

Submission by the United Nations High Commissioner for Refugees

For the Office of the High Commissioner for Human Rights' Compilation Report

Universal Periodic Review: *Fourth Cycle, 52nd Session*

LATVIA

I. BACKGROUND INFORMATION

Latvia acceded to both the *1951 Convention relating to the Status of Refugees* with several reservations¹ and its *1967 Protocol* (hereinafter jointly referred to as the *1951 Convention*) in 1997. Latvia also acceded to the *1954 Convention relating to the Status of Stateless Persons* (the *1954 Convention*) with reservations² in 1999 and the *1961 Convention on the Reduction of Statelessness* (the *1961 Convention*) in 1992.

As of 1 January 2025, according to the Latvian authorities the country hosts almost 223,400 forcibly displaced and stateless persons, including over 49,000 refugees, almost 300 asylum-seekers, and approximately 174,000 of stateless persons.³

Asylum-seekers and refugees: The *Asylum Law of the Republic of Latvia* (the *Asylum Law*) regulates asylum procedures, including temporary protection provisions.⁴ Procedures for family reunification and residence permits are determined by the *Immigration Law of the Republic of Latvia*.⁵ The Ministry of the Interior (MOI) and its two subordinated authorities, the Office of Citizenship and Migration Affairs (OCMA) and the State Border Guard (SBG), are the main governmental bodies responsible for asylum-related matters. The SBG is, *inter alia*, responsible for registering asylum applications, conducting initial interviews and managing the detention centres for asylum-seekers and migrants in Daugavpils and Mucenieki. The OCMA is in charge of the assessment of asylum claims, takes first instance decisions on asylum applications, and manages two open reception facilities for asylum-seekers in Mucenieki and Liepna.

Latvia has historically received a relatively small number of asylum applications per year.⁶ The situation significantly changed in August 2021, when Latvia faced a sudden increase of irregular arrivals of asylum-seekers and migrants coming via Belarus.⁷ In 2024, Latvia received over 800 asylum applications.⁸

¹ Latvia's reservations to the *1951 Convention*: Article 8-Exemption from exceptional measures, Article 17(1-2)-Wage-earning employment, Article 24- Labour legislation and social security, Article 26-Administrative assistance, and Article 34-Naturalization.

² Latvia's reservations to the *1954 Convention*: Article 24-Labour legislation and social security, and Article 27-Identity papers, https://treaties.un.org/pages/ViewDetailsII.aspx?src=TREATY&mtdsg_no=V-3&chapter=5&Temp=mtdsg2&clang=en#EndDec. Latvia's reservations: "In accordance with Article 38 of the [Convention] the Republic of Latvia reserves the right to apply the provisions of paragraph 1 (b) of Article 24 subject to limitations provided for by the national legislation." and "In accordance with Article 38 of the [Convention] the Republic of Latvia reserves the right to apply the provisions of Article 27 subject to limitations provided for by the national legislation."

³ With respect to persons under UNHCR's statelessness mandate, this figure includes persons of concern covered by two separate Latvian laws. 157 persons fall under the *Law of the Republic of Latvia on Stateless Persons* on 17 February 2004. 173,729 of the persons fall under Latvia's 25 April 1995 *Law on the Status of those Former USSR Citizens who are not Citizens of Latvia or Any Other State ("Non-citizens")*. In the specific context of Latvia, the "Non-citizens" enjoy the right to reside in Latvia *ex lege* and a set of rights and obligations generally beyond the rights prescribed by the *1954 Convention relating to the Status of Stateless Persons*, including protection from removal, and as such the "Non-citizens" may currently be considered persons to whom the *1954 Convention* does not apply in accordance with Article 1.2(ii).

⁴ Latvia, *Asylum Law of the Republic of Latvia*, 17 December 2015, <https://likumi.lv/doc.php?id=278986>.

⁵ Latvia, *Immigration Law of the Republic of Latvia*, 20 November 2002, <http://likumi.lv/doc.php?id=68522>.

⁶ In 2020, 147 asylum-seekers applied for international protection (main countries of origin were Belarus, Russia, Syria); in 2019 – 178 asylum-seekers (Azerbaijan, Russia, India); in 2018 – 176 asylum-seekers (Russia, Iraq, Azerbaijan); in 2017 – 355 asylum-seekers (Syria, Viet Nam, Russia); and in 2016 – 334 asylum-seekers (Syria, Afghanistan, Russia).

