



**OFFICE OF CITIZENSHIP AND
MIGRATION AFFAIRS**



EUROPEAN MIGRATION NETWORK

RESEARCH STUDY

RETURN

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EXECUTIVE SUMMARY

“Return” is the third European Migration Network research study.

Objective of the Study: to evaluate the return policy in Latvia by analysing its’ positive and negative aspects and contribute to a sensitive and disputable issue on return policy to be of interest to the EU Member States and European institutions. The common features and peculiarities of the return policy will be detected by means of systematic comparison that will let us understand the return policy better, provide more information and promote the policy development processes.

First Part of the Study reviews the research methodology used in the Study. Namely the Study describes the methods used to do the research; it names the institutions which have provided the information and data necessary for the research and outlines the problems encountered when making the analysis. Likewise, the concepts and definitions used in the Research Study are explained in this part as well as various groups of immigrants to whom the return policy may be related to, are distinguished.

Second Part of the Study addresses the national expulsion policy in Latvia, political discussions of the State about the return policy principles, mutual support and activity coherence of the persons to be expelled from Latvia as well as the influence of European legislation to laws of Latvia.

Third Part of the Study describes return procedures in a more detailed way. It gives a general insight into the voluntary return in Latvia and the main motives for voluntary return. The part on forced return, in its turn, gives an insight into expulsion procedure, detention and keeping under custody and discusses the sustainability of forced return. Besides, it deals with the support provided to the persons to be expelled from Latvia and with the Latvian institutions that are involved in this process also the recognition and receipt of travel documents is examined.

Forth Part of the Study gives an insight into bilateral and multilateral co-operation in the matters of voluntary and forced return.

Final Part includes conclusions on the return policy in Latvia.

The following materials have been used in the Study: quantitative information, laws, literature on expulsion policy, the information and unpublished materials provided by the institutions involved in the Research – the Office of Citizenship and Migration Affairs, the State Border Guard, the Consular Department of the Ministry of Foreign Affairs and the International Organisation for Migration Rīgas Bureau.

The Study totals to 50 pages, including seven tables and three annexes.

INTRODUCTION

Fight against illegal migration takes up an increasingly growing proportion of the work of the institutions controlling migration processes. It is influenced by the rise of welfare level, the status of Latvia as a Member State of the European Union and changes in the illegal migration transit directions.

Issues of illegal migration more than any other migration aspect associate with coercive mechanisms and sanctions, such as detention, expulsion, forced return and a re-entry ban. Efficiency criteria shall be evaluated in each specific case prior to the implementation of the objective of the norm.

Illegal migration not always means illegal crossing of a border. A large amount of illegal immigrants is aliens who have entered the country legally, yet have not left it when the ground of their legal stay in the State has expired.

Illegal stay in the country is closely connected with illegal employment which again has a bad impact on the labour market – cheaper labour, none paying of taxes.

To facilitate the return of illegal immigrants to the countries of origin or the last host countries, greater attention shall be paid to issues on nationals' voluntary return by providing various programmes, including financial support for the persons who have expressed a wish to return voluntarily to the country of their origin. The introduction and implementation of such programmes require additional financial resources. However, one has to consider that voluntary return of a person to the country of his or her origin is more economically advantageous than keeping this person under custody and his or her forced return. Thus, by establishing criteria and a system for application of the voluntary return mechanism and simultaneously avoiding the misuse of this system, an effective measure for the return of the illegal immigrants to their host country would be developed.

Latvia has not become an immigrants' target country like other Eastern Europe countries, although there is large potential of the growth of migration intensity in the territory of the countries of the Commonwealth of Independent States¹.

The migration processes regarding potential aliens' immigration to some country for permanent residence are those that may change both the economic and demographic situation. Similarly to the visa area, a balance shall be found to integrate the issues essential to so much diverse community groups – openness, favourable investment environment, streamlining of administrative procedures,

¹ Latvian Immigration Policy: Problems and Prospects, Latvian Institute of Foreign Policy, Konrad Adenauer Foundation, Riga, 2006, Page 4

meeting of the international human rights standards, on the one hand, and national security, public policy, retention of national identity and integration capacity, on the other hand.

The objective of the Study is to evaluate the return policy in Latvia by analysing its positive and negative aspects and contribute to a sensitive and disputable issue on return policy to be of interest to the EU Member States and European institutions. The common features and peculiarities of the return policy will be detected by means of systematic comparison that will let us understand the return policy better, provide more information and promote the policy development processes. After developing this Research, knowledge will be gained about the different Member States' approaches towards return policy and the research gaps detected. Moreover, the policy makers will acquire more detailed and updated information about return policy taking into account Directive of the European Parliament and of the Council on common standards and procedures in Member States for returning illegally staying third-country nationals (COM (2005) 391).

The object of the Research is an alien who, residing in the State, has violated the procedures for aliens' entry and stay prescribed by the law as well as an alien who has illegally crossed the border of the Republic of Latvia and therefore detained by an official of the State Border Guard.

The subject of the Research is the efficiency of programmes on voluntary and forced return.

To achieve the objective formulated in the Study the following tasks have been set: to review the removal policy of the Republic of Latvia, political discussions of the State about the return policy principles as well as the influence of European legislation to laws of Latvia; to analyse return procedures (voluntary and forced return), examine the bilateral and multilateral co-operation regarding voluntary and forced return and analyse the findings.

The main task of the Research is to study how effective procedures of voluntary and forced return are and what the return policy in Latvia is like on the whole.

The following materials have been used to develop the Study: quantitative information, laws, literature on expulsion policy, the information and unpublished materials provided by the institutions involved in the Research, namely the Office of Citizenship and Migration Affairs, the State Border Guard, the Consular Department of the Ministry of Foreign Affairs and the International Organisation for Migration Rīgas Bureau.

1. METHODOLOGY, DEFINITIONS AND RETURN CATEGORIES

METODOLOGY

The Research has been developed based on the specification and structure formulated by the European Commission and adopted by the national control points of the European Migration Network.

To achieve the objective of the Research the institutions being in possession of the required information about the return policy in Latvia have been involved in the Study. The Office of Citizenship and Migration Affairs, the State Border Guard, the Consular Department of the Ministry of Foreign Affairs and the International Organisation for Migration Rīgas Bureau have been involved in the Research development.

Information from the State Border Guard and the International Organisation for Migration Rīgas Bureau was received after sending them an official inquiry. Information from the Consular Department of the Ministry of Foreign Affairs was received during the experts' meeting.

The State Border Guard provided information and statistic data about the forced return procedures, detention, keeping under custody and transport and removal measures. The Consular Department of the Ministry of Foreign Affairs submitted information about the recognition and receipt of travel documents. The International Organisation for Migration Rīgas Bureau shared information at their disposal about voluntary return, its procedures, costs, etc.

To extend the scope of the information to be analysed and to examine the latest articles and opinions about the return policy in Latvia the Internet was also used.

The quantitative information, laws, literature on migration policy was used in the Study as well as the information and unpublished materials provided by the institutions involved in the Research.

While developing the Research a problem was faced that neither independent nor supported voluntary return programmes had been established in Latvia. Therefore, the information given in the section regarding voluntary return is short and laconic.

CLARIFICATION OF CONCEPTS AND DEFINITIONS

The following terms are used in the Research:

- ✓ Alien – a person who is neither a citizen of Latvia nor a non-citizen of Latvia.
- ✓ Country of arrival – the new host country.
- ✓ Country of departure – the previous host country.
- ✓ Escort – officials of the State Border Guard liable to accompany a person to be expelled (including medical staff and interpreters).
- ✓ Forced return – the execution of the obligation to return, namely the physical transportation out of the country.
- ✓ Host country — a country where an alien is entitled to take up one's permanent residence.
- ✓ Illegal stay – the presence on the territory of a Member State, of a third-country national who does not fulfil, or no longer fulfils the conditions for residence in the Republic of Latvia.
- ✓ Migrant – a person who voluntarily leaves one's country of permanent residence and moves to take up permanent residence in the territory of another country.
- ✓ Migrant's family members – a spouse, parents, children, relatives living together with the migrant and having joint household, the disabled and dependants.
- ✓ Person to be expelled – an alien and any person who is not a citizen of the European Union within the meaning of Article 17 (1) of the EC Treaty.
- ✓ Re-entry ban – an administrative or judicial decision or act preventing re-entry into the territory of a country for a specific period.
- ✓ Removal order — an administrative act ordering an alien to leave the Republic of Latvia in a specific period.
- ✓ Return – the process of going back to one's country of origin, transit or another third country, whether voluntary or enforced.
- ✓ Return decision – an administrative act providing a ground for the forced removal of an alien.
- ✓ Transit by air – the movement of an expellee and an escort, where necessary, through the airport zone of a Member State of the European Union receiving a request for the transit by air.

- ✓ Travel document – a document identifying the person and entitling its holder to cross the state border of the Republic of Latvia according to the international agreements binding on the Republic of Latvia, the Immigration Law and other national legislation.
- ✓ Voluntary return – an organised or independent return to one’s country of origin based on a freely expressed person’s wish to return.

CATEGORISATION OF RETURNEES

Latvia has not experienced substantial growth in illegal immigration in recent years. While professionalism of immigration control services increases, less and less persons enter and stay in Latvia illegally. Latvia is a disadvantageous area for illegal immigrants. Such a situation is determined by the comparatively low level of social welfare in Latvia, climatic conditions, cultural differences (language, closed community) and unemployment problems as well as the liberal immigration policy. Latvia even in near future will not be able to ensure the conditions the Western European countries can to immigrants and asylum seekers.

