

**ANNUAL REPORT ON MIGRATION AND
INTERNATIONAL PROTECTION
STATISTICS FOR LATVIA
(Reporting Year: 2009)**

Riga, July 2011

The European Migration Network was established by the European Union Council decision 2008/381/EC of 14 May 2008. The Network aims to meet the information needs of the European Community and the Member States' Institutions by providing current, objective, reliable and comparable information on migration and asylum, thus supporting the EU policy-making in these areas. The European Migration Network is also used to provide public information on these issues.

The Network consists of the European Commission and the designated contact points of the Member States. Each contact point forms a national migration network.

Each national contact point submits an annual report describing the migration and asylum situation in the corresponding Member State, including policy development and statistical data.

Latvian contact point of the European Migration Network is the Office of Citizenship and Migration Affairs.

Author of the report:

Kristīne Bērziņa, Expert of the Latvian National Contact Point of the European Migration Network

Reviewers:

Anželika Alike, Chief Inspector of the Returns and Asylum Seeker Affairs Division of the Service Organisation Board of the Central Board of the State Border Guard

Ilze Briede, Head of the Migration Division of the Office of Citizenship and Migration Affairs

Sanda Kundrāte, Head of the Persons' Status Control Division of the Office of Citizenship and Migration Affairs

Andris Vaivods, Chief Inspector of the Analytical Division of the Service Organisation Board of the Central Board of the State Border Guard

Līga Vijupe, Head of the Asylum Affairs Division of the Office of Citizenship and Migration Affairs

Contact details:

Ciekurkalna 1st Line 1, Building 3,

Riga, LV-1026, Latvia

Phone: +371 67219492

Fax: +371 67219431

E-mail: emn@pmlp.gov.lv

Web: www.emn.lv

CONTENTS

INTRODUCTION

2. METHODOLOGY

3. LEGAL MIGRATION AND INTEGRATION

3.1. International Migration, Usually Resident Population and Acquisition of
Citizenship

3.1.1. International Migration Flows

3.1.2. Usual Residence

3.1.3. Acquisition of Citizenship

3.2. Residence Permits and Residence of Third-Country Nationals

4. ILLEGAL MIGRATION, FORCED RETURN AND VOLUNTARY RETURN

4.1. Foreigners Apprehended in the Territory of Latvia

4.2. Forced Return and Voluntary Return

5. BORDER CONTROL

5.1. Refusal of Entry

5.2. Conclusions on Nationality of Illegal Immigrants

6. ASYLUM: INTERNATIONAL PROTECTION

6.1. Applications for International Protection

6.2. First Instance Decisions and Final Decisions

6.3. The Dublin Regulation

6.4. Unaccompanied Minors

INTRODUCTION

The current Annual Report on Migration and International Protection Statistics is the seventh report on statistics prepared by the Latvian Contact Point of the European Migration Network pursuant to the specification elaborated by the European Commission and adopted by National Contact Points of the European Migration Network.

The report provides comparable statistics on international protection and legal and illegal migration, explains the reasons behind the changes in statistical indicators as well as forecasts some problems Latvia could face in the near future.

The report contains analysis of statistics collected and compiled pursuant to Regulation No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community Statistics on Migration and International Protection¹ (hereinafter – the Regulation No 862/2007).

The report consists of four chapters related to migration and integration, international protection, border control and illegal migration. Each chapter is divided into subsections pursuant to the structure of the Regulation No 862/2007. Introduction of each chapter contains general background information about the respective area, the main changes in legislation and the factors influencing statistical indicators.

2. METHODOLOGY

All statistics for the current report were provided by the European Community Statistics Office *Eurostat* (hereinafter – *the Eurostat*), which receives the said data from national data providers – the Central Statistical Bureau², the Office of Citizenship and Migration Affairs³ and the State Border Guard⁴. The data provided by the national data providers have been used mainly for characterising the situation in

¹ Published: Official Journal, L-199, 31.07.2007, pp. 23 – 29.

² Hereinafter – the CSB. The CSB is a state institution subordinate to the Ministry of Economics, which is responsible for collection, compilation, and organisation of statistics. Official web site: www.csb.gov.lv.

³ Hereinafter – the OCMA. The OCMA is a state institution under the supervision of the Ministry of Interior, which is responsible for issue of identity documents and travel documents, maintenance of the Population Register, and implementation of the state migration and asylum policy. The official web site: www.pmlp.gov.lv.

⁴ Hereinafter – the SBG. The SBG is a state institution under the supervision of the Ministry of Interior, which is responsible for the state border control and protection as well as for control over compliance with the provisions for entry, stay, departure and transit of foreigners. The official web site: www.rs.gov.lv.

the areas of protection and illegal immigration because the data published by the *Eurostat* are rounded to the nearest 5 and therefore it is difficult to reflect the real trends. Data provided by the national data providers were also used to characterise common trends, taking into account the existing substantial differences between the data compilation methods used for 2008 and 2009, and the data compiled during the previous reporting years.⁵

The terms and definitions used in this report are pursuant to Article 2 of the Regulation No 862/2007 and the national laws and regulations.

All information included in this report has been obtained from and approved by Latvian migration and international protection experts.

3. LEGAL MIGRATION AND INTEGRATION

3.1. International Migration, Usually Resident Population and Acquisition of Citizenship

The main factor influencing migration flows in the reporting year was the sharp global economic downturn, which began in September 2008 and resulted in an increase of the emigration flow. According to experts, this trend will inevitably continue in the coming years. Emigrants choose to register their departure increasingly often. Nevertheless, there has been no qualitative discussion on the measures to promote re-emigration.

In 2009, no significant changes were introduced into migration legislation. The *Immigration Law*⁶ and subordinate Cabinet Regulations still govern the procedures for entry, residence, transit, exit and detention of foreigners, as well as the procedures by which foreigners are kept under temporary custody in the Republic of Latvia and expelled from it in order to ensure the implementation of migration policy conforming with the norms of international law and the national interests of Latvia.

*Amendments to the Immigration Law*⁷ adopted by the Saeima⁸ on 26 February 2009 came into force on **1 April 2009**. The purpose of the aforementioned

⁵ All reports on migration and asylum statistics developed by the Latvian Contact Point of the European Migration Network are available at and may be downloaded from www.emn.lv, Chapter *Studies and Reports*.

⁶ The Immigration Law – The Latvian Herald, No. 169, 20.11.2002

⁷ Published: The Latvian Herald, No 43, 18.03.2009

⁸ Saeima – the Parliament of the Republic of Latvia

amendments was to make the procedure for foreigners who wish to study in one of the accredited state educational institutions faster, better and more transparent. Interested representatives of universities were also involved in drafting the amendments. The amendments provide that the documents required to apply for a residence permit may be submitted to the Office of Citizenship and Migration Affairs by universities directly, so that documents do not have to be sent to and from the Office of Citizenship and Migration Affairs via the embassy of the respective country or the embassy of the Republic of Latvia (hereinafter – LV Embassy).

Before the entry into force of the aforementioned amendments the document review procedure for foreigners was relatively lengthy, as the documents had to be forwarded between different institutions of the Republic of Latvia and it required considerable financial investment, because in order to fully process all documents for foreigners who do not have an LV Embassy in their country, they had to visit the nearest LV Embassy multiple times. This often made potential students decide to study in other countries. Thus Latvian universities were losing potential students. It should be noted that the amendments do not apply to the students whose country of citizenship has an increased risk of terrorism and illegal immigration.

The competent national authorities foresee that the amendments to the Immigration Law will result in a significant increase in the number of foreign students in Latvian universities, which, in turn, could offset the reduction in the number of local students, thus ensuring well-paid jobs and a flow of foreign finances.

3.1.1. International migration flows

In 2009, 2 688 persons from 71 other countries took up permanent residence in Latvia (22% less than in 2008), and 7 388 persons departed Latvia to take up permanent residence in 92 other countries (23% more than in 2008).

The fact that emigration outweighed immigration decreased the amount of population by **4 700** people. The negative net migration continues to decline (see Table 3.1.1.1).

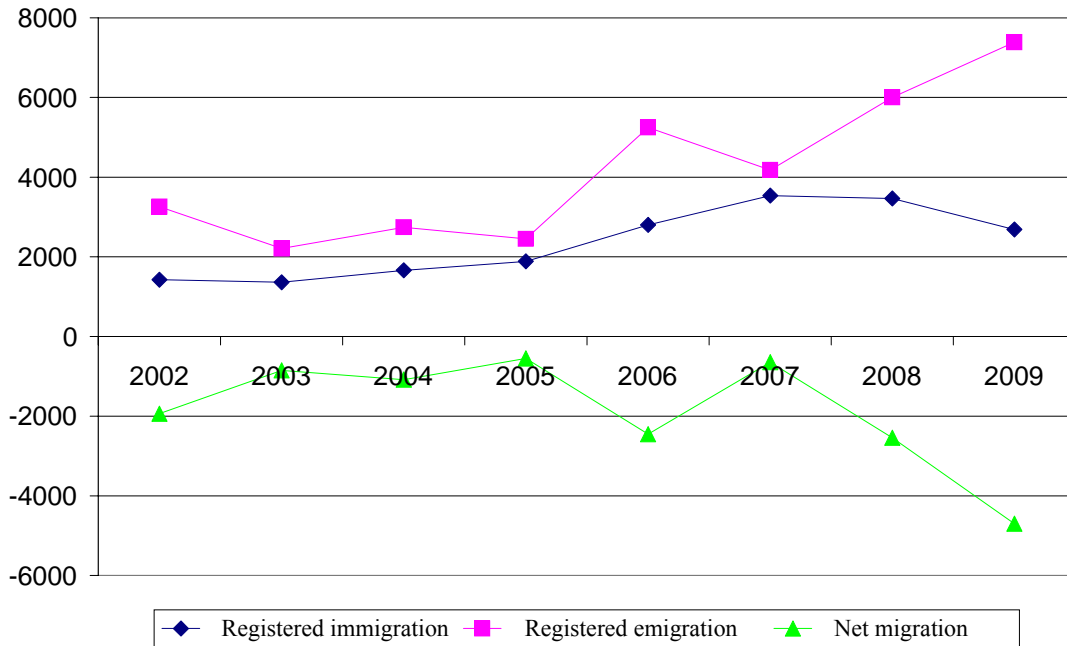
Table 3.1.1.1
Migration flows, 2002-2009⁹