⁷ According to the OCMA, 582 persons applied for asylum in 2021, main countries of origin were Iraq (60%), Afghanistan (12%) and Belarus (10%), 52 per cent were women and children, including 16 unaccompanied children.

⁸ The main countries of origin were Tajikistan (20%), Afghanistan (19%) and India (12%). The authorities have not provided disaggregated data on asylum-seekers by age and gender.

Latvia should be commended for the significant support provided to refugees who fled the escalation of the war in Ukraine. Since February 2022, Latvia has registered about 50,000 refugees for temporary protection. A new *Law on Assistance to Ukrainian Civilians of the Republic of Latvia* was adopted to regulate the provision of temporary protection and assistance.⁹ This law, along with an annual Action Plan with a clearly earmarked annual budget for a broad scope of support, has enabled Latvia to offer efficient protection and facilitate access of refugees from Ukraine to rights and services on an equal footing with Latvian citizens. Of the Ukrainian refugees, *61 per cent* are women and girls, and *29 per cent* are children.

In addition, Latvia has also registered over 1,500 refugees and subsidiary protection beneficiaries from 50 countries.¹⁰ In 2024, Latvia granted international protection to 150 individuals at the first instance: 77 persons were recognized as refugees, and 73 were granted subsidiary protection.¹¹

Stateless persons: The statelessness-related issues are regulated by the *1995 Law of the Republic of Latvia on the Status of those Former USSR Citizens who are not Citizens of Latvia or Any Other State* (“non-citizens”)¹² and the *2004 Law of the Republic of Latvia on Stateless Persons*.¹³ OCMA is in charge of citizenship related matters, including determination of non-citizens status and the statelessness determination procedure. According to the Latvian authorities, as of 1 January 2025, there were 173,729 “non-citizens” and 157 stateless persons.¹⁴

II. KEY RECOMMENDATIONS FOR FURTHER IMPROVEMENT¹⁵

Issue 1: Access to territory and the principle of non-refoulement

On 10 August 2021, following a rapid increase in the number of irregular arrivals via Belarus, the Government adopted *Order No. 518*, declaring a state of emergency.¹⁶ This *Order* introduced a reinforced regime with restrictive measures regarding access to territory and asylum for individuals arriving irregularly via Belarus, including potential asylum-seekers. With certain adjustments, this regime currently remains in force until 31 December 2025.¹⁷

Situation at the “green border”: Between August 2021-July 2025, the SBG reported over 34,000 instances of pushbacks at the “green border” with Belarus.¹⁸ The pushbacks were conducted without assessing the risks individuals might face in Belarus, including potential chain refoulement.¹⁹ Exemptions from non-admission measures have been applied

⁹ Latvia, *Law on Assistance to Ukrainian Civilians of the Republic of Latvia*, 03 March 2022, <https://likumi.lv/ta/en/en/id/330546>.

¹⁰ Primarily from Russia (23%), Afghanistan (20%) and Syria (20%).

¹¹ The refugee recognition rate was *16 per cent*, while the total recognition rate, including subsidiary protection, was *31 per cent*. The main countries of origin were Afghanistan (42%), Russia (17%) and Syria (15%). Among almost 300 asylum-seekers with pending asylum decisions, mainly from Tajikistan, Afghanistan, and Russia.

¹² Latvia, *Law of the Republic of Latvia on the Status of those Former U.S.S.R. Citizens who do not have the Citizenship of Latvia or Any Other State*, 12 April 1995, <https://likumi.lv/ta/en/en/id/77481>.

¹³ Latvia, *Law of the Republic of Latvia on Stateless Persons (Law on Stateless Persons)*, 29 January 2004, <https://likumi.lv/ta/en/en/id/84393-law-on-stateless-persons>.

¹⁴ Office of Citizenship and Migration Affairs, *Distribution of Latvian population by year of birth and legal status as of January 2025*, <https://pmlp.gov.lv/lv/media/12633/download?attachment>.

¹⁵ The following is a non-exhaustive list of recommendations which, if supported and implemented by the State, may help to improve the protection of the human rights of forcibly displaced and stateless people.

¹⁶ The Cabinet of Ministers of the Republic of Latvia, *Order No 518 on Declaration a State of Emergency Situation (consolidated version)*, 10 August 2021, likumi.lv/ta/id/325266-par-arkartejas-situacijas-izsludinasanu.

