



**OFFICE OF CITIZENSHIP AND
MIGRATION AFFAIRS**



**EUROPEAN MIGRATION
NETWORK**

**ANNUAL REPORT ON ASYLUM AND
MIGRATION FOR LATVIA
(REFERENCE YEAR: 2005)**

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TABLE OF CONTENTS

| | |
|--|----|
| Introduction | 3 |
| A. Migration Issues | 4 |
| 1) Analysis and interpretation of the migration statistics | 4 |
| 2) Contextual interpretations (legal, political and international factors) | 9 |
| B. Asylum Issues | 14 |
| 1) Analysis and interpretation of the asylum statistics | 14 |
| 2) Contextual interpretations (legal, political and international factors) | 15 |
| C. Illegal Entry | 17 |
| 1) Analysis and interpretation of statistics | 17 |
| 2) Contextual interpretations (legal, political and international factors) | 20 |

INTRODUCTION

It is well known that one of the most significant functions of statistics is to impact shaping the policy and/or suggest revisions to it. Statistical data on migration trends is important to member states of the European Union for analysis of previous and current migration flows and forecast of demographic, social and economic aspects that, in turn, might influence policies in these areas.

Accurate statistical data have impact on reflecting the composition of migration. This information helps in making more accurate forecasts and, thus, provides basis for better planning of future resources. Good statistics ensure that services offered meet the requirements of clients and the division of resources is well-grounded and proportional.

Part 1 of the report provides an analysis and interpretation of the migration statistics, and highlights the main trends and developments in the area of migration in 2005.

Part 2 of the report provides an analysis and interpretation of the asylum statistics, including asylum application trends, and overviews the most significant changes in legislation introduced in 2005.

Part 3 of the report provides an analysis and interpretation of the illegal entry statistics, including basic trends concerning residence permits denied, foreign nationals detained and foreign nationals removed; and gives an overview of the most significant changes in legislation introduced in 2005.

A. MIGRATION ISSUES

The outline, analysis and review of the migration policy is affected and facilitated by statistical data that reflect the political, social and economic conditions in the Republic of Latvia.

The migration trends in the Republic of Latvia one year after its accession to the European Union have not changed significantly. The number of immigrants in the Republic of Latvia has not increased considerably, as demonstrated by statistics of residence permits and visas issued. Most of temporary residence permits were issued for the reasons of family reunification and employment while most permanent residence permits were issued to former non-citizens of Latvia who had received citizenship of another country. Compared to 2004, the number of valid residence permits issued to citizens of the European Union increased slightly; following Latvia's accession to the European Union the biggest number of residence permit applications were received from the citizens of Germany and Estonia. Migration experts think that the current migration trends will continue in the future.

1) Analysis and interpretation of the migration statistics

a) Migration flows¹

The UNO recommendations define long-term migrants, for the purposes of statistics, as individuals who arrive in the country, or leave the country for another country, to live there permanently for at least one year. A necessary pre-requisite is also the fact of declaring the new place of residence at the respective competent institution, as established by legislation. Applying the time criteria of one year or longer allows statistics to separate the long-term migrants from other groups of individuals, e.g., tourists, crossing the national border.

According to the data provided by the State Border Guard, the state borders of Latvia during the past two years were crossed by 10 million people. This number, obviously, is much higher than the number of just long-term migrants.

In 2005, **1,886** individuals from other countries came to live in Latvia (a 13.3% increase over a year before) while **2,450** individuals left Latvia to live elsewhere (10.7% less than in 2004) (se Table 1.1).