	Resident population at the beginning of the year	Recorded immigration	Recorded emigration	Net migration
2002	2 345 768	1 428	3 262	-1 834
2003	2 331 480	1 364	2 210	-846
2004	2 319 203	1 665	2 744	-1 079
2005	2 306 434	1 886	2 450	-564
2006	2 294 590	2 801	5 252	-2 451
2007	2 281 305	3 541	4 183	-642
2008	2 270 894	3 465	6 007	-2 542
2009	2 261 294	2 688	7 388	-4 700

It should be noted that the number of persons who informed the Office of Citizenship and Migration Affairs (also with the mediation of Latvian diplomatic and consular posts abroad) about their resettlement to another country since 2002 has increased substantially (see Chart 3.1.1.2). This, in turn, suggests that they have decided to reside permanently in the selected countries and there exists a minimal possibility that they will ever return to Latvia. Taking into consideration the expected length of Latvian economic recovery after the sharp deterioration of the economic situation of Latvia in autumn 2008 and the stability of the employment market, it is expected that the registered emigration flow in 2010 will continue to increase, whereas the recorded immigration flow could continue to decrease, because employment is one of the main reasons for arrival to Latvia.

⁹ Data source: the *Eurostat*.

Chart 3.1.1.2
Long-term population migration, 2002-2009¹⁰



In the reporting year, 59% of all immigrants were citizens of the European Union Member States, 19% (in 2008 – 27%) of all immigrants were Latvian citizens (see Table 3.1.1.3).

Nationals of Russia – 26% (in 2008 – 12%), Lithuania – 8% (in 2008 – 8%), Germany – 6% (in 2008 – 6%) constitute a large number of immigrants. There has been a twofold decrease in the number of Romanian and Bulgarian nationals who arrive in Latvia mainly for employment. No significant changes in citizenship among the largest groups of immigrants occurred.

55% of all immigrants were born in the European Union Member States, including Latvia. Most were born in Russia, Lithuania and Germany.

It should be noted that the Latvian-born immigrant population is almost twice as small as the number of immigrants who are Latvian nationals, which can be explained by the fact that parents choose Latvian citizenship for their children born abroad.

Before entering Latvia 55% of immigrants previously resided in another Member State of the European Union. The number of immigrants who before entering Latvia have lived in Russia has doubled – 25% (in 2008 – 13%), while the number of immigrants living in the United Kingdom has decreased – 7% (in 2008 – 10%).

¹⁰ Data source: the Eurostat.

Table 3.1.1.3
Total number of immigrants by citizenship,
country of birth and previous usual residence,
2008-2009¹¹

Citizenship	2008	2009	Country of birth	2008	2009	Previous usual residence	2008	2009
	Non EU-27 citizens	933		1 087	Non EU-27		1 097	1 216
EU-27*	1 593	1 080	EU-27*	1 913	1 204	EU-27	2 298	1 476
Russia	403	709	Russia	424	609	Russia	452	671
Latvia	939	521	Latvia	455	268	Lithuania	298	225
Lithuania	285	212	Lithuania	240	187	Germany	268	206
Germany	209	161	Germany	191	153	UK	331	179
Sweden	69	89	UK	256	145	Ukraine	132	119
Ukraine	107	78	Ukraine	127	134	Belarus	118	109
Romania	190	74	Belarus	100	108	Estonia	97	97
Belarus	86	57	Romania	185	73	Sweden	86	97
Total	3 465	2 688	Total	3 465	2 688	Total	3 465	2 688

* - except the reporting country

The largest number of immigrants is in the age group of 20 to 64 years – 64% (see Table 3.1.1.4). The number of older immigrants in 2009 doubled – from 6% in 2008 to 12% in 2009. This can be explained by the fact that older foreign residents are often alone and have no close relatives who could take care of them. The Immigration Law entitles them to stay with their children (Latvian citizens or non-citizens) living in Latvia based on family reunification.

Table 3.1.1.4
Total number of immigrants by age group, 2008-2009¹²

	0-19	20-34	35-64	65+	Total
2008	955	1 183	1 113	214	3 465
2009	597	801	919	317	2 688

Looking at the distribution of immigrants by gender, it appears that the number of men, albeit slightly - 55% (60% in 2008) consistently exceeds the number of women (see Table 3.1.1.5). Men often immigrate based on employment, while women – based on family reunification.

¹¹ Data source: the Eurostat.

¹² Data source: the Eurostat.

Table 3.1.1.5
Total number of immigrants by gender, 2008-2009¹³

	Males	Females	Total
2008	2 094	1 371	3 465
2009	1 467	1 221	2 688

Talking about the emigration flow, it should be noted that the tendency for it to **increase** remained – in 2009 it increased by 23% (see Table 3.1.1.6). In addition, it should be noted that, like in the previous years, most part of the emigrants have not registered their departure.

From all persons who decided to depart from Latvia in 2009, **3 918** persons or 53% (in 2008 – 59%) were **Latvian citizens**. However, this information does not reflect the real situation in emigration. Although the *Eurostat* has not yet compiled data on immigration flows in the traditionally most popular target countries of Latvian citizens such as Germany, Ireland and the United Kingdom, it can be concluded from the data collected¹⁴ that Latvian citizens are not likely to return to Latvia in the coming years. For example, 747 Latvian citizens are registered in Denmark (in 2008 – 451), 734 – in Spain (in 2008 – 437), 928 – in Sweden (in 2008 – 404) and 506 – in the Netherlands (in 2008 – 245). In addition, it should be noted that the state still has not created conditions that promote workforce return or taken steps for people of working age to stay in Latvia.

A total of 2 685 or 36% third-country nationals departed from Latvia during the reporting year (compared with 2008, the ratio has not changed significantly). Also, the countries, whose citizens departed from Latvia, were mostly the same, namely, citizens of Russia, Ukraine and Belarus. Most emigrants from the European Union Member States were citizens of Lithuania (213), Germany (103) and Estonia (72). Also, the number of citizens of Latvia's neighbouring countries had risen several times – from 6 to 10 times. It is important to note that the number of emigrants includes 994 non-citizens of Latvia¹⁵.

¹³ Data source: the *Eurostat*.

¹⁴ In July 2011, *Eurostat* database has data on the Latvian citizens – immigrants only from 9 European Union Member States.

¹⁵ Pursuant to the Law on the Status of those Former USSR Citizens, who do not have the Citizenship of Latvia or that of any Other State, **non-citizens of Latvia** are such citizens of the former USSR, who reside in the Republic of Latvia, as well as who are in temporary absence, and their children, who simultaneously comply with the following conditions:

1) they were registered in the territory of Latvia on 1 July 1992 regardless of the status of the living space indicated in the registration of residence, or up to 1 July 1992 their last registered place of

In 2009, 56% of emigrants chose the European Union Member States as their next usual residence (see Table 3.1.1.6). The most favourite Member States of the European Union that were a destination of Latvian emigrants were the United Kingdom – 18% (in 2008 – 11%), Germany – 10% (same in 2008) and Ireland – 8% (in 2008 – 20%). It should be noted that the emigration flow to Ireland decreased significantly due to a severe economic situation and a high unemployment rate.

Most favourite third countries were Russia – 22%, Ukraine – 5% and Belarus – 3%. These countries were mostly chosen as a destination by non-citizens of Latvia as well as citizens of Russian-speaking countries.

Table 3.1.1.6
The number of emigrants by citizenship and next usual residence, 2008-2009¹⁶

Citizenship	2008	2009	Next usual residence	2008	2009
EU-27* citizens	218	785	EU-27*	3 422	4 114
Non EU-27 citizens	2 231	2 685	Non EU-27	2 585	3 274
Latvian citizens	3 558	3 918	Russia	1 201	1 613
Latvian non-citizens	1 150	994	UK	669	1 316
Russia	509	819	Germany	610	719
Ukraine	122	280	Ireland	1 183	573
Lithuania	35	213	Ukraine	230	366
Belarus	59	123	Lithuania	113	312
Germany	35	103	USA	216	266
Estonia	7	72	Belarus	299	249
Denmark	14	68	Sweden	132	174
UK	7	58	Italy	91	164
Total	6 007	7 388	Total	6 007	7 388

* - except the reporting country

Traditionally the persons to migrate the most often are persons aged 20 to 64 years. Of all the people who emigrated in 2009, 75% represent this group (see Table 3.1.1.7). Compared with 2008, it is a 4% increase in the number of emigrants under the age of 19, which in turn means that families choose to emigrate together more frequently, and not just individual family members, as it was previously.

residence was in the Republic of Latvia, or it has been determined by a court judgement that they have resided in the territory of Latvia for at least 10 consecutive years until the referred to date; 2) they are not citizens of Latvia; and 3) they are not and have not been citizens of another state.

¹⁶ Data source: the *Eurostat*.

