affairs.

	China	0	79	16	0	76	0	0	0	0	99
2006	Russia, Moscow	13 361	4 224	27 350	112	6 689	0	0	11	0	3 213
	Russia, Sanktpeterburg	4 196	1 139	14 260	82	2 755	0	0	6	0	844
	Belarus, Minsk	3 203	1 100	9 067	104	2 090	0	0	0	0	2 486
	Ukraine	1 399	1 351	7 980	92	1 481	0	0	0	0	967
	Belarus, Vitebsk	416	163	4 971	4	515	0	0	0	0	983
	Russia, Pskov	678	353	3 938	5	833	0	0	0	0	283
	Turkey	501	272	216	0	86	0	0	0	0	311
	Kazakhstan	51	82	209	0	93	0	0	0	0	245
	UK, London	136	126	380	0	54	0	0	1	0	44
	Georgia	51	40	233	0	94	0	0	0	0	190
2007	Russia, Moscow	13 211	3 551	27 968	66	7 123	95	0	1	0	3 870
	Belarus, Minsk	6 447	1 322	10 800	134	3 095	6	10	0	0	3 705
	Russia, Sanktpeterburg	4 858	1 040	14 720	49	2 887	3	0	7	0	1 014
	Ukraine	1 547	1 230	7 805	115	1 690	2	0	2	0	977
	Belarus, Vitebsk	649	197	5 683	4	867	0	0	0	0	2 062
	Russia, Pskov	731	390	4 448	0	892	0	0	0	0	591
	Russia, Kaliningrad	376	291	3 653	0	245	0	0	4	0	316
	Turkey	543	308	269	0	164	0	0	1	0	177
	Georgia	85	118	432	0	257	1	0	0	0	395
	Kazakhstan	36	116	273	0	199	0	0	0	0	131
2008	Russia, Moscow	12 656	2 922	25 717	72	6 721	182	0	0	0	2 357
	Russia, Sanktpeterburg	2 795	727	12 338	42	1 667	1	2	4	0	641
	Belarus, Minsk	1 027	1 430	6 776	72	2 848	18	6	4	0	3 662
	Ukraine	806	982	5 753	56	1 357	68	4	0	0	648

	Russia, Pskov	573	467	4 001	0	612	16	0	0	0	293
	Belarus, Vitebsk	223	201	3 513	4	868	0	0	0	0	2 001
	Russia, Kaliningrad	929	369	3 503	0	250	4	2	0	0	204
	Georgia	178	144	618	0	396	184	0	0	0	369
	Azerbaijan	163	109	292	0	136	75	0	0	0	104
	Uzbekistan	175	240	290	0	50	17	0	1	0	161
2009	Russia, Moscow	14 376	2 980	23 365	28	5 377	148	1	9	0	1 836
	Russia, Sanktpeterburg	2 243	580	9 802	11	1 473	5	1	1	0	383
	Belarus, Minsk	990	1 630	6 172	18	2 431	62	0	0	0	2 823
	Ukraine	891	941	4 636	22	1 115	50	0	0	0	408
	Belarus, Vitebsk	283	232	3 320	4	1 205	2	0	0	0	2 386
	Russia, Pskov	359	303	2 970	2	490	15	0	0	0	180
	Russia, Kaliningrad	889	312	2 948	2	304	0	3	0	0	144
	Georgia	95	67	393	0	559	134	6	0	0	844
	Azerbaijan	261	261	286	8	199	43	0	0	0	118
	Turkey	758	99	112	0	18	0	0	0	0	102
2010	Russia, Moscow	24 041	4 237	24 673	1 160	4 463	96	1	95	2	3 915
	Belarus, Minsk	1 160	2 393	6 674	181	2 192	104	0	28	0	2 496
	Russia, Sanktpeterburg	2 479	587	9 560	320	1 073	1	1	617	0	634
	Ukraine	1 177	1 032	4 377	73	781	31	0	31	0	838
	Belarus, Vitebsk	513	301	3 293	40	785	0	2	8	0	1 591
	Russia, Kaliningrad	1 127	490	3 061	44	488	0	14	521	0	161
	Russia, Pskov	605	286	2 527	204	306	9	0	29	0	362
	Azerbaijan	534	300	311	38	240	75	6	2	0	58
	Georgia	88	60	434	127	297	73	2	9	0	757

	Turkey	1 162	199	129	4	5	14	0	0	0	166
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Table 5
Total number of issued first time residence permits by reason,
2001-2010⁷⁵

	Education	Employment	Family reunification	Other	Total
2001	-	-	-	-	3 135*
2002	-	-	-	-	3 063*
2003	-	-	-	-	2 775*
2004	132	380	437	315	1 264
2005	115	457	700	114	1 386
2006	161	729	746	115	1 751
2007	221	1 958	901	121	3 201
2008	346	1 823	2 464	3 073	7 706
2009	212	464	759	869	2 304
2010	296	397	776	860	2 329

* - data included also EU, EEA and EFTA countries

Table 6
Number of first time issued residence permits by reason and citizenship,
2006-2010⁷⁶

	Citizenship	Education	Employment	Family	Other reasons	Total
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⁷⁵ Data source: 2001-2007 the Office of Citizenship and Migration Affairs.; 2008-2010 the Eurostat.

⁷⁶ Data source: 2004-2007 the Office of Citizenship and Migration Affairs.; 2008-2010 the Eurostat.