¹ Population migration in Latvia in 2004. Viewed on Internet 06 August 2007.
http://www.csb.gov.lv/csp/events/csp/events/csp/events/?mode=arh&period=04.2006&cc_cat=471&id=1014

Table 1.1²
Migration flows, 1999-2005

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Number of permanent residents at the start of the year | 2,399,248 | 2,381,715 | 2,364,254 | 2,345,768 | 2,331,480 | 2,319,203 | 2,306,434 |
| Registered immigrants | 1,813 | 1,627 | 1,443 | 1,428 | 1,364 | 1,665 | 1,886 |
| Registered emigrants | 5,898 | 7,131 | 6,602 | 3,262 | 2,210 | 2,744 | 2,450 |

In 2005, the ratio of citizens of member states of the European Union in the inter-country flow constituted 60.4% while the percentage of citizens of other countries was 39.6%. Of all the emigrants from Latvia, 41.7% went to a member state of the European Union and the balance to other countries. 31.2% emigrants went to live in the Russian Federation, 10.7% to Germany, 7.7% to Great Britain, 6.8% to the USA, 5.8% to Ukraine, 4.6% to Belarus, 4.2% to Lithuania, 3.4% to Ireland, and 3% to Estonia.

Of all the inter-country immigrants, 32.7% were citizens of Latvia and 1.2% were non-citizens of Latvia. The percentages of citizens and non-citizens of Latvia among emigrants were 40.4% and 10%, respectively.

Table 1.2
Immigration and emigration by country, 2005³

| Country | Immigration | | Emigration | | Net migration, number of people |
|----------------------|------------------|------------|------------------|------------|---------------------------------|
| | Number of people | Percentage | Number of people | Percentage | |
| All countries | 1,886 | 100 | 2,450 | 100 | -564 |
| including: | | | | | |
| Russia | 282 | 14.95 | 764 | 31.18 | - 482 |
| Lithuania | 264 | 14.00 | 104 | 4.24 | 160 |
| Germany | 189 | 10.02 | 261 | 10.65 | - 72 |
| Estonia | 134 | 7.10 | 73 | 2.98 | 61 |
| Britain | 128 | 6.79 | 189 | 7.71 | - 61 |
| USA | 122 | 6.47 | 166 | 6.78 | - 44 |
| Ukraine | 71 | 3.76 | 141 | 5.76 | - 70 |
| Finland | 69 | 3.66 | 30 | 1.22 | 39 |
| Sweden | 68 | 3.61 | 47 | 1.92 | 21 |
| Israel | 58 | 3.08 | 35 | 1.43 | 23 |
| Other | 501 | 26.56 | 640 | 26.12 | - 139 |

² Data provided by the Central Statistics Bureau

³ Data provided by the Central Statistics Bureau

Analysis of data on family status of inter-country migrants reveals that most immigrants, 53.6% males and 52.8% females, are single. The ratio of single and married individuals among emigrants is fairly equal – 42.2% and 41.6%, respectively.

Children under the age of 14 constituted 26.6% of immigrants and only 11.1% of emigrants. A new trend among immigrants, closely linked to a broader mobility of labour force in recent years, is a high number of children born in 2005. Last year 161 newborn were among long-term immigrants, compared to just 7 in the year 2000. Of those, 39 babies were born in the United Kingdom and 35 in Ireland in 2005.

b) Population by citizenship

Table 1.3
Population by citizenship⁴

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

⁴ Data provided by the Central Statistics Bureau

| Residents | 2003 | 2004 | 2005 | % of total residents | | |
|--|------------------|------------------|------------------|----------------------|------------|------------|
| | | | | 2003 | 2004 | 2005 |
| Total | 2,331,480 | 2,319,203 | 2,306,434 | 100 | 100 | 100 |
| Citizens of Latvia | 1,796,946 | 1,804,237 | 1,819,222 | 77.07 | 77.80 | 78.87 |
| Citizens of EU | 3,386 | 4,407 | 4,797 | 0.15 | 0.19 | 0.21 |
| Third country citizens | 531,148 | 510,559 | 482,415 | 22.78 | 22.01 | 20.92 |
| <i>incl. non-citizens of Latvia</i> | 504,572 | 481,635 | 452,302 | 21.64 | 20.77 | 19.61 |
| <i>Most significant third country citizen groups</i> | | | | | | |
| Russia | 21,626 | 22,464 | 23,251 | 0.93 | 0.97 | 1.01 |
| Ukraine | 1,907 | 2,338 | 2,429 | 0.08 | 0.10 | 0.11 |
| Belarus | 1,162 | 1,459 | 1,598 | 0.05 | 0.06 | 0.07 |
| USA | 319 | 476 | 487 | 0.01 | 0.02 | 0.02 |
| Armenia | 200 | 235 | 238 | 0.01 | 0.01 | 0.01 |
| Israel | 140 | 205 | 263 | 0.01 | 0.01 | 0.01 |
| Azerbaijan | 125 | 150 | 149 | 0.01 | 0.01 | 0.006 |
| Moldova | 109 | 126 | 126 | 0.004 | 0.005 | 0.005 |
| Kazakhstan | 85 | 107 | 111 | 0.004 | 0.005 | 0.004 |
| India | 66 | 122 | 115 | 0.003 | 0.005 | 0.005 |

