

Law on Citizenship (last amended 1995)¹

Chapter I GENERAL PROVISIONS

Terms used in the Law

Alien - a citizen (subject) of a foreign country.

Stateless person - a person with no citizenship (a person who is not a subject of any state).

Dual citizenship - a case when a person is a citizen (or a subject) of more than one state.

Naturalization - granting of citizenship.

Descendants - descending direct lineal relatives.

Article 1. Citizenship of Latvia

(1) The citizenship of Latvia is a person's permanent legal connection with the State of Latvia.

(2) The substance of Latvia citizenship is the total complex of the mutually interrelated rights and obligations of both a citizen and the State.

Article 2. Possession of Latvia citizenship

Citizens of Latvia are:

1) persons who were citizens of Latvia on June 17, 1940 and their descendants who have registered according to the procedures established by law, except persons who have become citizens (subjects) of another state after May 4, 1990;

1.1) Latvians and Livs whose permanent residence is in Latvia, who have registered by March 31, 1996, according to the procedures established by law and who have no other citizenship or who have received an expatriation permit from the state of their former citizenship, if such permit is provided for by the laws of that state;

(inserted by the Amendments to the Law of Citizenship 1995)

1.2) women whose permanent residence is in Latvia and who, in accordance with Article 7 of the August 23, 1919 Republic of Latvia "Law on Citizenship", had lost their Republic of Latvia citizenship, and their descendants, if these individuals have registered according to the procedures established by law, except for those individuals who have acquired the citizenship of another state after May 4, 1990;

(inserted by the Amendments to the Law of Citizenship 1995)

1.3) persons whose permanent residence is in Latvia, who have registered according to the procedures established by law and who have completed a full educational course in a general education/Latvian language school or have completed the Latvian language course in a general education school with both Latvian and Russian language courses, thereby having acquired a basic primary or a general secondary education in such a school, if these individuals are not citizens of another state or they have received an expatriation permit from the state of their former citizenship, if such permit is provided for by the laws of that state;

(inserted by the Amendments to the Law of Citizenship 1995)

2) persons who have obtained the citizenship of Latvia through naturalization or another manner according to the procedures established by law;

3) children found within the territory of Latvia whose parents are not known;

4) children with no parents who live in an orphanage or boarding school in Latvia;

¹ Source: <http://www.unhcr.org/>

5) children both of whose parents were citizens of Latvia on the day of birth of such children, regardless of the place of birth of such children.

Article 3. Citizenship of a child if one parent is a citizen of Latvia

(1) If, on the day of the child's birth, one of the parents was a citizen of Latvia and the other parent was an alien, then the child shall be a citizen of Latvia provided that he/she:

1) was born in Latvia;

2) was born outside Latvia but, on the day of the child's birth, both parents or the parent with whom the child lives, were permanently residing in Latvia.

(2) In the cases listed above, the parents upon their mutual agreement, can choose the citizenship of another state (other than Latvia) for the child.

(3) If, on the day of the child's birth, one parent was a citizen of Latvia and the other parent was an alien and the permanent residence of both parents was outside Latvia, then the child's citizenship shall be decided upon the mutual agreement by the parents;

(4) If, on the day of the child's birth, one parent was a Latvia citizen and the other parent was stateless or was unknown, then the child shall be a Latvia citizen regardless of his/her place of birth.

Article 4. Equality of citizens of Latvia

The rights and obligations of Latvia citizens are equal regardless of the manner in which citizenship was obtained.

Article 5. The right to retain citizenship of Latvia after marriage

(1) The marriage of a Latvia citizen to an alien or a stateless person, and the dissolution of such a marriage, shall not cause a change in the citizenship of the Latvia citizen.

(2) The acquisition or loss of the citizenship of Latvia by one spouse does not affect the citizenship of the other spouse.

Article 6 Retention of the citizenship of Latvia by persons living outside the territory of Latvia

Residence outside the territory of Latvia shall not cause loss of Latvia citizenship by citizens of Latvia, regardless of the term of such residence, except in the cases provided for by this Law.

Article 7. Protection of citizens of Latvia abroad

Citizens of Latvia abroad shall enjoy the protection of the State of Latvia.

