



**OFFICE OF CITIZENSHIP AND  
MIGRATION AFFAIRS**



**EUROPEAN MIGRATION  
NETWORK**

**ANNUAL REPORT ON ASYLUM AND  
MIGRATION FOR LATVIA  
(REFERENCE YEAR: 2004)**

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## INTRODUCTION

2004 was a transition year for Latvia as it was the first year for the country as a member state of the European Union with added responsibility to control the processes in legal and illegal migration and asylum.

It is a well-known fact that harmonized and comparable migration and asylum statistics is an integral part of development of and control over legislation, migration and asylum policy and free movement of individuals. In Latvia, statistics of migration, asylum and illegal entry is collected by the Office of Citizenship and Migration Affairs of the Ministry of the Interior, State Border Guard and Central Statistics Bureau of the Ministry of Economics.

The Office of Citizenship and Migration Affairs of the Ministry of the Interior maintains the Population Register of the Republic of Latvia, one of the most significant centralized data bases containing information on over 3 million individuals. The Population Register is an integrated system of tracking residents of the country. The main objective of the Population Register is to ensure the registration of citizens, non-citizens of Latvia, foreign nationals having received residence permits, and refugees, by entering and utilizing the information as prescribed by the legislation.

State Border Guard ensures control of the state borders and makes decisions on entry of individuals into the Republic of Latvia, inspects visas and residence status, detains and houses foreign nationals who illegally stay in the country, makes decisions on deportation of foreign nationals (near the border, at the points of border control or at border crossing), executes deportation of foreign nationals, oversees the procedure of re-entry, monitors employment of foreign nationals, and issues entry bans.

The mandate of the Central Statistics Bureau of the Ministry of Economics, in turn, is to develop a centralized and integrated statistics system on economic, demographic and social phenomena, processes and environment, in accordance with internationally acclaimed principles.

Part 1 of the report provides an analysis and interpretation of the migration statistics, and highlights the main trends and developments in the area of migration in 2004.

Part 2 of the report provides an analysis and interpretation of the asylum statistics, including asylum application trends, and overviews the most significant changes in legislation introduced in 2004.

Part 3 of the report provides an analysis and interpretation of the illegal entry statistics, including basic trends concerning residence permits denied, foreign nationals detained and foreign nationals removed; and gives an overview of the most significant changes in legislation introduced in 2004.

## A. MIGRATION ISSUES

Immigration is an international phenomenon affecting all member states of the European Union. Immigration policy is dependent on the factors and objectives of economic development, the local labour market, the demographic situation and the reaction of society to immigration issues. Compared to other Eastern European countries, Latvia has not yet become the target country for immigrants; however, the countries of Commonwealth of Independent States present a potential for increase in the flow of immigrants to the European Union. The current migration policy is to be regarded as effective since the inflow of foreign nationals to Latvia, as compared to other European countries, is minimal.

### 1) Analysis and interpretation of the migration statistics

#### a) Migration flows<sup>1</sup>

Data collected on long-term migration of residents in Latvia in 2004 demonstrate that the year 2004 saw a slight increase in inter-country migration, compared to year 2003, when it was at its lowest in the last decade.

In 2004, **1,665** individuals from other countries came to live in Latvia while **2,744** individuals left Latvia to live elsewhere. Immigration from other countries increased by **22%** in 2004, compared to 2003, while emigration from Latvia increased by **24%**.

If in 2003 the number of emigrants over immigrants caused the number of residents of Latvia to drop by 846 individuals, in 2004 the number of residents decreased by **1,079** individuals, **714** women and **365** men (see Table 1.1).

**Table 1.1**  
**Migration flows 1999-2004<sup>2</sup>**

	1999	2000	2001	2002	2003	2004
<b>Number of permanent residents at the start of the year</b>	2,399,248	2,381,715	2,364,254	2,345,768	2,331,480	2,319,203
<b>Registered immigrants</b>	1,813	1,627	1,443	1,428	1,364	1,665
<b>Registered emigrants</b>	5,898	7,131	6,602	3,262	2,210	2,744

The migration statistics of 2004 demonstrate that the main contributor countries to the **immigration** flow (a total of **1,665** individuals) were the Russian Federation (16.5%),

<sup>1</sup> Population migration in Latvia in 2004. Viewed on Internet 20 July 2007.

