

# **Law "On the Status of Former USSR Citizens Who are not Citizens of Latvia or Any Other State"**

## **Article 1. Subjects of the Law**

(1) The subjects of this law - the non-citizens are those citizens of the former USSR and their children who reside within the Republic of Latvia, or are absent for a fixed period, and who simultaneously comply to the following provisions:

1) on July 1, 1992 they were registered within the territory of Latvia, regardless of the status of the residence specified in their registration record, or their last registered place of residence through July 1, 1992 was within the Republic of Latvia, or the fact has been established by a court finding that through the mentioned date they have lived permanently within the territory of Latvia for no less than 10 years;

2) they are not citizens of Latvia;

3) they are not and were not citizens of any other country.

(2) The legal status of those persons who have entered the Republic of Latvia after July 1, 1992 shall be determined by the Republic of Latvia Law "On the Entry and Residence of Foreign Citizens and Stateless Persons in the Republic of Latvia".

(3) This Law shall not apply to:

1) military experts engaged in the functioning and dismantling of the military facilities of the Russian Federation stationed in the territory of Latvia, and civilians sent to Latvia for this purpose;

2) persons who have been demobilized from active military service after January 28, 1992 if on the date of their conscription they were not permanently residing in the territory of Latvia and are not family members of Republic of Latvia citizens; and

3) spouses of the persons mentioned in Paragraphs 1 and 2 of Part 3 of this Article, and the family members of these persons - children and other dependents residing with them if they have arrived in Latvia in connection with the service of a military person in the Russian Federation (USSR) Armed Forces, irrespective of the date of their arrival in Latvia;

4) persons received compensation for going abroad for permanent residence independent of payment of this compensation was made by the Republic of Latvia state or local government institutions or international (foreign) foundations or institutions;

5) persons who after July 1, 1992, without the limitation of a term, are registered (recorded) in the place of residence within partner countries of the Commonwealth of Independent States.

## **Article 2. Rights and obligations of a non-citizen**

(1) A non-citizen has those rights and obligations set forth by the Constitution of the Republic of Latvia.

(2) Along with those rights and obligations set forth by the Constitution of the Republic of Latvia, a non-citizen holds the following rights:

1) to maintain his/her native language and culture within the limits of cultural-national autonomy and traditions if such do not contravene the laws of the Republic of Latvia;

2) not to be evicted from Latvia, except in cases where such eviction is performed in that procedure stipulated by law and the consent of a foreign country to accept the evicted person has been received; eviction to the country where the person will be persecuted due to race, religion or ethnicity as well as collective evictions are prohibited.

### **Article 3. Non-citizen's passport**

(1) A document certifying the identity of a non-citizen is a non-citizen's passport issued by the Republic of Latvia. Prior to receipt of a non-citizen's passport within that period established by the Cabinet of Ministers, the status of a non-citizen is certified by a citizen's passport of the former USSR containing the personal identification code of a resident of Latvia or some other personal document issued by the Republic of Latvia containing the personal identification code of a resident of the Republic of Latvia.

(2) The standard form of the non-citizen's passport shall be approved, and the issuing deadlines and procedure shall be determined by the Cabinet of Ministers. The personal code of a Republic of Latvia resident shall be indicated in the non-citizen's passport.

(3) [Deleted by the law of March 30, 2000]

(4) Persons receive a non-citizen's passport upon reaching the age of 16. If the non-citizen who are under 16 go abroad without being accompanied by their parents, a non-citizen's passport may be issued before reaching the age of 16.

(5) The particulars of minors who have not reached 16 years of age shall be entered in the non-citizen's passport of their parents or their legal guardians.

### **Article 4. Issue of a non-citizen's passport**

(1) A non-citizen's passport shall be issued in accordance with the procedure and deadline set by the Cabinet of Ministers, upon presenting a former USSR citizen's passport which contains the personal code of a Republic of Latvia resident, or another personal identification document issued by the Republic of Latvia which contains the personal code of a resident of the Republic of Latvia. Upon receiving the non-citizen's passport, the individual shall leave his/her signature as a testimony to the fact that he/she is not a citizen of any other state.

(2) [Deleted by the law of March 30, 2000]

(3) If a person who has received a non-citizen's passport is granted citizenship of another state, he/she shall declare this and return his/her non-citizen's passport within one month in the procedure set by the Cabinet of Ministers.

### **Article 5. Losing non-citizen status**

(1) Reasons for losing the status of a non-citizen can be:

- 1) refusing the status of a non-citizen;
- 2) revocation of the status of a non-citizen.

#### **Article 6. Refusing the status of a non-citizen**

(1) Any person who has the citizenship of another country or for whom the citizenship of another country is guaranteed has the right, by submitting a corresponding application in that procedure established by the Cabinet of Ministers, to refuse the status of a non-citizen.

(2) In the case of a minor the application on refusing the status of a non-citizen shall be submitted by such person's parents (adopters). If a minor person has reached 15 years of age, in order to refuse the status of a non-citizen, his/her consent in writing is required.

(3) Decisions on rejection of refusing applications can be appealed through the courts.

#### **Article 7. Divestment of non-citizen status**

(1) A person is divested non-citizen status if he/she:

- 1) does not correspond to any of the provisions mentioned in the first Part of Article 1 of this law;
- 2) belongs to any of the categories of persons mentioned in the third Part of Article 1 of this law;
- 3) has acquired the citizenship (nationality) of another country, avoiding the submission of an application on renunciation of non-citizen status;
- 4) without the permission of the Cabinet of Ministers performs service in the armed forces, internal army, security service, police (militia) of a foreign country or are in the service of their Justice institutions;
- 5) has deliberately submitted false information about him/herself in order to acquire non-citizen status.

(2) The procedure in which a person shall be divested of non-citizen status is established by the Cabinet of Ministers.

(3) A decision on the divestiture of non-citizen status can be appealed in the courts.

#### **Article 8. Concluding provisions**

(1) Articles 2-7 of this law shall also apply to stateless persons and their descendants who are not and have never been citizens of another state and who resided and were permanently registered (without any time limitations) in the territory of Latvia before July 1, 1992.

(2) Article 2 of this law shall also apply to citizens of other states and their descendants who resided and were permanently registered (without any time limitations) in the territory of Latvia before July 1, 1992 irrespective of the status of the residence specified on their registration record, and who are not citizens of the Republic of Latvia, except those persons listed in Article 1, Part 3 of this law.

(3) Temporary residence permits of persons who have permanently resided in the dwelling-houses of the former residential section of the Russian Federation (USSR) Armed Forces and who have not been demobilized from the Russian Federation military service, and of their family members, shall be annulled and information on these people shall be entered in the Residents' Register in accordance with the law "On the Residents' Register".

### **Transitional provisions**

1. As of the moment this law takes effect, the following shall become null and void: the Republic of Latvia Supreme Council Resolution "On the Procedure by Which the Republic of Latvia Law "On the Residents' Register" Takes Effect" and the Republic of Latvia Supreme Council Resolution "On Granting Temporary Residence Permits to Those Persons, whose Residence in the Republic of Latvia is Connected with the Temporary Location of the Russian Federation Armed Forces in the Republic of Latvia".

2. Until the moment of the taking effect of the "Law of the Administrative Procedure" the execution of a decision on the divestiture of non-citizen status provided in Article 7 of this law shall be postponed from the moment of the taking effect of that law until the moment when the period for the appeal of the decision expires and the decision was not appealed.