According to the data provided by the Central Statistics Bureau, the population of Latvia continued decreasing in 2005. At the start of 2006 the population totaled 2,295,000, or 11,800 less than a year earlier. The rate of decrease of population in 2005 was lower than a year before: 0.51% in 2005 versus 0.55% in 2004. The number of residents dropped by 11,300 due to negative natural population growth rate (when the number of deaths is higher than the number of births); and the prevalence of emigration over immigration decreased the number by a further 500⁵.

In 2005, like 2004, the biggest number of immigrants continued to come from neighbouring countries, e.g., Russian Federation, Ukraine and Belarus. There have been no notable changes in the number of immigrants.

⁵ Changes in the Demographic Situation in Latvia in 2005. Viewed on Internet 06 August 2007.
http://www.csb.gov.lv/csp/events/csp/events/?mode=arh&period=05.2006&cc_cat=471&id=1015

c) Residence permits in 2005

Table 1.3⁶
Residence permits issued in 2005

| | 2002 | 2003 | 2004 | 2005 |
|----------------------|--------------|--------------|--------------|--------------|
| Total | 6,522 | 8,263 | 5,406 | 5,409 |
| Family reunification | 2,235 | 4,135 | 2,365 | 2,346 |
| Spouses | 1,835 | 3,098 | 1,224 | 1,314 |
| Children under 18 | 400 | 224 | 115 | 93 |
| Other family members | ... | 813 | 740 | 513 |
| Studies | 493 | 590 | 656 | 667 |
| School students | ... | ... | ... | ... |
| University students | ... | ... | 441 | 455 |
| Employment | 1,784 | 2,223 | 1,935 | 2,025 |
| Self-employed | 399 | 1,173 | 664 | 672 |
| Employed | 1,385 | 1,050 | 1,271 | 1,349 |
| Other | 2,010 | 1,315 | 450 | 371 |

... - data missing or unreliable

The number of both, temporary and permanent residence permits, increased during the review year, as compared to 2003 and 2004. Temporary residence permits were mainly issued to foreign nationals wishing to reside in Latvia due to family reunification, employment, entrepreneurial activities and studies. The most temporary residence permits were issued to spouses of citizens of Latvia.

Compared to 2004, the decisions made increased considerably during the review year; 9,702 decisions in 2004 versus 11,232 decisions in 2005. In 2005, 11,118 decisions to issue a residence permit were made and only 44, or 0.39%, decisions to refuse a residence permit. This is partly due to the fact that the list of individuals having the right to apply for a residence permit has been extended in accordance with the Immigration Law.

Compared to 2003 and 2004, the number of registered residence permits increased in 2005; a total of 4,685 residence permits were registered in 2004 versus 5,501 in 2005. The increase in the number of registered residence permits is linked to the increase in the number of residence permits issued.

Compared to previous years, the number of work permits issued in 2005 increased as foreign businesses have shown interest in Latvia and its economic growth potential after the country's accession to the European Union. A total of 4,609 work permits were issued to foreign nationals during the review period (compared to 3,717 in 2004 and 2,984 in 2003).

Analysis of trends in migration processes reveals that the scope of migration is relatively unchanged. The main immigrant groups are: foreign nationals receiving residence

⁶ Data provided by the Office of Citizenship and Migration Affairs

permits due to family reunification, non-citizens who have been granted citizenship of another country and a residence permit in Latvia, and foreign nationals who have received a residence permit in Latvia due to employment.