Table 3.1.1.7
Total number of emigrants by age group, 2008-2009¹⁷

	0-19	20-34	35-64	65+	Total
2008	817	2 426	2 258	506	6 007
2009	1 305	2 815	2 710	558	7 388

If men are more likely to immigrate to Latvia, then women - to emigrate. Although the portion of women in the reporting year decreased compared with the previous year, this trend still exists (see Table 3.1.1.8). One of the reasons why women emigrate more often than men is due to marriages with nationals of other European Union Member States, as well as citizens of third countries.

Table 3.1.1.8
Total number of emigrants by gender, 2008-2009¹⁸

	Men	Women	Total
2008	2 628	3 379	6 007
2009	3 611	3 777	7 388

3.1.2. Usual Residence

The Latvian population continues to decrease – the population reduction rate in 2009 was 0.57%, in 2008 – 0.42%¹⁹ (see Table 3.1.2.1). The main cause of population decrease is the fact that the number of deaths exceeds the number of births.

82% of all permanent residents of Latvia are **Latvian citizens** and **85%** were **born in Latvia**.

The existing distribution of Latvian residents by citizenship and by country of birth can be explained on the basis of the historical situation. Citizens of Russia, Lithuania, Ukraine and Belarus (the former USSR²⁰ countries) are prevalent. The majority of Latvian foreign residents were also born in these countries. Most of the persons born in these countries currently reside in Latvia as Latvian non-citizens.

¹⁷ Data source: the *Eurostat*.

¹⁸ Data source: the *Eurostat*.

¹⁹ Data source: the CSB.

²⁰ USSR – the Union of Soviet Socialist Republics, a super power that existed between 1921 and 1991. Latvia was incorporated into the USSR in 1940.

During the reporting year there were 217 stateless persons in Latvia. That is 38 persons fewer than in the previous year. It should be noted, however, that the reduction was due to the fact that many stateless persons acquired Latvian citizenship.

Table 3.1.2.1
The number of persons usually resident in Latvia
by citizenship and country of birth, 2008-2009²¹

Citizenship	2008	2009	Country of birth	2008	2009
Latvian citizens	1 857 281	1 856 224	EU-27	1 946 422	1 941 996
Non EU-27 citizens**	394 607	382 438	Latvia	1 909 258	1 905 103
EU-27* citizens	9 406	9 712	Non EU-27	314 872	306 378
Latvian non-citizens	356 977	343 279	Russia	183 407	177 879
Russia	29 622	31 113	Belarus	61 241	59 580
Lithuania	3 694	3 714	Ukraine	44 294	43 417
Ukraine	2 898	2 959	Lithuania	22 661	21 991
Belarus	1 865	1 904	Kazakhstan	7 753	7 675
Germany	1 009	1 072	Estonia	3 777	3 743
Estonia	972	979	Germany	3 326	3 368
Bulgaria	562	570	Azerbaijan	2 692	2 645
Poland	463	491	Uzbekistan	2 573	2 497
Stateless	255	217	Moldova	2 276	2 218
Total	2 261 294	2 248 374	Total	2 261 294	2 248 374

* - except the reporting country

** - including Latvian non-citizens and stateless persons

The predominance of the mortality rate over the birth rate and the migration deficit creates changes in the age structure of the Latvian population. While the ratio of population distribution by age groups remains the same, the absolute numbers indicate that the amount of population under the age of 19 continues to decline due to a low birth rate (see Table 3.1.2.2).

Table 3.1.2.2
The number of persons usually resident in Latvia
by age group, 2008-2009²²

	0-19	20-34	35-64	65+	Total
2008	466 562	510 636	893 242	390 854	2 261 294
2009	452 897	510 966	894 302	390 209	2 248 374

²¹ Data source: the Eurostat.

²² Data source: the Eurostat.

For several years there has been a trend in Latvia for women to slightly predominate, which has maintained the same ratio in 2009 – 54% women and 46% men (see Table 3.1.2.3).

Table 3.1.2.3
The number of persons usually resident in Latvia
by gender, 2008-2009²³

	Men	Women	Total
2008	1 043 120	1 218 174	2 261 294
2009	1 037 451	1 210 923	2 248 374

3.1.3. Acquisition of Citizenship

The procedure for the acquisition of Latvian citizenship is laid down in the *Citizenship Law*²⁴ and subordinate Cabinet Regulations. It should be noted that the issue of acquisition of Latvian citizenship is very sensitive for Latvian society. Therefore no amendments to the *Citizenship Law* have been made since 1998.

The citizenship of Latvia may be granted through naturalisation only to the persons who are registered in the Population Register and:

- who by the date of lodging the naturalisation application have permanently resided in Latvia for at least five years (for persons who arrived in Latvia after 1 July 1992, the five year period is calculated starting from the day their permanent residence permit was issued);
- who have a good command of Latvian, are familiar with Latvian history and the fundamentals of the Latvian *Satversme* (Constitution), and who know the text of the Latvian National Anthem;
- who have legal means of subsistence;
- who have denounced their former citizenship (nationality) and received an expatriation permit from their former country of citizenship (nationality), (if required by the law of the respective country), or a different document confirming their loss of citizenship (nationality).

Children under the age of 15 with permanent residence in Latvia can be naturalised along the same procedure as their parents.

²³ Data source: the *Eurostat*.

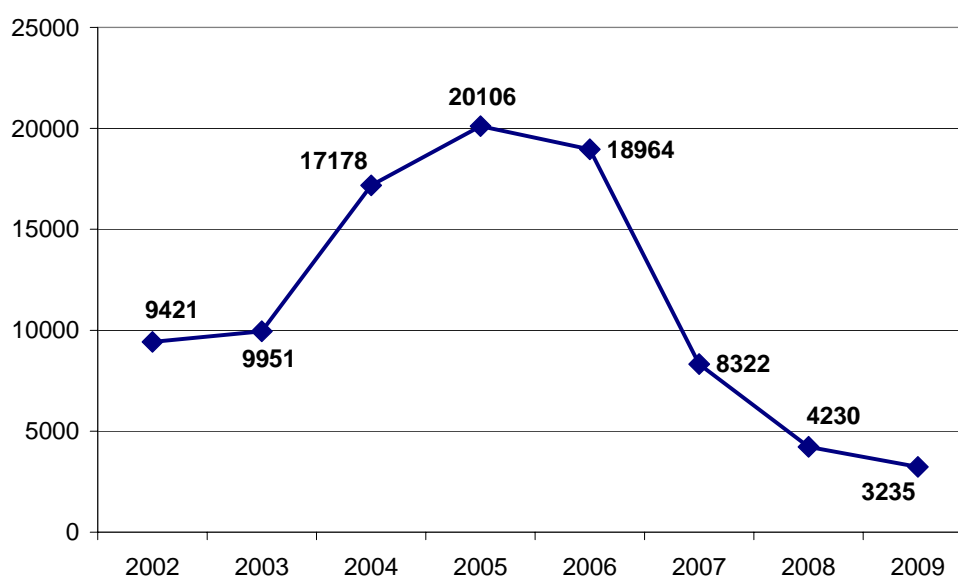
²⁴ Citizenship Law. – The Latvian Herald, No 93, 11.08.1994. [into force since 25.08.1994.]

In 2009 there were no changes in the laws or administrative procedures that would significantly affect the procedure of acquisition of Latvian citizenship.

In 2009 there were 4 641²⁵ applications received for acquiring Latvian citizenship and Latvian citizenship was acquired by 3 235 persons (see Chart 3.1.3.1).

3 470 applications for naturalisation were received. 2 080 persons were granted Latvian citizenship, including 76 children up to 15 years old, who naturalised along with a parent. The number of naturalisation applications received during the reporting period compared with the previous year had increased.²⁶ The number of persons who were granted citizenship had **decreased by 31%**. This can be explained by a relatively low intensity of the naturalisation process in 2007 and 2008.

Chart 3.1.3.1
The number of persons having acquired Latvian citizenship, 2002-2009²⁷



As in the two previous years, the interest of citizens of other countries about the naturalisation process in Latvia remained (see Table 3.1.3.2). The largest group of persons having acquired Latvian citizenship were non-citizens of Latvia, who constituted 95% in average of all persons who had acquired Latvian citizenship.

The number of stateless persons who had acquired Latvian citizenship in 2009 tripled and the age of these persons was mainly between 20 and 34 years.

²⁵ Data source: the Naturalization Board. After reorganisation, the Naturalization Board was added to the Office of Citizenship and Migration Affairs in 2010 (for more details, see issues within the competency of the OCMA). Hereinafter – the NB.

²⁶ Data source: the NB.

²⁷ Data source: the *Eurostat*.

Table 3.1.3.2
The number of persons having acquired Latvian citizenship
by previous citizenship, 2008-2009²⁸

Previous citizenship	2008	2009
Non-citizens of Latvia	4 077	3 092
Russia	93	54
Ukraine	24	41
Stateless	4	13
Belarus	13	10
Lithuania	6	8
Kyrgyzstan	-	3
Israel	4	2
Moldova	-	2
Armenia	1	2
Total	4 230	3 235

As before, the age group from 20 to 34 years has been the most active in the naturalisation process. Their share increased by more than 11% (see Table 3.1.3.3). This is because young people wish to get a better education and a job in the European Union. Compared with 2008, the interest of older citizens of other countries in acquiring citizenship continues to decline - for instance, the number of Latvian non-citizens who are older than 65 years has halved.

Table 3.1.3.3
The number of persons having acquired Latvian citizenship
by age group, 2009²⁹

Previous citizenship	0-19	20-34	35-64	65+	Total
Latvian non-citizens	1 028	1 269	737	58	3 092
Russia	17	20	15	2	54
Ukraine	13	11	16	1	41
Stateless	-	10	3	-	13
Belarus	4	4	2	-	10
Lithuania	-	3	2	3	8
Kyrgyzstan	1	2	-	-	3
Armenia	-	1	1	-	2
Israel	1	-	1	-	2
Moldova	-	1	1	-	2
Total	1 064	1 326	781	64	3 235

²⁸ Data source: the Eurostat.

