

The *Saeima*<sup>1</sup> has adopted  
and the President has proclaimed the following Law:

## Asylum Law

### Chapter I General Provisions

#### Section 1. Terms used in this Law

The following terms are used in this Law:

1) **safe country of origin** – a country where, in accordance with the legal situation, the application of legal acts in a democratic system and general political conditions, persecution, torture, an inhuman or degrading attitude or an inhuman or degrading punishment, as well as threats of violence in case of international or domestic armed conflicts do not exist;

2) **safe third country** – a country where an asylum seeker has resided prior to the arrival in the Republic of Latvia and where, as specified in international legal acts, his or her life and freedom is not threatened due to his or her race, religion, nationality, affiliation to a specific social group or his or her political views, where the prohibition to deport the asylum seeker to such country where his or her life and freedom is threatened due to his or her race, religion, nationality, affiliation to a specific social group or his or her political views and where he or she might be tortured, as well as exposed to a cruel, inhuman and degrading attitude or an inhuman and degrading punishment is observed, and where the asylum seeker has the opportunity to request refugee status and, if he or she is recognised as a refugee, to acquire protection in accordance with the Convention Relating to the Status of Refugees adopted on 28 July 1951;

3) **family member** – the spouse of an asylum seeker, refugee or such person who has been granted alternative status or temporary protection, as well as the minor children of an asylum seeker, refugee or such person who has been granted alternative status or temporary protection and the spouse of the asylum seeker, who are not married and are dependant on both or one of the spouses or are adopted, if such family has already existed in the country of origin;

4) **country of origin** – the country (countries) of the person's nationality or the former permanent country of residence of a stateless person;

5) **unaccompanied minor** – a third country national or a stateless person who is less than 18 years old and has arrived in the Republic of Latvia without the accompaniment of such adults who are responsible for him or her in accordance with law or conventions, also a minor who has remained without accompaniment after arrival in the Republic of Latvia;

6) **temporary protection** – an emergency measure by which a group of persons is granted the right to remain in the Republic of Latvia for a specific period in accordance with the procedures specified in this Law;

7) **asylum seeker** – a third country national or a stateless person who, in accordance with the procedures specified in this Law, has submitted an application regarding granting of refugee or alternative status in the Republic of Latvia until the time when the final decision regarding his or her application has come into effect and become non-disputable;

<sup>1</sup> The Parliament of the Republic of Latvia

8) **asylum procedure** – the procedures by which, in accordance with this Law, an application of an asylum seeker regarding granting of refugee or alternative status is examined from the time of submission thereof until the time when the final decision regarding his or her application has come into effect and become non-disputable;

9) **first asylum country** – a country which will take back an asylum seeker, where he or she is recognised as a refugee and may continue to benefit from such protection or enjoy other sufficient protection and where also a prohibition to deport the asylum seeker to such country where his or her life and freedom are threatened due to his or her race, religion, nationality, affiliation with a specific social group or his or her political views is observed; and

10) **third country national or a stateless person** – a person who is not a citizen of the Republic of Latvia, another European Union Member State, a state of the European Economic Area or the Swiss Confederation, as well as a stateless person who has been granted this status by one of these countries.

## **Section 2. Purpose of the Law**

The purpose of this Law is to ensure the rights of persons in the Republic of Latvia to receive asylum, acquire refugee or alternative status or receive temporary protection in accordance with generally accepted international principles of human rights.

## **Section 3. Principle of Non-refoulement**

(1) An asylum seeker shall not be deported or extradited to a country where the threats referred to in Section 20, Paragraph one or Section 23, Paragraph one of this Law exist.

(2) A refugee shall not be deported or extradited to a country where the threats referred to in Section 20, Paragraph one of this Law exist.

(3) A person who has been granted alternative status in the Republic of Latvia shall not be deported or extradited to a country where the threats referred to in Section 23, Paragraph one of this Law exist.

(4) The provisions of Paragraphs one and two of this Section shall not apply to an asylum seeker or refugee if at least one of the following conditions exist:

1) there is reason to believe that the asylum seeker or refugee poses a threat to national security or public order and safety; or

2) the asylum seeker or refugee has been recognised, by a judgment of the court which is legally in force, as guilty of committing such crime which, in accordance with regulatory enactments of Latvia, is recognised as an especially serious crime and poses a threat to the society of Latvia.

#### **Section 4. Co-operation of the Institutions Involved in the Asylum Procedure and the United Nations High Commissioner for Refugees**

(1) Upon the request of the United Nations High Commissioner for Refugees, the institutions involved in the asylum procedure shall ensure the following:

1) the opportunity of meeting with an asylum seeker, even if he or she has been detained; and

2) information regarding the application of an asylum seeker regarding granting of refugee or alternative status if he or she agrees to this, as well as the decisions taken by the institutions involved in the asylum procedure and court adjudications.

(2) When examining an application regarding granting of refugee or alternative status, the institutions involved in the asylum procedure shall evaluate the opinion of the United Nations High Commissioner for Refugees regarding the application of the asylum seeker.

#### **Section 5. Non-disclosure of Information**

(1) The employees of institutions involved in the asylum procedure do not have the right to disclose information regarding an asylum seeker or regarding the fact of submitting an application, except in the cases referred to in Paragraph two of this Section. An employee shall be held disciplinarily, administratively or criminally liable for the disclosure of information.

(2) Information regarding an asylum seeker shall be disclosed in cases when the relevant person has agreed thereto in writing or the information has been requested by a State institution within the competence thereof, as well as by a foreign institution, if it conforms to the international obligations of the Republic of Latvia.

(3) If the institutions involved in the asylum procedure acquire information from the persons referred to in Section 25 of this Law, the information shall be acquired so that these persons would not be directly informed of the fact that the specific person is an asylum seeker, refugee or a person who has been granted alternative status, as well as so that the life, freedom, safety and health of the referred to persons and the dependent family members thereof or those still living in the country of origin would not be harmed.

### **Chapter II**

#### **Residence of Asylum Seekers in the Republic of Latvia**

#### **Section 6. Submission of an Application**

(1) A person shall submit an application regarding granting of refugee or alternative status (hereinafter – application) in person to the State Border Guard:

1) at the border control point prior to entering the Republic of Latvia; or

2) in the territorial unit of the State Border Guard, if the person is in the Republic of Latvia.