[http://old.csb.gov.lv/teksts.cfm?tem\\_kods=dem&datums=%7Bts%20'2005-03-31%2013%3A00%3A00'%7D](http://old.csb.gov.lv/teksts.cfm?tem_kods=dem&datums=%7Bts%20'2005-03-31%2013%3A00%3A00'%7D)

<sup>2</sup> Data provided by the Central Statistics Bureau

Lithuania (14.8%), Germany (10.2%), USA (7.1%), Great Britain (6.7%), Estonia (5.2%), Ukraine (4.9%), Israel (4.5%), Belarus (3.5%), and Denmark (3.1%).

The **emigration** flow (a total of **2,744** people) covered the following top 10 countries: the Russian Federation (38.5%), Germany (8.5%), Ukraine (6.3%), USA (6.2%), Lithuania (5.5%), Great Britain (4.1%), Belarus (4.0%), Estonia (2.7%), Sweden (2.6%), Denmark (1.9%) (see Table 1.2).

**Table 1.2**  
**Immigration and emigration by country, 2004<sup>3</sup>**

Country	Immigration		Emigration		Net migration, number of people
	Number of people	Percentage	Number of people	Percentage	
<b>All countries</b>	<b>1,665</b>	<b>100</b>	<b>1,744</b>	<b>100</b>	<b>-1,079</b>
<b>including:</b>					
<b>Russia</b>	274	16.5	1,057	38.5	-783
<b>Germany</b>	170	10.2	233	8.5	-63
<b>Lithuania</b>	246	14.8	152	5.5	94
<b>USA</b>	118	7.1	169	6.2	-51
<b>Ukraine</b>	81	4.9	173	6.3	-92
<b>Britain</b>	111	6.7	113	4.1	-2
<b>Belarus</b>	59	3.5	111	4.0	-52
<b>Estonia</b>	87	5.2	75	2.7	12
<b>Israel</b>	75	4.5	50	1.8	25
<b>Denmark</b>	52	3.1	53	1.9	-1
<b>Other</b>	392	23.5	558	20.5	-166

(Countries arranged in order of net migration, i.e., immigration + emigration)

In 2004, 671 women, or 40.3% of the total number of immigrants, and 994 men, or 59.7% of the total number of immigrants, came to Latvia to live, either permanently or at least for a year. The ratio of men and women among emigrants was approximately equal – 49.5 % males and 50.5 % females.

As a result of inter-country migration, in 2004 Latvia “lost” **865** residents of employment age and **334** senior residents. Immigrant children under the age of 14, in turn, exceeded emigrants by **120**.

Of all the inter-country immigrants, 25.7% were citizens of Latvia, 14.4% of Lithuania, 13.3% of Russia, 5.5% of Germany, 4.4% of Estonia. 34% of emigrants were citizens of Russia, 26% of Latvia, 5.1% of Lithuania, 5% of Ukraine. The percentage of non-citizens of Latvia among immigrants was 0.9% and among emigrants - 8.5%.

<sup>3</sup> Data provided by the Central Statistics Bureau

Analysis of data on family status of inter-country migrants reveals that most immigrants, 45.8% males and 47.5% females, are single. Most emigrants, in turn, are married. 52.5% of men and 44.6% of women had families.

Along with analysis of overall migration trends special attention was given to migration of Latvians in 2004. As noted earlier, the number of Latvians dropped by 80 as a result of inter-country migration; besides, the number of women decreased by 104. The number of males increased by 24. Latvian immigrants arrived from a total of 40 countries, including 19.6% from USA, 13.4% from Russia, 13.1% from Germany, 9.7% from Great Britain, and 5.1% from Lithuania and Ukraine each.

Latvians emigrated to a total of 35 countries. 19% left for Germany, 10.9% for Great Britain, 10.2% for USA, 8.3% for Ireland, 7.2% for Sweden, 6.3% for Russia, 4.6% for France, 3.9% for Italy, 3.7% for Norway, and 3.2% for Canada.

Males constituted 49.1% of Latvian immigrants and 34.5% of emigrants. 30% of immigrants were children, 52% of immigrants were of employment age, and 18% of immigrants were senior citizens. The respective percentages among Latvian emigrants were 15%, 82% and 3%.