2004	Russia	-	-	-	-	511
	Ukraine	-	-	-	-	169
	USA	-	-	-	-	126
	Belarus	-	-	-	-	123
	Uzbekistan	-	-	-	-	18
2005	Russia	-	-	-	-	570
	Ukraine	-	-	-	-	237
	USA	-	-	-	-	128
	Belarus	-	-	-	-	115
	Uzbekistan	-	-	-	-	16
	Moldova	-	-	-	-	10
2006	Russia	22	192	349	15	578
	Ukraine	7	104	129	1	241
	Belarus	11	8	111	1	191
	USA	23	69	25	60	177
	Moldova	0	111	12	4	123
	Uzbekistan	6	52	9	0	67
	Israel	5	14	33	1	53
	China	9	19	0	0	28
	Thailand	14	7	1	0	22
	India	0	19	2	0	21
2007	Russia	23	283	414	7	727
	Ukraine	2	471	174	1	648
	Moldova	4	487	20	3	514
	Belarus	10	117	115	2	244
	Uzbekistan	11	179	8	0	198
	USA	12	75	13	51	151
	Georgia	53	32	13	1	99

	Turkey	27	55	17	0	99
	Armenia	0	77	7	1	85
	Israel	4	33	34	2	73
2008	Russia	25	186	765	1 943	2 919
	Recognised non-citizens	0	1	762	756	1 519
	Ukraine	7	643	320	97	1 067
	Belarus	26	119	214	75	434
	Moldova	1	335	42	8	386
	United States	9	40	43	95	187
	Uzbekistan	28	125	14	3	170
	Georgia	78	30	24	1	133
	Turkey	29	13	35	5	82
	Israel	1	15	58	7	81
2009	Recognised non-citizens	1	0	4	648	653
	Russia	17	99	350	83	549
	Ukraine	10	188	159	21	378
	Belarus	5	19	78	16	118
	USA	5	20	21	49	95
	Georgia	31	5	17	6	59
	Turkey	29	6	14	3	52
	Moldova	2	11	18	4	35
	Norway	27	7	0	0	34
	Israel	1	8	13	9	31
2010	Russia	21	129	421	154	725
	Recognised non-citizens	0	0	0	524	524
	Ukraine	19	116	103	29	267

	USA	5	26	35	58	124
	Belarus	9	40	49	13	111
	Georgia	39	11	16	6	72
	Uzbekistan	27	9	13	8	57
	Kazakhstan	25	3	20	6	54
	Turkey	33	4	4	2	43
	Israel	0	2	22	7	31

Table 7
Number of persons apprehended in the territory of Latvia by citizenship, 2003-2010⁷⁷

	Citizenship	Number		Citizenship	Number		Citizenship	Number		Citizenship	Number
2003	Lithuania	301	2004	Russia	120	2005	Russia	93	2006	Russia	84
	Russia	119		Lithuania	69		Ukraine	50		Moldova	40
	Ukraine	44		Ukraine	64		Stateless	30		Ukraine	36
	Belarus	34		Stateless	46		Moldova	27		Stateless	27
	Estonia	24		Belarus	29		Lithuania	21		Belarus	14
	Pakistan	10		Armenia	11		Estonia	11		Azerbaijan	7
	Turkey	9		Moldova	10		Belarus	9		Israel	7
	Germany	8		Estonia	10		Armenia	8		Georgia	6
	Israel	6		Georgia	9		Azerbaijan	8		Armenia	4
	Azerbaijan	5		Azerbaijan	4		Somalia	7		Afghanistan	3
2007	Moldova	67	2008	Russia	70	2009	Russia	55	2010	Russia	55
	Russia	66		Ukraine	35		Moldova	45		Belarus	25
	Ukraine	45		Moldova	30		Afghanistan	20		Kazakhstan	15

⁷⁷ Data source: 2003-2007 the State Border Guard; 2008-2010 the Eurostat (data are rounded to the nearest 5).

	Georgia	15		Uzbekistan	25		Ukraine	15		Stateless	15
	Belarus	10		Unknown	25		Ghana	10		Ukraine	10
	Bangladesh	8		Bangladesh	15		Kazakhstan	10		Uzbekistan	10
	Armenia	7		Georgia	15		Unknown	10		Afghanistan	10
	Stateless	6		Belarus	10		Belarus	5		Nigeria	5
	Azerbaijan	4		Armenia	10		Kyrgyzstan	5		Kyrgyzstan	5
	Kazakhstan	4		Syria	10		China	5		Tajikistan	5

Table 8
Number of refusals due to the absence of a valid visa or residence permit by citizenship, 2008-2010⁷⁸

	Citizenship	Number		Citizenship	Number		Citizenship	Number
2008	Russia	355	2009	Russia	220	2010	Russia	215
	Belarus	130		Belarus	70		Belarus	120
	Ukraine	80		Ukraine	25		Kazakhstan	50
	Turkey	45		Kazakhstan	20		Unknown	30
	India	30		Israel	20		Ukraine	20
	Stateless	25		Turkey	15		India	15
	Moldova	20		Kyrgyzstan	15		Israel	10
	Kyrgyzstan	20		Unknown	15		Turkey	10
	Uzbekistan	15		Tajikistan	10		Kyrgyzstan	10
	Azerbaijan	15		Uzbekistan	10		Tajikistan	5

⁷⁸ Data source: the Eurostat (data are rounded to the nearest 5).