(2) An asylum seeker shall be identified by the State Border Guard. The State Border Guard has the following rights:

1) to perform inspection of an asylum seeker and possessions thereof, as well as to extract objects and documents, if they may have a significance in examination of an application or if they may pose a threat to the asylum seeker or those around him or her. A report shall be drawn up regarding these activities;

2) to specify and organise expert-examinations and inspections of documents, objects or language or medical and other expert-examinations and inspections in order to identify an asylum seeker; and

3) to take the fingerprints of an asylum seeker and photograph him or her.

(3) The State Border Guard shall conduct an interview with an asylum seeker. The interview may be recorded by sound and image recording, informing the asylum seeker thereof beforehand. The interview shall not be conducted if, in accordance with the opinion of a physician, the asylum seeker has permanent health disorders which do not allow it.

(4) The State Border Guard shall submit information regarding an asylum seeker at the disposal thereof, the information obtained during interviews and the application to the Office of Citizenship and Migration Affairs (hereinafter – Office).

(5) An unaccompanied minor shall submit an application in accordance with the procedures specified in Paragraph one of this Section. During the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphans' Court or a guardian appointed thereby, or the head of a child care institution.

(6) Interviews with a minor shall be conducted by an official who has the necessary knowledge regarding the special needs of minors.

## **Section 7. Personal Document of Asylum Seekers**

(1) An asylum seeker shall hand his or her personal identity and travel documents over to the State Border Guard until the time when the final decision is taken regarding granting or refusal to grant refugee or alternative status, except the case where the asylum seeker has another legal basis to reside in the Republic of Latvia.

(2) An asylum seeker in the Republic of Latvia shall be issued a personal document of the asylum seeker. The form and procedures for the issuance thereof shall be determined by the Cabinet.

(3) The personal document of an asylum seeker gives the right to stay at an accommodation centre for asylum seekers.

## **Section 8. Accommodation Centres for Asylum Seekers**

(1) During the asylum procedure an asylum seeker shall be accommodated at an accommodation centre for asylum seekers where necessary living conditions are provided. A minor shall be provided with the living conditions necessary for the physical and mental development thereof. The asylum seeker may be transferred from one accommodation centre for asylum seekers to another.

(2) An asylum seeker shall not be accommodated at an accommodation centre for asylum seekers while he or she has another legal basis to reside in the Republic of Latvia. When changing the place of residence, the asylum seeker shall inform the Office regarding the address of the new place of residence.

(3) An unaccompanied minor shall be accommodated at an accommodation centre for asylum seekers, with a guardian appointed by the Orphan's Court or at a child care institution. A decision regarding accommodation of an unaccompanied minor at an accommodation centre for asylum seekers, with a guardian or in a child care institution shall be taken by the Orphan's Court, upon clarifying the opinion of the Office, taking into account the interests and opinion of the minor in accordance with the age and maturity thereof and observing the following conditions:

1) an unaccompanied minor shall be accommodated together with adult relatives;

2) children from one family shall not be separated, except in cases where it is done in the best interests of the children; and

3) the place of accommodation of an unaccompanied minor shall only be changed if it conforms with the interests of this person.

(4) The Cabinet shall determine the procedures by which a minor asylum seeker shall be provided with opportunities for acquiring education.

(5) Accommodation centres for asylum seekers shall be organisational units of the Office. The internal rules of procedure of an accommodation centre for asylum seekers shall be approved by the Cabinet.

(6) Expenses of a local government, which have arisen thereto due to accommodating an unaccompanied minor at a child care institution, shall be covered from the State budgetary funds granted for this purpose to the Ministry of Welfare for the current year in accordance with the procedures and amount specified by the Cabinet.

(7) The Cabinet shall determine the amount and procedures for the covering of expenses for the subsistence of an asylum seeker accommodated at an accommodation centre for asylum seekers, as well as for the purchase of hygienic and basic necessities.

## **Section 9. Detention of Asylum Seekers**

(1) The State Border Guard has the right to detain an asylum seeker for a period up to seven days and nights if at least one of the following conditions exists:

1) the identity of the asylum seeker has not been established;

2) there is reason to believe that the asylum seeker is attempting to use the asylum procedure in bad faith; or

3) competent State authorities, including the State Border Guard, have a reason to believe that the asylum seeker poses a threat to national security or public order and safety.

(2) The State Border Guard shall detain an asylum seeker and a judge shall take a decision regarding the detention of the asylum seeker in accordance with the procedures specified by the Immigration Law.

(3) The period of detention provided for in Paragraph one of this Section may be extended, however, the total time period of detention shall not exceed the time period of the asylum procedure.

(4) ,When detaining an asylum seeker, the State Border Guard shall draw up a detention report, in which the date and place of drawing up thereof, the position, the given name and surname of the person who drew up the report, information regarding the detainee, the time and motives of detention shall be indicated. The report shall be signed by the official who has drawn it up and the detainee. If the detainee refuses to sign the report, it shall be noted in the report.

(5) During detention an asylum seeker shall be accommodated in premises specially equipped for this purpose in a territorial unit of the State Border Guard (hereinafter – accommodation premises for asylum seekers of the State Border Guard), requirements for equipping and arrangement of which shall be determined by the Cabinet. During detention, the asylum seeker may be transferred from one accommodation premises for asylum seekers of the State Border Guard to another.

(6) During detention an asylum seeker shall be accommodated separately from persons being held under suspicion of having committed a criminal offence.

(7) The internal rules of procedure of the accommodation premises for asylum seekers of the State Border Guard, as well as the list of objects and substances,

which are prohibited to be kept by a detained asylum seeker in the accommodation premises for asylum seekers, shall be determined by the Cabinet.

(8) The subsistence norms, as well as the amount of hygienic and basic necessities for an asylum seeker accommodated in the accommodation premises for asylum seekers of the State Border Guard shall be determined by the Cabinet.