#### b) Population by citizenship

**Table 1.3**  
**Population by citizenship<sup>4</sup>**

Residents		2001	2002	% of total residents	
				2001	2002
<b>Total</b>		<b>2,364,254</b>	<b>2,345,768</b>	<b>100</b>	<b>100</b>
Citizens of Latvia		1,782,565	1,788,967	75.40	76.26
Citizens of EU		1,038	1,070	0.04	0.05
Third country citizens		580,651	555,731	24.56	23.69
	<i>incl. non-citizens of Latvia</i>	552,244	525,454	21.85	21.24
<i>Most significant third country citizen groups</i>					
	Russia	21,149	22,333	0.89	0.95
	Ukraine	1,814	2,046	0.08	0.09
	Lithuania	1,637	1,737	0.07	0.07
	Belarus	957	1,131	0.04	0.05
	Estonia	495	549	0.02	0.02
	USA	379	379	0.02	0.02
	Armenia	187	221	0.01	0.01
	Poland	151	164	0.01	0.01
	Israel	129	142	0.01	0.01

<sup>4</sup> Data provided by the Central Statistics Bureau

Residents	2003	2004	% of total residents	
			2003	2004
<b>Total</b>	<b>2,331,480</b>	<b>2,319,203</b>	<b>100</b>	<b>100</b>
Citizens of Latvia	1,796,946	1,804,237	77.07	77.80
Citizens of EU	3,386	4,407	0.15	0.19
Third country citizens	531,148	510,559	22.78	22.01
<i>incl. non-citizens of Latvia</i>	504,572	481,635	21.64	20.77
<i>Most significant third country citizen groups</i>				
Russia	21,626	22,464	0.93	0.97
Ukraine	1,907	2,338	0.08	0.10
Belarus	1,162	1,459	0.05	0.06
USA	319	476	0.01	0.02
Armenia	200	235	0.01	0.01
Israel	140	205	0.01	0.01
Azerbaijan	125	150	0.01	0.01
Moldova	109	126	0.004	0.005
Kazakhstan	85	107	0.004	0.005
India	66	122	0.003	0.005

According to the data provided by the Central Statistics Bureau, the population of Latvia continued decreasing in 2004. At the start of 2005 the population totaled 2,306,000, or 12,800 less than a year earlier. The number of residents decreased by 0.55% in 2004 compared to a decrease of 0.53% in 2003. The number of residents dropped by 11,700 due to negative natural population growth rate (when the number of deaths is higher than the number of births); and the prevalence of emigration over immigration decreased the number by a further 1,100. In recent years the impact of migration on the decrease of population has lessened.<sup>5</sup>

In 2004, like 2003, the biggest number of immigrants continued to come from neighbouring countries, e.g., Russian Federation, Ukraine, Belarus, as well as from Lithuania and Estonia. There have been no notable changes in the number of immigrants.

<sup>5</sup> Changes in the Demographic Situation in Latvia in 2004. Viewed on Internet 20 July 2007. [http://old.csb.gov.lv/teksts.cfm?tem\\_kods=dem&datums=%7Bts%20%272005%2D04%2D15%2013%3A00%3A00%27%7D](http://old.csb.gov.lv/teksts.cfm?tem_kods=dem&datums=%7Bts%20%272005%2D04%2D15%2013%3A00%3A00%27%7D)

## c) Residence permits in 2004

**Table 1.3<sup>6</sup>**  
**Residence permits issued in 2004**

		<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Total</b>		<b>6,522</b>	<b>8,263</b>	<b>5,406</b>
Family reunification		2,235	4,135	2,365
	Spouses	1,835	3,098	1,224
	Children under 18	400	224	115
	Other family members	...	813	740
Studies		493	590	656
	School students	...	...	...
	University students	...	...	441
Employment		1,784	2,223	1,935
	Self-employed	399	1,173	664
	Employed	1,385	1,050	1,271
Other		2,010	1,315	450

... - data missing or unreliable

In 2004, temporary residence permits were mainly issued to foreign nationals wishing to reside in Latvia due to family reunification, employment, entrepreneurial activities and studies. The most temporary residence permits were issued to spouses of citizens of Latvia.

In 2004, decisions to issue a residence permit to 9,702 individuals were made. 31 individuals (0.3%) were denied a residence permit.

Compared to previous years, the number of work permits issued in 2004 increased. During the review period a total of 3,717 work permits were issued to foreign nationals. With accession of the Republic of Latvia to the European Union, foreign businesses have shown interest in Latvia and its economic growth potential.

On 1 March 2004 the Common Visa Information System was integrated with the Work Permit data base, thus easing the process of issuing work permits.

7,649 permanent residence permits were issued in 2004. Most of the permanent residence permits were issued to citizens of other countries living in the Republic of Latvia (3,467 permanent residence permits) and to spouses of citizens of Latvia (988 permanent residence permits).