According to the statistical data provided by the State Border Guard, **2014** persons have been expelled from Latvia during 2000–2005 (see Table 1.3.1).

Table 1.3.1
The total number of the aliens expelled in 2000–2005²

	2000	2001	2002	2003	2004	2005	Total
Sum total	371	314	540	366	233	190	2014

According to the legislation valid in the Republic of Latvia, persons to be expelled can be divided in the following groups:

- ✓ An alien, who living in the Republic of Latvia, has violated the procedures for aliens’ entry or stay in the Republic of Latvia as prescribed by the law. Mainly, they are persons who have entered the State legally but have failed to leave it once the legal stay in the Republic of Latvia has ended and continue their stay in the Republic of Latvia illegally.

² Data of the State Border Guard

- ✓ An alien the validity term of whose residence permit has expired or whose residence permit is annulled and who has failed to leave Latvia within the period provided for by legislation – within 45 days.
- ✓ An alien who has crossed the state border of the Republic of Latvia illegally or otherwise violated the procedures for aliens' entry or stay in the Republic of Latvia as prescribed by the law and it has been established while in the border zone or at the crossing place of the state border.
- ✓ An alien who has failed to leave the Republic of Latvia within seven days after he or she has received a removal order and has not appealed it to the Head of the Office of Citizenship and Migration Affairs within seven days after the removal order has become effective.
- ✓ A person in relation to whom a decision has been taken to refuse granting refugee status as well as alternative status if the application for granting refugee or alternative status has been examined at a border checkpoint (when a person arrives to the Republic of Latvia from a foreign country) or whose application has been examined under abridged procedure (when a person is located in the Republic of Latvia).
- ✓ An alien who has served one's custodial sentence in a liberty deprivation institution of the Republic of Latvia and who has no legal grounds to stay in the Republic of Latvia after serving one's sentence for a crime committed in the Republic of Latvia.

Aliens who emigrate to reside permanently to the Russian Federation according to the agreement regulating migration processes and protecting migrants' rights signed between the Government of the Republic of Latvia and the Government of the Russian Federation shall be marked out as a separate group of persons³. This agreement applies to the persons who emigrate from the Republic of Latvia to the Russian Federation voluntarily.

Moreover, there are persons in Latvia who stay illegally in the State since the time when Latvia was a member of the USSR and reside here holding an invalid identity document – the USSR internal passport. They, however, cannot be expelled as yet. The persons imprisoned before 1990 and discharged already in an independent republic also enter this group.

³ Agreement on Regulation of Migration Processes and Protection of Migrants' Rights signed between the Government of the Republic of Latvia and the Government of the Russian Federation, Moscow, 02.06.1993

During 2000–2005, the proportion of men among the expellees was 85%, 14% women and 1% children⁴.

The information given by the State Border Guard testifies that in 2005 the largest number of the executed forced returns has taken place in Riga (see Table 1.3.2).

Table 1.3.2
The number of the executed forced returns activities in 2005⁵

State Border Guard Services	Number of the expellees
Immigration Service of Riga Department	117
Immigration Service of Liepaja Department	18
Immigration Service of Ludza Department	11
Immigration Service of Daugavpils Department	10
Immigration Service of Vilaka Department	10
Immigration Service of Jelgava Department	10

The fact that it is the State Border Guard Immigration Service of Riga Department which has expelled the largest number of illegal immigrants in 2005 is logical since illegal immigrants use the Riga Harbour and Airport for going to the Scandinavian and other Western European countries trying to cross the state border with forged documents.

The inflow of illegal immigrants in the respective town or region is connected with population size in the respective town (region), transport infrastructure, employment level and other factors that attract migrants' inflow. The body of these circumstances creates an illegal immigration risk in the largest towns of Latvia.

The receipt of documents for the aliens who have violated the residence provisions of the Republic of Latvia and have no valid travel documents for returning to their host country takes certain time. Until the receipt of return documents a person irrespective of the territory of Latvia he or she has been detained is moved to the Illegal Immigrants Accommodation Centre of Riga Department of the State Border Guard. The Immigration Service of Riga Department of the State Border Guard takes over all files of the aliens detained in the territory of Latvia in order to facilitate the work.

⁴ Data by the State Border Guard

⁵ Data by the State Border Guard

The statistical data testify that during 2000–2005 31% of the expellees are citizens of Russia, 23% – citizens of Lithuania, 14% – citizens of the Ukraine, 8% – citizens of Belarus, 4% – citizens of Estonia, citizens of the other countries do not exceed a 3% barrier (see Table 1.3.3).

Table 1.3.3
The proportion of the expellees, 2000 – 2005⁶

Country	Number of the expellees	%
Russia	476	31.21
Lithuania	346	22.69
The Ukraine	206	13.51
Belarus	128	8.39
Estonia	68	4.46
Armenia	44	2.89
Moldova	39	2.56
Azerbaijan	38	2.49
Georgia	35	2.29

No person is expelled from the Republic of Latvia with the destination “unknown”. According to legislation, to expel a person this person shall be identified and it also means stating the country where this person has arrived from. In order to issue return documents the respective country shall have evidence that the specific person is a national of the country concerned.

The “Eastern” border of the Republic of Latvia (Latvian-Russian, Latvian-Belarusian) is constantly being modernised, the number of employees of immigration structural units of the State Border Guard is being optimised in the whole territory of the State, personnel training is being organised on an ongoing basis. The complex of these measures enables the State Border Guard to fight against illegal immigrants effectively by identifying them both on the state border and inland.

⁶ Data by the State Border Guard

2. POLITICAL AND LEGAL FRAMEWORK

NATIONAL LEGAL AND POLITICAL FRAMEWORK

The Supreme Council and the Council of Ministers of the Republic of Latvia adopted the first decisions after regaining independence within migration sphere already in 1991 to ensure consolidation and safeguard of the national independence: Supreme Council Decision of 27 March 1991 "On Formation of Migration Affairs Management Office of the Council of Minister of the Republic of Latvia"⁷ and Council of Ministers Decision No. 266 of 8 October 1991 "On Temporary Suspension of Immigrants' Registration"⁸.

The Law "On Entry into and Residence in the Republic of Latvia of Aliens and Stateless Persons"⁹ took effect on 1 July 1992. This law established the immigration policy. However, national interests influenced the law since Latvia only lately had regained its independence from the (former) USSR¹⁰. Harmonisation of the Latvian legislation with the legislation of the European Union set new requirements in immigration area; therefore the Immigration Law was drafted and enforced on 1 May 2003¹¹. The Law has been drafted in compliance with the international human rights documents and it meant new assignments and regulations in the work of the institutions involved in migration control. The purpose of this Law is to stipulate the procedures for aliens' entry, stay, transit, emigration and detention as well as the procedures for keeping aliens under custody in the Republic of Latvia and expelling from the State to ensure the implementation of the migration policy complying with the international legal standards and the state interests of Latvia. The Immigration Law fully complies with requirements of the European Union and is constantly updated¹².

Sections V–IX of the Immigration Law are dedicated to the fight against illegal immigration, its limitation and control.

⁷ Decision of the Supreme Council of 27 March 1991 "On Formation of Migration Affairs Management Office of the Council of Minister of the Republic of Latvia", *Ziņotājs* No. 21, 1991.06.06

⁸ Decision of the Council of Ministers No. 266 of October 8, 1991 "On Temporary Suspension of Immigrants' Registration", *AP MP* No. 7, 1991.10.25

⁹ The Law "On Entry into and Residence in the Republic of Latvia of Aliens and Stateless Persons", *Augstākās padomes un Valdības Ziņotājs* No. 27/28, 1992

¹⁰ Roze M., Migration Policy in Latvia, Latvia in the European Union, No. 1, the European Union Information Agency, February 2006, Page 10

¹¹ Immigration Law, *Latvijas Vēstnesis* No.169, 20.11.2002

¹² Roze M., Migration Policy in Latvia, Latvia in the European Union, No. 1, the European Union Information Agency, February 2006, Page 10

Article 41 of the Immigration Law stipulates that an official of the Office of Citizenship and Migration Affairs takes a decision to issue a removal order to an alien specifying the length of the re-entry ban for the period up to three years and demands to leave the Republic of Latvia within seven days when the alien, living in the Republic of Latvia, has violated the procedures for aliens' entry and stay in the Republic of Latvia as prescribed by the law.

The Chief of the State Border Guard or his or her authorised deputy takes a decision to expel an alien if the alien has crossed the state border of the Republic of Latvia illegally or otherwise violated the procedures for aliens' entry or stay in the Republic of Latvia as prescribed by the law in the border zone or at the crossing place of the state border. A three or five year re-entry ban can be imposed in the decision.

An official of the Office of Citizenship and Migration Affairs takes a decision regarding an alien's forced return if:

- ✓ the alien has failed to leave the territory of the Republic of Latvia within seven days from the time he or she is notified of an removal order and has not appealed it to the Head of the Office of Citizenship and Migration Affairs or if the appeal has been dismissed;
- ✓ an official of the State Border Guard has detained the alien in the territory of the Republic of Latvia.

Forced return from Latvia is also applied when the alien who after serving one's custodial sentence for crimes committed in the Republic of Latvia has no legal grounds to stay in the Republic of Latvia. The Criminal Law¹³ also envisages expulsion from the State as one of additional punishments for crimes committed in Latvia.

The Immigration Law precisely prescribes the procedures for detention and keeping under custody.