Article 8. Inadmissibility of extradition to foreign countries and expulsion from the State as to citizens of Latvia

(1) The Republic of Latvia shall not extradite its citizens to a foreign country.

(2) Citizens of Latvia shall not be expelled from Latvia.

Article 9. Dual citizenship

(1) The granting of Latvia citizenship to a person shall not lead to dual citizenship.

(2) If a citizen of Latvia simultaneously can be considered a citizen (subject) of a foreign country in accordance with the laws of that country, then the citizen shall be considered solely a citizen of Latvia in his/her legal relations with the Republic of Latvia.

Chapter Two REGULATIONS AND PROCEDURES FOR NATURALIZATION

Article 10. Right to obtain the citizenship of Latvia through naturalization

A person can be granted the citizenship of Latvia through naturalization upon his/her request.

Article 11. Restrictions on naturalization

(1) The citizenship of Latvia shall not be granted to persons who:

- 1) through the use of anti-constitutional methods have fumed against Republic of Latvia's independence, its democratic parliamentary state system or the existing state authority in Latvia, if such has been established by a court decree;
 - 2) after May 4, 1990, have propagated fascist, chauvinist, national-socialist, communist or other totalitarian ideas or have stirred up ethnic or racial hatred or discord, if such has been established by a court decree;
 - 3) are officials of institutions of a foreign state authority, foreign state administrative body or foreign state law enforcement body;
 - 4) serve in the armed forces, internal forces, security service or the police (militia) of a foreign state;
 - 5) after June 17, 1940, have chosen the Republic of Latvia as their place of residence directly after demobilization from the USSR (Russian) Armed Forces or USSR (Russian) Interior Armed Forces and who, on the day of their conscription or enlistment, were not permanently residing in Latvia. This restriction shall not apply to persons listed in Article 13 - Paragraph 1, Subparagraphs 6 and 7 and Article 13 - Paragraph 5 of this Law;
(amended by the Amendments to the Law on Citizenship 1995)
 - 6) have been employees, informants, agents or have been in charge of conspiratory premises of the former USSR (LSSR) KGB or other foreign security service, intelligence service or other special service, if such a fact has been established according to the procedures established by law;
 - 7) have been convicted in Latvia or another state to imprisonment for a term exceeding one year for an intentional crime which was considered as a crime in Latvia at the moment this Law comes into force; or
 - 8) after January 13, 1991, have acted against the Republic of Latvia through participation in the CPSU (LCP), Working Peoples' International Front of the Latvian SSR, United Council of Labour Collectives, Organization of War and Labour Veterans, or the All-Latvia Salvation Committee and its regional committees.
- (2) If criminal proceedings have been initiated against a person who has submitted an application for naturalization, then his/her application shall not be reviewed before a final court decree has been issued.

Article 12. General regulations for naturalization

- (1) The citizenship of Latvia shall be granted through naturalization only to those persons who are registered in the Residents' Registry and:
- 1) whose place of permanent residence, on the submission date of their application for naturalization, has been in Latvia for no less than five years counting from May 4, 1990 (for persons who arrived in Latvia after July 1, 1992, the five-year term shall be counted from the date of the issuance of their permanent residence permit);
 - 2) who know the Latvian language;
 - 3) who know the basic principles of the Republic of Latvia Satversme (Constitution) and the Constitutional Law "Rights and Obligations of a Citizen and a Person";
 - 4) who know the National Anthem and the history of Latvia;
 - 5) who have a legal source of income;
 - 6) who have taken an oath of loyalty to the Republic of Latvia;
 - 7) who have submitted a statement of renunciation of their former citizenship and have received an expatriation permit from the state of their former citizenship, if such permit is provided for by the laws of that state, or have received a document certifying the loss of citizenship; and
 - 8) who are not subject to the naturalization restrictions listed in Article 11 of this Law.

(2) Only those persons who meet all the requirements set in Paragraph 1 of this Article shall be granted the citizenship of Latvia through naturalization.

(3) The requirements of Paragraph 1, Subparagraph 7 of this Article shall not apply to former USSR citizens who on May 4, 1990, permanently resided in Latvia and who are not citizens (subjects) of any other country. A statement on renunciation of the former citizenship, an expatriation permit or a document certifying the loss of citizenship should be submitted after the person has been officially notified that there are no other obstacles against granting him/her the citizenship of Latvia.