## **Chapter III Rights and Obligations of Asylum Seekers**

### **Section 10. Rights of Asylum Seekers**

An asylum seeker has the right to:

1) submit an application and provide explanations during an interview in a language which should be understood by him or her and in which he or she is able to communicate. If necessary, the State Border Guard shall invite an interpreter, whose services are paid for from funds of the State budget provided for such purposes;

2) receive information from the State Border Guard and the Office regarding the asylum procedure, his or her rights and duties during this procedure and the competence of the institutions involved in the asylum procedure. The asylum seeker has the right to receive this information in a language which he or she should understand and in which he or she is able to communicate;

3) request a person for the receipt of legal aid using his or her own funds. If the asylum seeker does not have sufficient funds, he or she has the right to legal aid ensured by the State in the amount and according to the procedures specified in the State Ensured Legal Aid Law (hereinafter – State ensured legal aid);

4) become acquainted with the documents in his or her file, except in cases when disclosure of the information existing in documents:

a) may harm the national interests of Latvia,

b) may harm the safety of the persons who provide information or the safety of the persons to whom the information relates, or

c) may affect the investigatory activities of the institutions involved in the asylum procedure, which are connected with the examination of an application;

5) receive an explanation of a decision of an official authorised by the head of the Office and the appeal procedure in a language which he or she should understand and in which he or she is able to communicate, except in case where the asylum seeker is represented by an authorised person or he or she is provided with legal aid free of charge;

6) receive emergency medical assistance and primary health care financed from State funds;

7) communicate with the United Nations High Commissioner for Refugees;

8) as well as other rights specified in regulatory enactments.

### **Section 11. Obligations of Asylum Seekers**

(1) An asylum seeker has an obligation to:

1) co-operate with the State Border Guard so that it could take his or her fingerprints, photograph and identify him or her, with the Office, as well as other institutions involved in the asylum procedure;

2) participate in interviews and provide all information in person as soon as possible, which is necessary in order to examine an application and take an appropriate decision, even if an authorised person is participating in interviews. The

duty to provide all information as soon as possible shall also apply to the authorised person of the asylum seeker;

3) perform health examination in the interests of public health in accordance with the procedures specified by the Cabinet;

4) when residing in an accommodation centre for asylum seekers or the accommodation premises for asylum seeker of the State Border Guard, observe the internal rules of procedure; and

5) fulfil other obligations prescribed by regulatory enactments.

(2) The information referred to in Paragraph one, Clause 2 of this Section also includes explanations of an asylum seeker and documents at the disposal thereof regarding his or her age and previous activities, including data regarding his or her family members, father and mother, brothers and sisters, identity, nationality, previous place of residence and country of residence, previous asylum applications, travel itineraries, personal identification and travel documents, as well as the reasons due to which an application has been submitted.

## **Chapter IV Procedures for Examination of Applications, Taking of Decisions and Appeals**

### **Section 12. Decisions of the Office**

An official authorised by the head of the Office shall take a decision regarding:

1) the acceptance of an application for examination or leaving thereof without examination;

2) the granting or refusal to grant refugee or alternative status;

3) the loss or withdrawal of refugee or alternative status;

4) the responsible Member State which will examine an application that has been submitted in accordance with the procedures specified by Section 6, Paragraph one of this Law in the Republic of Latvia or in another Member State in accordance with Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third country national; and

5) the granting or extension of temporary protection.

### **Section 13. Time Periods for Examination of Applications and Taking of Decisions**

(1) A decision regarding the acceptance of an application for examination or leaving without examination shall be taken by an official authorised by the head of the Office within five working days after receipt of the documents referred to in Section 6, Paragraph four of this Law from the State Border Guard.

(2) An official authorised by the head of the Office shall, within three months, examine the application and take a decision regarding the granting or refusal to grant refugee or alternative status, if the conditions referred to in Section 20, Paragraph one or Section 23, Paragraph one of this Law exist. The State Secretary of the Ministry of the Interior or his or her authorised person may, due to substantiated reasons, extend the time period for examination of the application up to twelve months.

(3) An official authorised by the head of the Office shall examine the application in accordance with the procedures referred to in Section 19, Paragraph one of this Law and take a decision within 10 working days.

(4) The time period specified in Paragraphs two and three of this Section shall be counted from the day when a decision has been taken by an official authorised by the head of the Office regarding the acceptance of the application for examination, or the day when a court adjudication has been received regarding the acceptance of the application for examination.

(5) An official authorised by the head of the Office shall, within the time period referred to in Paragraph one of this Section, take a decision regarding the acceptance of the application for examination or leaving without examination, if in accordance with Council Regulation (EC) No 343/2003 of 18 February 2003 establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national, a decision of a competent authority of another Member State has been received regarding the refusal to examine the application or the Republic of Latvia is responsible for examination of an application submitted in another Member State.

#### **Section 14. Decision regarding Leaving an Application Without Examination**

(1) A decision regarding leaving an application without examination shall be taken by an official authorised by the head of the Office if at least one of the following conditions exist:

1) another European Union Member State (hereinafter – Member State) has granted refugee status to an asylum seeker;

2) a country, which is not a Member State, is regarded as the first asylum country of an asylum seeker;

3) a country, which is not a Member State, is regarded as the safe third country for an asylum seeker; or

4) an asylum seeker has submitted a repeated application in the Republic of Latvia after a decision regarding the refusal to grant refugee or alternative status has come into effect and become non-disputable, and it does not contain new information which might serve as justification for granting refugee or alternative status.

(2) An official authorised by the head of the Office shall evaluate the conformity of an application with the conditions of Section 19, Paragraph one or the conditions of Section 20, Paragraph one and Section 23, Paragraph one of this Law if the safe third country does not allow an asylum seeker to enter its territory.

#### **Section 15. Decision Regarding the Acceptance of an Application for Examination**

(1) An official authorised by the head of the Office shall take a decision regarding the acceptance of an application for examination if the conditions referred to in Section 14, Paragraph one of this Law do not exist.

(2) The decision referred to in Paragraph one of this Section may not be appealed.

#### **Section 16. Procedures for Examination of Application**

(1) When examining an application, an official authorised by the head of the Office shall first decide on the granting of refugee status to an asylum seeker in conformity with the provisions of this Law. If the conditions of Section 20, Paragraph one of this



Law do not apply to the asylum seeker, the official authorised by the head of the Office shall take a decision regarding granting of alternative status in accordance with the procedures specified in this Law.

(2) The application of each asylum seeker shall be examined individually. When evaluating whether an asylum seeker is persecuted or may be persecuted, has suffered or may suffer serious harm, an official authorised by the head of the Office shall take into account:

1) the facts which relate to the country of origin of the asylum seeker during the period when a decision is being taken regarding granting of refugee or alternative status or refusal to grant it, including the regulatory enactments of the country of origin and the manner in which they are applied;

2) the explanations provided and the documents submitted by the asylum seeker;

3) the individual state and personal circumstances of the asylum seeker;

4) whether activities of the asylum seeker since leaving the country of origin thereof have not been aimed towards creating conditions for granting of refugee or alternative status; and

5) whether it is justifiably expected that the asylum seeker would accept State protection of such other country where he or she might request citizenship.