Analysis of migration trends reveals that the scope of migration remains fairly constant. The main immigrant groups are: foreign nationals receiving residence permits due to family reunification, non-citizens who have been granted citizenship of another country and a

<sup>6</sup> Data provided by the Office of Citizenship and Migration Affairs

residence permit in Latvia, and foreign nationals who have received a residence permit in Latvia due to employment.

## **2) Contextual interpretations (legal, political and international factors)**

### **a) Main trends and most significant developments in the area of migration**

The priorities in developing and implementing migration policy in 2004 were:

- 1) development and implementation of national migration policy that would meet the requirements of the European Union legislative acts and abide by the European Union migration policy;
- 2) development of the electronic visa issuance and registration system and maintenance of a common visa information system.

Year 2004 saw the introduction of new residence permit and visa stickers that met the European Union requirements:

- ❖ issuance of the new residence permit stickers started on 1 May 2004;
- ❖ issuance of the new visa stickers started on 1 May 2004;
- ❖ Visa Information System was enhanced by:
  - Introduction of a system for printing residence permits,
  - Introduction of visa and residence permits that incorporate an individual's photo, as required by the European Union,
  - Introduction of the Work Permit Data Base on 1 March 2004.

To ensure an all-inclusive participation in the European Union, Latvia devised several legislative acts in line with the European Union requirements:

- ❖ Cabinet of Ministers Regulations "Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and of Confederation of Switzerland, and their Family Members". The regulations establish the protocol for entry and residence in the Republic of Latvia of citizens of member states of the European Union and European Economic Area, and of the Confederation of Switzerland, and their family members, as well as the procedure for deporting the above-noted citizens from the Republic of Latvia.
- ❖ Cabinet of Ministers Regulations "Amount of Financial Means Deemed Sufficient for Foreign Nationals on the Procedure for Verifying It". The regulations establish the amount of financial means deemed sufficient for foreign nationals to enter and reside in the Republic of Latvia and to return to their source country or to travel to a third

country they have the right to enter, and the procedure for verifying that sufficient financial means exist.

- ❖ Cabinet of Ministers Regulations “Amendments to the Regulations No. 217 of 29 April 2003 “Visa Regulations””.
- ❖ Cabinet of Ministers Regulations “Amendments to the Regulations No. 213 of 29 April 2003 “Residence Permit Regulations””.
- ❖ Cabinet of Ministers Regulations “Amendments to the Regulations No. 183 of 15 April 2003 “Procedure of Approving Letters of Invitation””.
- ❖ Cabinet of Ministers Regulations “Amendments to the Regulations No. 214 of 29 April 2003 “Regulations on the Fee Charged for Processing Visa or Residence Permit Applications and Related Services””.
- ❖ Cabinet of Ministers Regulations “Amendments to the Regulations No. 310 of 10 July 2001 “Procedure for Crossing the State Border of the Republic of Latvia””.

Several proposals were submitted and the implementation of the following projects was started in 2004:

- ❖ Financing was granted by the European Regional Development Fund for the project “Digitalization of Population Register and Documentation of Migration Processes”, under the National Programme, Common Programme Document Activity 1.3.1. The objective of the project was to design a common electronic archive for tracking and documenting the migration processes of Latvia residents and foreign nationals that would ensure collecting, processing and utilizing individual information, as prescribed by normative acts, both in hard copy and electronic format, as well as development of an electronic archive.
- ❖ Implementation of the *Schengen Facility* project “Development of Visa Information System” was started. The project will result in development of a new national visa information system.
- ❖ “Development Programme for a Common Asylum and Migration Management System for 2004-2009” was devised in the framework of the *Phare* National Programme project “Asylum and Migration Management System”.
- ❖ Common migration information system development project was implemented under the auspices of the *Phare* National assistance programme; its objective was to design a unified information system for registering residents and foreign nationals.