²⁹ Data source: the Eurostat.

The gender ratio of persons that acquired citizenship in 2009 has changed (see Table 3.1.3.4), i.e., in 2008, in most cases (54%) citizenship was acquired by women, while in 2009 – by men (51%). At the same time it should be noted that until now there has been a slight predominance of women in citizenship acquisition issues.

Table 3.1.3.4
The number of persons having acquired Latvian citizenship
by gender, 2008-2009³⁰

	Men	Women	Total
2008	1 933	2 297	4 230
2009	1 647	1 588	3 235

3.2. Residence Permits and Residence of Third-Country Nationals

In 2009, the number of temporary residence permits issued decreased significantly, whereas the number of permanent residence permits issued slightly increased. The decrease in the number of issued temporary residence permits was directly related to the state economic downturn and the sharp increase in unemployment (at the beginning of 2009 the unemployment rate was 8.3%, but at the end of the year it went up to 16% of all economically active population)³¹, also resulting in decreased demand for foreign labour. The slight increase in the number of permanent residence permits issued compared with 2008, however, can be explained by an increase in the population, who want to give up their Latvian non-citizen status³², receive citizenship of the Russian Federation and at the same time receive a permanent residence permit in Latvia. This decision is mainly related to two circumstances – the opportunity for older people to receive guaranteed old-age pensions from the Russian Federation, and the desire to work in the Russian Federation of the working-age population.

In 2009, the total number of first-time residence permits issued was **2 304** (see Table 3.2.1), which is more than three times less than in 2008.

³⁰ Data source: the *Eurostat*.

³¹ Pursuant to the statistics compiled by the State Employment Agency.

³² It should be reminded that, in the European Union context, persons who have acquired the status of Latvian non-citizens are considered as third-country nationals with the rights of persons who have received permanent residence permits. This category is not granted a residence permit - instead, their status is confirmed with a Latvian alien's (non-citizen's) passport.

Most part or 38% of all first-time residence permits were issued on the basis of other reasons, 33% - in relation with family reunification, 20% - in relation with employment and a negligible number – 9% were issued in relation with education.

The biggest drop – almost four times less – was for residence permits issued on the basis of employment. In 2007 and 2008 most residence permits and work permits were issued to foreigners working in the construction field. As the economic situation in the country deteriorated, which significantly affected development of the construction industry, only 82³³ work permits in total were issued to construction industry workers. Similarly, the number of residence permits issued on the basis of family reunification and other reasons was more than three times less.

It is worth noting that all reasons for the issuance of residence permit are laid down in the Immigration Law as well as reasons for the issuance of residence permit have been described in previous reports on migration and asylum in Latvia.

Table 3.2.1
Total number of issued first-time residence permits
by reason for stay, 2008-2009³⁴

	2008	2009
Family reunification	2 464	759
Education	346	212
Employment	1 823	464
Other	3 073	869
Total	7 706	2 304

Most first-time residence permits were issued to Latvian non-citizens (28%), citizens of Russia (24%) and Ukraine (16%) (see Table 3.2.2). Citizens of Russia stay in Latvia primarily for family reunification reasons. Latvian non-citizens mainly include children born in Latvia in 2009 and registered as Latvian non-citizens. Citizens of Ukraine stay mainly based on employment, as well as for family reunification.

Almost half of all first-time residence permits issued on the basis of education were issued to citizens of Georgia, Turkey and Norway, which can be explained by the close cooperation between Latvian accredited educational institutions and national educational institutions of the respective countries within the scope of student and scholar exchange programs.

³³ Data source: the OCMA.

³⁴ Data source: the *Eurostat*.

Table 3.2.2
Total number of first-time residence permits issued
by reason for stay and citizenship, 2009³⁵

Citizenship	Family reunification	Education	Employment	Other	Total
Latvian non-citizens	4	1	0	648	653
Russia	350	17	99	83	549
Ukraine	159	10	188	21	378
Belarus	78	5	19	16	118
USA	21	5	20	49	95
Georgia	17	31	5	6	59
Turkey	14	29	6	3	52
Moldova	18	2	11	4	35
Norway	0	27	7	0	34
Israel	13	1	8	9	31
Total	759	212	464	869	2 304

Changes in the immigration status or the reason for stay are not a frequent phenomenon in Latvia in the context of migration. Compared with 2008, the events of immigration status change or reason for stay have doubled – from 260 to 485 (see Table 3.2.3).

The most common changes in immigration status or reason for stay occurred in the following directions: “family reunification → other reason”, and “employment → family reunification”. Direction of “family reunification → other reason” basically does not accurately reflect the real situation, because most cases in this scheme are cases where persons who have received temporary residence permits, such as spouses of Latvian citizens or non-citizens, have received permanent residence permits after five years of residence. Consequently, it can be concluded that it is not the reason for stay that has changed, but the residency status – from a fixed term to permanent, while the previous reason for stay remains effective. The change of reason in “employment → family reunification” is observed when foreigners who no longer have the possibility to stay in the country based on employment and who at the same time wish to stay in Latvia for various reasons, change their residence grounds from employment to family reunification.

³⁵ Data source: the *Eurostat*.

Table 3.2.3
Changes in immigration status or reason for stay, 2009³⁶

<i>From</i>	<i>To</i>	Family reunification	Education	Employment	Other
Family reunification			9	29	266
Education		17		4	5
Employment		80	3		34
Other		31	3	4	

At the end of 2009, 385 323 valid residence permits had been issued in Latvia, which is 12 305 fewer than in 2008. The absolute majority of all valid residence permits, i.e. 99% were issued with a term of validity over 12 months (mostly permanent residence permits) and 96% thereof were issued in connection with other reasons (see Table 3.2.4).

Table 3.2.4
All valid residence permits
by reason for stay and validity term (in months), 2009³⁷

	3-5	6-11	12+	Total
Family reunification	42	673	11 253	11 968
Education	52	254	178	484
Employment	8	304	1 201	1 513
Other reason	40	124	371 194	371 358
Total	142	1 355	383 826	385 323

90% of all foreigners who resided in Latvia at the end of 2009 were Latvian non-citizens and 8% were Russian citizens (see Table 3.2.5). Despite the fact that the ratio of non-citizens has remained unchanged, the real numbers show a decrease of 12 999 persons, compared with the previous reporting period. It can be concluded that residence permits in Latvia have been issued mostly to citizens of the former USSR states.

³⁶ Data source: the Eurostat.

³⁷ Data source: the Eurostat.

Table 3.2.5
All valid residence permits
by citizenship and validity term (in months), 2008-2009³⁸

Citizenship	3-5	6-11	12+	Total 2009	Total 2008
Latvian non-citizens	0	5	345 005	345 010	358 009
Russia	48	410	30 992	31 450	30 118
Ukraine	17	319	2 829	3 228	3 410
Belarus	13	114	1 881	2 008	2 063
USA	4	105	407	516	559
Israel	6	25	310	341	366
Moldova	4	30	252	286	407
Armenia	1	19	246	266	287
Georgia	12	72	126	210	202
Azerbaijan	3	15	174	192	206

The number of foreigners granted the status of a long-term resident of the European Community³⁹ in the reporting year has **doubled**, i.e. in total 207 foreigners (see Table 3.2.6).

A foreigner is eligible to request the aforementioned status if he or she has legally stayed in Latvia with a temporary residence permit for five years, as well as non-citizens of Latvia. In order to acquire the status, the applicant must produce proof that he or she has sufficient and regular means of subsistence and that he or she has mastered the official language.

40% of persons granted the status are citizens of Russia, 24% - non-citizens of Latvia, 9% - citizens of Ukraine. It is worth noting that not only citizens of former USSR states but also citizens of other states seek to acquire the status: in 2009, the status of a long-term resident of the European Community was acquired by citizens of such “exotic” countries as Algeria, Angola, Mali, Cuba, Mongolia and 2 stateless persons. Overall, status applications by citizens of the former USSR states have remained consistent.

It must be concluded that the aforementioned status is not popular among the population of Latvia, and the number of foreigners applying for the status of a long-term resident of the European Community in Latvia is much smaller than the number of those applying for the national permanent residence permit. One of the reasons why

³⁸ Data source: the *Eurostat*.

³⁹ Pursuant to the Law on the Status of a Long-term Resident of the European Community in the Republic of Latvia. – The Latvian Herald, No. 107, 22.06.2006.

national permanent residence permits are applied for more often is the fact that conditions for acquiring the former are easier to comply with, for example, a more prolonged absence from the state is tolerated and the person does not have to produce proof that he or she has had regular income within the last year (he or she must only prove that he or she has sufficient means of subsistence when applying for the permit).

Table 3.2.6
The number of persons granted
the status of a long-term resident of the European Community
by citizenship, 2008-2009⁴⁰

Citizenship	2009	2008
Russia	83	44
Latvian non-citizens	49	22
Ukraine	18	12
Belarus	13	9
Armenia	7	3
USA	5	3
Lebanon	5	4
Israel	4	2
Azerbaijan	3	1
Turkey	2	1
Total	207	111

4. ILLEGAL MIGRATION, FORCED RETURN AND VOLUNTARY RETURN

Illegal entry and residence in Latvia in 2009 has been characterised by the certain stability. Overall illegal migration rates (foreigners apprehended inside the country and forcefully removed) have decreased, which proves the effective work of the institutions involved. The situation that occurred as Latvia joined the Schengen Area and as border controls were abolished on the country's internal and air borders, has now stabilised.