(3) The fact that an asylum seeker has already been exposed to persecution or serious harm, or direct threats of persecution or harm and there is a good reason to believe that such persecution or serious harm may recur shall indicate to justified fear of the asylum seeker from persecution or to justified possibility that he or she may suffer serious harm.

(4) If that indicated in the explanations of an asylum seeker is not justified with documents or other evidence, confirmation shall not be necessary if the following conditions exist:

1) the asylum seeker has submitted all information at his or her disposal;

2) the explanations of the asylum seeker are plausible, not contradictory and conform with information at the disposal of the Office; and

3) the asylum seeker has submitted an application as soon as it was possible.

(5) A decision to grant or refuse the granting of refugee or alternative status shall also apply to the minor children of an asylum seeker (including dependants) if they are located or arrive in the Republic of Latvia concurrently with the parents. When examining an application, the opinion of the minor shall be taken into account.

(6) When taking the decisions referred to in Section 12 of this Law, an official authorised by the head of the Office may include an asylum seeker and his or her family members in one decision if the same facts are at the basis of the application of these persons.

(7) If an interview has not been conducted with an asylum seeker in accordance with the provisions of Section 6, Paragraph three of this Law, an official authorised by the head of the Office shall take the decisions referred to in Section 12, Clauses 1 and 2 of this Law on the basis of the information regarding the asylum seeker at the disposal of the State Border Guard and the Office.

## **Section 17. Need for Protection of a Person Upon Residence Thereof in the Republic of Latvia**

If a person resides in the Republic of Latvia, a warranted reason for justified fear thereof from persecution or from potential serious harm may be:

1) events in the country of origin of the asylum seeker, which have taken place after he or she has left this country; or

2) activities in which the asylum seeker has become involved since leaving the country of origin thereof, particularly if it has been detected that these activities, upon which the fear is based, confirm and continue to confirm the former conviction or orientation of the person in the country of origin.

### **Section 18. Informing of Asylum Seekers Regarding a Decision**

An asylum seeker shall be informed regarding the content of a decision without delay. If an asylum seeker has been detained on the basis of any of the conditions of Section 9, Paragraph one of this Law, he or she shall be informed regarding the decision by the State Border Guard.

### **Section 19. Examination of Applications Under the Abridged Procedure**

(1) An official authorised by the head of the Office shall examine an application under abridged procedure and take a decision regarding the refusal to grant refugee or alternative status if at least one of the following conditions exist:

- 1) an asylum seeker is from a safe country of origin;
- 2) an asylum seeker has entered the Republic of Latvia, crossing a country which is not a Member State and is regarded as a safe third country in relation to the asylum seeker;
- 3) an asylum seeker has submitted another application, indicating other personal data;
- 4) an asylum seeker, without justified reason, has not submitted an application earlier, although he or she had such opportunity, including in order to delay or prevent his or her deportation from the Republic of Latvia; or
- 5) an asylum seeker poses a threat to national security or public order and safety.

(2) An official authorised by the head of the Office shall not evaluate the conditions referred to in Section 20, Paragraph one and Section 23, Paragraph one of this Law, if any of the conditions referred to in Paragraph one of this Section exists.

### **Section 20. Conditions for Granting of Refugee Status**

(1) A third country national who on the basis of justified fear from persecution due to his or her race, religion, nationality, affiliation with a specific social group or his or her political views is located outside the country where he or she is a national, and is unable or due to such fear does not wish to accept the protection of the country where he or she is a national, or a stateless person who being outside his former permanent country of residence is unable to or does not wish to return there due to the same reasons and to whom the conditions in Section 27 of this Law do not apply may apply for refugee status.

(2) A person may not apply for refugee status if he or she is a citizen of more than one country and does not use legal protection in any of the countries of his or her citizenship without justified reason. The country of citizenship of a person shall be each country of which the person is a citizen.

### **Section 21. Concept of Persecution**

(1) Within the meaning of Section 20, Paragraph one of this Law, the following shall be recognised as persecution:

- 1) activities which due to the nature or frequency thereof are sufficiently severe in order to cause a serious violation of fundamental human rights;
  - 2) several activities, also an aggregate of violations of human rights, which are sufficiently serious to affect an individual in a manner similar to the one referred to in Paragraph one, Clause 1 of this Section.
- (2) The activities referred to in Paragraph one of this Section may be as follows:
- 1) physical or mental abuse, including sexual abuse;
  - 2) legal and administrative measures or also police or judicial measures, which in themselves are discriminatory or are implemented in a discriminatory manner;
  - 3) a disproportionate or discriminatory charge or a disproportionate or discriminatory punishment;
  - 4) refusal of legal appeal, which results in imposition of a disproportionate or discriminatory punishment;
  - 5) a charge or punishment for the refusal to perform military service during a conflict, if the performance of military service would include a crime or such activities to which Section 27, Paragraph one, Clauses 3, 4 and 5 of this Law apply; or
  - 6) activities which are particularly aimed towards gender or towards minors.

## **Section 22. Grounds of Persecution**

- (1) When evaluating the grounds of persecution, an official authorised by the head of the Office shall take into account the asylum seeker's:
- 1) race, skin colour, origin or affiliation with a specific ethnic group;
  - 2) religious affiliation, participation in official private or public religious services, other religious activities or expression of views thereof, or also personal or group behaviour based on religious views;
  - 3) nationality that may also be expressed as affiliation to such group, which is determined by cultural, ethnic or language identity, common geographical or political origin or relationships with residents of another country;
  - 4) affiliation to a specific social group, which conforms to one of the following characteristics:
    - a) group members have common congenital attributes or a common parentage, which cannot be changed, or they have common attributes or a conviction, which is so important to the identity or awareness of the person that the person may not be forced to abandon it, and the referred to group has a unique identity in the relevant country, which the community regards as different, or
    - b) depending on the conditions in the country of origin, also such group, main common attribute of which is specific sexual orientation, may be regarded as a special social group therein;
  - 5) political views or opinions regarding the potential persecutors referred to in Section 25 of this Law and their policies regardless of whether the asylum seeker has acted in accordance with his or her opinion.

(2) When evaluating whether the fear of persecution of an asylum seeker is justified, his actual race, religion, nationality or affiliation to a specific social or political group, due to which he or she may be exposed to persecution, shall not be significant unless the persecutors indicated in Section 25 of this Law apply the previously referred to indications to the asylum seeker.