**b) Types of residence permits issued in 2004**

In accordance with the Immigration Law, a foreign national can receive either a temporary or a permanent residence permit in Latvia. In 2004, the following reasons for issuing a residence permit were listed in Latvia:

- ✓ Personal visit;
- ✓ Spouse of a citizen of Latvia;
- ✓ Spouse of a non-citizen of Latvia;
- ✓ Under-age children of a spouse of a citizen of Latvia;
- ✓ Under-age children of a spouse of a non-citizen of Latvia;
- ✓ Student exchange;
- ✓ Studies and academic work;
- ✓ Work agreement;
- ✓ Council or board member;
- ✓ Representative of a foreign business entity;
- ✓ Expert or consultant;
- ✓ Manager of a business entity;
- ✓ Manager of a structural unit of a business entity;
- ✓ Religious activities;
- ✓ Medical treatment;
- ✓ Representative of a public/government organization;
- ✓ Spouse of a foreign national;
- ✓ Under-age children of a foreign national;
- ✓ Significant capital investment (Ls 600,000).
- ✓ Individual business person;
- ✓ Self-employed;
- ✓ Volunteer work;
- ✓ Individual having joined a monastery;
- ✓ Scientific work;
- ✓ Intern or apprentice;
- ✓ Participation in the implementation of an international agreement or project;
- ✓ Participation in a government or municipal project;
- ✓ Receiver of services;
- ✓ Provider of services;
- ✓ Sufficient financial means;
- ✓ Parents of a citizen of Latvia and their spouses;

- ✓ Parents of a non-citizen of Latvia and their spouses;
- ✓ Foreign national who was a citizen of Latvia on 17 June 1940;
- ✓ Foreign national whose parent is a citizen of Latvia;
- ✓ Foreign national under custody or guardianship;
- ✓ Individual having received alternative status;
- ✓ Decree from the Minister of the Interior;
- ✓ Repatriate;
- ✓ Family member of a repatriate;
- ✓ Foreign national who has custody over a child, a citizen or non-citizen of Latvia;
- ✓ Child (a foreign national) of a citizen of Latvia;
- ✓ Child (a foreign national) of a non-citizen of Latvia;
- ✓ Child (a foreign national) of a foreign national;
- ✓ Foreign national who has lived in Latvia for 10 years;
- ✓ Under-age child of a foreign national who has lived in Latvia for 10 years;
- ✓ Permanent resident of Latvia who is a citizen of another country (also children);
- ✓ Foreign national who studied in the Latvian language.

In accordance with Paragraph 34 Part 1 of the Immigration Law, issuance and/or registration of a residence permit is denied if:

- ✓ a foreign national has not submitted all the documents for the residence permit application, as prescribed by the Cabinet of Ministers regulations, or refuses to provide any explanations pertaining to receipt of a residence permit;
- ✓ a foreign national has provided false information;
- ✓ a foreign national does not have sufficient financial means to reside in the Republic of Latvia;
- ✓ a foreign national has submitted the documents for a residence permit application but has no travel document or has a travel document that is not recognized in the Republic of Latvia;
- ✓ a foreign national has an ailment or an illness that poses a threat to public security or public health, or there is reason to believe that a foreign national might pose a threat to public health, except when a foreign national has arrived to treat the respective ailment or illness with a permission from the Ministry of Health;
- ✓ a foreign national has resided illegally in the Republic of Latvia, or a court decision has established that the foreign national has helped another foreign national to enter the Republic of Latvia illegally;

- ✓ a foreign national is on the list of individuals who are banned from entering the Republic of Latvia;
- ✓ a foreign national has been found guilty by a court ruling of an offence committed in the Republic of Latvia or abroad that carries a prison sentence for a period of no less than three years in accordance with the legislation of the Republic of Latvia. The provision shall not be applicable if the individual has been acquitted in accordance with the procedure established by law, or if at least five years have passed since serving of the prison sentence for the offences committed abroad;
- ✓ a foreign national has received reimbursement for relocating to another country, irrespective of whether the Republic of Latvia or municipal institutions or international funds or institutions paid out the compensation;
- ✓ the individual who invited the foreign national has lost his/her right to stay in the Republic of Latvia;
- ✓ a foreign national has joined another country's military or other public service;
- ✓ there is reason to believe that the foreign national has entered a fictitious marriage in order to receive a residence permit in the Republic of Latvia;
- ✓ a foreign national is under custody or guardianship of another foreign national who has been banned from entering the Republic of Latvia;
- ✓ there is reason to believe that the adoption is fictitious and undertaken so that the foreign national could receive a residence permit in the Republic of Latvia;
- ✓ a foreign national is working without a work permit or has worked without a work permit for the past year;
- ✓ the individual who invited the foreign national recalls the invitation in writing;
- ✓ the individual who invited the foreign national is missing, lost his/her capacity to act or has died;
- ✓ competent foreign authorities have provided information that serves as basis for banning the foreign national from entering and residing in the Republic of Latvia;
- ✓ information provided by the foreign national does not establish a strong link to his/her domicile country and there is reason to believe that the foreign national poses an illegal immigration risk;
- ✓ the individual who invited the foreign national is detained at a pre-trial detention centre or serves time in prison.