(4) The procedure for testing the knowledge of the basic principles of the Republic of Latvia Satversme (Constitution) and the Constitutional Law "Rights and Obligations of a Citizen and a Person", the National Anthem and the history of Latvia shall be determined by regulations issued by the Cabinet of Ministers.

The persons listed in Article 21 of this Law are exempted from the testing of knowledge on the basic principles of the Republic of Latvia Satversme (Constitution) and the Constitutional Law "The Rights and Obligations of a Citizen and a Person", the text of the State anthem and the history of Latvia.

(amended by the Amendments to the Law of Citizenship 1995)

(5) Upon submitting an application for naturalization, a person shall pay a state duty in the amount determined by the Cabinet of Ministers.

(6) Persons, whose applications regarding citizenship issues have been denied, can resubmit them one year after the previous denial.

Article 13. Exceptions to naturalization requirements

(1) After this Law comes into force, citizenship of Latvia can be individually granted to persons:

1) who are Latvian or Liv and have repatriated to Latvia after March 31, 1996;

(amended by the Amendments to the Law of Citizenship 1995)

2) who were former USSR citizens and their direct descendants, who are permanent residents of Latvia on the day this Law comes into force and who were entitled to the citizenship of Latvia (in accordance with Article 1 of the August 23, 1919 "Law on Citizenship") but did not exercise this right, and to their spouses, if they have been married for at least 10 years;

3) who legally entered Latvia and permanently resided there on June 17, 1940, and to their descendants, who on the day this Law comes into force are permanent residents of Latvia (the provisions of this Subparagraph do not apply to persons who have entered Latvia in accordance with the Mutual Assistance Pact between Latvia and the USSR of October 5, 1939);

4) who, during the German occupational regime from 1941 to 1945, were forcibly transferred to Latvia and stayed there after the end of this occupational regime and to their descendants who, on the day this Law comes into force, are permanently residing in Latvia;

5) who have graduated from a general education school with the Latvian language as the language of instruction or from the Latvian language course in a general education school with both Latvian and Russian language courses and thereby having acquired a basic primary education or a general secondary education in such a school;

(amended by the Amendments to the Law of Citizenship 1995)

6) who were Lithuania or Estonia citizens on June 17, 1940 and their descendants, if they or their descendants have permanently resided in Latvia for no less than five years as of the submission date of their application for naturalization;

7) who have been married to a Latvia citizen for at least ten years and who have permanently resided in Latvia for no less than five years as of the submission date of their application for naturalization;

This provision is also to be applied to those spouses whose marriage has ended with the death of the other spouse (the Latvian citizen);

(inserted by the Amendments to the Law of Citizenship 1995)

8) [deleted by the Amendments to the Law of Citizenship 1995]

(2) Persons, who meet at least one of the requirements listed in Paragraph 1 of this Article may be naturalized out of turn.

(3) The restrictions listed in Article 11, Paragraph 1, Subparagraph 7 and the requirements of Article 12, Paragraph 1, Subparagraph 1 shall not apply to the granting of Latvia citizenship to persons listed in Paragraph 1 of this Article.

(4) The applications for naturalization by the persons listed in Paragraph 1 of this Article shall be reviewed separately in each category in the order of submission.

(5) A person who has rendered outstanding services for the benefit of Latvia can be granted the citizenship of Latvia upon a resolution of the Saeima which shall be published in an official newspaper.

When granting citizenship to an individual on the basis of outstanding service for the benefit of Latvia, the provisions of Article 12 (except for paragraph 1, subparagraph 7) of this Law do not apply. If, on the basis of outstanding service for the benefit of Latvia, citizenship is granted to a former USSR citizen who has no citizenship of another state, the provisions of Article 12, paragraph 1, subparagraph 7 also do not apply.

(amended by the Amendments to the Law of Citizenship 1995)

(6) A person who is to be granted citizenship on the basis of outstanding service for the benefit of Latvia shall submit to the Saeima an application to be granted such citizenship. The application shall include the person's autobiography and a notice stating that there are no facts which would indicate that the restrictions listed in Article 11 of this Law apply.