## **Section 23. Conditions for Granting of Alternative Status**

(1) A third country national or a stateless person who cannot be granted refugee status in accordance with Section 20, Paragraph one of this Law and to whom the

conditions of Section 28 of this Law do not apply, may apply for alternative status if there is a reason to believe that he or she may be exposed to serious harm after return to the country of origin thereof and due to this reason is unable or does not wish to accept the protection of the referred to country.

(2) A person may not apply for alternative status if he or she is a citizen of more than one country and does not use legal protection in any of the countries of his or her citizenship without justified reason.

#### **Section 24. Concept of Serious Harm**

Within the meaning of this Law, serious harm shall be:

1) imposition of death penalty to an asylum seeker or the implementation thereof;

2) torture, inhuman or degrading attitude towards an asylum seeker or inhuman or degrading punishment thereof; and

3) serious and individual threats to the life or health of a civilian due to widespread violence in case of international or domestic armed conflicts.

#### **Section 25. Persecutors or Committers of Serious Harm**

Persecutors or committers of serious harm may be:

1) the country of origin;

2) parties or organisations of the country of origin, which control this country or a significant part of the territory thereof; or

3) groupings or persons of the country of origin, if it is possible to prove that the country of origin, parties or organisations thereof or international organisations are unable to or do not wish to ensure protection against persecution or serious harm, as specified in Section 26 of this Law.

#### **Section 26. Ensuring of Protection**

(1) When taking a decision regarding granting of refugee or alternative status or the refusal to grant it, an official authorised by the head of the Office shall evaluate the feasibility of ensuring protection in the country of origin. Protection may be ensured by:

1) the country of origin; or

2) parties or organisations of the country of origin, which control this country or a significant part of the territory thereof.

(2) Protection shall be ensured if the country of origin, parties or organisations thereof or international organisations perform measures in order to prevent persecution or serious harm, also maintain an efficient legal system, the aim of which is to detect activities related to persecution or serious harm, as well as to charge and punish for such activities, and if such protection is available to an asylum seeker.

#### **Section 27. Cases when Refugee Status is not Granted**

(1) Refugee status shall not be granted if at least one of the following conditions exists:

1) the person is receiving protection or aid from other structures of the United Nations Organisation, except the United Nations High Commissioner for Refugees. If such protection or aid to the person is suspended due to any reason and if the status

thereof has not been specifically determined in resolutions of the General Assembly of the United Nations, the provisions of this Law shall apply thereto;

2) the competent authorities of the Republic of Latvia have acknowledged that the person has the rights and duties, which are applicable to citizens of Latvia, or rights or duties equivalent thereto;

3) the person has committed a crime against peace, a war crime or a crime against humanity, as defined in international documents;

4) prior to arrival in the Republic of Latvia the person has committed a crime, which is not of political nature and which in accordance with the law of the Republic of Latvia is recognised as a particularly serious crime;

5) the person has performed activities, which are aimed against the objectives and principles of the United Nations Organisation;

6) there is a reason to believe that the person poses a threat to national security or public order and safety; or

7) the person, who has been recognised as guilty of committing a particularly serious crime by a court judgment of the Republic of Latvia, poses a threat to the society of Latvia.

(2) Paragraph one, Clauses 3, 4 and 5 of this Section shall also be applied to persons who incite to the referred to crimes or activities or otherwise participate in the committing or encouraging of the referred to crimes or activities.

#### **Section 28. Cases when Alternative Status is not Granted**

(1) Alternative status shall not be granted if at least one of the following conditions exists:

1) the person has committed a crime against peace, a war crime or a crime against humanity, as defined in international documents;

2) the person has committed a crime which, in accordance with the law of the Republic of Latvia, is recognised as a serious or a particularly serious crime;

3) the person has performed activities which are aimed against the objectives and principles of the United Nations Organisation;

4) there is reason to believe that the person poses a threat to national security or public order and safety; or

5) prior to the arrival in the Republic of Latvia the person has committed a crime, for which the deprivation of liberty would be applied, if it had been committed in the Republic of Latvia and has left his or her country of origin solely in order to avoid punishment for this crime.

(2) Paragraph one, Clauses 1, 2, 3 and 4 of this Section shall also be applied to persons who incite to the referred to crimes or activities or otherwise participate in the committing or encouraging of the referred to crimes or activities.

#### **Section 29. Possibility of Protection in the Country of Origin**

An asylum seeker shall not be granted refugee or alternative status if in any part of his or her country of origin fear from potential serious harm and from persecution is not justified and the asylum seeker may remain in this part of the country.

#### **Section 30. Appeal of Decision Regarding Leaving an Application Without Examination or Regarding Granting of Refugee Status or Alternative Status or Refusal to Grant It**

- (1) An asylum seeker or authorised person thereof may appeal the decision of an official authorised by the head of the Office regarding leaving an application without examination or granting of refugee status or alternative status or the refusal to grant it in the district administrative court (hereinafter – court) in the cases provided for in this Law. During adjudication of an application (matter) a person shall be regarded as an asylum seeker, except in the case specified in Section 32, Paragraph two of this Law.
- (2) An asylum seeker or authorised person thereof shall submit an application to the court regarding a decision of an official authorised by the head of the Office, if it has been taken in accordance with the provisions of Section 14, Paragraph one, Section 19, Paragraph one or Section 20, Paragraph one and Section 23, Paragraph one of this Law, to the Office within 10 working days from the date of coming into effect of the decision.
- (3) The Office shall, within one working day from receipt of the translation of the application, send the received application to the court together with the translation thereof in the official language, as well as with the documents and evidence at the disposal of the Office. The Office shall ensure the translation of the application into the official language within one month from the date of receipt thereof. If it is not possible to ensure the translation within this time period, the head of the Office may extend the time period for translation of the application by another two months.
- (4) An asylum seeker shall be exempted from the State fee for the submission of an application to the court.