Likewise, Section VIII of the Immigration Law stipulates when and who from the officials are entitled to take a decision on entering an alien on a list of persons banned to enter the Republic of Latvia. Besides, the Law defines the length of the ban.

If the alien to be expelled has no valid travel document in his or her possession and it is impossible to obtain such with the help of consular services he or she is issued a travel (return) document. The form of the return document has

¹³ Criminal Law, *Latvijas Vēstnesis* No. 199/200, 1998.07.08

been designed according to the EU Council Recommendation of 30 November 1994 concerning the adoption of a standard travel document for the expulsion of third-country nationals.

To enact the regulations prescribed by the Immigration Law the following subordinate legislation was developed:

- ✓ Cabinet Regulations No. 183 of 15 April 2003 “Procedures for Approval of Invitations”¹⁴ prescribe the procedures by which invitations for requesting a visa of the Republic of Latvia shall be approved as well as the amount of the information to be included in the electronic information system – a database of invitations, and the procedures for the utilisation of such information.
- ✓ Cabinet Regulations No. 212 of 29 April 2003 “Procedures for the Forcible Expulsion of Aliens, Form of Standard Travel Document and Procedures for Issue Thereof”¹⁵ prescribe the procedures by which forcible expulsion of aliens shall be performed, the procedures by which travel documents shall be requested for the aliens who do not have a valid travel document in their possession as well as the form of a standard travel document and the procedures for the issue thereof.
- ✓ Cabinet Regulations No. 217 of 29 April 2003 “Visa Regulations”¹⁶ prescribe the procedures by which a visa shall be issued, registered, cancelled and revoked as well as the terms of the validity of visas and the amount of the information to be included in the visa information system, and the procedures for the utilisation thereof.
- ✓ Cabinet Regulations No. 337 of 25 April 2006 “Regulations regarding Procedures by which the Republic of Latvia Receives and Renders Assistance to Member States of the European Union and the Schengen Treaty Countries in Cases of Forced Return by Air, Amount of Assistance Thereof and Procedures for Organisation of Joint Flights among Member States of the European Union and the Schengen Treaty Countries”¹⁷ prescribe the

¹⁴ Cabinet Regulations No. 183 of 15 April 2003 “Procedures for Approval of Invitations”, *Latvijas Vēstnesis* No. 65, 2003.04.30

¹⁵ Cabinet Regulations No. 212 of 29 April 2003 “Procedures for the Forcible Expulsion of Aliens, Form of Standard Travel Document and Procedures for Issue Thereof”, *Latvijas Vēstnesis* No. 65, 30.04.2003

¹⁶ Cabinet Regulations No. 217 of 29 April 2003 “Visa Regulations”, *Latvijas Vēstnesis* No. 65, 2003.04.30

¹⁷ Cabinet Regulations No. 337 of 25 April 2006 “Regulations regarding Procedures by which the Republic of Latvia Receives and Renders Assistance to Member States of the European Union and the Schengen Treaty Countries in Cases of Forced Return by Air, Amount of Assistance Thereof and

procedures by which the Republic of Latvia receives and renders assistance to the Member States of the European Union and the Schengen Treaty countries in cases of forced return by air, the amount of such assistance and the procedures for organisation of joint flights among the Member States.

- ✓ Cabinet Regulations No. 459 of 6 June 2006 “Regulations concerning Sample Form of Decision regarding Refusal of Entry for an Alien to the Republic of Latvia and Procedures of Completion Thereof”¹⁸ prescribe the sample form of the decision regarding the refusal of entry for an alien to the Republic of Latvia and the procedures of the completion of such a sample form.
- ✓ Cabinet Regulations No. 504 of 9 September 2003 “Procedures by which Expenses Related to the Expulsion, Detention and Keeping under Guard of an Alien shall be Determined and Recovered”¹⁹ prescribe the procedures by which expenses related to the expulsion, detention and keeping under guard of an alien shall be determined and recovered.
- ✓ Cabinet Regulations No. 605 of 16 August 2005 “Procedures for Utilisation, Maintenance and Updating of a List of Aliens who are Prohibited to enter the Republic of Latvia”²⁰ prescribe the procedures by which the Office of Citizenship and Migration Affairs shall maintain and update a list of such aliens who are prohibited to enter the Republic of Latvia as well as the amount of and procedures for utilisation of the information to be included in the list.
- ✓ Cabinet Regulations No. 692 of 9 December 2003 “Amount and Procedures for Utilisation of Information to be Included in the Electronic Information System of the State Border Guard”²¹ prescribes the amount of the information to be included in the electronic information system of the State Border Guard and the procedures for the utilisation thereof.

Procedures for Organisation of Joint Flights among Member States of the European Union and the Schengen Treaty Countries”, *Latvijas Vēstnesis* No. 71, 2006.05.09

¹⁸ Cabinet Regulations No. 459 of 6 June 2006 “Regulations concerning Sample Form of Decision regarding Refusal of Entry for an Alien to the Republic of Latvia and Procedures of Completion Thereof”, *Latvijas Vēstnesis* No. 90, 2006.06.09

¹⁹ Cabinet Regulations No. 504 of 9 September 2003 “Procedures by which Expenses Related to the Expulsion, Detention and Keeping under Guard of an Alien shall be Determined and Recovered”, *Latvijas Vēstnesis* No. 125, 2003.09.12

²⁰ Cabinet Regulations No. 605 of 16 August 2005 “Procedures for Utilisation, Maintenance and Updating of a List of Aliens who are Prohibited to enter the Republic of Latvia”, *Latvijas Vēstnesis* No. 132, 2005.08.23

²¹ Cabinet Regulations No. 692 of 9 December 2003 “Amount and Procedures of Utilization of Information to be Included in the Electronic Information System of the State Border Guard”, *Latvijas Vēstnesis* No. 176, 2003.12.12

- ✓ Cabinet Regulations No. 732 of 27 September 2005 “Regulations regarding Residence Permits”²² prescribe the procedures for approval of invitations; the documents necessary for requesting a residence permit; the procedures for issuance, registration and cancellation of temporary residence permits and permanent residence permits; the range of aliens who are entitled to submit the documents for requesting a residence permit in connection with employment or commercial activity to the Office of Citizenship and Migration Affairs; the restrictions on commercial activities for aliens in compliance with the economic and internal security interests of the Republic of Latvia; the procedures for reimbursement of remuneration (compensation) for departure for permanent residence to foreign states; the procedures by which an alien declares his or her absence outside the Republic of Latvia; and the amount of the information and procedures for the utilisation of the information to be included in electronic information systems – a database of invitations and the register of aliens.
- ✓ State Border Guard Instruction No. 1 of 3 January 2005 “On Forced Return of Aliens”²³ prescribes the procedures by which officials of Immigration services (units) of the State Border Guard perform forced return of an alien from the Republic of Latvia.

Cabinet Regulations No. 29 of 20 January 2003 “Procedures by which a Person in relation to whom Decision has been Taken on Refusal to Grant Refugee and Alternative Status shall be Expelled from the Republic of Latvia”²⁴ prescribes the procedures by which a person shall be expelled from the Republic of Latvia whose application for granting refugee or alternative status has been examined at a border checkpoint (for a person who arrives the Republic of Latvia from a foreign country) or whose application has been examined under abridged procedure (when a person is located in the Republic of Latvia) if in relation to the said person a decision has been taken on refusal to grant refugee and alternative status.

Citizens of the EU Member States, the European Economic Area countries, the Swiss Confederation and their family members enter and stay in the Republic of

²² Cabinet Regulations No. 732 of 27 September 2005 “Regulations regarding Residence Permits”, *Latvijas Vēstnesis* No. 157, 2005.10.04

²³ State Border Guard Instruction No. 1 of 3 January 2005 “Forced Return of Aliens”, *Latvijas Vēstnesis* No. 2, 2005.01.05

²⁴ Cabinet Regulations No. 29 of 20 January 2003 “Procedures by which a Person in relation to whom Decision has been Taken on Refusal to Grant Refugee and Alternative Status shall be Expelled from the Republic of Latvia”, *Latvijas Vēstnesis* No. 14, 2003.01.28

Latvia according to the laws of the European Union. Application of these laws is enforced by Cabinet Regulations No. 586 of 18 July 2006 “Procedures by which Citizens of the Member States of the European Union, the European Economic Area Countries, the Swiss Confederation and Their Family Members shall Enter and Stay in the Republic of Latvia as well as Procedures by which the Said Persons shall be Expelled from the Republic of Latvia”²⁵. The Regulations prescribe the procedures by which citizens of the Member States of the European Union, the European Economic Area countries, the Swiss Confederation and their family members enter and stay in the Republic of Latvia as well as the procedures by which the said persons are expelled from the Republic of Latvia.

The Ministry of Interior developed and the Cabinet of Ministers with Order No. 60 of 1 February 2006 supported the Development Programme for Single Asylum and Migration Management System for 2006–2009²⁶. The objective of this programme is to ensure the implementation of immigration policy in compliance with the national interests of Latvia and requirements of the common migration policy of the European Union and set the strategic development directions for the development of the institutions involved in the control of migration processes.

The working out of the Development Programme for Single Asylum and Migration Management System relates to the need to gain political accept for basic principles of migration policy and to ensure coordinated and purposeful development of all institutions involved in the control of migration processes by putting forward common priorities and setting tasks to achieve it

To define tasks for the achievement of the set objective more accurately two targets have been brought forward – to heighten the administrative capacity of the services involved in the control of migration processes and improve their cooperation as well as to develop a single and well functioning information system provided for the control over migration processes.