**c) European and/or international factors that have shaped certain modifications and/or continuity in the field of migration in 2004**

On 1 May 2004 Latvia became a member state of the European Union and, as such, had to ensure that all national normative acts met the requirements of the Community normative acts.

The most significant changes were: ensuring that the principle of free individual movement is observed starting 1 May 2004, introducing a specific border crossing procedure for the EU citizens and their family members, and introducing new visa and residence stickers of a common format. The scope of migration flows in Latvia did not change after its accession to the European Union.

## B. ASYLUM ISSUES

Prior to Latvia's accession to the European Union some expressed fear that after 1 May 2004 thousands and even millions of immigrants, including asylum seekers, will ascend on Latvia. It is true that with an increase in the standard of living this country can also become a target country for individuals experiencing a lower standard of living. One has to remember, however, that asylum is granted to individuals whose reason for seeking asylum is genuine threat to their lives, not just purely economic considerations.

A refugee in Latvia receives social assistance and language training for a year after the status was granted; however, the amount of social assistance is considerably lower than that in other European countries. Besides, there are no strong Asian or African national communities in Latvia that would encourage asylum seekers to come here.

Since 1998 when asylum procedure was established in Latvia, a total of 141 individuals have applied for asylum here. In the beginning most asylum applications were from people of Asian descent; the trend has changed in recent years with most asylum applicants coming from countries of the former USSR (e.g., Russia, Belarus).

It is difficult to predict whether the geographic location of Latvia will have an impact in the future. Since the eastern border of Latvia is the external border of the European Union, it is possible that asylum seekers might use the country to move further to another European Union member state. Considerable funds have been invested in securing the eastern border of Latvia to ensure minimum loopholes for illegal entry into the country.

### 1) Analysis and interpretation of the asylum statistics

#### a) Trends in first-time asylum applications in 2004

**Table 2.1<sup>7</sup>**

**Total number of first-time asylum applications, 1998-2004**

1998	1999	2000	2001	2002	2003	2004
58	22	5	14	30	5	7

In 2004 in Latvia, there were 3 asylum seekers from Egypt and one from each of Belarus, Azerbaijan, Romania, Georgia.

According to statistics, no huge increase in the number of asylum seekers was detected in 2004. The small number of asylum seekers in Latvia can be explained by the existing socio-economic conditions, a fairly low level of social assistance, geographic location, and lack of national communities. Presence of asylum seekers in Latvia can be regarded as more

<sup>7</sup> Data provided by the Office of Citizenship and Migration Affairs

of an accidental stop on their way to another country. It is doubtful that the number of asylum seekers will increase in the near future; however, it might grow with time.

### **b) Number of initial and final positive decisions in 2004**

**Table 2.2<sup>8</sup>**  
**Total number of decisions, 2004**

	<b>Total</b>	<b>First Level</b>	<b>First Appeal</b>
<b>Total</b>	<b>11</b>	<b>11</b>	-
Positive decisions	-	-	-
Negative decisions	<b>6</b>	6	-
Other no-status decisions	<b>5</b>	5	-

In 2004, no positive decisions were made to grant a refugee or alternative status. There is no significant change from 2003.

### **c) Changes in granting status to specific citizenship groups**

Since the number of asylum seekers in Latvia is small it is impossible to provide statistical analysis on changes in granting status to specifically defined groups of individuals.

## **2) Contextual interpretations (legal, political and international factors)**

### **a) Most significant changes in legislation in 2004**

The 2004 priorities in devising and implementing asylum policy were:

- 1) Ensure that national asylum legislation meets the requirements of the European Union legal acts;
- 2) Introduce the requirements of the Council Regulation No. 2725/2000 of 11 December 2000 concerning the establishment of 'Eurodac' for the comparison of fingerprints for the effective application of the Dublin Convention, and ensure functioning of the Eurodac system.

To facilitate establishing of a common European asylum system and avoid receiving asylum applications in several member states, as well as to appoint a member state responsible for processing and reviewing asylum applications from third country citizens, the Eurodac data base was established that contains fingerprints of asylum seekers and individuals detained for illegal border crossing.

Legal acts that meet the European Union requirements were devised to facilitate an all-inclusive participation of the country in the European Union:

- ✓ Law “Amendments to the Asylum Law”;
- ✓ Law “On Convention that Determines the Country Responsible for Reviewing the Asylum Application Submitted in one of the European Community Member States”.