### **Section 31. Adjudication of Applications in the Court**

- (1) A matter which has been initiated on the basis of an application regarding the decision of an official authorised by the head of the Office, shall be adjudicated in the court:
  - 1) within five working days from the date of taking the decision regarding the acceptance of the application and initiation of the matter, if the decision has been taken in accordance with Section 14, Paragraph one of this Law;
  - 2) within three months from the date of taking the decision regarding the acceptance of the application and initiation of the matter, if the decision has been taken in accordance with Section 20, Paragraph one or Section 23, Paragraph one of this Law;
  - 3) within five working days from the date of taking the decision regarding the acceptance of the application and initiation of the matter, if the decision has been taken in accordance with Section 19, Paragraph one of this Law. The court shall evaluate the conformity of the decision of the official authorised by the head of the Office with the conditions of Section 19, Paragraph one of this Law and other regulatory enactments.
- (2) A matter, which has been initiated on the basis of an application regarding the decision referred to in Section 14, Paragraph one or Section 19, Paragraph one of this Law, shall be adjudicated by the court by written procedure, and it shall not require a consent from the participants of the administrative procedure. A matter, which has been initiated on the basis of an application regarding a decision that has been taken in accordance with Section 20, Paragraph one and Section 23, Paragraph one of this Law, may be adjudicated by the court by written procedure, if it recognises that the evidence existing in the matter is sufficient in order to hear the matter.
- (3) If the law prescribes the time period for execution of any procedural actions, however, the conditions of Paragraph one of this Section would not be observed in

executing the respective procedural action within this time period, the judge (court) shall determine itself a time period appropriate for execution of the procedural action.

(4) The adjudication of the court is final and may not be appealed. The adjudication of the court shall come into effect at the time of proclamation thereof and shall be notified to the asylum seeker without delay, explaining the nature of the adjudication in a language which he or she should understand and in which he or she is able to communicate. The court shall inform the Office and State Border Guard of the court adjudication without delay.

(5) Court decisions which are taken by performing the procedural actions necessary for the adjudication of the submitted application or the initiated matter, may not be appealed.

(6) An official authorised by the head of the Office shall evaluate the conformity of an application with the conditions of Section 19, Paragraph one or the conditions of Section 20, Paragraph one and Section 23, Paragraph one of this Law, if the court adjudicates that the conditions of Section 14, Paragraph one of this Law do not apply to an asylum seeker.

(7) An official authorised by the head of the Office shall evaluate the conformity of an application with the conditions of Section 20, Paragraph one and Section 23, Paragraph one of this Law, if the court adjudicates that the conditions of Section 19, Paragraph one of this Law do not apply to an asylum seeker.

### **Section 32. Repeated Application**

(1) If an unfavourable decision for an asylum seeker has come into effect and become non-disputable, the relevant person is entitled to submit a repeated application in case when conditions which were the basis for taking of the decision have changed in his or her favour. After evaluation of the conditions referred to in the repeated application an official authorised by the head of the Office shall take a decision regarding the acceptance of the application for examination or the leaving thereof without examination. If the repeated application contains sufficient information in order to take the decision previously referred to, the interviews with the asylum seeker provided for in Section 6, Paragraph three of this Law shall not be necessary.

(2) A decision of an official authorised by the head of the Office regarding leaving of a repeated application without examination may be appealed by the relevant person or authorised person thereof in accordance with the procedures specified in Section 30, Paragraph two of this Law. During examination of the complaint the relevant person shall not be considered to be an asylum seeker.

(3) An official authorised by the head of the Office shall evaluate the conformity of the repeated application with the conditions of Section 20, Paragraph one and Section 23, Paragraph one of this Law if a decision has been taken regarding the acceptance of the application for examination.

### **Section 33. Deportation of Persons from the Republic of Latvia**

A person whose application has been examined in accordance with the procedures specified in this Law and in relation to whom a decision has been taken regarding the refusal to grant refugee or alternative status, shall be deported in accordance with the procedures specified in the Immigration Law, except in the case when he or she has another legal basis for residing in the Republic of Latvia.

## **Chapter V**

## **Rights and Obligations of Persons Having Acquired Refugee and Alternative Status**

### **Section 34. Right to Information of Persons Having Acquired Refugee and Alternative Status**

After granting of refugee or alternative status to a person, the Office shall issue information thereto regarding the rights and obligations which relate to the granted status, in a language which he or she should understand and in which he or she is able to communicate.

### **Section 35. Travel and Personal Identification Documents of Persons Having Acquired Refugee and Alternative Status**

(1) In compliance with the Convention Relating to the Status of Refugees of 28 July 1951, a travel document shall be issued to a refugee which at the same time is also a personal identification document of the refugee.

(2) A person who has acquired alternative status and who cannot receive a travel document issued by the previous country of residence, shall be issued a travel document which at the same time is also a personal identification document.

(3) If a person has been granted refugee or alternative status, the State Border Guard shall send the personal identification and travel documents thereof to the Office.

(4) Upon receiving the travel document referred to in Paragraph one of this Section, a refugee shall hand over to the Office all the existing personal identification and travel documents issued in foreign countries at his or her disposal.

### **Section 36. Residence of Persons Having Acquired Refugee and Alternative Status in the Republic of Latvia**

(1) A refugee shall be issued a permanent residence permit.

(2) A person who has acquired alternative status shall be issued a temporary residence permit for one year. If the person submits an application to the Office regarding extension of the time period of residence one month prior to the expiry of the time period and any of the conditions of Section 23, Paragraph one of this Law still exist, an official authorised by the head of the Office shall, within one month, take a decision regarding the issuance of a temporary residence permit for one year.

(3) An application to the court regarding the decision of an official authorised by the head of the Office referred to in Paragraph two of this Section may be submitted to the court within ten working days from the date of notification of the decision. The court shall review the matter within one month and the adjudication thereof shall be final and not subject to appeal. During review of the matter, the person shall retain alternative status.

### **Section 37. Allowance for Persons Having Acquired Refugee and Alternative Status**

(1) If a refugee has no other source of subsistence, for the first 12 months after acquisition of refugee status he or she shall receive an allowance covering the subsistence costs, as well as the costs necessary for learning the official language.



(2) If a person whom has been granted alternative status has no other source of subsistence, for the first nine months after acquisition of alternative status, he or she shall receive an allowance which covers the subsistence costs.

(3) The Cabinet shall determine the amount and payment procedures of the allowances referred to in Paragraphs one and two of this Section.

### **Section 38. Right of Persons Having Acquired Refugee and Alternative Status to Reunification of Family**

(1) A person who has acquired refugee and alternative status has the right to reunite with family members who are located in foreign countries. A person who has acquired alternative status has such right if he or she has resided in the Republic of Latvia for at least two years after acquisition of such status.

(2) A minor unaccompanied refugee who is not married has the right to take in his or her mother and father who have arrived from a foreign country.