The programme addresses issues of short-term and long-term legal migration, illegal migration, asylum, persons’ identity documents and aliens’ integration. It analyses tasks in the legislative and institutional area and in the field of technical supply. The programme describes the up to date situation, includes an analysis and

²⁵ Cabinet Regulations No. 586 of 18 July 2006 “Procedures by which Citizens of the Member States of the European Union, the European Economic Area Countries, the Swiss Confederation and Their Family Members shall Enter and Stay in the Republic of Latvia as well as Procedures by which the Said Persons shall be Expelled from the Republic of Latvia”, *Latvijas Vēstnesis* No. 114, 2006.07.20

²⁶ Cabinet Order No. 60 of 1 February 2006 “On Development Programme for Unified Asylum and Migration Management System for 2006–2009”, *Latvijas Vēstnesis* No. 21, 2006.02.03

forecasts. It defines the planned results and schedules tasks for the achievement of the results by envisaging the funding required for their implementation.

Apart from the standards in the field of expulsion policy already prescribed by legislation, the initiative of employees of immigration structural units of the State Border Guard has to be mentioned who contact the diplomatic or consular representations of the relevant countries to identify or specify whether the illegal resident is a national of this country as well as submit all required information for the receipt of the travel (return) document. The experience shows that these activities speed up the expulsion of illegal resident from the State.

By now, activities related to mutual support and coordination of the action of the persons to be expelled based on common interests, objectives and attitudes have not been observed in Latvia. There have been cases with the State Border Guard when persons have tried to delay their removals; however, these involved purely oral protests.

The Agreement on Regulation of Migration Processes and Protection of Migrants' Rights signed between the Government of the Republic of Latvia and the Government of the Russian Federation prescribes the procedures by which persons emigrate from the Republic of Latvia to the Russian Federation and vice versa. The agreement prescribes the rights, responsibilities and protection of migrants and their family members and the safeguard of the rights of migrants and their family members. The Office of Citizenship and Migration Affairs and the Migration Service of the Russian Federation in the Republic of Latvia coordinate the migration processes in question and control the observance of the agreement.

The International Organisation for Migration Rīgas Bureau implemented voluntary return project during 1998–2002. After 2002, the Bureau has had no possibility to attract resources to continue such programmes. At present, the International Organisation for Migration Rīgas Bureau has established no special voluntary return aid programmes in Latvia. It is due to the insufficiency of financial resources and the shortage of human resources.

INFLUENCE OF EUROPEAN LEGISLATION

The comparison of the legislation of Latvia and the European Union has taken place already from 1998. On 1 May 2003 the new Immigration Law became effective developed according to the international human rights documents.

Statistical data testify that the enlargement of the European Union after 1 May 2004 has influenced the migration policy in Latvia. The number of decisions regarding forced return has decreased per 42% in 2004 and per 56% in 2005 in comparison with 2003. The number of the removal orders issued has decreased per 83% in 2004 and per 88% in 2005 in comparison with 2003. Likewise, the number of the persons registered in the re-entry ban database has decreased per 20% in 2004 and per 74% in 2005 (see Annex 3).

When analysing data on the issued removal orders and the taken expulsion decisions it is evident that until 2004 the largest number of expellees was citizens of the countries having a common border with Latvia, namely citizens of Lithuania, Russia and Belarus.

According to Cabinet Regulations No. 586 of 18 July 2006 "Procedures by which Citizens of the Member States of the European Union, the European Economic Area Countries, the Swiss Confederation and Their Family Members shall Enter and Stay in the Republic of Latvia" the Minister of the Interior issues a removal order demanding to leave the Republic of Latvia within a month and where necessary specifies an entry ban for the period up to three years if the citizen of the Member States of the European Union, the European Economic Area countries, the Swiss Confederation or their family member residing in the Republic of Latvia constitutes an actual, existent and sufficiently serious threat to the national security or public policy.

Already prior to the accession to the European Union, the Office of Citizenship and Migration Affairs reviewed the list of the aliens prohibited to enter the Republic of Latvia. According to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons²⁷, the Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation, as

²⁷ Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, Official Journal L 114, 30.04.2002, Page 6-64

Contracting Party, of the Republic of Latvia²⁸, the Act regarding participation of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic, to provisions and adjustments to Treaties being fundamentals of the European Union, the Treaty establishing the European Union and the Nice Agreement, the re-entry bans set to citizens of the European Union were annulled.

No person has brought action against Latvia for the violation of Article 3 of the European Convention on Human Rights and Fundamental Freedoms.

Based on the provisions resulting from Council Directive 2003/110/EC²⁹ of 25 November 2003 on assistance in cases of transit for the purposes of removal by air and Council Decision 2004/573/EC³⁰ of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States of third-country nationals who are subjects of individual removal orders, Cabinet Regulations No. 337 of 25 April 2006 “Regulations regarding Procedures by which the Republic of Latvia Receives and Renders Assistance to Member States of the European Union and the Schengen Treaty Countries in Cases of Forced Return by Air, Amount of Assistance Thereof and Procedures for Organisation of Joint Flights among Member States of the European Union and the Schengen Treaty Countries” took effect on 10 May 2006.

Currently Latvia has little experience in the organisation of joint flights for removals from the territory of two or more Member States of third-country nationals who are subjects of individual removal orders according to Council Decision 2004/573/EC of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States of third-country nationals who are subjects of individual removal orders. In November 2005 officials of the Immigration Department of Headquarters of the State Border Guard and the Immigration Service of Riga Department of the State Border Guard participated in the theoretical part of the training project “Training regarding Removal Measures by Air Transport” funded by

²⁸ Protocol to the Agreement between the European Community and its Member States, of the one part, and the Swiss Confederation, of the other, on the free movement of persons, regarding the participation, as Contracting Party, of the Republic of Latvia, Official Journal L 89, 28.03.2006, Page 30-44

²⁹ Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air, Official Journal L 321, 06.12.2003, Page 26-31

³⁰ Council Decision 2004/573/EC of 29 April 2004 on the organisation of joint flights for removals from the territory of two or more Member States of third-country nationals who are subjects of individual removal orders, Official Journal L 261, 06.08.2004, Page 28-35

the European Union programme ARGO. In December 2005 the practical part of the training took place, namely the practical organisation of the illegal immigrants' expulsion and their return to Cameroon and Nigeria by a joint charter flight. Practical skills in organising expulsion activities were acquired and experience in negotiating with the authorities of the country of forced return destination was gained during the training.

Council Directive 2001/40/EC³¹ of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals and Council Decision 2004/191/EC³² of 23 February 2004 setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from the application of Directive 2001/40/EC will be applied after Latvia joins the Schengen zone.

Already for several years the European Union has been developing a concept of partnership with third countries in the field of migration by stressing the need to take a comprehensive approach to migration together with the countries and regions concerned. In order to ensure this concept manifests itself, the AENEAS programme was launched in 2004 for co-operation with third countries in the field of migration and asylum. The objective of the programme is to provide complementary financial and technical assistance to third countries in support of their efforts to ensure more effective management of all aspects of migration flows. The AENEAS programme is envisaged to continue the thematic programme assigned to strengthen the integration of migration and asylum issues in the external relations of the Community as an over-sectoral priority of the European Union. This instrument would also ensure a horizontal pillar of the Community that would help consolidate co-operation among the respective EU participants, third countries and the respective international structures dealing with migration issues aimed to facilitate better understanding about difficulties and ways to find balanced solutions that satisfy everyone.

By now, Latvia has not participated in the implementation of any project financed from the AENEAS resources. It is due to the shortage of human and financial resources (co-financing from the State is required for the implementation of an AENEAS financed project in the amount of 20–50% from the total eligible expenditure of the project).

³¹ Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals, Official Journal L 149, 02.06.2001, Page 34-36

³² Council Decision 2004/191/EC of 23 February 2004 setting out the criteria and practical arrangements for the compensation of the financial imbalances resulting from the application of Directive 2001/40/EC, Official Journal L 60, 27.02.2004, Page 55-57

Since the thematic programmes for co-operation with third countries in the field of migration and asylum in 2007–2013 continue the AENEAS programme, Latvia at the present moment does not plan to take part in the launching of the thematic programmes either, however, at the same time it does not eliminate a possibility to join it in the future.

3. RETURN

OVERVIEW

Mostly forced return procedures are carried out in Latvia. The Office of Citizenship and Migration Affairs and the State Border Guard enforce these procedures.

Latvia uses a two-step system – initially a removal order is issued against an alien demanding his or her departure from the State within seven days. If the alien has failed to leave the State voluntarily in the specified period and has not appealed the removal order then a decision regarding the alien's forced return from the State is taken. The Immigration Law also provides for exceptions when a decision regarding an alien's forced return may be taken without issuing a removal order.

The amount of forced return costs depends on the state the alien is expelled to. Prices of air tickets constitute the largest part of the expenses. Most often the person to be expelled is accompanied by two State Border Guard officials. Forced return costs include the following:

- ✓ travel expenses for the person to be expelled;
- ✓ travel expenses for the escort;
- ✓ expenses related to the escort's business trips.

Forced return costs have increased per 52% in 2004, if comparing with 2003, and per 68% in 2005 (see Table 3.1).