¹⁷ The Cabinet of Ministers of the Republic of Latvia, *On Declaration of the Enhanced Operating Mode of the Border Protection System*, 25 June 2025, https://tapportals.mk.gov.lv/legal_acts/41e3f6f7-3735-4431-98fc-cedf949a693e.

¹⁸ According to the Ministry of the Interior, this included 4,045 in 2021; 5,203 in 2022; 13,863 in 2023; and 5,388 in 2024. During the period from January to July 2025, over 5,600 pushbacks were reported. The instances of non-admission are not equivalent to the number of persons not admitted, as the same individuals may have been subject to multiple pushbacks.

¹⁹ FRONTEX, *Access to Serious Incident Reports concerning Latvia, Lithuania, and Poland* (see SIR 10633_2022; SIR 10804_2022, SIR 10842_2022; and SIR 13426_2021-f(1), 13 December 2024, [Access to Serious Incident Reports concerning Latvia, Lithuania, and Poland](https://www.fronx.eu/en/access-to-serious-incident-reports-concerning-latvia-lithuania-and-poland)).

restrictively.²⁰

UNHCR's monitoring indicates that nationals from countries with high refugee recognition rates (e.g. Afghanistan, Somalia and Syria) have been among those directly affected by restrictive measures at the border areas.²¹ Since August 2021, UNHCR has been receiving distress calls from persons who had crossed the Belarus-Latvia border to request asylum but were pushed back by Latvian authorities. UNHCR regularly informs the authorities of the calls made to UNHCR. Those stranded at the "green border"²² have reported being left without food, water, shelter, or basic assistance. Some individuals also alleged violence, abuse, and severe ill-treatment by border guards.²³ They were unable to apply for asylum and, on several occasions, were forced to remain in the border area in dire conditions for a considerable amount of time, being blocked from both sides by Latvian and Belarusian authorities.²⁴ Between 2021-2025, the International Organisation for Migration and an NGO "I Want to Help Refugees" have reported the deaths of over 20 individuals on both sides of the Latvian-Belarusian border.²⁵

This situation is further exacerbated by the continuously restricted access to the border areas for NGOs, journalists, and international organizations. These restrictions severely hinder independent monitoring efforts and the ability to assess the situation of individuals stranded at the border and respond to their humanitarian needs. Analyzing the domestic legislation and practice on access to asylum and detention in *H.M.M. and Others v. Latvia* (pending the Grand Chamber of ECtHR decision), UNHCR concluded that Latvia's emergency measures introduced in 2021 have led to a systematic practice of summary returns.²⁶

Border crossing points (BCP): Practical obstacles make it extremely difficult (if not impossible) for individuals to access asylum procedures at Latvia's BCPs, especially from autumn to early spring during inclement weather conditions. These practical obstacles include the long distances to the BCPs, combined with natural barriers such as swamps,

²⁰ According to the Ministry of Interior of the Republic of Latvia, since August 2021, approximately 765 individuals have been granted exceptional admission by the Latvian authorities on humanitarian grounds, including in 2021: 94 persons, in 2022: 217, in 2023: 428, and in 2024: 26; see also IOM and UNHCR, *UNHCR/IOM press release: "IOM and UNHCR provide emergency aid to asylum-seekers and migrants at the Belarus-Poland border, call to ensure well-being of people and prevent loss of life,"* 12 November 2021, <https://www.unhcr.org/news/press/2021/11/618a63674/unhcr-iom-call-immediate-de-escalation-belarus-poland-border.html>; UNHCR, *Global press release "UNHCR and IOM call for immediate de-escalation at the Belarus-Poland border,"* 9 November 2021, <https://www.unhcr.org/news/press/2021/11/618a63674/unhcr-iom-call-immediate-de-escalation-belarus-poland-border.html>; UNHCR, *Global press release "UNHCR urges states to end stalemate at Belarus-EU border to avoid further loss of life,"* 22 October 2021, <https://www.unhcr.org/news/press/2021/10/617f31-unhcr-and-iom-shocked-and-dismayed-by-deaths-near-belarus-poland-border.html>; UNHCR, *Global press release "UNHCR and IOM shocked and dismayed by deaths near Belarus-Poland border,"* 21 September 2021, <https://www.unhcr.org/neu/67731-unhcr-and-iom-shocked-and-dismayed-by-deaths-near-belarus-poland-border.html>.