It is important to note that since January 2009 the International Organization for Migration Riga Office began implementation of the project "Preparation of a System of Return and Reintegration in Latvia", co-financed by the European Return Fund. Within this project individuals are provided with support for assisted voluntary return and reintegration in their home country. In 2009, the project assisted **24** people

⁴⁰ Data source: the *Eurostat*.

(citizens of Armenia, Bangladesh, Ghana, Georgia, Russia and other countries). During the period from 2002 to 2008, Latvia did not carry out assisted voluntary return of third-country nationals.⁴¹

In 2008, the issue of illegal migration from Russia through Latvia and on to the European Union Member States became aggravated. It should be noted that this issue was still current in 2009.

In 2009, the following major legislative changes were introduced in relation to illegal migration:

The Cabinet Regulation No.99 “Procedures on the Scope and Use of the Information to be recorded in the Automated Fingerprints Identification System (AFIS)”⁴² of 3 February 2009 became effective on **7 February 2009**. The Regulation sets out procedures for the scope and use of the information to be recorded in the Automated Fingerprints Identification System (AFIS), (hereinafter – the System). The System is a state information system containing data on asylum seekers in the Republic of Latvia and foreigners detained by the State Border Guard (hereinafter – the Persons). The System data is used to identify the Persons by conducting procedural control checks in relation to entry, stay, exit and transit of the Persons.

On **16 December 2009** a new Law on the State Border of the Republic of Latvia took effect.⁴³ The law was adopted to establish a flexible framework for adopting the Schengen *acquis* requirements that will help to quickly and effectively apply or, if necessary, adopt the necessary Schengen *acquis* requirements. Also, upon Latvia joining the Schengen Area, the current framework of the State Border Law had become flawed in several areas related to the detection, installation and maintenance in nature of the state borders and border zones.

During the reporting period, the State Border Guard continued the structural changes started in 2008: combining border control and immigration services and thus reducing their total amount, as well as combining city and district immigration offices. The new structural changes also included improvement of immigration departments. Despite all the structural changes, the State Border Guard has been able to maintain a workable, efficient state border and immigration control system.⁴⁴

⁴¹ Information source: IOM Riga Office.

⁴² Published: The Latvian Herald, No. 21, 06.02.2009.

⁴³ Published: The Latvian Herald, No. 189, 02.12.2009.

⁴⁴ Information provided by the SBG.

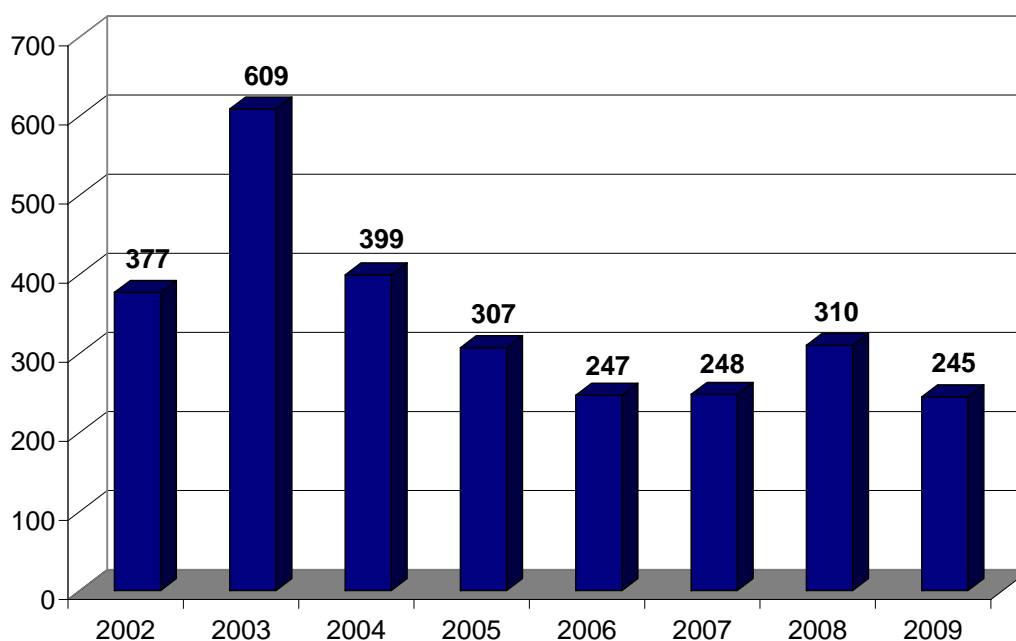
4.1. Foreigners Apprehended in the Territory of Latvia

In 2009, according to the procedures prescribed in Article 51 of the Immigration Law, i.e. in connection with illegal border crossing or expiration of entry and stay permits, **245** foreigners were apprehended in the territory of Latvia (see Chart 4.1.1). In comparison with 2008, the number of foreigners apprehended in the territory of Latvia had increased by **21%**.

Statistical data shows that the foreigners apprehended in the territory of Latvia had reached the lawful age, and that 69% of all foreigners apprehended within the territory of Latvia were men. In comparison with 2008, the amount of apprehended women had doubled, and the age of these women was mostly over 35 years.

Also apprehended were five stateless persons and 10 persons without a defined status.

Chart 4.1.1
The total number of foreigners apprehended in the territory of Latvia, 2002-2009⁴⁵



In comparison with 2008, the share of apprehended foreign nationals from CIS⁴⁶ countries had increased – a total of 60% of all apprehensions (see Table 4.1.2). Also, the number of apprehended foreign nationals from Africa (Egypt, Ghana, Libya,

⁴⁵ Data source for 2002-2007 – the SBG; data source for 2008-2009 – the *Eurostat* (data are rounded to the nearest 5).

⁴⁶ CIS – Commonwealth of Independent States – an international organisation formed by many former Soviet countries on 8 December 1991, similar to the European Union.

Morocco, Nigeria, Senegal, Uganda and Tunisia) had doubled and represented 8% of the total number of apprehensions (only 4% on 2008). This, together with the apprehended foreign nationals from Cuba, Peru, the Philippines, the West Bank, Gaza and Sri Lanka reflected the trend that was first observed in 2007, namely, foreign nationals coming from “exotic” countries.⁴⁷

It should be noted that the number of apprehended Afghan nationals had increased significantly, which was related to the unstable situation in the country and thus the illegal immigration to Latvia (also see details in Article 6.1).

There have been no changes in three key countries, whose nationals are apprehended most often - Russia, Ukraine and Moldova (see Table 4.1.2). The difference from year to year is just in the fact that the number of these nationals is either higher or lower, for example, during the reporting period the number of apprehended Russian and Ukrainian nationals had decreased, and the number of Moldovan nationals had increased.

During the reporting period 10 foreigners were apprehended, whose nationality is unknown.

Table 4.1.2
The total number of foreigners apprehended
in the territory of Latvia by citizenship, 2008-2009⁴⁸

Citizenship	2008	2009
Russia	70	55
Moldova	30	45
Afghanistan	5	20
Ukraine	35	15
Ghana	-	10
Kazakhstan	5	10
Unknown	25	10
Belarus	10	5
China	5	5
Bangladesh	15	5
Pakistan	5	5
Stateless	5	5
Total	310	245

- data are not available or, if rounded to the nearest 5, equal zero

⁴⁷ Information source: the SBG.

⁴⁸ Data source: the *Eurostat* (data are rounded to the nearest 5).

4.2. Voluntary Return and Forced Return

Pursuant to Section 41, paragraph one of the Immigration Law, if a foreigner, while staying in the Republic of Latvia, has breached procedures for the entry and stay of foreigners in the Republic of Latvia laid down in the regulatory enactments, the competent authority shall issue a return decision. A return decision enables the foreigner to leave the territory of Latvia within seven days after receipt of the decision. When issuing a return decision, a re-entry ban for up to three years shall be determined. In case of forced return decision the duration of re-entry ban may be from three to five years. Forced return of foreigners is carried out by the State Border Guard.

In 2009 no significant changes were introduced into legislation that could influence the processes and procedures in relation to forced return of foreigners.

In 2009, **220** foreigners were illegally residing in Latvia to whom administrative or judicial decision about the return was issued (see Table 4.2.1), which is 17% less than in 2008⁴⁹. Overall, a trend begins to emerge that, being aware of the negative effects of violations, including a prohibition to enter the entire Schengen Area, foreigners are now trying to comply with the term of their visa or residence permit. This trend is also reflected by the constant (compared with 2008) number of return decisions (see Chart 4.2.2).

205 foreigners have in fact left the territory of Latvia under the issued decisions.

Statistics clearly demonstrate that foreigners, who were subjects of administrative or judicial decisions on return, as well as foreigners who have in fact left the territory of Latvia, are nationals of the former USSR (Russia, Ukraine, Moldova, Belarus, Georgia, etc.). This is a constant trend even in the overall context of illegal immigration.

⁴⁹ Taking into account the inaccuracies in the data collection for 2008, the data for 2008 included in this statistical report differ from data included and analyzed in the statistical report on the field of migration and international protection in Latvia in 2008.