Table 3.1
Costs of forced return procedures in Lats, 2003–2005³³

Year	Number of the expellees	Return costs, LVL	Escort costs, LVL	Total, LVL	Costs per head (on average), LVL
2003	366	3671.47	5848.35	9519.35	20.43
2004	233	7805.68	6678.41	14484.09	62.16
2005	190	6449.81	9575.33	16025.14	84.34

In 2003 the most of persons were expelled to Russia, the Ukraine and Belarus. More seldom the forced return destination was Central Asia. For that reason the amount of costs was comparatively lower than in 2004 and 2005.

Besides, on 13 September 2003 Cabinet Regulations No. 504 of 9 September 2003 "Procedures by which Expenses Related to the Expulsion, Detention and Keeping under Guard of an Alien shall be Determined and Recovered" took effect.

³³ Data by the State Border Guard

Apart from the voluntarily return programme effected by the Office of Citizenship and Migration Affairs in co-operation with the Migration Service of the Russian Federation no other such voluntarily return programmes are launched in Latvia that would facilitate immigrants' return to their country of origin or their previous host country. Partly it is due to the financial resources insufficient for the development of such programmes. However, another reason could be the comparatively low number of the illegal immigrants detained and potentially present in the State. Currently it would be possible to change the situation if the resources earmarked for the forced return of illegal immigrants were channelled to the development of a voluntarily return programme. Thus, a possibility would be eliminated that the persons residing illegally in neighbouring countries come to Latvia in hope to receive financial assistance for the departure to their previous host country or country of origin.

As regards the voluntarily return programme effected by the Office of Citizenship and Migration Affairs in co-operation with the Migration Service of the Russian Federation, Cabinet Regulations No. 738 of 18 October 2005 "Procedures by which Emigration Allowance to Military Seniors of Russia and Their Family Members Shall Be Paid"³⁴ were enforced on 1 January 2006. These Regulations apply to emigrants who have a permanent residence permit in the Republic of Latvia or who have refused from the non-citizen status of Latvia and have been granted citizenship of another country if they depart to reside permanently outside the Republic of Latvia and the following conditions are met at the same time:

- ✓ the Agreement on Social Protection of Military Seniors of the Russian Federation Residing in the Territory of the Republic of Latvia and their Family Members signed between the Governments of the Republic of Latvia and the Russian Federation applies to them;
- ✓ they have been demobilised until 28 January 1992;
- ✓ they receive a pension from the federal budget of the Russian Federation.

The emigration allowance amounts to:

- ✓ 1200 Lats if one person emigrates;
- ✓ 1800 Lats if two persons emigrate;
- ✓ 2400 Lats if three persons emigrate;

³⁴ Cabinet Regulations No. 738 of 18 October 2005 "Procedure by which Emigration Allowance to Military Seniors of Russia and Their Family Members Shall Be Paid", *Latvijas Vēstnesis* No. 171, 2005.10.27

- ✓ 2700 Lats if four or more persons emigrate.

If the emigrant or any of his or her family members is a disabled person then the amount of the emigration allowance is determined by multiplying it by a coefficient:

- ✓ 1.3 – if the emigrant or any of his or her family members is a disabled person of Disability Group I;
- ✓ 1.2 – if the emigrant or any of his or her family members is a disabled person of Disability Group II;
- ✓ 1.1 – if the emigrant or any of his or her family members is a disabled person of Disability Group III
- ✓ 1.3 – if any of the emigrant's family members is a disabled child.

Until 1 August 2006, 34 applications have been received for the total allowance amount of 61 020 LVL. The Cabinet of Ministers has considered and approved 26 applications for LVL 47 700. The remaining applications are submitted for the approval of the Ministry of Justice and the Ministry of Finance.

VOLUNTARY RETURN

No voluntary return programmes are actually being launched in Latvia. The voluntary return principle is applied to the following groups of third-country nationals:

- ✓ third-country nationals who reside in the Republic of Latvia legally and who have taken a decision to leave the State and return to their country of citizenship or ethnic origin voluntarily.
- ✓ third-country nationals the validity of whose residence permit has expired or their residence permit is annulled. Such person shall leave the State within 45 days as prescribed by the law.

From 1998 to 2002 the International Organisation for Migration Rīgas Bureau has successfully carried out several voluntary return projects. All in all the Bureau has helped 219 persons return to their home country. The most of persons returned to Russia – 21%, Armenia – 17%, Azerbaijan – 10% (see Table 3.1.1).

Table 3.2.1³⁵
**The number of persons who have used
the voluntary return principle**

Country	Number	%
Russia	47	21
Armenia	37	17
Azerbaijan	23	10
Georgia	16	7
The Ukraine	14	6
Pakistan	14	6
China	13	6
Sri Lanka	10	5
Kazakhstan	9	4
Vietnam	8	4

However, after 2002 the International Organisation for Migration Rīgas Bureau has had no possibility to attract resources to continue such programmes.

The Agreement on Regulation of Migration Processes and Protection of Migrants' Rights was signed between the Government of the Republic of Latvia and the Government of the Russian Federation on 2 June 1993 in Moscow. On 1 April 1997 the Migration Service of the Russian Federation was opened. **9925** persons have emigrated from Latvia to Russia within the period from 1 January 1997 to 21 April 2006 (see Table 3.1.2).

Table 3.2.2
**The number of migrants from Latvia to Russia,
1997 – 01.08.2006³⁶**

Year	Number of persons
1997	2016
1998	1912
1999	1062
2000	1343
2001	913
2002	807
2003	698
2004	587
2005	317
Until 01.08.2006	270
Total	9925

³⁵ Data by the International Organisation for Migration Rīgas Bureau

³⁶ Data by the Office of Citizenship and Migration Affairs

When questioning persons who reside in the Republic of Latvia legally and who have taken a decision to leave the State and voluntary return to their country of citizenship of ethnic origin the replies given testify that the persons emigrate from the State due to:

- ✓ the poor economic and household conditions;
- ✓ the unstable political situation in the State;
- ✓ their relatives located in the home country;

as well as due to the wish to return to their home country.

Among the obstacles that do not let them take a decision to leave the State and return voluntarily to their host country the following is mentioned:

- ✓ processing of documents,
- ✓ lack of financial resources,
- ✓ encumbered settlement of household matters (especially that of a flat) from distance.

By now, no information campaigns about voluntary return have been organised in Latvia.

FORCED RETURN

In Latvia, the institutions involved in the control of illegal migration are the Office of Citizenship and Migration Affairs, the State Border Guard, the Consular Department of the Ministry of Foreign Affairs, diplomatic and consular representations of the Republic of Latvia and district (town) courts.

The Office of Citizenship and Migration Affairs is a state administration institution under supervision of the Ministry of the Interiors which implements the state migration and asylum policy, establishes persons' legal status in the State and provides their registration as well as issues personal identity documents and travel documents³⁷. The Office of Citizenship and Migration Affairs:

- ✓ issues removal orders;
- ✓ takes decisions regarding aliens' forced return;
- ✓ determines re-entry bans;
- ✓ maintains and updates the list of the aliens prohibited to enter the Republic of Latvia;
- ✓ issues travel documents;
- ✓ takes decisions regarding the admission of persons (issue of arrival cards).

The State Border Guard is an armed direct administration institution under supervision of the Minister of the Interiors which implements the state border security policy, and — within the scope of its authority — the state migration policy³⁸.

The State Border Guard:

- ✓ performs border control and takes decisions regarding persons' entry into the Republic of Latvia;
- ✓ controls compliance with visa and residence requirements;
- ✓ detains and accommodates the aliens whose stay in the State is illegal;
- ✓ takes decisions regarding aliens' forced return (in the border zone, at the border checkpoint or at the point of entry);
- ✓ expels aliens;
- ✓ performs the procedural execution of readmission agreements;
- ✓ performs aliens' employment control;
- ✓ determines re-entry bans.

³⁷ Cabinet Regulations No. 7 of 7 January 2003 "Regulations of Office of Citizenship and Migration Affairs", *Latvijas Vēstnesis* No. 5, 01.10.2003

³⁸ Cabinet Regulations No. 122 of 15 February 2005 "State Border Guard Regulations", *Latvijas Vēstnesis* No. 28, 02.18.2005

The Consular Department of the Ministry of Foreign Affairs requests travel documents (return cards) for the aliens to be expelled as well as issues re-entry bans³⁹. Diplomatic and consular representations of the Republic of Latvia determine re-entry bans.

The respective district (town) court takes decisions on aliens' detention and imposes an additional punishment – forced return from the Republic of Latvia.

Up to year 2006, the central problem of aliens' forced return from the Republic of Latvia was related to the fact that after the return decision and non-extension of the detention period had been taken by the Office of Citizenship and Migration Affairs the person to be expelled avoided removal and continued to stay in the State illegally.

The immigration and criminal investigation units of the State Border Guard had faced situations where judges, when taking decisions on the extension or non-extension of the detention period for an illegal immigrant, lacked the required argumentation and criteria, which resulted in failure of the made decisions to facilitate the expulsion of the illegal residents.

According to court decisions "Detention and keeping under custody stipulated by the Immigration Law is basically temporary restriction or incapacitation of personal freedom, and restriction of personal freedom is one of the central issues of human rights". Court decisions specify that detention and keeping under custody are permissible by meeting the proportionality principle. Serious restriction of personal freedom may be justified only in case of gaining significant public benefit. However, applications of the State Border Guard do not usually contain any previously specified principles of the necessity for freedom restriction.

As a result, according to court decisions on the non-extension of the detention period, the following number of persons were released from the Illegal Immigrants Accommodation Centre:

- ✓ 18 persons in 2004;
- ✓ 9 persons in the first quarter of 2005.

