

Text consolidated by Tulkošanas un terminoloģijas centrs (Translation and Terminology Centre) with amending laws of:

18 June 1997;
27 August 1998;
30 March 2000;
14 September 2000;
20 May 2004;
7 March 2005;
21 June 2007.

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*¹ has adopted
and the President has proclaimed the following Law:

On the Status of those Former U.S.S.R. Citizens who do not have the Citizenship of Latvia or that of any Other State

Section 1. Subjects of the Law

(1) Subjects of this Law – 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.

(2) The legal status of the persons who have immigrated into the Republic of Latvia after 1 July 1992 shall be determined by the Immigration Law.

(3) This Law does not apply to:

1) military experts employed in the operation and dismantling of a military object of the Russian Federation located in the territory of Latvia, as well as civilians sent to Latvia for such purpose;

2) persons who have been retired from active duty military service after 28 January 1992, if such persons did not reside permanently in the territory of Latvia at the time of conscription into the military service or are not family members of citizens of Latvia;

3) spouses of the persons indicated in Paragraph three, Clauses 1 and 2 of this Section and family members residing with such spouses – children and other dependants, if such persons have arrived in Latvia in connection with the service of a military person of the Russian Federation (USSR) armed forces regardless of when such persons have arrived in Latvia;

¹ The Parliament of the Republic of Latvia

4) persons who have received a reimbursement (compensation) for departure for permanent residence in foreign states regardless of whether such reimbursement (compensation) has been disbursed by State or local government institutions of the Republic of Latvia or international (foreign) foundations or institutions; and

5) persons who after 1 July 1992 have been registered at a place of residence in a member state of the Commonwealth of Independent States without a time-limit restriction or who have received a permanent residence permit in a foreign state.

(4) The Cabinet shall determine the necessary documents and procedures by which a person shall be recognised as a non-citizen.

[18 June 1997; 27 August 1998; 30 March 2000; 20 May 2004/Section 1, Paragraph three, Clause 5 has been declared as non-compliant with Section 98 of the Constitution of the Republic of Latvia and invalid as of 1 September 2005 in accordance with Constitutional Court judgment of 7 March 2005/]

Section 2. Rights and Duties of a Non-citizen

(1) A non-citizen has the rights and duties specified in the Constitution of the Republic of Latvia.

(2) In addition to the rights specified in the Constitution of the Republic of Latvia, a non-citizen has the following rights:

1) to preserve his or her native language and culture within the ethno-cultural autonomy and to preserve his or her traditions provided that such traditions are not in conflict with the laws of Latvia; and

2) to not be expelled from Latvia, except the case where the expulsion takes place in accordance with the procedures specified by law and the consent of a foreign state has been received to admit the expelled person; expulsion to a state in which such person is persecuted on the ground of his or her race, religion or ethnic origin, as well as collective expulsion is not permitted.

[30 March 2000]

Section 3. Non-citizen Passport

[20 May 2004]

Section 4. Receipt of Non-citizen Passport

[20 May 2004]

Section 5. Loss of Non-citizen Status

A reason for the loss of non-citizen status may be as follows:

1) renunciation of the non-citizen status;

2) revocation of the non-citizen status;

3) acquisition of the citizenship of Latvia in accordance with the procedures specified in the Citizenship Law.

[20 May 2004]

Section 6. Renunciation of Non-citizen Status

(1) Any person who has acquired the citizenship (nationality) of another state has a duty to renounce the non-citizen status within 30 days after acquiring such citizenship (nationality).

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2

(2) Any person who is granted the citizenship (nationality) of any state or who has been issued a travelling document of any foreign state has the right to renounce the status of a non-citizen.

(3) A person shall renounce the non-citizen status by presenting a submission to the Office of Citizenship and Migration Affairs or a diplomatic or consular representation of Latvia regarding the renunciation of the non-citizen status or by sending such submission by mail if the signature of the sender has been notarised.

(4) Parents of a minor person, or his or her legal representative, shall present a submission regarding the renunciation of the non-citizen status on behalf of the minor person. If the minor person has reached 15 years of age, then, in order to renounce the non-citizen status, his or her written consent shall be required.

(5) An official authorised by the head of the Office of Citizenship and Migration Affairs (hereinafter – Office) shall examine the submission of a person and take a decision.

(6) A person may contest a decision taken by an official authorised by the head of the Office by submitting a relevant submission to the head of the Office.

(7) A person has the right to appeal the decision of the head of the Office referred to in Paragraph six of this Section to a court.

[20 May 2004]

Section 7. Revocation of Non-citizen Status

(1) The non-citizen status of a person shall be revoked if he or she:

1) does not comply with any of the conditions referred to in Section 1, Paragraph one of this Law;

2) belongs to any of the categories of persons referred to in Section 1, Paragraph three of this Law. The non-citizen status of the persons referred to in Section 1, Paragraph three, Clause 5 of this Law who have received a permanent residence permit in a foreign state shall be revoked if the permanent residence permit has been received after 1 June 2004;

3) has acquired the citizenship (nationality) of another state without presenting a submission regarding the renunciation of the non-citizen status within 30 days after acquiring such citizenship (nationality);

4) serves in the armed forces, internal security force, security service, police (militia) of any foreign state, or is in the service of judicial institutions without permission of the Cabinet; or

5) has knowingly provided false information regarding himself or herself in order to acquire non-citizen status.

(2) The Cabinet shall determine the procedures by which the non-citizen status of a person is revoked.

(3) An official authorised by the head of the Office shall take a decision regarding the revocation of the non-citizen status.

(4) A person may contest a decision taken by an official authorised by the head of the Office by submitting a relevant submission to the head of the Office.

(5) A person has the right to appeal the decision of the head of the Office referred to in Paragraph four of this Section to a court.

[20 May 2004 / Section 7, Paragraph one, Clause 2 is declared as non-compliant with Section 98 of the Constitution of the Republic of Latvia and invalid as of 1 September 2005 in accordance with the Constitutional Court judgment of 7 March 2005/]

Section 8. Final Provisions

(1) Sections 2-7 of this Law apply also to stateless persons and the descendants thereof who do not have and have never had citizenship of any state and who lived and were permanently (without time-limit restriction) registered in the territory of Latvia prior to 1 July 1992.

(2) Subjects of this Law shall also be children of the persons referred to in Section 1, Paragraph one of this Law if both of their parents were non-citizens at the time of the birth of the children or one of the parents is a non-citizen, but the other is a stateless person or is unknown, or in accordance with mutual agreement of the parents, if one of the parents is a non-citizen, but the other – a citizen of other country. Sections 2, 5, 6 and 7 of this Law apply to such persons.

(3) Temporary residence permits shall be cancelled for persons who are not retired military persons of the Russian Federation and family members of such military persons and who permanently resided in the living quarters of the former apartment maintenance departments of the Russian Federation (USSR) armed forces, and information regarding such persons shall be included in the Population Register in accordance with the Law On Population Register.

[20 May 2004; 21 June 2007]

Transitional Provision

1. With the coming into force of this Law, the decision of the Supreme Council of the Republic of Latvia, On Procedures for Coming into Force of the Law On Population Register of the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1992, No. 2) and the decision of the Supreme Council of the Republic of Latvia, On Issuance of Temporary Residence Permits to Persons Whose Residence in the Republic of Latvia is related to Temporary Stationing of the Armed Forces of the Russian Federation in the Republic of Latvia (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1993, No. 18/19), are repealed.

2. *[20 May 2004]*

This Law has been adopted by the *Saeima* on 12 April 1995.

President

G. Ulmanis

Rīga, 25 April 1995