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

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

In accordance with tasks established by legislative acts, the main priority for 2005 was to shape and implement the national migration policy by abiding with the requirements of the European Union legislative acts.

The following activities were undertaken during the review period in order to implement the European Union legislative acts:

- ✓ To implement the European Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, the necessary amendments were made to the Immigration Law.
- ✓ To implement the Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, amendments to the Immigration Law were devised and a new draft “Law on the Status of Permanent Residents of the European Community in the Republic of Latvia” worked out that proposed to introduce a new status, that of a permanent resident of the European Community in the Republic of Latvia.
- ✓ A draft law on “Entry and Residence of Citizens of the European Union, European Economic Area and the Confederation of Switzerland and their Family Members in the Republic of Latvia” was devised.
- ✓ A new draft law is being devised to comply with the Directive 2004/58/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States amending Regulation (EEC) No 1612/68 and repealing Directives 64/221/EEC, 68/360/EEC, 72/194/EEC, 73/148/EEC, 75/34/EEC, 75/35/EEC, 90/364/EEC, 90/365/EEC and 93/96/EEC.
- ✓ The 2006-2009 Development Programme for Common Asylum and Migration Management System was worked out and approved by the Cabinet of Ministers on 31 January 2006.

In order to implement the European Union migration policy the following national legislative acts were devised in 2005:

- ✓ “Amendments to the Immigration Law”;
- ✓ Cabinet of Ministers Regulations “On Sufficient Financial Means for Entry and Residence in the Republic of Latvia”;
- ✓ Cabinet of Ministers Regulations “Amendments to the Cabinet of Ministers Regulations No. 217 of 29 April 2004 “Visa Regulations””;
- ✓ Cabinet of Ministers Regulations “Residence Permit Regulations”;
- ✓ Cabinet of Ministers Regulations “Amount of Financial Means Deemed Sufficient for Foreign Nationals un the Procedure for Verifying It”;
- ✓ Cabinet of Ministers Regulations “Amendments to the Regulations No. 183 of 15 April 2003 “Procedure of Approving Letters of Invitation””;
- ✓ Cabinet of Ministers Regulations “Amendments to the Regulations No. 914 of 9 November 2004 “Protocol for Entry and Residence in the Republic of Latvia of Citizens of Member States of the European Union and European Economic Area, and of Confederation of Switzerland, and their Family Members””;
- ✓ Cabinet of Ministers Regulations “Amendments to the Regulations No. 214 of 29 April 2003 “Regulations on the Fee Charged for Processing Visa or Residence Permit Applications and Related Services””.

Implementation of the Schengen Facility project “Development of Visa Information System” was begun in 2005. During the project implementation a National Visa Information System will be established in Latvia that will ensure basic activities of the visa issuance process, processing of applicant’s biometric information, and data exchange with the European Union Central Visa System and with other information systems.

b) Types of residence permits issued in 2005

In accordance with the Immigration Law, a foreign national can receive either a temporary or a permanent residence permit in Latvia. In 2005, the following reasons for issuing a residence permit were listed in Latvia:

- ✓ Personal visit;
- ✓ Spouse of a citizen of Latvia;
- ✓ Spouse of a non-citizen of Latvia;
- ✓ Under-age children of a spouse of a citizen of Latvia;
- ✓ Under-age children of a spouse of a non-citizen of Latvia;
- ✓ Student exchange;