(3) A family member of a refugee shall be issued a permanent residence permit. A family member of a person who has acquired alternative status shall be issued a temporary residence permit for the same period of time for which a temporary residence permit has been issued to the person who has acquired alternative status.

(4) The procedures for reunification of the family referred to in Paragraphs one and two of this Section shall be determined by the Cabinet.

(5) The residence permit of a family member of a person who has acquired refugee or alternative status shall be cancelled in accordance with the procedures specified in the Immigration Law if the refugee or person who has acquired alternative status loses or is being withdrawn the status granted thereto.

## **Chapter VI**

### **Loss and Withdrawal of Refugee and Alternative Status**

#### **Section 39. Conditions for the Loss of Refugee Status**

(1) A person shall lose refugee status if he or she:

1) has voluntarily re-accepted the protection of the country of citizenship thereof;

2) has voluntarily regained citizenship after the loss thereof;

3) has acquired citizenship of Latvia or another country and is enjoying the protection of the new country of citizenship;

4) has returned to the country he or she left, fearing persecution;

5) may not refuse the protection of the country of citizenship thereof, as the conditions no longer exist due to which he or she was recognised as a refugee; or

6) may return to the former permanent country of residence as a stateless person, as the conditions no longer exist due to which he or she was recognised as a refugee.

(2) When applying Paragraph one, Clauses 5 and 6 of this Section, it shall be taken into account whether a change in circumstances in the country of origin is significant enough that the fear of a person from persecution may not be regarded as justified and whether the referred to change in the circumstances is of permanent nature.

#### **Section 40. Conditions for Withdrawal of Refugee Status**

A person shall be withdrawn a refugee status if at least one of the following conditions exists:

- 1) the provisions of Section 27, Paragraph one of this Law apply to this person;
- 2) this person has provided false information or has not provided information which had critical significance in granting of refugee status, including having used falsified documents;
- 3) there is reason to believe that this person causes a threat to national security or public order and safety; or
- 4) this person who has been recognised as guilty of committing a very serious crime by court judgment of the Republic of Latvia causes a threat to the society of Latvia.

#### **Section 41. Conditions for the Loss of Alternative Status**

- (1) A person shall lose alternative status if the circumstances, due to which alternative status was granted thereto, no longer exist or have changed to the extent that this person no longer needs the protection of the Republic of Latvia.
- (2) When applying Paragraph one of this Section to a person, it shall be taken into account whether the change in circumstances in the country of origin thereof is so significant that the person who has acquired alternative status no longer has a reason to fear a potential serious harm, and if the referred to change in the circumstances is of permanent nature.

#### **Section 42. Conditions for Withdrawal of Alternative Status**

A person shall be withdrawn the alternative status if at least one of the following conditions exist:

- 1) the provisions of Section 28, Paragraph one of this Law apply to this person; or
- 2) this person has provided false information or has not provided information which had critical significance in granting of alternative status, including having used falsified documents.

#### **Section 43. Decision Regarding the Loss or Withdrawal of Refugee or Alternative Status, Appeal Procedure Thereof**

- (1) An official authorised by the head of the Office shall take a decision regarding the loss or withdrawal of refugee or alternative status not later than within one month from the day when any of the circumstances referred to in Section 39, 40, 41 or 42 of this Law has become known to the Office, and shall notify the relevant person thereof.
- (2) A person may appeal the decision referred to in Paragraph one of this Section in the court within one month from the day of receipt of such decision.
- (3) The court shall adopt an adjudication within one month from the day of receipt of the application and shall notify the person thereof. The adjudication of the court is final and cannot be appealed. Court decisions which are taken by performing the procedural actions necessary for the adjudication of the submitted application or the initiated matter may not be appealed.
- (4) During examination of an application a person shall retain refugee or alternative status.

#### **Section 44. Duty of a Person to Leave the Republic of Latvia if the Person has Lost or has been Withdrawn Refugee or Alternative Status**

(1) A person who has lost refugee or alternative status or has been withdrawn this status shall leave the Republic of Latvia within two months from the day of coming into effect of the relevant decision if he or she has no other legal basis for residing in the Republic of Latvia.

(2) If the refugee status of a person has been withdrawn in accordance with Section 40, Clause 3 or 4, or alternative status in accordance with Section 42, Clause 1 of this Law, or a person has not left the Republic of Latvia within the period specified in Paragraph one of this Section, the head of the Office shall, within one working day, take a decision regarding forced return of the person.

(3) A person may appeal the decision regarding forced return in the court within 10 working days. The submission of an application to the court shall not suspend the operation of the decision regarding forced return.

(4) A decision regarding forced return of a person shall be implemented in accordance with the procedures specified in the Immigration Law.

### **Chapter VII Temporary Protection in the Republic of Latvia**

#### **Section 45. Granting of Temporary Protection in the Republic of Latvia**

(1) Temporary protection shall be granted to persons who need it if they are or have been forced to leave their country of origin:

- 1) due to an armed conflict or long-term violence; or
- 2) due to serious threat to human rights or because they have suffered from systematic or general violations of human rights.

(2) A person shall not be included in the group of persons referred to in Paragraph one of this Section, if there is reason to believe that he or she conforms with the conditions of Section 27, Paragraph one, Clauses 3, 4, 5, 6, or 7 of this Law.

(3) The Cabinet shall, taking into account a decision of the Council of the European Union, issue an order regarding granting of temporary protection to a group of persons, determining the total number thereof, the time period specified for temporary protection, accommodation procedures, the State financing necessary for the subsistence of these persons, as well as the procedures by which a person who has been granted temporary protection shall cross the State border of the Republic of Latvia.

(4) The composition of the group of persons referred to in Paragraph one of this Section shall be determined by the Office in co-operation with the United Nations High Commissioner for Refugees.

(5) A person may appeal a decision of an official authorised by the head of the Office regarding granting or extension of temporary protection by submitting an application to the head of the Office within one month from the day of coming into effect of the decision. The decision taken by the head of the Office may be appealed to the court within one month from the date of the coming into effect thereof.

#### **Section 46. Rights of Persons Having Acquired Temporary Protection**

(1) When a decision has been taken regarding granting of temporary protection, the Office shall provide the relevant person with information regarding the rights and

obligations, which relate to the status granted, in a language which he or she should understand and in which he or she is able to communicate.

(2) A person who has been granted temporary protection has the following rights:

1) to receive emergency medical assistance from the funds of the State budget; and

2) to reunite with family members in accordance with the procedures specified by the Cabinet. Temporary protection in the Republic of Latvia shall be granted to a family member who arrives in the Republic of Latvia in order to reunite with a person who has been granted temporary protection.