Table 4.2.1
Total number of foreigners, who
were subjects of forced and return decisions and who have in fact left
the territory of Latvia, by citizenship, 2008-2009⁵⁰

Citizenship	The number of foreigners who were subjects of forced and return decisions		The number of foreigners who have in fact left the territory of Latvia	
	2008	2009	2008	2009
Russia	55	50	80	50
Moldova	20	30	25	35
Ukraine	55	20	55	20
Belarus	5	15	5	15
Afghanistan	-	15	-	5
Kyrgyzstan	-	10	-	10
Georgia	15	10	15	10
Syria	5	10	0	10
Total	265	220	255	205

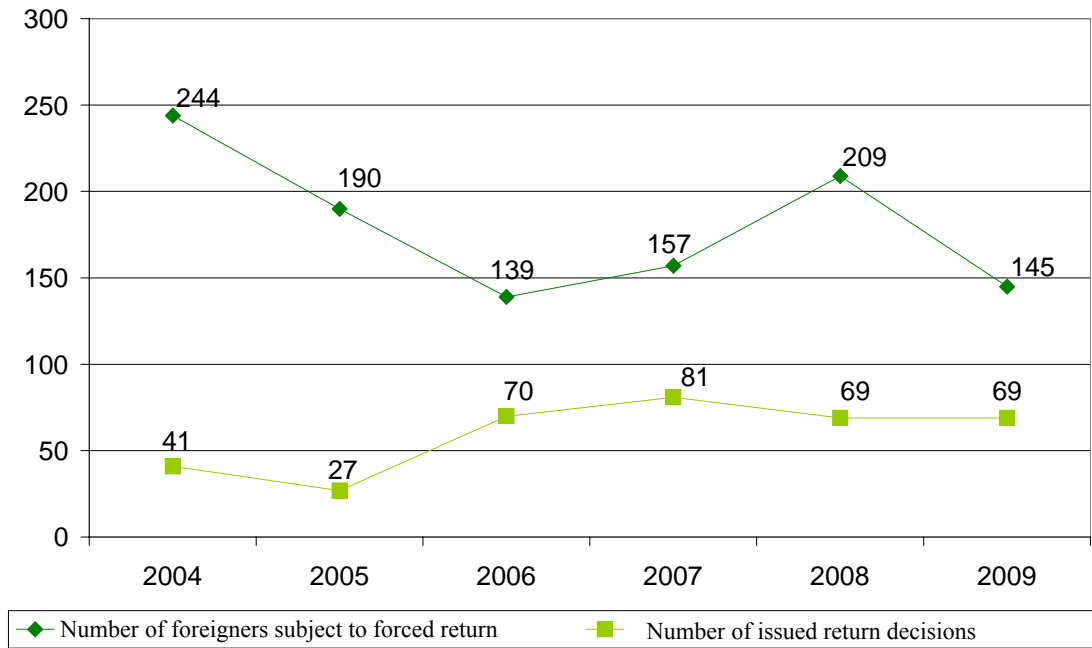
- data are not available or, if rounded to the nearest 5, equal zero

To facilitate comparability of the data included in this report on statistics with the data included in the reports on statistics for previous reporting years that in accordance with the specifications included and analysed data only on forced returns cases, it should be noted that of all foreigners who actually left the territory of Latvia, **145** or a third less than in 2008 were returned forcibly (see Chart 4.2.2). 21% of them were citizens of Russia and 20% were citizens of Moldova, which were the largest national groups returned forcibly. It is worth noting that even citizens of such “exotic” countries as Nepal, Thailand, Ivory Coast, Morocco, Nigeria, Ghana, etc. were forcibly returned.⁵¹

⁵⁰ Data source: the *Eurostat* (data are rounded to the nearest 5).

⁵¹ Information source: the SBG.

Chart 4.2.2
Foreigners subject to forced return
and the number of issued return decisions, 2004-2009⁵²



⁵² Data source: the SBG.

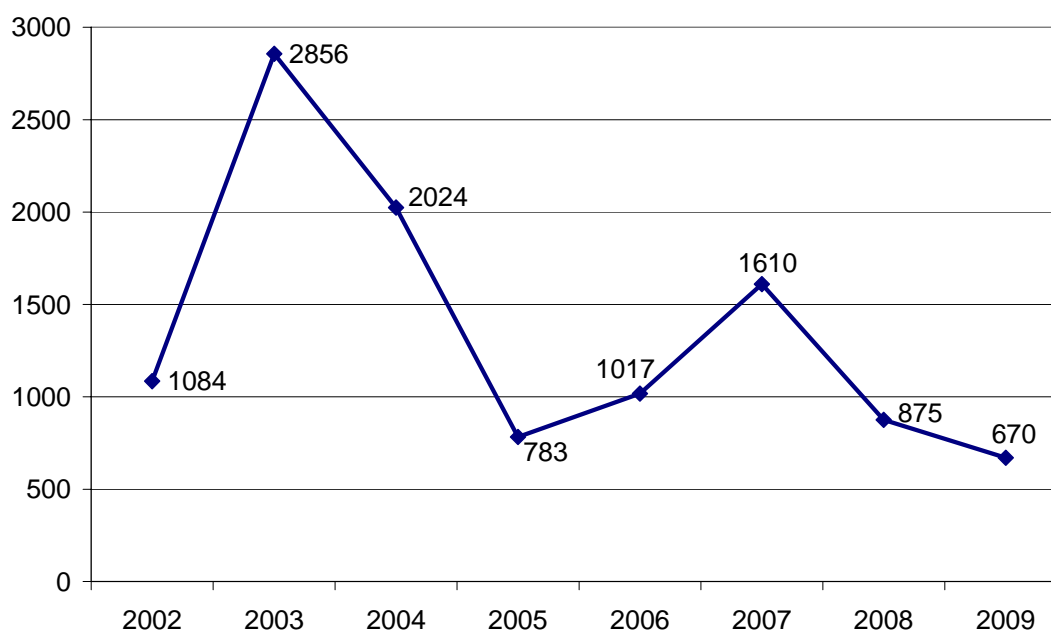
5. BORDER CONTROL

5.1. Refusal of Entry

In 2009, the State Border Guard officials refused entry into Latvia to **670** persons (see Chart 5.1.1) who were unable to produce valid documents at the border crossing points. It is about 30% less than in 2008, and the overall trend since 2007 indicates that the number of refusals is gradually declining.

Making data comparisons, one should take into account that by 2008 refusals of entry included also refusals at the European Union's internal borders, but since 2008 the data relates to the refusals of entry only at the external borders of the European Union.

Chart 5.1.1
The total number of refusals of entry, 2002-2009⁵³



In 2009, as in previous reporting years⁵⁴, most (69%) refusals of entry were given to foreigners who were unable to produce a valid visa or residence permit (see Table 5.1.2). 47% of these cases involved Russian citizens. Similarly, 65 persons were refused entry due to the fact that they have not appropriate documentation justifying the purpose and conditions of stay (citizens of Russia, Kazakhstan,

⁵³ Data source for 2002-2007 – the SBG; data source for 2008-2009 – the *Eurostat* (data are rounded to the nearest 5).

⁵⁴ Until Latvia joined the Schengen Area, there were no separate records on reasons for refusals of entry.

Tajikistan and Georgia), 40 persons did not have valid travel document (citizens of Afghanistan, Turkey, Russia, Congo and Togo), and 35 persons presented counterfeit visas or residence permits (citizens of Moldova, Turkey, Ivory Coast, Peru and China).

In most cases entry was refused on land borders (70%) and in 27% of cases – on the border at airports, and the ratio compared with 2008 (72% and 25% respectively) remained practically the same.

Table 5.1.2
The total number of foreigners refused entry to Latvia
by reasons of refusal and type of border to be crossed, 2008-2009⁵⁵

	Land border	Sea border	Border at airports	Total	
				2009	2008
No valid visa or residence permit	340	5	120	465	790
No appropriate documentation justifying the purpose and conditions of stay	45	-	20	65	10
No valid travel documents	20	-	20	40	15
Counterfeit visa or residence permit presented	30	-	5	35	20
An alert has been issued for the purposes of refusing entry	10	10	10	30	25
No sufficient means of subsistence	20	-	5	25	5
Counterfeit travel documents presented	5	-	5	10	10
Total	475	15	185	670	875

- data are not available or, if rounded to the nearest 5, equal zero

During the reporting period, entry to Latvia was refused to nationals of Russia (43%), Belarus (11%) and Ukraine (4%) (see Table 5.1.3). Since 2005, there have been no changes in the three key countries whose nationals are most often refused entry into Latvia. Although it should be noted, for example, that the number of Ukrainian citizens, who were refused entry, had decreased 2.5 times. This trend may be explained by the fact that Latvia has a common border with Russia and Belarus, while Ukraine has a common border with both these countries. That explains why nationals of these countries were mostly refused entry on the land border.

⁵⁵ Data source: the *Eurostat* (data are rounded to the nearest 5).

It should be noted that nationals of Turkey, Afghanistan and Tajikistan were refused entry into Latvia on the border at airports, which is due to a wide range of flight routes to and from the Riga airport, including Asia. In 2009 there were no such cases where entry was refused to stateless persons, while 25 such cases were recorded in 2008.

Table 5.1.3
Number of foreigners refused entry into Latvia
by citizenship and type of border to be crossed, 2008-2009⁵⁶

Citizenship	Land border		Border at airports		Total	
	2008	2009	2008	2009	2008	2009
Russia	330	250	45	35	375	290
Belarus	125	70	5	5	130	75
Ukraine	65	20	15	10	85	30
Kazakhstan	10	20	5	10	15	30
Turkey	-	-	45	20	50	25
Israel	5	15	5	10	15	25
Kyrgyzstan	20	15	-	-	20	20
Moldova	15	15	10	-	25	15
Afghanistan	-	-	-	15	-	15
Tajikistan	-	-	-	15	-	15
Total	630	475	220	185	875	670

- data are not available or, if rounded to the nearest 5, equal zero

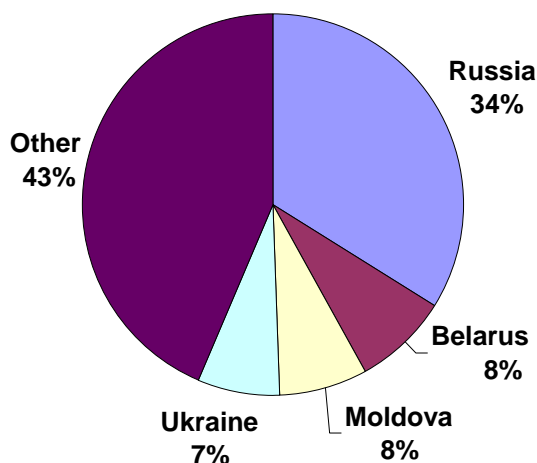
5.2. Conclusions on Nationality of Illegal Immigrants

The main donor countries of illegal immigrants have not changed since 2004: Russia, Belarus, Ukraine and Moldova (see Chart 5.2.1). The citizens of aforementioned states choose Latvia as destination for their illegal entry because they have no language barrier in Latvia and there exists a rather large diaspora, the representatives of which have established enterprises in Latvia and indirectly support employment of their countrymen. Also historical aspects of Latvia and relatively similar climatic conditions, as well as common land border with Latvia (Russia, Belarus) are important factors.