- ✓ Studies and academic work;
- ✓ Work agreement;
- ✓ Council or board member;
- ✓ Representative of a foreign business entity;
- ✓ Expert or consultant;
- ✓ Manager of a business entity;
- ✓ Manager of a structural unit of a business entity;
- ✓ Religious activities;
- ✓ Medical treatment;
- ✓ Representative of a public/government organization;
- ✓ Spouse of a foreign national;
- ✓ Under-age children of a foreign national;
- ✓ Significant capital investment (Ls 600,000).
- ✓ Individual business person;
- ✓ Self-employed;
- ✓ Volunteer work;
- ✓ Individual having joined a monastery;
- ✓ Scientific work;
- ✓ Intern or apprentice;
- ✓ Participation in the implementation of an international agreement or project;
- ✓ Participation in a government or municipal project;
- ✓ Receiver of services;
- ✓ Provider of services;
- ✓ Sufficient financial means;
- ✓ Parents of a citizen of Latvia and their spouses;
- ✓ Parents of a non-citizen of Latvia and their spouses;
- ✓ Foreign national who was a citizen of Latvia on 17 June 1940;
- ✓ Foreign national whose parent is a citizen of Latvia;
- ✓ Foreign national under custody or guardianship;
- ✓ Individual having received alternative status;
- ✓ Decree from the Minister of the Interior;
- ✓ Repatriate;
- ✓ Family member of a repatriate;
- ✓ Foreign national who has custody over a child, a citizen or non-citizen of Latvia;
- ✓ Child (a foreign national) of a citizen of Latvia;

- ✓ Child (a foreign national) of a non-citizen of Latvia;
- ✓ Child (a foreign national) of a foreign national;
- ✓ Foreign national who has lived in Latvia for 10 years;
- ✓ Under-age child of a foreign national who has lived in Latvia for 10 years;
- ✓ Permanent resident of Latvia who is a citizen of another country (also children);
- ✓ Foreign national who studied in the Latvian language.

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

- ✓ a foreign national has not submitted all the documents for the residence permit application, as prescribed by the Cabinet of Ministers regulations, or refuses to provide any explanations pertaining to receipt of a residence permit;
- ✓ a foreign national has provided false information;
- ✓ a foreign national does not have sufficient financial means to reside in the Republic of Latvia;
- ✓ a foreign national has submitted the documents for a residence permit application but has no travel document or has a travel document that is not recognized in the Republic of Latvia;
- ✓ a foreign national has an ailment or an illness that poses a threat to public security or public health, or there is reason to believe that a foreign national might pose a threat to public health, except when a foreign national has arrived to treat the respective ailment or illness with a permission from the Ministry of Health;
- ✓ a foreign national has resided illegally in the Republic of Latvia, or a court decision has established that the foreign national has helped another foreign national to enter the Republic of Latvia illegally;
- ✓ a foreign national is on the list of individuals who are banned from entering the Republic of Latvia;
- ✓ a foreign national has been found guilty by a court ruling of an offence committed in the Republic of Latvia or abroad that carries a prison sentence for a period of no less than three years in accordance with the legislation of the Republic of Latvia. The provision shall not be applicable if the individual has been acquitted in accordance with the procedure established by law, or if at least five years have passed since serving of the prison sentence for the offences committed abroad;

- ✓ a foreign national has received reimbursement for relocating to another country, irrespective of whether the Republic of Latvia or municipal institutions or international funds or institutions paid out the compensation;
- ✓ the individual who invited the foreign national has lost his/her right to stay in the Republic of Latvia;
- ✓ a foreign national has joined another country's military or other public service;
- ✓ there is reason to believe that the foreign national has entered a fictitious marriage in order to receive a residence permit in the Republic of Latvia;
- ✓ a foreign national is under custody or guardianship of another foreign national who has been banned from entering the Republic of Latvia;
- ✓ there is reason to believe that the adoption is fictitious and undertaken so that the foreign national could receive a residence permit in the Republic of Latvia;
- ✓ a foreign national is working without a work permit or has worked without a work permit for the past year;
- ✓ the individual who invited the foreign national recalls the invitation in writing;
- ✓ the individual who invited the foreign national is missing, lost his/her capacity to act or has died;
- ✓ competent foreign authorities have provided information that serves as basis for banning the foreign national from entering and residing in the Republic of Latvia;
- ✓ information provided by the foreign national does not establish a strong link to his/her domicile country and there is reason to believe that the foreign national poses an illegal immigration risk;
- ✓ the individual who invited the foreign national is detained at a pre-trial detention centre or serves time in prison.

c) European and/or international factors that have shaped certain modifications and/or continuity in the field of migration in 2005

No significant changes took place in 2005 in the field of migration. As noted above, most attention was directed towards transferring the legal norms of the European Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification, the Council Directive 2003/109/EC of 25 November 2003 concerning the status of third-country nationals who are long-term residents, the Directive 2004/58/EC of the European Parliament and of the Council of 29 April 2004 on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States.