(3) A minor who has been granted temporary protection shall be ensured with opportunities for acquisition of education in accordance with the procedures specified in the Education Law.

#### **Section 47. Residence of Persons Having Acquired Temporary Protection in the Republic of Latvia**

(1) A temporary residence permit shall be issued to a person who has been granted temporary protection in accordance with the procedures specified in the Immigration Law.

(2) An official authorised by the head of the Office shall take a decision regarding granting of temporary protection for one year. Temporary protection may be extended by six months but not longer than by one year in total.

#### **Section 48. Right of Persons Having Acquired Temporary Protection to Submit an Application**

(1) A person who has been granted temporary protection has the right to submit an application. During examination thereof, the person shall not be regarded as an asylum seeker within the meaning of this Law, if he or she resides in the Republic of Latvia as a person who has been granted temporary protection.

(2) If the time period for temporary protection has expired before the final decision regarding granting of refugee or alternative status to a person has come into effect and become non-disputable, he or she shall be regarded as an asylum seeker.

(3) A person whose application has been examined in accordance with the procedures specified in this Law and in relation to whom a decision regarding the refusal to grant refugee or alternative status has come into effect and become non-disputable, has the right to reside in the Republic of Latvia as a person who has been granted temporary protection while the time period specified for temporary protection has not expired.

#### **Section 49. Identity Card to be Issued to a Person Having Acquired Temporary Protection**

(1) A person who has been granted temporary protection shall be issued an identity card.

(2) Upon receipt of an identity card a person shall hand over all personal identity and travel documents issued in foreign countries at the disposal thereof for keeping in the Office until the time when temporary protection thereof expires and he or she leaves the Republic of Latvia.

#### **Section 50. Transfer of Persons Having Acquired Temporary Protection to Another Member State**

(1) In order to transfer a person who has been granted temporary protection in the Republic of Latvia to another Member State, he or she shall be issued a transfer document. The form and procedures for the issuance of the transfer document, as well as the amount of necessary information to be exchanged between Member States shall be determined by the Cabinet.

(2) When transferring a person to another Member State, the agreement of the person for such transfer shall be taken into account.

(3) If a person who has been granted temporary protection is transferred to another Member State, temporary protection thereof in the Republic of Latvia shall expire.

(4) The Republic of Latvia shall accept back a person who has been granted temporary protection in the Republic of Latvia if he or she attempts to enter or reside in another Member State without permission during the specified period of temporary protection.

### **Section 51. Voluntary Return of Persons Having Acquired Temporary Protection to the Country of Origin**

(1) A person who has been granted temporary protection has the right to return voluntarily to the country of origin thereof, during the time period specified for temporary protection.

(2) A person who has voluntarily returned to the country of origin thereof may submit a request to the Office regarding returning to the Republic of Latvia, if the time period specified for temporary protection has not expired.

(3) When taking a decision regarding voluntary return of a person to the country of origin in accordance with Paragraph one of this Section or when examining an application of a person regarding returning to the Republic of Latvia in accordance with Paragraph two of this Section, an official authorised by the head of the Office shall, in accordance with the provisions specified in this Law, take into account the conditions in the country of origin of the person.

### **Section 52. Duty of Persons Having Acquired Temporary Protection to Leave the Republic of Latvia**

(1) A person whose temporary protection has expired has a duty to leave the Republic of Latvia within two months from the date of expiry of temporary protection if he or she has no other legal basis to reside in the Republic of Latvia. The identity card and the residence permit shall be cancelled when the person leaves the country.

(2) If a person whose temporary protection has expired has not left the Republic of Latvia within the time period specified in Paragraph one of this Section, the head of the Office shall, within 10 days, take a decision regarding forced return of the person. When deciding regarding forced return of the person, humane reasons due to which return of the person is not possible shall be taken into account. In such cases the person shall not be returned for as long as the referred to reasons exist.

(3) A person may appeal the decision regarding forced return to the court within 10 working days from the time of coming into effect thereof. The submission of an application to the court shall not suspend the operation of the decision regarding forced return.

(4) A decision regarding forced return of a person shall be implemented in accordance with the procedures specified in the Immigration Law.

## **Transitional Provisions**

1. With the coming into force of this Law, the Asylum Law (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 2002, No. 8; 2005, No. 4; 2006, No. 14; 2007, No. 23) is repealed.

2. Applications which have been submitted until the date of coming into force of this Law and regarding which the final decision has not been taken shall be examined in accordance with the procedures specified in this Law.

3. The Cabinet shall, within six months from the date of coming into force of this Law, issue the regulations prescribed in this Law.

4. Until the date of coming into force of the regulations referred to in Clause 3 of these Transitional Provisions, but not longer than for six months from the date of coming into force of this Law, the following Cabinet Regulations shall be applicable insofar as they are not in conflict with this Law:

1) Cabinet Regulation No. 406 of 3 September 2002, "Regulations Regarding Personal Identity Documents of Asylum Seekers and Procedures for Issuance Thereof";

2) Cabinet Regulation No. 119 of 8 February 2005 "Regulations regarding the Amount of Expenses for the Purchase of Subsistence, Hygiene and Basic Necessities for Asylum Seekers and the Procedures for Covering these Expenses";

3) Cabinet Regulation No. 586 of 9 August 2005, "Procedures by which Education is to be Ensured for Minor Children of Asylum Seekers or Minor Asylum Seekers";

4) Cabinet Regulation No. 652 of 30 August 2005, "Procedures by which Refugee Family Reunification, as well as Family Reunification of Such Person who has been Granted Alternative Status is Performed in the Republic of Latvia";

5) Cabinet Regulation No. 721 of 20 September 2005, "Regulations Regarding an Allowance for Refugees and Persons who have been Granted Alternative Status"; and

6) Cabinet Regulation No. 813 of 3 October 2006, "Regulations Regarding Residence Permits".

## **Informative Reference to European Union Directives**

This Law contains legal norms arising from:

1) Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof;

2) Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers;

3) Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification;

4) Council Directive 2004/83/EC of 29 April 2004 on minimum standards for the qualification and status of third country nationals or stateless persons as refugees or as persons who otherwise need international protection and the content of the protection granted; and

5) Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status.

This Law has been adopted by the *Saeima* on 15 June 2009.

President

V. Zatlers

Riga, 30 June 2009