Although the number of illegal immigrants against the overall background is relatively small, 2 other trends have emerged – illegal immigrants coming from Asian countries (Georgia, Afghanistan, Pakistan, Bangladesh, China, etc.) and African countries (Ghana, Congo, Ivory Coast, etc.).

⁵⁶ Data source: the *Eurostat* (data are rounded to the nearest 5).

Chart 5.2.1
The largest groups of illegal immigrants, 2009



6. ASYLUM: INTERNATIONAL PROTECTION

Overall, the number of asylum applicants is still relatively small. Situation in the asylum field in the reporting year was about the same as in the previous year. But in recent years trends are changing as more and more asylum seekers come to Latvia with large families, even families with up to seven children.

The persons seeking international protection in Latvia still arrive from the former USSR and the CIS states, as well as from Asia and Africa (Bangladesh, Eritrea, Cameroon, Congo, etc.).

Significant changes in legislation were introduced during the reporting year, i.e. a **new Asylum Law**⁵⁷ was adopted providing for implementation of several European Union directives, thus forming a basis for the optimising of a coherent and effective asylum procedure that ensures the rights of asylum seekers. To ensure a good quality and efficient asylum procedure, the subordinate Draft Cabinet Regulations were drawn up along with the new Asylum Law, which already entered into force in 2010:

⁵⁷ Published: The Latvian Herald, No.100, 30.06.2009. [into force since 14.07.2009.]

- Regulations Regarding Allowances for a Refugee and a Person who has been Granted Alternative Status;⁵⁸
- Regulations Regarding the Amount of Expenses for the Purchase of Subsistence, Hygiene and Basic Necessities for Asylum Seekers and the Procedures for Covering of these Expenses;⁵⁹
- Internal Rules of Procedure of an Accommodation Centre for Asylum Seekers;⁶⁰
- Procedures for Reunification of Families of Refugees or Persons Having Acquired Alternative Status or Temporary Protection in the Republic of Latvia;⁶¹
- Regulations Regarding Specimen of a Transfer Document for such Person who has been Granted Temporary Protection, the Procedures for the Issuance of the Transfer Document and the Amount of Necessary Information to be Exchanged between Member States.⁶²

In 2009, no significant changes were introduced into the administrative procedure in institution governing the procedures for accepting and examining applications and decisions and appealing of first instance decisions. It should be noted that by the new Asylum Law the term for filing a complaint about a negative decision taken by an institution within the asylum procedure has been extended and now is 10 working days. Thus, the asylum procedure has become clearer for asylum seekers. At the same time, taking into account the special procedure laid down for submitting an appeal within the asylum procedure, it is considered sufficient time for preparation of a court application.

6.1. Applications for International Protection

In 2009, **50** first-time applications for international protection were lodged, the same as in 2008. During the last two reporting periods since 2002 there has been a constant high number of international protection applications (see Chart 6.1.1).

In 2009, a total of 60 applications for international protection were lodged.

It should be noted that no such international factors were identified during the reporting year which would influence the increase of the number of asylum seekers.

⁵⁸ Adopted on 12 January 2010 with No.23. Published: The Latvian Herald, No.8, 15.01.2010.

⁵⁹ Adopted on 12 January 2010 with No.24. Published: The Latvian Herald, No.8, 15.01.2010.

⁶⁰ Adopted on 23 February 2010 with No.173. Published: The Latvian Herald, No.33, 26.02.2010.

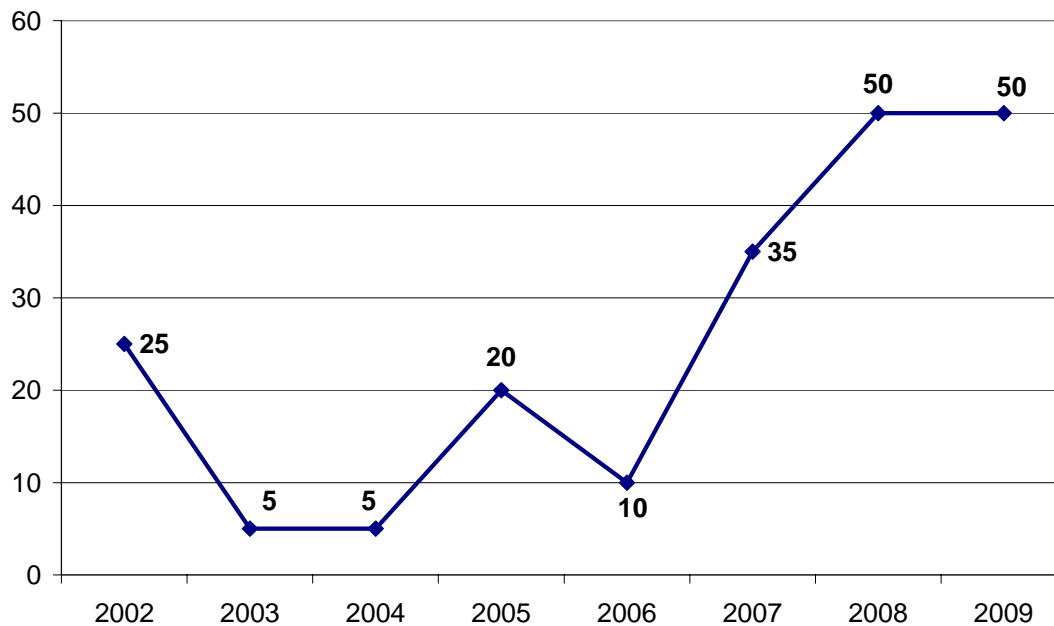
⁶¹ Adopted on 26 January 2010 with No.74. Published: The Latvian Herald, No.16, 29.01.2010.

⁶² Adopted on 2 February 2010 with No.95. Published: The Latvian Herald, No.21, 05.02.2010.

In 2009, the trend continued that emerged in 2007, namely, arrival of persons from “exotic” countries such as Bangladesh, Congo, Cameroon and Eritrea.⁶³

In 2009, **10** applications for international protection were withdrawn. In 5 cases applications were withdrawn by Georgian nationals, which can be explained by stabilising political situation in their home country and thus the possibility for individuals to return home.

Chart 6.1.1
The total number of first-time applications for international protection, 2002-2009⁶⁴



In comparison with 2008, there were significant changes in the citizenship of asylum applicants (see Table 6.1.2). As the situation in Georgia stabilised, the flow of asylum seekers from this country decreased significantly. But there was a large portion of asylum applicants arriving from Afghanistan, Uzbekistan and Russia. A large number of asylum seekers from Afghanistan and Uzbekistan were due to the unstable political situation in these countries. It should be noted the number of asylum seekers from Afghanistan in the previous reporting years was not high, but there was a significant trend that asylum seekers from Afghanistan were brought into Latvia illegally.

⁶³ Information source: the OCMA.

⁶⁴ Data source: the *Eurostat* (data are rounded to the nearest 5).

Table 6.1.2
The total number of asylum applicants
by citizenship, 2008 - 2009⁶⁵

Citizenship	Total number of applicants
2009	
Afghanistan	20
Uzbekistan	10
Russia	5
Palestine	5
Iran	5
Total:	50
2008	
Georgia	15
Afghanistan	10
Russia	5
Syria	5
Total:	50

Considering the division of asylum seekers by age and gender it is possible to draw a general conclusion that in most cases asylum seekers arriving in Latvia are working-aged men (see Table 6.1.3). This trend was characteristic for both 2009 and previous reporting years.

Table 6.1.3
The total number of first-time
asylum applicants by age group and gender, 2009⁶⁶

Age group	Men	Women	Total
0-14	5	10	10
14-17	5	0	5
18-34	20	5	25
35-64	5	0	10
Total	35	15	50

At the end of 2009 there were in total 50 asylum applications under review (see Table 6.1.4), which can be explained by changes in examination procedures of asylum applications. For example, the processing time for applications in the first instance according to the Asylum Law begins not upon the submission of the asylum application but on the date when the Office of Citizenship and Migration Affairs receives the asylum seeker's interview materials from the State Border Guard. At the

⁶⁵ Data source: the *Eurostat* (data are rounded to the nearest 5).

⁶⁶ Data source: the *Eurostat* (data are rounded to the nearest 5).

same time, compared with the legislation in force previously, the new Asylum Law provides for taking of an additional decision – a decision on the admission of an application for review. Taking into consideration the above, it can be concluded that the period between submission of the application and until the first instance decision is taken pursuant to the Asylum Law is now slightly longer (about 5 months).