(inserted by the Amendments to the Law of Citizenship 1995)

Article 14. General procedure for naturalization

(1) Applications for naturalization shall be reviewed in accordance with the requirements of Articles 11 and 12 of this Law in the following order:

1) starting from January 1, 1996 - the applications of those persons who were born in Latvia and are 16 to 20 years old on the submission date of their application;

2) starting from January 1, 1997 - the applications of those persons who were born in Latvia and who are up to 25 years old on the submission date of their application;

3) starting from January 1, 1998 - the applications of those persons who were born in Latvia and who are up to 30 years old on the submission date of their application;

4) starting from January 1, 1999 - the applications of those persons who were born in Latvia and who are up to 40 years old on the submission date of their application;

5) starting from January I, 2000 - the applications of all other persons who were born in Latvia;

6) starting from January 1, 2001 - the applications of those persons who were born outside of Latvia and who have entered Latvia as minors;

7) starting from January 1, 2002 - the applications of those persons who were born outside of Latvia and who have entered Latvia up to the age of 30;

8) starting from January 1, 2003 - the applications of all other persons.

(2) The applications for naturalization by the persons listed in this Article, Paragraph 1, Subparagraphs 1-7 shall be reviewed in the order of their submission.

(3) The order for reviewing the applications for naturalization by the persons listed in this Article, Paragraph 1, Subparagraph 8 shall be determined by giving precedence to those persons who have resided in Latvia for the longer period.

(4) Amendments to this Article which accelerate naturalization or amendments to Paragraph 4 of this Article shall come into force no earlier than one year after their adoption.

Article 15. Naturalization of children

(1) The naturalized person's under-age children who are permanently residing in Latvia shall obtain Latvia citizenship together with those persons. This also shall apply to adopted children and children born out of wedlock. The provisions of Article 12 of this Law shall not apply to the under-age children being granted the citizenship of Latvia.

(2) If one parent is naturalized in Latvia, but the other parent remains an alien, their under-age child shall obtain the citizenship of Latvia if:

1) the parents have agreed upon it; or

2) the parents have not agreed, but the child's place of permanent residence is Latvia.

(3) If an under-age alien (stateless person) is adopted by a married couple, one of whom is a citizen of Latvia while the other is an alien, the child shall obtain the citizenship of Latvia if:

1) the adoptive parents have agreed upon it; or

2) the child's place of permanent residence is Latvia.

(4) If an adoption is annulled, the child's citizenship can be changed.

Article 16. Necessity of receiving the approval of an under age child to change his/her citizenship

(1) The citizenship of a 14- to 18-year-old minor shall be changed in conformity with the parents' (adoptive parents') citizenship only upon the minor's written consent.

(2) If the minor's citizenship is changed in conformity with the citizenship of the parents (adoptive parents) without the minor's written consent, then, within one year after the minor has come of age, he/she shall enjoy the right to restore his/her Latvia citizenship irrespective of the time period resided in Latvia.

(3) If a marriage has been contracted between a citizen of Latvia and an alien and the child has acquired the citizenship of a foreign state, then upon the child's coming of age, the requirements set in Article 12, Paragraph 1, Subparagraph 1 of this Law shall not apply to his/her naturalization.

Article 17. Procedure for the receipt and review of applications for naturalization

(1) Applications for naturalization shall be received by and reviewed by the Naturalization Board.

(amended by the Amendments to the Law on Citizenship, 1995)

(2) The procedure and the terms for receipt and review of applications for naturalization shall be determined by the regulations issued by the Cabinet of Ministers. Applications shall be reviewed and the applicant shall be provided with a response no later than one year after the submission date of all documents required by the Cabinet of Ministers regulations.

(3) A Naturalization Board decision denying naturalization may be appealed to the courts.

(amended by the Amendments to the Law on Citizenship, 1995)

Article 18. Oath of loyalty to the Republic of Latvia upon acquiring the citizenship of Latvia

All persons who are granted the citizenship of Latvia shall sign the following oath of loyalty to the Republic of Latvia:

"I, (given name, surname) born (birthdate and place) vow to be loyal solely to the Republic of Latvia.

I undertake to honestly abide by the Republic of Latvia Satversme and laws and to spare no efforts to protect them.