Proposals were submitted and the implementation of the following projects was started during the review period:

- ✓ The 2002 *Phare Twinning Light* project “Rights and Responsibilities of Asylum Seekers, Refugees and Individuals having been Granted Alternative Status” was implemented. The project objective was to strengthen capacity and improve legislation to ensure individual rights. Within the framework of the project two documents ensuring the rights of asylum seekers and refugees were devised and strategy for informing the public was established.
- ✓ An *Equal* programme project “Step by Step” was authorized in 2004. The objective of the project was the professional and social integration of asylum seekers.
- ✓ To strengthen the administrative capacity and improve legislation to ensure individual rights, a 2002 *Phare Twinning Light* project proposal “Rights and Responsibilities of Asylum Seekers, Refugees and Individuals having been Granted Alternative Status” was devised. The project received the European Community approval and its implementation started.

#### **b) Procedural changes in 2004**

There have been no changes to the asylum application review process or the division of responsibilities among institutions involved in asylum procedure.

#### **c) European and/or international factors that have shaped certain modifications and/or continuity in the field of asylum in 2004**

Accession of Latvia to the European Union affected the country’s asylum system significantly. During 2003 necessary preparatory measures were taken to ensure that national legislation meets the European Union requirements and practical activities undertaken to implement the above measures, for example, introduction of the Council Regulation No. 2725/2000 of 11 December 2000 concerning the establishment of ‘Eurodac’ for the comparison of fingerprints for the effective application of the Dublin Convention, and ensuring the functioning of the Eurodac system.

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<sup>8</sup> Data provided by the Office of Citizenship and Migration Affairs

## C. ILLEGAL ENTRY

Illegal migration has not significantly increased in Latvia in recent years. With the growth of professionalism within the services that control immigration fewer and fewer individuals enter and reside illegally in Latvia. Latvia is an unfavourable area for illegal immigrants due to its lower social standard of living, climate, cultural differences (language, closed society), unemployment problems, and liberal immigration policy. It is clear that in the near future Latvia will not be able to guarantee the same conditions for immigrants as Western European countries can.

### 1) Analysis and interpretation of statistics

#### a) Developments and/or trends with respect to aliens refused in 2004, compared to 2003

**2,024** individuals were refused entry into the Republic of Latvia on the national border by the State Border Guard in 2004 (see Table 3.1).

**Table 3.1<sup>9</sup>**

**Total number of aliens refused, 2000-2004**

	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Total</b>	938	707	1,084	2,856	2,024

In 2004, the division by citizenship of aliens refused was as follows: 39% were citizens of Lithuania, 23% of Estonia, 17% of Russia, 4% of Belarus, 3% of Poland (see Table 3.2).

**Table 3.2<sup>10</sup>**

**Number of aliens refused entry into Latvia, 2004**

<b>Citizenship</b>	<b>Total</b>	<b>%</b>
Lithuania	796	39.32
Estonia	476	23.52
Russia	345	17.04
Belarus	73	3.61
Poland	69	3.41
Ukraine	41	2.03
India	31	1.53
Turkey	20	0.99
Kazakhstan	15	0.74
Czech Republic	13	0.64
Other	145	7.16
<b>Total</b>	<b>2,024</b>	<b>100</b>

<sup>9</sup> Data provided by the State Border Guard

<sup>10</sup> Data provided by the State Border Guard

The number of entry permits refused has decreased if compared to 2003. In 2004, similar to 2003, most of the entry permits were declined to citizens of Lithuania, Estonia and Russia. The higher concentration of citizens of Estonia, Lithuania and Russia willing to enter Latvia can be explained by the fact that Latvia and the three above-noted countries share a land border. Due to common history citizens of the above countries do not encounter a language barrier in Latvia, their relatives and friends live here, there is a similar climate, and there are a fair number of businesses established by the above countries in Latvia within the past 16 years. Obviously, the main reasons for residence of citizens of the above-noted countries in Latvia are: family, employment and studies.

**b) Developments and/or trends with respect to aliens apprehended in the country in 2004, compared to 2003**

According to data provided by the State Border Guard, a total of **399** foreign nationals were detained in Latvia in 2004 (see Table 3.3).

**Table 3.3<sup>11</sup>**  
**Total number of aliens apprehended, 2000-2004**

	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Total</b>	293	283	377	609	399

Compared to 2003, the number of foreign nationals detained in the country has diminished, partly due to accession of Latvia to the European Union. Of all the foreign nationals detained, 80% had violated entry, residence or visa regulations and 20% were working without a work permit.