²¹ UNHCR and the SBG of Latvia have a Memorandum of Understanding that enables UNHCR to monitor the situation of refugees and asylum-seekers in border areas. UNHCR was able to visit the border areas in August 2021, but was not allowed access to persons stranded at the border. Border monitoring was subsequently prohibited by the SBG due to the COVID-19 pandemic and security considerations until August 2022. UNHCR was only allowed to meet with individuals who had been exceptionally admitted and placed at the accommodation centres for detained foreigners in Daugavpils and Mucenieki. Since 2023, UNHCR has been able to resume protection monitoring activities in border areas, including the "green border" area.

²² *Border areas between official BCPs, including the narrow strip of land between Latvia and Belarusian border signs.*

²³ The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), Report to the Latvian Government on the periodic visit to Latvia carried out by the CPT from 10 to 20 May 2022, CPT/Inf (2023)16, 11 July 2023, rm.coe.int/1680abe944, pages 4 and 18: 'allegations mainly consisted of punches, kicks, truncheon blows, and electric shocks inflicted on various parts of the body (including the genitals) at the time of or immediately following apprehension, after the foreign national concerned had been brought under control.' Amnesty International, *Latvia: Return home or never leave the woods: Refugees and migrants arbitrarily detained, beaten and coerced into "voluntary" returns - Amnesty International*, 12 October 2022, pages 32-34.

²⁴ SkyNews, *Migrants stuck in no man's land between Belarus and Latvia make desperate plea for help - 'we are broken'*, 23 August 2021, news.sky.com/story/migrants-stuck-in-no-mans-land-between-belarus-and-latvia-make-desperate-plea-for-help-we-are-broken-12387594.

²⁵ International Organization for Migration ('IOM'), *Missing migrants project – Data Belarus-EU Border*, missingmigrants.iom.int/region/europe?region_incident=4061&route=9911&incident_date%5Bmin%5D=8&incident_date%5Bmax%5D=1. I Want to Help Refugees, *Report No Safe Passage. Migrants' Death at European Union - Belarussian Border*, March 2024, www.iwanttohelprefugees.org/en/2024/03/migrants-death-at-european-union-belarussian-border.

²⁶ UNHCR, *Submission by the Office of the United Nations High Commissioner for Refugees in the case of H.M.M. and Others v. Latvia* (Application No. 42165/21) before the Grand Chamber of the European Court of Human Rights, 18 October 2024, <https://www.refworld.org/jurisprudence/amicus/unhcr/2024/en/148873>.

rivers, lakes and forests. Before September 2023, there were two operational road BCPs at the 173 km long border with Belarus. At present, only one BCP on the Belarusian border remains open, accessible only by motor vehicles.²⁷ All these factors have resulted in a disproportionately low number of asylum claims registered at BCPs with Belarus: between August 2021 and July 2025, a total of 105 asylum claims were registered, compared to over 34,000 pushbacks officially reported in the same period.²⁸

UNHCR has repeatedly expressed concern regarding Latvia's emergency legislation and the situation at the border, emphasizing that the response risks undermining the integrity of the national asylum system and is at odds with Latvia's international and European obligations.²⁹ International and regional human rights bodies have expressed concerns regarding access to asylum, highlighting the urgent need for compliance with international law and accepted standards.³⁰

Recommendations:

- Ensure that persons seeking international protection, irrespective of their mode of arrival and even in times of emergency, are protected from refoulement and have access to asylum procedures,
- Ensure independent monitoring of border management.
- Provide adequate training for border control personnel and other relevant officials on international protection of refugees and asylum-seekers, including on the right to seek asylum, the principle of non-refoulement, and on the identification and referral of persons with specific needs.

Issue 2: Detention, including detention of children

The SBG may detain a person for a period of up to six days based on specific legal grounds³¹ or use an alternative to detention (regular reporting requirement) based on individual assessment of each case, considering the specific situation and circumstances.³² During this initial period, asylum-seekers are eligible to receive state-provided legal aid.³³ The competent court should authorize extension of detention beyond the six days for a period not exceeding two months, but not longer than the duration of the asylum procedure.³⁴ The SBG may request further extension of detention, and the law does not establish a maximum cumulative duration of such extensions. State-provided legal aid is not

²⁷ In September 2023, the operation of one border crossing point "Silene" was closed. At the remaining operational border crossing point (Pāternieki), movement of pedestrians is not allowed: the Cabinet of Ministers of the Republic of Latvia, *Order No 514*, 10 August 2023, likumi.lv/ta/id/344412-par-pastiprinata-robezapsardzibas-sistemas-darbibas-rezima-izsludinasanu.