In total, during 2004 and 4 months of 2005, 27 persons were released (respectively: 11 nationals of the Ukraine, 1 – Uzbekistan, 10 – the Russian

³⁹ Regulations of the Consular Department of the Ministry of Foreign Affairs. See the Internet 08.03.2006 <http://www.mfa.gov.lv/lv/Ministrija/4387/KonsularaDepartamentaReglaments>

Federation, 2 – Belarus, 1 – Armenia, 1 – Lithuania and 1 stateless person) from whom:

- ✓ 8 persons were repeatedly detained and subjected to forced return from the Republic of Latvia;
- ✓ 2 persons reside in Latvia without a definite domicile and the Immigration services execute their search;
- ✓ Domiciles of 12 persons are known and monitored by the Immigration services until the respective embassies issue return guaranties of their countries to these persons, while 2 of these persons are at law with the Office of Citizenship and Migration Affairs regarding withdrawal of the decision regarding forced return;
- ✓ 5 persons have been granted the right to legalise their stay.

Thus, only one fifth of the released illegal immigrants had the right to legalise their stay in the Republic of Latvia, while the other detained aliens continued or continue to stay in the Republic of Latvia illegally after their release.

However, the situation changed significantly at the end of 2005 following the adoption of the amendments to the Immigration Law. The Law was supplemented with Article 54¹ which stipulates criteria for taking decisions on the extension or non-extension of the detention period for illegal immigrants. Upon taking a decision on the extension of the detention period or a refusal to extend the detention period, the judge is required to specify the established facts, conclusions and arguments that make grounds for the made decision.

An alien who has been issued a voluntary return order does not leave the State in a timely manner because:

- ✓ the person has no resources for return;
- ✓ during the stay in the Republic of Latvia, the person has lost the connection with the country of origin (no relatives, no domicile);
- ✓ a poor economic situation in the person's country of origin;
- ✓ the person has relatives in Latvia.

A separate group of persons, which the decision on return refers to, is the former non-citizens of Latvia who have acquired the citizenship of Russia but have failed to obtain the residence permit in the Republic of Latvia in a timely manner.

According to the first and third sections of Article 70 of the Administrative Procedure Law⁴⁰, if the external normative act or the administrative act itself – the removal order – does not provide otherwise, the removal order comes into effect upon communicating it to the addressee. The mean by which the removal order is communicated to the addressee – in writing, verbally or otherwise – does not affect its coming into force. The removal order is valid until it is cancelled, executed or until it becomes impossible to execute the removal order due to changes in the actual or legal circumstances.

The fourth section of Article 360 of the above-mentioned law, in its turn, stipulates that the administrative act – the removal order – shall not be executed if more than three years have passed upon its coming into effect. When calculating the limitation period, one shall deduct the time during which the validity of the removal order has been suspended.

3.3.1. PROCEDURES OF FORCED RETURN

The procedures by which the decision regarding forced return is taken are stipulated by the Immigration Law, the Asylum Law⁴¹, Cabinet Regulations No. 29 of 20 January 2003 "Procedures by which a Person in relation to whom Decision has been Taken on Refusal to Grant Refugee and Alternative Status shall be Expelled from the Republic of Latvia", Cabinet Regulations No. 212 of 29 April 2003 "Procedures for the Forcible Expulsion of Aliens, Form of Standard Travel Document and Procedures for Issue Thereof" and Cabinet Regulations No. 732 of 27 September 2005 "Regulations regarding Residence Permits".

If during an alien's stay in the Republic of Latvia he or she has violated the procedures for aliens' entry or stay in the Republic of Latvia as prescribed by the law, an official of the Office of Citizenship and Migration Affairs (hereafter – the Office) issues a removal order. Prior to the issue of the removal order, the official of the Office grants the alien a possibility to provide explanation of the committed violation.

If by assessing the severity of the violation, circumstances of the violation and the alien's identity, the official of the Office establishes that it is not preferable to issue the removal order, the alien is ordered to leave the Republic of Latvia within a specific period by making a note in the alien's travel document specifying the date by which the alien is required to leave the State.

⁴⁰ Administrative Procedure Law, *Latvijas Vēstnesis* No. 164, 11.14.2001

⁴¹ Asylum Law, *Latvijas Vēstnesis* No. 48, 03.27.2002

The removal order shall specify:

- ✓ the number of the removal order and the date of issue;
- ✓ the alien's personal data;
- ✓ information on the alien's travel document if the alien possess such;
- ✓ the actual justification of the removal order;
- ✓ the legal basis of the removal order – the relevant articles of laws and regulations, their sections and clauses and their deciphering;
- ✓ the substance of the alien's explanation or the fact that the alien has refused to provide explanation;
- ✓ the length of the re-entry ban;
- ✓ the date by which the alien shall leave the Republic of Latvia;
- ✓ the appeal procedure of the removal order.

When issuing the removal order, the official of the Office explains its substance to the alien and appeal procedures thereof. The Office informs the relevant territorial structural unit of the State Border Guard about the issue of the removal order in writing by sending a copy of the removal order.

If after notified, the alien fails to collect the removal order, the Office sends the removal order to the territorial structural unit of the State Border Guard according to the alien's domicile in the Republic of Latvia in order the State Border Guard could submit the removal order to the alien.

The Office in cooperation with the State Border Guard controls whether an alien who has received a removal order departs from the Republic of Latvia in a timely manner.

In case an alien fails to leave the Republic of Latvia within seven days after he or she has received a removal order and has not appealed it to the Head of the Office or the Head of the Office has dismissed it, or an official of the State Border Guard has detained an alien in the territory of the Republic of Latvia, the official of the Office takes a decision regarding the alien's forced return.

After adopting a return decision, the Office together with the State Border Guard takes measures to ensure the expulsion of the alien.

Within one working day, the Office sends the made decision regarding forced return to the territorial structural unit of the State Border Guard according to the alien's domicile in order the State Border Guard could ensure the implementation of the decision.

The official of the State Border Guard acquaints the alien with the decision regarding forced return in a language he or she understands (where necessary, with the help of an interpreter) and explains to him or her the substance of the decision as well as and the appeal procedure thereof.

In order to ensure and guarantee the safety of the expulsion process as well as the implementation of the decision regarding the forced return of an alien, the Chief of the State Border Guard is entitled to take a decision regarding conveyance of the alien to the country to which the alien is to be expelled.

The State Border Guard informs in writing the Office regarding the implementation of the decision – forced return of an alien.

When a removal order is issued to a person or a decision regarding forced return has been taken, the alien is not enabled to return to his or her country of origin by using the principle of voluntary return.

According to the Immigration Law, the Head of the Office is entitled to withdraw the issued removal order or the taken decision regarding forced return or to suspend its implementation on the ground of humane considerations.

The issued removal order or taken return decision is withdrawn or suspended on the ground of:

- ✓ humane considerations – an alien submits documentation which confirms the alien's need to stay in the Republic of Latvia and inability to return and remain in the country of his or her citizenship or origin;
- ✓ the international legal standards or the state interests of Latvia – an alien submits an application issued by the direct administration institution which confirms the alien's need to stay in the Republic of Latvia.

After suspending the execution of the removal order or the decision regarding forced return, a decision is issued to the person who specifies the measures to be taken to legalise his or her stay in Latvia.

3.3.2. DETENTION

According to the first section of Article 51 of the Immigration Law, an official of the State Border Guard is entitled to detain an alien:

- ✓ if the alien has illegally crossed the state border of the Republic of Latvia or otherwise violated the procedures for aliens' entry and stay in the Republic of Latvia as prescribed by the law;

- ✓ if competent state institutions, including the State Border Guard, have reason to believe that the alien constitutes a threat to the national security or the public policy and public security;
- ✓ in order to implement the decision regarding the forced return of the alien from the Republic of Latvia.

During 2000–2005, the State Border Guard has detained **2697** persons (see table 3.2.2.1).

Table 3.3.2.1⁴²
Reasons for the detention of aliens, 2000–2005

Reason	2000	2001	2002	2003	2004	2005
Violation of entry, stay and visa requirements (Article 51 of the Immigration Law)	893			607	399	307
Employment without a work permit	-	-	141	258	64	28

An official of the State Boarder Guard is entitled to detain an alien for up to 10 days. An official of the State Boarder Guard is entitled to detain an alien for more than 10 days only according to a decision by the judge of the district (town) court.

An official of the State Border Guard may repeatedly request the court to extend the detention period for an alien; however, the total detention period may not exceed 20 months.

When accommodating persons in the Illegal Immigrants Accommodation Centre, separate blocks are provided for men, women and families with children, which exclude any possibility of violence, separation of families and discriminating treatment of the detainees.

Keeping an alien under custody shall not be substituted by an alternative detention measure. The Immigration Law does not provide such a possibility. Following the application by the State Border Guard, the judge takes a decision regarding detention or release of an alien. To take the decision, the judge shall take into account requirements of Article 54¹ of the Immigration Law, namely the decision shall include justified account of the reasons for taking the decision regarding detention or release.

If the State Border Guard detains an illegal immigrant who has relatives in Latvia, the judge not infrequently releases such persons to allow the arrangement of documents needed for the person's return while staying with his or her relatives.

⁴² Data by the State Border Guard

However, such decisions contradict the Immigration Law to a certain extent since the judge allows the alien to stay freely in the State without documents (in most cases also without money or subsistence means) and without rights to work.

3.3.3. TRANSPORT AND REMOVAL MEASURES

According to Article 50 of the Immigration Law, the forced return of aliens is performed by the State Border Guard.