I undertake, without regard to my life, to defend the independence of the State of Latvia, to live and work honestly in order to augment the prosperity of the state and the people of Latvia."*

Chapter Three PROCEDURE FOR TESTING COMMAND OF THE LATVIAN AN LANGUAGE

Article 19. Latvian language examination commissions

The command of the Latvian language by the person being naturalized shall be tested by commissions established by the Cabinet of Ministers and the work of these commissions shall be determined by the regulations issued by the Cabinet of Ministers.

Article 20. Level of Latvian language knowledge

A person is considered to have a command of the Latvian language if he/she:

- 1) completely understands information of an everyday and official nature;
- 2) can freely talk, carry on a conversation and answer questions on topics of an everyday nature;
- 3) can read freely and understand any texts of an everyday nature, laws and other normative acts and other instructions of an everyday nature;
- 4) can write a brief summary on a topic from everyday life.

Article 21. Persons exempt from taking the Latvian language examination

In reviewing the applications for naturalization, the following persons are exempted from taking the Latvian language examination:

- 1) persons, who have acquired general, special secondary, higher or vocational education in a school with the Latvian language as the language of instruction (vocational secondary school, vocational gymnasium, trade school);
- 2) persons with category I invalid status who have been declared invalids for life, as well as persons with category II and III invalid status for sight hearing or speech disabilities;
- 3) persons, who are eligible to be naturalized in accordance with Article 13, paragraphs 3 and 6 of this Law, if they have reached the pension/retirement age set by law.

(amended by the Amendments to the Law of Citizenship 1995)

Chapter Four LOSS AND RESTORATION OF THE CITIZENSHIP OF LATVIA

Article 22. Loss of the citizenship of Latvia

The reason for the loss of the citizenship of Latvia can be:

- 1) renunciation of citizenship;
- 2) deprivation of the citizenship.

Article 23. Renunciation of the citizenship of Latvia

(1) Any person who is the citizen (subject) of another country or has been guaranteed the citizenship of another country, shall be entitled to renounce his/her citizenship of Latvia.

(2) An application to renounce citizenship can be denied, if:

- 1) the person has not fulfilled his/her obligations towards the State;
- 2) the person has not fulfilled mandatory state military service.

(3) A decision to deny an application for the renunciation of citizenship can be appealed to the courts.

Article 24. Deprivation of the citizenship of Latvia

(1) The citizenship of Latvia may be deprived by Riga district courts decree, if the person:

(amended by the Amendments to the Law on Citizenship, 1995)

1) has acquired the citizenship of another country without submitting an application for renunciation of the citizenship of Latvia;

2) serves in the armed forces, internal armed forces, security service, the police (militia) or institutions of justice of a foreign country without permission from the Cabinet of Ministers;

3) has intentionally provided false information about him/herself when proving his/her right to Latvia citizenship or naturalization and thus, has illegally obtained the citizenship of Latvia, if this is discovered within five years from the date of naturalization.

(2) The deprivation of the citizenship of Latvia shall not affect the citizenship of the person's spouse, children or other family members.

Article 25. Restoration of the citizenship of Latvia

(1) A person who has lost his/her citizenship of Latvia as a result of a decision made by his/her biological or adoptive parents, or due to a juridical error or an illegal deprivation of citizenship, can regain his/her citizenship of Latvia upon his/her own request and a decision of the Cabinet of Ministers.

(2) A person, who has been deprived of his/her Latvia citizenship in accordance with Article 24 of this Law, can reacquire the citizenship of Latvia only through naturalization and not earlier than after five years of permanent residence in Latvia starting from the date the Latvia citizenship was deprived.

Article 26. Procedure for documenting the loss and restoration of the citizenship of Latvia

The procedure for documenting the loss and restoration of the citizenship of Latvia shall be determined by regulations issued by the Cabinet of Ministers.

Chapter Five CONCLUDING PROVISIONS

Article 27. Personal Identification documents certifying the citizenship of Latvia

The personal identification documents which certify the citizenship of Latvia include a Republic of Latvia passport and the citizenship certificate issued by the Republic of Latvia diplomatic and consular representative offices.