B. ASYLUM ISSUES

The flow of asylum seekers is dependent on various factors (economic, social, political and human rights conditions in different countries); therefore, the number of future asylum applications is hard to predict.

The flow of asylum seekers after Latvia's accession to the European Union has not increased notably. There was a slight increase in 2005 but it is not possible to detect any real trends for the flows of asylum seekers through Latvia or to Latvia. The economic conditions and the geographic location of Latvia do not attract asylum seekers; therefore, the number of asylum applications is considerably lower than the forecast.

Statistics demonstrate that the asylum system in Latvia is geared towards ensuring a safe and efficient procedure to eliminate abuse of the system.

1) Analysis and interpretation of the asylum statistics

a) Trends in first-time asylum applications in 2005

Table 2.1⁷

Total number of first-time asylum applications, 1998-2005

| 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|------|------|------|------|------|------|------|------|
| 58 | 22 | 5 | 14 | 30 | 5 | 7 | 20 |

In 2005 asylum was sought in Latvia by seven citizens of Somalia, six citizens of Iraq, three citizens of the Russian Federation, two Belarus citizens and one citizen of Moldova and Japan each.

Compared to previous years, the number of asylum applications processed increased in 2005 (20 applications were reviewed); however, no asylum was granted to the applicants either because there was not sufficient reason for granting the status or the review of the application is being continued in 2006.

Since 1998 when the asylum procedure was started in Latvia, asylum applications from citizens of Somalia, Japan and Moldova were received for the first time.

⁷ Data provided by the Office of Citizenship and Migration Affairs

b) Number of initial and final positive decisions in 2005

Table 2.2⁸
Total number of decisions, 2005

| | Total | First Level | First Appeal |
|---------------------------|--------------|--------------------|---------------------|
| Total | 12 | 12 | - |
| Positive decisions | - | - | - |
| Negative decisions | 12 | 12 | - |
| Other no-status decisions | - | - | - |

In 2005, no positive decisions were made to grant a refugee or alternative status. There is no significant change from 2004.

c) Changes in granting status to specific citizenship groups

The flow of asylum seekers after accession to the European Union has not increased notably. There was a slight increase in 2005 but it is not possible to detect any real trends for the flows of asylum seekers through Latvia or to Latvia.

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

a) Most significant changes in legislation in 2005

The following legislative acts were devised to comply with the European Union asylum policy:

- ✓ “Amendments to the Asylum Law”;
- ✓ Cabinet of Ministers “Regulations on the Amount to Cover the Cost of Food, Hygiene and Basic Necessities Items for Asylum Seekers and the Procedure of Reimbursement”;
- ✓ Cabinet of Ministers Regulations “Protocol for Family Reunification in the Republic of Latvia for Individuals who are Considered Refugees or who have been Granted Alternative Status”;
- ✓ Cabinet of Ministers “Regulations on Assistance to Refugees and Individuals who have been Granted Alternative Status”;
- ✓ Cabinet of Ministers Regulations “Procedure for Providing Education to Under-age Children of Asylum Seekers or Under-age Asylum Seekers”;
- ✓ Cabinet of Ministers Regulations “Amendments to the Regulations No. 406 of 3 September 2002 “Regulations on Identification Document of an Asylum Seeker, and the Procedure of its Issuance””;

⁸ Data provided by the Office of Citizenship and Migration Affairs

- ✓ Cabinet of Ministers Regulations “Amendments to the Regulations No. 410 of 3 September 2002 “Regulations on Identification Documents for an Individual having been Granted Alternative Status, and Identification Certificates for an Individual having been Granted Temporary Protection””;
- ✓ Cabinet of Ministers Regulations “Amendments to the Regulations No. 409 of 3 September 2002 “Regulations on Travel Documents for Refugees””.