Officials of the Immigration services (units) of the State Border Guard perform forced return of aliens according to State Border Guard Instructions No. 1 of 3 January 2005 "On Forced Return of Aliens".

The chief of the territorial department of the State Border Guard which executes the decision regarding the forced return of an alien:

- ✓ no later than 24 hours prior to the planned time (date) of forced return informs in writing the territorial department of the Border Guard which supervises the border checkpoint where the alien's removal is to be performed about the number of the aliens to be expelled, travel documents in their possession and the date and time of the forced return;
- ✓ provides transport and escort from the place where the detained aliens are kept under custody to the relevant border checkpoint where forced return is to be performed.

Prior to the expulsion of an alien, to determine the composition and route of the escort, the immigration officials assess the personal characteristics of an alien to be expelled, the number aliens to be expelled, travel documents their the possession, conditions of agreements on the persons' readmission (return), namely the readmission agreement, other circumstances (distance of escort, optimal available transport, time allotted for forced return, etc.).

If the immigration officials take a decision to escort the alien to be expelled to the state border of the Republic of Latvia, the senior officer of the shift at the border checkpoint of the territorial department of the Border Guard:

- ✓ receives the alien to be expelled from the senior official of the escort and provides his or her departure from the Republic of Latvia;
- ✓ using the border guard's individual seal, makes a note on the return decision and signs it confirming the fact of expulsion;

- ✓ where necessary, according to the procedures established by the authorised representative of the State Border Guard, informs the border guards of the neighbouring country about the expulsion of the alien.

If the immigration officials conclude that the escort of the alien to the state border of the Republic of Latvia does not guarantee expulsion of the alien or constitutes a risk of the alien's re-entry, the Chief of the Border Guard according to a written report of the immigration officials may provide escort to:

- ✓ a railway or airport border checkpoint of the neighbouring country;
- ✓ a border checkpoint of the country of forced return destination;
- ✓ a border checkpoint of the transit country on forced return route.

If due to objective circumstances the expulsion of the alien fails and the alien to be expelled is delivered back or if after the expulsion the alien re-enters the Republic of Latvia illegally, the immigration officials take a decision on:

- ✓ immediate repeated expulsion of the alien to the same border checkpoint by coordinating it with the border guards of the neighbouring country or another border checkpoint;
- ✓ detaining the alien in special premises for the detained aliens to be kept under custody until finalising the processing of documents needed for his or her return or other formalities;
- ✓ delivering the alien to the territorial department of the Border Guard which has organised his or her forced return or placing the alien in the Illegal Immigrants Accommodation Centre.

Currently, the State Border Guard convoys persons to the state border, the transit country or the domicile in the host country. The situation of each person to be expelled is individual. Success may be measured in both quantity and quality. An important condition is the expenses of forced return.

By now, no collective resistance of persons to be expelled during their transportation has occurred.

The staff of the State Border Guard involved in forced return activities undergoes special training to work with persons to be expelled. When performing forced return, officials of the Immigration units of the State Border Guard also observe internal regulatory documents of the institution of the State Border Guard.

By now, training of the staff of the State Border Guard involved in organisation and execution of forced return activities has taken place in other member states of the European Union. Currently, four officials of the Illegal Immigrants Accommodation

Centre of Riga Department of the State Border Guard are mastering a programme at the training centre of the Prison Administration of the Ministry of Justice which corresponds to the speciality of senior guard. This training also includes escorting issues. In addition, the curriculum of the State Border Guard's college provides close combat training.

The organiser of the escort takes a decision whether to include or not include medical staff in the escort according to the destination and route of the escort and the personal characteristics of the escorted person; however, by now the State Border Guard has no such practical experience.

The cooperation of passenger carriers with the State Border Guard is regulated by:

1) The first and second sections of Article 21 of the Immigration Law which stipulates that the carrier verifies whether the transported alien has documents necessary to enter the Republic of Latvia. Upon request of an official of the State Border Guard, the carrier who has transported the alien to the state border of the Republic of Latvia or in the Republic of Latvia delivers the alien to the country from which they have been transported or to the country which has issued the travel document or any other country which guarantees the alien's entry if:

- a) a decision has been taken to refuse the alien an entry into the Republic of Latvia;
- b) the subsequent carrier which is to transport the alien, who has crossed the territory of the Republic of Latvia in transit, to the country of destination or the subsequent country refuses to do so;
- c) the country of destination or the subsequent country refuses an entry to the alien who has crossed the territory of the Republic of Latvia in transit and returns the alien back to the Republic of Latvia.

2) Article 114² of the Latvian Code of Administrative Offences⁴³ which stipulates that in case of transportation of citizens of countries which are not the member states of the European Union or the European Economic Area to the Republic of Latvia, if such persons do not possess travel documents necessary for crossing the state border of the Republic of Latvia and if the transportation has been performed by carrier by land, air or sea, the natural or legal persons are imposed a penalty from one thousand seven hundred Lats to two thousand eight hundred Lats for each transported person.

⁴³ Latvian Code of Administrative Offences, *Ziņotājs* No. 51, 12.20.1984

3) Section IV "Obligations of Passenger Carriers" of Cabinet Regulations No. 310 of 10 July 2001 "Procedures for Persons Crossing the State Border of the Republic of Latvia"⁴⁴.

Currently, forced return by air is performed by using regular air traffic. This is the cheapest and most convenient practice at the present moment. Latvia has no practical experience in forced return by air with a specially organised charter flight. Such flights are highly expensive and are usually used to expel persons who oppose expulsion by all means and when ordinary expulsion becomes impossible. By now, no such cases have been recorded in Latvia as well as forced return using the regular air traffic occurs relatively seldom. Aliens are mostly expelled from Latvia by land (buses, trains).

3.3.4. SUSTAINABILITY OF FORCED RETURN

Removal orders and return decisions are registered in the data carrier indicating:

- ✓ the serial number of the record;
- ✓ the number of the removal order or the return decision;
- ✓ the date of the removal order or the return decision;
- ✓ the alien's personal data – name (names), surname, date and place of birth, residence address, nationality and its type;
- ✓ information on the alien's travel document – the type of the document, series, number, date of issue, state of issue, issuing authority, validity;
- ✓ the length of the re-entry ban;
- ✓ the date when the removal order has been issued to the alien.

If simultaneously with the removal order or the return decision, a decision to issue a re-entry ban in the Republic of Latvia has been taken, information on the alien is included in the electronic information system – the Re-entry Ban Register.

If an alien receives a removal order, he or she may be issued a re-entry ban in the Republic of Latvia for a period up to three years. If a decision regarding an alien's forced return has been taken, he or she may be issued a re-entry ban for a period from three to five years. Where an alien constitutes threats to the national security, public policy and public security, the alien is issued a re-entry ban in the Republic of Latvia for an indefinite or definite period.

⁴⁴ Cabinet Regulations No. 310 of 10 July 2001 "Procedures for Persons Crossing the State Border of the Republic of Latvia", *Latvijas Vēstnesis* No. 108, 07.13.2001

Upon the alien's request, the length of the re-entry ban may be reduced or the re-entry ban may be withdrawn if the legal or actual circumstances of the case have changed.

When detaining a person who has been issued a re-entry ban in the Republic of Latvia, the circumstances of the person's entry into the State are clarified. In case of repeated detention within one year, the criminal proceedings are instituted. After serving one's custodial sentence, the person is expelled from the State.

RETURN ASSISTANCE

According to the agreement signed between the Government of the Republic of Latvia and the Government of the Russian Federation on regulation of migration processes and protection of migrants' rights, migrants and their family members who leave Latvia to be granted permanent residence in Russia receive free information on migration rules, rights and obligations to be observed when taking up permanent residence in the Russian Federation as well as information on paid employment requirements, education possibilities, vocational training, retraining, vocational orientation and other living conditions (nature and climate, dwelling and household, social, cultural circumstances and others) in the country which the migrants have chosen as their permanent residence. The Migration Service of the Russian Federation in the Republic of Latvia is liable to provide the information.

According to Article 56 of the Immigration Law, the detained aliens, in their turn, have the right to contact the consular institution of his or her country and receive legal assistance as well as to become acquainted personally or through their representatives with materials related to their detention. The State Border Guard is liable to ensure legal assistance.

In addition, according to the Law on State Provided Legal Assistance⁴⁵, free legal assistance is provided to asylum seekers, refugees or persons who have been granted alternative status as well as to aliens who are entitled to such assistance according to mutual agreements which Latvia has concluded with other countries, and citizens of the countries which are not the member states of the European Union if their stay in the Republic of Latvia is legal and they have received a permanent residence permit. The Legal Assistance Administration is liable to provide legal

⁴⁵ Law on State Provided Legal Assistance, *Latvijas Vēstnesis* No. 52, 04.01.2005

assistance. The Legal Assistance Administration is a direct administration institution under supervision of the Ministry of Justice.

IDENTIFICATION AND ACQUISITION OF TRAVEL DOCUMENTS

The procedures for the receipt of travel documents are stipulated by Cabinet Regulations No. 212 of 29 April 2003 “Procedures for the Forcible Expulsion of Aliens, Form of Standard Travel Document and Procedures for Issue”.

According to these regulations, the Office forwards the documents received from the State Border Guard to the Consular Department of the Ministry of Foreign Affairs in order the latter could contact the diplomatic or consular representation of the relevant country to receive the travel documents. After the receipt of the travel document, the Consular Department of the Ministry of Foreign Affairs sends it to the State Border Guard.