Table 6.1.4
Applications under review
at the end of the year submitted by asylum seekers, 2009⁶⁷

Citizenship of asylum applicants	Total number of applications under review
Afghanistan	20
Georgia	10
Uzbekistan	10
Russia	5
Palestine	5
Iran	5
Total:	50

6.2. First Instance and Final Decisions

In 2009, there were **40** first instance decisions and **15** final decisions (see Table 6.2.1). In comparison with 2008, the number of first instance decisions was four times higher, but the number of final decisions remained the same.

35 applications for international protection were rejected by taking first instance decisions and 10 applications were rejected by taking final decisions. In the last reporting years there has been a very large number of both first instance and final decisions by which applications were rejected. The main reason to reject applications was individuals not meeting legislative criteria for granting an international protection status. It is worth noting that each application is assessed individually and because of the small total number of asylum applications it is impossible to indicate trends in relation to reasons behind rejection. In cases when an asylum applicant had appealed the first instance decision, first instance decisions after court proceedings were changed only occasionally.

⁶⁷ Data source: the *Eurostat* (data are rounded to the nearest 5).

In 2009, there were 10 positive first instance decisions, of which an alternative protection status was granted in 5 cases. It should be noted that the number of positive decisions since 2007 has not changed significantly. In 2009, 5 persons were granted refugee status by issuing final decisions. There were no positive decisions in relation to withdrawal of refugee status.

All decisions issued in 2009 concerned working-age men. No female asylum applicants received a positive first instance or final decision.

In 2009, there were no decisions in relation to temporary protection, humanitarian protection or authorisation to stay in Latvia within the framework of the Community resettlement schemes.

Table 6.2.1
The total number of decisions and the age of
asylum applicants, 2009⁶⁸

	First instance decision					Final decision		
	Total	Age				Total	Age	
		0-14	14-17	18-34	35-64		18-34	35-64
Application rejected	35	10	0	15	10	10	5	5
Positive decision taken	10	0	0	5	5	5	0	0
Total	40	10	5	20	15	15	5	5

Most applications for international protection were received from nationals of Afghanistan, Georgia, Russia, Bangladesh and Syria (see Table 6.2.2). Only 5 asylum applicant cases from Afghanistan received a positive decision in the first instance, whereas in 5 cases involving Russian nationals a positive final decision was taken.

⁶⁸ Data source: the *Eurostat* (data are rounded to the nearest 5).

Table 6.2.2
Total number of decisions and the citizenship of
asylum applicants, 2009⁶⁹

Citizenship	First instance decision			Final decision		
	Total	Application rejected	Positive decision taken	Total	Application rejected	Positive decision taken
Afghanistan	10	5	0	-	-	-
Georgia	10	10	-	5	5	0
Russia	5	5	-	5	0	5
Bangladesh	5	5	-	-	-	-
Syria	5	5	-	-	-	-

6.3. The Dublin Regulation⁷⁰

In 2009, Latvia received **141** requests from other Member States to be considered in the context of the Dublin Regulation. Among them **63** requests were for taking back asylum seekers or taking charge of examination of asylum applications in Latvia and **78** information requests (see Table 6.3.1). In comparison with 2008, the number of requests for taking back the asylum seeker or taking charge of examination of the asylum application in Latvia had slightly increased. The number of information requests, however, decreased significantly.

The largest number of requests in 2009, as in 2008, was received from Sweden – **73** requests.

On the basis of requests received from the Member States Latvia had accepted **54** requests and **24** requests **were rejected**. In comparison with 2008, the number of accepted requests had doubled and the number of rejected requests had tripled.

Overall in 2009, Latvia took back **21** asylum seekers from other Member States, which is by 12 asylum seekers more than during the previous reporting period.

⁶⁹ Data source: the *Eurostat* (data are rounded to the nearest 5).

⁷⁰ Council Regulation No 343/2003 of February 18, 2003, establishing the criteria and mechanisms for determining the Member State responsible for examining an asylum application lodged in one of the Member States by a third-country national. – Official Journal, L 50, 25.02.2003. – p.p. 1-10

Table 6.3.1
The total number of received requests
and the number of requests for information, 2009⁷¹

The requesting state	Total	Total number of received requests			Requests being processed on 31.12.2009	Requests for information	
		Positive decision	Negative decisions	Transfers		Total	Answered requests
Sweden	16	21	8	11	-	57	102
Lithuania	10	3	5	2	2	-	-
Germany	7	4	3	-	-	-	-
France	6	3	3	-	-	1	1
Denmark	5	5	-	2	-	-	-
Estonia	3	-	2	-	1	-	-
Finland	3	2	1	2	-	2	2
UK	3	3	-	-	-	-	-
Spain	2	2	-	-	-	-	-
Netherlands	2	2	-	-	-	3	3
Iceland	2	2	-	-	-	-	-
Norway	2	5	2	3	-	5	5
Austria	1	1	-	-	-	6	7
Switzerland	1	1	-	1	-	1	1
Czech Republic	-	-	-	-	-	1	1
Ireland	-	-	-	-	-	2	2
Total	63	54	24	21	3	78	124

In 2009, 52 requests were received from Member States to accept responsibility for asylum application examination in Latvia (see Table 6.3.2). 94% of all requests received from Member States were supported by documentary evidence, i.e., the asylum seeker possessed a valid residence permit or visa issued by Latvia or the asylum seeker had entered the European Community for the first time via Latvia.⁷²

The largest number of requests was received from Sweden – 15, Lithuania – 10, Germany and France – 6. From 52 requests received Latvia accepted responsibility for 46 requests on asylum application examination in Latvia, but 20 requests were rejected. 20 asylum seekers for whose asylum application examination Latvia took responsibility were transferred to Latvia from neighbouring countries – Sweden, Lithuania, Finland, Denmark, Norway and Switzerland.

⁷¹ Data source: the Eurostat.

⁷² Articles 9–12 of Regulation No. 343/2003.

Table 6.3.2
The number of received requests for taking responsibility
for examination of an asylum application in Latvia, 2009⁷³

The requesting state	Total	Total number of received requests		
		Positive decisions	Negative decisions	Transfers
Sweden	15	21	7	11
Lithuania	10	3	5	2
Germany	6	4	2	-
France	6	3	3	-
Norway	5	5	-	3
Estonia	3	-	2	-
Finland	3	2	1	2
Spain	2	2	-	-
Netherlands	2	2	-	-
Iceland	2	2	-	-
Austria	1	1	-	-
Switzerland	1	1	-	1
Denmark	-	-	-	1
Total	52	46	20	20

In 2009, Latvia received 11 requests from Member States for taking back asylum seekers (see Table 6.3.3). 10 requests from Member States were supported by match of asylum seeker's fingerprints with fingerprints previously recorded in Latvia and transferred to the *Eurodac*⁷⁴ central database, which is an absolute proof that the person concerned has previously been seeking asylum in Latvia.

From 11 taking back requests received from Member States, Latvia accepted 8 requests and rejected 4 requests. 1 asylum seeker, for whose taking back Latvia has taken responsibility, was transferred from Denmark to Latvia.

⁷³ Data source: the *Eurostat*.

⁷⁴ *Eurodac* – unified European fingerprint database.

Table 6.3.3
The number of received taking back requests, 2009⁷⁵

The requesting state	Total	Total number of received requests		
		Positive decisions	Negative decisions	Transfers
Denmark	5	5	-	1
UK	3	3	-	-
Germany	1	-	1	-
Sweden	1	-	1	-
Norway	1	-	2	-
Total	11	8	4	1

In 2009, Latvia submitted 14 asylum seeker taking back requests to other Member States (see Table 6.3.4). In 8 cases Member States took a positive decision, in 4 cases the request was rejected and 6 asylum seekers were transferred from Latvia to Germany, Lithuania, France and Sweden.

In 2009, Latvia also submitted 1 information request to Norway.

⁷⁵ Data source: the *Eurostat*.

Table 6.3.4
Total number of requests sent
and number of information requests, 2009⁷⁶

The state receiving request	Total	The number of requests sent			Requests being processed on 31.12.2009.	Information requests	
		Positive decisions	Negative decisions	Transfers		Total	Answered
Lithuania	4	3	1	2	-	-	-
Germany	2	2	-	2	-	-	-
Poland	2	1	-	-	1	-	-
Belgium	1	-	-	-	-	-	-
France	1	1	-	1	-	-	-
Netherlands	1	-	-	-	1	-	-
Sweden	1	1	-	1	-	-	-
UK	1	-	1	-	-	-	-
Norway	1	-	1	-	-	1	1
Total	14	8	4	6	2	1	1

6.4. Unaccompanied Minors⁷⁷

In 2009, no persons arrived in Latvia who could be classified as unaccompanied minors. Until 2009, unaccompanied minors had arrived in Latvia only in 2005 (3 unaccompanied minors from Somalia) and 2008 (4 – from Afghanistan).⁷⁸

As in comparison with other European Union Member States the number of unaccompanied minors in Latvia is small, no conclusions can be drawn on any particular trends in the flow of unaccompanied minors through or to Latvia.

⁷⁶ Data source: *The Eurostat*.

⁷⁷ Pursuant to the Directive of the European Council 2001/55/EC of 20 July 2001, **unaccompanied minors** are third-country nationals or stateless persons below the age of 18, who arrive in the territory of the Member States unaccompanied by an adult responsible for them whether by law or custom, and for as long as they are not effectively taken into the care of such person; it includes minors, who are left unaccompanied after they have entered the territory of the member state.

For further information on unaccompanied minors please see the study of 2009 of the Latvian National Contact Point "Policies on Reception, Return and Integration Arrangements for Unaccompanied Minors in Latvia" (Available at: http://www.emn.lv/lv/pdf/2008/Study_Unaccompanied_minors_LV.pdf).

⁷⁸ Data source: the OCMA.