The European Refugee Fund project “Adoption of the Standards for the Reception and Accommodation of Asylum Seekers. Strengthening of the Administrative Capacity of the Institution Involved in the Process of Accommodation of Asylum Seekers” was implemented during the review period. Its overall objective was to improve the welcome and housing conditions for asylum seekers with special needs in the “Mucenieki” Reception Centre, alter premises to accommodate asylum seekers with hindered movement and mobility and to establish a material-technical basis for adequate education of asylum seekers.

Implementation of the EQUAL project “Step by Step” under initiative of the European Community was started in 2005. The objective of the project was to integrate asylum seekers into the society of Latvia.

b) Procedural changes in 2005

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

c) European and/or international factors that have shaped certain modifications and/or continuity in the field of asylum in 2005

In 2005, the institutions responsible for the asylum system concentrated on devising and passing legal acts to comply with the requirements of the Council Directive 2003/9/EC of 27 January 2003 laying down minimum standards for the reception of asylum seekers, and on putting them into practice.

C. ILLEGAL ENTRY

The structural units of the State Border Guard continued functioning successfully in 2005 and ensured control of entry and residence of foreign nationals throughout the country.

The State Border Guard, along with other institutions, has established the spots in the Republic of Latvia that pose the most serious illegal immigration risk and found a way to mitigate the situation by enforcing certain requirements for legal residence of foreign nationals in Latvia.

1) Analysis and interpretation of statistics

a) Developments and/or trends with respect to aliens refused in 2005, compared to 2004

783 individuals were refused entry into the Republic of Latvia on the national border by the State Border Guard in 2005 (See Table 3.1).

Table 3.1⁹
Total number of aliens refused, 2000-2005

| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|--------------|------|------|-------|-------|-------|------|
| Total | 938 | 707 | 1,084 | 2,856 | 2,024 | 783 |

In 2005, the most entry permits were refused to citizens of Russia (48%), Belarus (13%), Ukraine (11%), and India (5%). Other countries did not exceed the 5% threshold (see Table 3.2).

Table 3.2¹⁰
Number of aliens refused entry into Latvia, 2005

| Citizenship | Total | % |
|--------------------|--------------|------------|
| Russia | 379 | 48.40 |
| Belarus | 101 | 12.90 |
| Ukraine | 85 | 10.86 |
| India | 38 | 4.85 |
| Kazakhstan | 27 | 3.45 |
| Kirghistan | 19 | 2.43 |
| Romania | 17 | 2.17 |
| Moldova | 14 | 1.79 |
| Bulgaria | 12 | 1.53 |
| Turkey | 12 | 1.53 |
| Other | 79 | 10.09 |
| Total | 783 | 100 |

⁹ Data provided by the State Border Guard

¹⁰ Data provided by the State Border Guard

Compared to 2004, the number of admissions refused decreased considerably, mainly due to the introduction of minimum requirements for border control and cancellation of electronic border control for citizens of the European Union, European Economic Area and the Confederation of Switzerland.

Citizens of Ukraine and Moldova, in turn, attempt to use the Republic of Latvia as a transit country on their way to Western Europe while using counterfeit passports of citizens of Lithuania.

b) Developments and/or trends with respect to aliens apprehended in the country in 2005, compared to 2004

According to data provided by the State Border Guard, a total of **307** foreign nationals were detained in Latvia in 2005 (see Table 3.3).

Table 3.3¹¹

Total number of aliens apprehended, 2000-2005

| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Total | 293 | 283 | 377 | 609 | 399 | 307 |

Compared to 2004, the number of foreign nationals detained in the Republic of Latvia continues to decline. Of all the foreign nationals detained, 90% had violated entry, residence or visa regulations and 10% were working without a work permit.

Most of the foreign nationals detained in the Republic of Latvia in 2005 were citizens of Russia (30%), Ukraine (16%), individuals of no citizenship (10%), and Moldova (9%) (see Table 3.4).