Most of the foreign nationals detained in the Republic of Latvia in 2004 were citizens of Russia (30%), Lithuania (17%), and Ukraine (16%) (see Table 3.4).

**Table 3.4<sup>12</sup>**  
**Aliens apprehended, 2004**

<b>Citizenship</b>	<b>Total</b>	<b>%</b>
Russia	120	30.07
Lithuania	69	17.29
Ukraine	64	16.04
No citizenship	46	11.53
Belarus	29	7.27
Armenia	11	2.76
Moldova	10	2.51
Estonia	10	2.51
Georgia	9	2.25
Azerbaijan	4	1.00
Other	27	6.77
<b>Total</b>	<b>399</b>	<b>100</b>

<sup>11</sup> Data provided by the State Border Guard

<sup>12</sup> Data provided by the State Border Guard

In 2004, similar to 2003, most of the individuals detained were citizens of Russia, Lithuania and Ukraine. It can be explained by the fact that Latvia has land borders with these countries; besides, citizens of the above countries do not encounter a language barrier in Latvia, the climate is similar, a fair number of businesses established by the above countries are located here, and since its accession to the European Union Latvia has become a transit country, a way to another member state.

**c) Developments and/or trends with respect to aliens removed in 2004, compared to 2003**

According to data provided by the State Border Guard, a total of **244** foreign nationals were removed in 2004 (see Table 3.5).

**Table 3.5<sup>13</sup>**

**Total number of aliens removed, 2000-2004**

	<b>2000</b>	<b>2001</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>
<b>Total</b>	238	233	254	366	244

Most of the foreign nationals removed in 2004 were citizens of Russia (33%), Lithuania (23%), Ukraine (18%), and Belarus (8%) (see Table 3.6).

**Table 3.6<sup>14</sup>**

**Aliens removed, 2004**

<b>Citizenship</b>	<b>Total</b>	<b>%</b>
Russia	81	33.20
Lithuania	56	22.95
Ukraine	44	18.03
Belarus	19	7.79
Moldova	7	2.87
Georgia	7	2.87
Armenia	6	2.46
Estonia	6	2.46
Azerbaijan	3	1.23
Uzbekistan	2	0.82
Other	13	5.33
<b>Total</b>	<b>244</b>	<b>100</b>

Compared to 2003, the number of foreign nationals removed has diminished. The biggest number of foreign nationals removed are citizens of countries Latvia has land borders with. The decrease in number is due to the expansion of the European Union after 1 May 2004 that affected the trend of illegal migration in Latvia.

<sup>13</sup> Data provided by the State Border Guard

<sup>14</sup> Data provided by the State Border Guard

#### **d) Biggest groups of illegal foreign nationals**

In 2004, similar to 2003, the biggest groups of illegal foreign nationals were from the countries Latvia has land borders with. It can be explained by the fact that citizens of the above countries do not encounter a language barrier in Latvia, the climate is similar, and a fair number of businesses established by the above countries are located here.

### **2) Contextual interpretations (legal, political and international factors)**

#### **a) Most significant changes in legislation in 2004**

In 2004 no significant changes in legislation were incorporated since most of the work in devising normative acts was done in 2003 when preparing for accession to the European Union.

#### **b) Procedural changes in 2004**

In 2004, the Immigration Services of the State Border Guard were reorganized in order to optimize the existing structure and to meet the European Union and Schengen requirements on border control of the external European Union border. As a result of the restructuring the former 10 services and departments of the State Border Guard were replaced by 40 immigration units with a slight increase in personnel and at least two immigration officers being placed in each of the regions of the Republic of Latvia.<sup>15</sup>

Besides, the information system “Register of Illegal Immigration” was devised in 2004 and the immigration units of the State Border Guard started its implementation. The objective of the Register is to keep track of all the foreign nationals detained at any immigration unit.<sup>16</sup>

#### **c) European and/or international factors that have shaped certain modifications and/or continuity in deportation in 2004**

The number of individuals deported has decreased considerably after accession of Latvia into the European Union as the biggest violators of the entry, residence and visa regulations used to be citizens of Lithuania and Estonia.

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<sup>15</sup> State Border Guard 2004 Public Report, Riga, 2004, p. 9

<sup>16</sup> State Border Guard 2004 Public Report, Riga, 2004, p. 24