The analysis of the procedures for legalising aliens’ forced return and processing documents thereof shows that the currently established procedures for processing and forwarding of travel documents hinder the forced return process. This, in its turn, increases expenses related to aliens’ accommodation. Moreover, the State Border Guard has currently established practice that it is faster to process travel documents when contacting the diplomatic or consular representation of the relevant country to receive the travel documents. However, paying of the state duty for the processing of documents requires additional financial resources not envisaged in the budget of the State Border Guard.

By now, cooperation with the diplomatic or consular representations of the host countries of the aliens to be expelled regarding the organisation of travel documents may be considered as good. To legalise the good practice of the processing of travel documents, amendments to Cabinet Regulations No. 212 of 29 April 2003 “Procedures for the Forcible Expulsion of Aliens, Form of Standard Travel Document and Procedures for Issue Thereof” are being drafted.

In addition, cooperation with the host countries of the aliens to be expelled and transit countries may be regarded as good if the person’s travel documents are in order. As it has been mentioned before, the majority of aliens are expelled via Russia. Persons from more distant countries are expelled by transit via airports in

Moscow, whereas citizens of the Ukraine and Moldova are expelled via Belarus by land.

If the alien regarding whom a return decision has been taken cannot receive a travel document, a travel (return) document is issued. The form of the return document has been designed according to the EU Council Recommendation of 30 November 1994 concerning the adoption of a standard travel document for the expulsion of third-country nationals. By now, the Office of Citizenship and Migration Affairs has issued travel (return) documents to 59 persons. These persons have failed to receive a travel (arrival) document as well as they could not be granted a lawful legal status in the Republic of Latvia as provided by the law.

4. BILATERAL AND MULTILATERAL CO-OPERATION

Latvia has signed readmission agreements⁴⁶ with almost all the senior Member States of the European Union, since it was one of the preconditions that these states would conclude agreements on visa-free regime with Latvia. Out of senior Member States, the United Kingdom and Ireland are the states Latvia has not signed a readmission agreement with.

The situation with the new Member States differs. Latvia has signed only a few readmission agreements. Namely a trilateral readmission agreement among the Baltic States has been signed. It is out-of-date; however, it is impossible to agree on a new text due to non-conformity of opinions of the three countries. Agreements are signed with Hungary and Slovenia. Negotiations with Poland are almost finished. Since these agreements had been concluded when Latvia was regarded as a third country in relations with the Member State of the European Union, the unified readmission agreement sample was applied in the negotiations.

Not all of the agreements establish provisions on procedures to be followed when both the countries have issued residence permits or visas. Agreements with Portugal, Denmark, Italy, Germany, Finland, France, Greece, Hungary and Slovenia lack such provisions.

None of the agreements includes a requirement an alien's readmission when the validity term of his or her residence has expired.

The agreement with Denmark does not prescribe the limitation period of the obligation of readmission of nationals of third countries, which ought to be stipulated though.

However, taking into account that up to now Latvia has not experienced any practical problems in the application of the readmission agreements, it is unlikely that the parties would enter into negotiations to supplement or amend these agreements.

Along with the Member States of the European Union Latvia has signed readmission agreements with Croatia, Island, Norway, the Ukraine, Armenia, Bulgaria, Rumania and Switzerland (the agreement simultaneously applies also to Liechtenstein). All in all the readmission agreements Latvia has signed comply with

⁴⁶ Latvia has signed a readmission agreement with the following countries: Armenia, Austria, the Baltic States, the Benelux countries, Bulgaria, Denmark, France, Greece, Croatia, Island, Italy, Norway, Poland, Portugal, Rumania, Slovenia, Finland, Spain, Switzerland (simultaneously also with Liechtenstein), the Ukraine, Hungary, Germany and Sweden. The Baltic States have entered into negotiations for signing a new readmission agreement, likewise, negotiations for signing such an agreement have been started with Albania, Azerbaijan, Georgia, Canada, Kazakhstan, Moldova, Serbia and Montenegro.

requirements set by the recommendation of the European Union, however, there are some shortcomings to be eliminated:

- ✓ a stipulation on data protection of individuals shall be included in the agreement with Bulgaria;
- ✓ a stipulation on data protection of individuals shall be included in the agreement with Armenia.

Moreover, the agreements are very unclear and imprecise which makes the application of the agreements difficult.

Considering the said, it would be necessary to enter into negotiations with Bulgaria and Armenia for the supplementation of the agreement to make it comply with requirements set by the recommendation of the European Union.

At the same time it has to be mentioned that the European Commission is conducting negotiations with the Ukraine for the signature of a readmission agreement, therefore Latvia no longer has competence to negotiate with the Ukraine to supplement or amend the readmission agreement.

Since Albania is one of the countries subject to the competence of the European Commission in the signature of a readmission agreement, Latvia will not continue the negotiations with Albania.

Currently the Ministry of Interior has to take a decide regarding the countries, the European Commission have entered into negotiations for the signature of a readmission agreement, which are preferable for Latvia to sign an implementing protocol of the agreement with.

Since at the moment 71 citizens of Sri Lanka and 10 citizens of Pakistan⁴⁷ study in the educational establishments of Latvia, which is rather a significant number for Latvia, it would be suitable to sign an implementing protocol of the agreement with these states after the agreement between European Commission and these states comes into effect.

According to the information provided by the State Border Guard, the readmission agreements are not widely applied. The agreements applied are mostly those with Lithuania and Estonia and slightly with Germany and Switzerland (see Annex 3).

⁴⁷ Material by the Office of Citizenship and Migration Affairs about the issued temporary residence permits (unpublished material)

CONCLUSIONS

- 1) Latvia faces no serious problems regarding illegal immigration topical to other Member States of the European Union. However, studies in the field of migration are topical and helpful to gain experience and follow tendencies in the flows of third-country nationals.
- 2) Latvia is reasonably accessible since the migration policy in Latvia is liberal. Thus, a possibility to enter the State and reside here illegally decreases.
- 3) The enlargement of the European Union after 1 May 2004 has influenced the migration policy in Latvia. The number of the removal orders issued and the return decisions taken has decreased.
- 4) Latvia mostly implements forced return procedures. No voluntary return programmes are actually being launched in Latvia due to the insufficiency of financial resources and the shortage of human resources.
- 5) To facilitate the return of illegal immigrants to their host countries greater attention shall be paid to voluntary return issues by providing different programmes since voluntary return of a person is more economically advantageous than keeping this person under custody and their forced return.
- 6) The inflow of illegal immigrants in the relevant town or region is connected with population size, transport infrastructure, employment level and other factors that attract immigrants' inflow.
- 7) The largest number of expellees until 2004 was citizens of the countries having a common border with Latvia, namely citizens of Lithuania, Russia and Belarus.
- 8) No person is expelled from the Republic of Latvia with the destination "unknown", it is indicative of the alignment of legislation and its observance as well as a democratic approach.
- 9) One of the ways to reduce and fight against illegal migration is to define and ensure precise and clear legal migration facilities. By increasing the administrative capacity of the services involved in the control of migration processes and improving their co-operation co-ordinated and purposeful development of these institutions will be ensured and joint priorities and tasks to achieve them set.
- 10) The European Council directives and decisions regarding return are adopted and it testifies to successful work of the services involved in the control of migration processes.

ANNEXES

INVOLVED INSTITUTIONS AND ORGANISATIONS

1. The Office of Citizenship and Migration Affairs
2. The State Border Guard
3. The Consular Department of the Ministry of Foreign Affairs
4. The International Organisation for Migration Rīgas Bureau

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Largest Groups of Expellees

1) The decisions taken regarding forced return, 2003–2005

	2003	2004	2005	% from the sum total		
In total	337	194	149			
Citizens of Russia	77	61	49	22.84	31.44	32.89
Citizens of Lithuania	127	37	-	37.68	19.07	-
Citizens of the Ukraine	20	38	33	5.93	19.59	22.15
Citizens of Belarus	27	19	6	8.01	9.79	4.03
Citizens of Estonia	22	5	-	6.53	2.58	-
Citizens of Georgia	10	6	1	2.97	3.09	0.67
Citizens of Azerbaijan	5	4	4	1.48	2.06	2.68
Citizens of Armenia	7	3	6	2.08	1.55	4.03
The others	42	21	50	12.46	10.82	33.56

2) The removal orders issued, 2003–2005

	2003	2004	2005	% from the sum total		
In total	243	41	27			
Citizens of Lithuania	167	10	3	68.72	24.39	11.11
Citizens of Russia	19	14	10	7.82	34.15	37.04
Citizens of the Ukraine	16	5	2	6.58	12.19	7.41
Citizens of Estonia	8	-	-	3.29	-	-
Citizens of Belarus	6	4	2	2.47	7.76	7.41
Citizens of Armenia	3	1	2	1.23	2.44	7.41
Citizens of Georgia	3	-	-	1.23	-	-
Citizens of Azerbaijan	1	2	2	0.41	4.88	7.41
The others	20	5	6	8.23	12.19	22.22

3) The decreased, annulled re-entry bans, 2003–2005

	2003	2004	2005
In total	103	812	22

4) The number of persons registered in the re-entry ban database, 2000–2005

	2000	2001	2002	2003	2004	2005
In total	1414	2285	1443	1773	1419	454

5) The persons admitted to the State from Switzerland and Germany according to the readmission agreement, 2004–01.06.2006

	2004	2005	Up to 01.06.2006
In total	23	8	5