Table 3.4¹²

Aliens apprehended, 2005

| Citizenship | Total | % |
|--------------------|--------------|------------|
| Russia | 93 | 30.29 |
| Ukraine | 50 | 16.29 |
| No citizenship | 30 | 9.77 |
| Moldova | 27 | 8.79 |
| Lithuania | 21 | 6.84 |
| Estonia | 11 | 3.58 |
| Belarus | 9 | 2.93 |
| Armenia | 8 | 2.61 |
| Azerbaijan | 8 | 2.61 |
| Somalia | 7 | 2.28 |
| Other | 43 | 14.01 |
| Total | 307 | 100 |

¹¹ Data provided by the State Border Guard

¹² Data provided by the State Border Guard

c) Developments and/or trends with respect to aliens removed in 2005, compared to 2004

According to data provided by the State Border Guard, a total of **190** foreign nationals were removed in 2005 (see Table 3.5).

Table 3.5¹³

Total number of aliens removed, 2000-2005

| | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
|--------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Total | 238 | 233 | 254 | 366 | 244 | 190 |

Most of the foreign nationals removed in 2005 were citizens of Russia (31%), Ukraine (19%), Moldova (10%), and Belarus (5%). Citizens of other countries did not exceed the 5% threshold (see Table 3.6).

Table 3.6¹⁴

Aliens removed, 2005

| Citizenship | Total | % |
|--------------------|--------------|------------|
| Russia | 59 | 31.05 |
| Ukraine | 37 | 19.47 |
| Moldova | 20 | 10.52 |
| Belarus | 9 | 4.74 |
| Iraq | 6 | 3.16 |
| Armenia | 6 | 3.16 |
| Azerbaijan | 5 | 2.63 |
| Georgia | 5 | 2.63 |
| Uzbekistan | 4 | 2.11 |
| Israel | 4 | 2.11 |
| Other | 35 | 18.42 |
| Total | 190 | 100 |

Compared to 2004, the number of foreign nationals removed has diminished. The decrease is mainly due to the expansion of the European Union after 1 May 2004 and expertise and professionalism of the services responsible for controlling illegal immigration.

d) Biggest groups of illegal foreign nationals

In 2005, similar to 2004, the biggest groups of illegal foreign nationals were from countries whose citizens do not encounter a language barrier in Latvia, find that the climate is similar, and have an opportunity to be employed by a fair number of businesses established by their source countries in Latvia.

¹³ Data provided by the State Border Guard

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

a) Most significant changes in legislation in 2005

In 2005 the most significant changes in legislation were the draft law “Amendments to the Code of Administrative Violations” and the draft law “Amendments to the Law “On Aviation””. The objective was to establish penalty for air carriers for failing to communicate passenger data or providing incomplete or incorrect data to the State Border Guard and establish the amount of penalty in accordance with the requirements set by the Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data, as well as to determine the institution responsible for processing administrative matters.

b) Procedural changes in 2005

The structural units of the State Border Guard continued functioning successfully in 2005 and ensured control of entry and residence of foreign nationals throughout the country.

In order to effectively employ the increased number of personnel and complete all current and potential tasks, the State Border Guard together with experts from France implemented the Twinning Light project “Strengthening the Administrative Capacity and Infrastructure of Immigration Units of the State Border Guard” within the PHARE programme. The project lasted for 6 months and its main objective was to ensure effective fighting of the illegal immigration in the interior of the country, as prescribed by standards of the European Union and the Schengen agreement. The project was completed in May 2005.

c) European and/or international factors that have shaped certain modifications and/or continuity in deportation in 2005

In 2005, the 2004 trend continued, i.e., the number of individuals illegally entering the country continued to decrease. Since Latvia’s accession to the European Union the number of individuals sought by police and detained on the border has diminished. If before 1 May 2004 every month the State Border Guard detained 40-50 individuals who were being sought by police, then after 1 May 2004 the number dropped to 10-15 individuals.

¹⁴ Data provided by the State Border Guard