Article 28. Application of international agreements

If an international agreement ratified by the Saeima provides for regulations other than those contained in this Law, the regulations of the international agreement shall be applied.

Article 29. Control over the implementation of the Law on Citizenship

Parliamentary control over the implementation of the Law on Citizenship shall be undertaken by a special Saeima Commission.

TRANSITIONAL PROVISIONS

1. Citizens of Latvia and their descendants who, during the period from June 17, 1940 until May 4, 1990, in order to escape the terror of the USSR and German occupational regime, have left Latvia as refugees, have been deported or due to the aforementioned reasons have not been able to return to Latvia, and who have become naturalized during this time in a foreign state shall retain their right to register in the Residents' Registry as Latvia citizens, and after the registration shall enjoy the full scope of citizens' rights and fulfill citizens' obligations, if registered by July 1, 1995.

If these persons register after July 1, 1995, they must renounce the citizenship of the foreign state.

2. The provisions of Article 24, Paragraph 2 of this Law shall not apply to citizens of Latvia with dual citizenship, if their place of permanent residence is outside the territory of Latvia.

3. Persons, who by the date this Law comes into force, have been registered or have applied for Latvian citizenship in accordance with Paragraph 3.2 of the October 15, 1991 Republic of Latvia Supreme Council Resolution "On the Renewal of Republic of Latvia Citizens' Rights and Fundamental Principles of Naturalization" (The Republic of Latvia Supreme Council and Government Reporter, No. 43, 1991) and the October 28, 1992 Resolution "On the Conditions for the Recognition of Republic of Latvia Citizens' Rights to Persons Who Resided within Latvia before August 1, 1914, and Their Descendants" (The Republic of Latvia Supreme Council and Government Reporter, No. 46/47/48, 1992), shall be regarded as citizens of Latvia and their registration shall not be annulled, except in cases provided for by this Law.

4. Upon the date this Law comes into force, the following laws and resolutions shall become null and void:

- the October 15, 1991 Republic of Latvia Supreme Council Resolution "On the Renewal of Republic of Latvia Citizens' Rights and Fundamental Principles of Naturalization" (The Republic of Latvia Supreme Council and Government Reporter, No. 43, 1991);
 - the November 27, 1991 Republic of Latvia Supreme Council Resolution "On the Application of the October 15, 1991 Republic of Latvia Supreme Council Resolution "On the Renewal of Republic of Latvia Citizens' Rights and Fundamental Principles of Naturalization" to the Republic of Latvia Citizens Living Abroad" (The Republic of Latvia Supreme Council and Government Reporter, No. 49/50, 1991);
 - the October 28, 1992 Republic of Latvia Supreme Council Resolution "On the Conditions for the Recognition of Republic of Latvia Citizens' Rights to Persons Who Resided within Latvia before August 1, 1914, and Their Descendants" (The Republic of Latvia Supreme Council and Government Reporter, No. 46/47/48, 1992);
 - the October 28, 1992 Republic of Latvia Supreme Council Resolution "On Amendments to the October 15, 1991 Republic of Latvia Supreme Council Resolution "On the Renewal of Republic of Latvia Citizens' Rights and Fundamental Principles of Naturalization" (The Republic of Latvia Supreme Council and Government Reporter, No. 46/47/48, 1992);
 - the February 2, 1993 Republic of Latvia Supreme Council Resolution "On the Temporary Regulations on the Procedure by which Republic of Latvia Citizens Who Renounce Republic of Latvia Citizenship Lose Republic of Latvia Citizenship" (The Republic of Latvia Supreme Council and Government Reporter, No. 7, 1993); and
 - the November 4, 1993 Republic of Latvia Saeima Law "Amendments to the February 2, 1993 Republic of Latvia Supreme Council Resolution on the Temporary Regulation on the Procedure by which Republic of Latvia Citizens Who Renounce Republic of Latvia Citizenship, Lose Republic of Latvia Citizenship" (The Republic of Latvia Saeima and the Cabinet of Ministers Reporter, No. 34, 1993).
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* [Ed note] Article 6 of the Amendments to the Law on Citizenship, 1995 made an amendment on Article 18: to add to Article 18 after the word “born” (male case) the word “(born) (female case)” - which applied to the Latvian version.