²⁸ No applications were registered between August – December 2021; 15 in 2022; 9 in 2023; and 48 in 2024. This data is based on the SBG information from two border crossing points – Silene and Pāternieki.

²⁹ UNHCR, *Acknowledging the challenging situation in Latvia, UNHCR raises concerns about legislative response*, 13 October 2021, [unhcr.org/neu/69763-unhcr-law-observations-on-latvian-declaration-of-emergency-situation.html](https://www.unhcr.org/neu/69763-unhcr-law-observations-on-latvian-declaration-of-emergency-situation.html). See also UNHCR, *Observations on the draft Amendments to the Law of Republic of Latvia on the State Border Guard Law (No 278/Lp14) and the draft amendments to the Law of Republic of Latvia on the State Border of the Republic of Latvia (No 277/Lp14)*, 20 June 2023, [refworld.org/legal/natlegcomments/unhcr/2023/en/21250](https://www.refworld.org/legal/natlegcomments/unhcr/2023/en/21250). UNHCR, *Statement from UNHCR, the UN Refugee Agency, on law amendments adopted in Latvia*, 27 June 2023, [unhcr.org/neu/102005-unhcr-concerned-with-new-legislation-in-latvia.html](https://www.unhcr.org/neu/102005-unhcr-concerned-with-new-legislation-in-latvia.html).

³⁰ UN Human Rights Committee, *Concluding observations on the fourth periodic report of Latvia*, CCPR/C/LVA/CO/4, 18 July 2025, paragraphs 15-16, 33-34, and 50, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=8&CountryID=95. Council of Europe, *Council of Europe anti-torture Committee (CPT) publishes report on its 2022 visit to Latvia*, 11 July 2023, [coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-cpt-publishes-report-on-its-2022-visit-to-latvia](https://www.coe.int/en/web/cpt/-/council-of-europe-anti-torture-committee-cpt-publishes-report-on-its-2022-visit-to-latvia); and CAT, *Concluding observations on the sixth periodic report of Latvia*, CAT/C/LVA/CO/6, 24 December 2019, paragraph 30, tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FLVA%2FCO%2F6&Lang=en.

³¹ *Asylum Law*, see note 4 above, Section 16-17.

³² *Asylum Law*, see note 4 above, Chapter IV. *The second restrictive measure is regular registration at the State Border Guard: Section 13. Application of Restrictive Measures in the Asylum Procedure (1) As necessary and in conformity with the principle of proportionality, an asylum seeker may be applied the following restrictive measures in the asylum procedure: 1) regular registration at the unit of the State Border Guard; 2) detention.*

³³ *Asylum Law*, see note 4 above, Section 17(6).

³⁴ *Asylum Law*, see note 4 above, Sections 18-19.

available during the court proceedings concerning the extension of detention.³⁵ While court decisions on detention are final, asylum-seekers may request a judicial review of the necessity to continue detention at any time. However, without access to state-provided legal aid, exercising this right is often not possible.

Following the surge in irregular arrivals in August 2021, the authorities placed asylum-seekers primarily in the Mucenieki accommodation centre, an open reception facility. However, from 11 August 2021, following the declaration of the state of emergency, the authorities began automatically placing asylum-seekers in detention centres for foreigners in Daugavpils and Mucenieki.³⁶ In 2024, the Latvian authorities detained some 113 individuals, including 19 children, for irregular border crossing at the Latvia-Belarus border.³⁷ During protection monitoring, UNHCR observed that asylum-seekers in detention often experience confusion, frustration, and anxiety due to limited access to information, interpretation, medical and psychosocial aid, communication tools, and legal counselling. While NGO lawyers are permitted to visit detention facilities and provide legal advice, such counselling is only available upon formal request by each asylum-seeker.

Detention of children for immigration related reasons is not prohibited in Latvia and children are detained along with their parents to preserve family unity. UNHCR has on several occasions recalled that detention is never in the best interests of the child and that alternatives to detention should be applied to the entire family instead.³⁸ The only available alternative to detention provided by Latvian law is regular reporting. However, it is neither consistently applied nor considered effective by the authorities, including in cases involving children and individuals with specific needs.

Recommendations:

- Wherever there are legitimate reasons for detention, consider strengthening alternatives to detention in law and in practice, especially in the situation of survivors of trauma, families with children and unaccompanied children.
- Ensure that detention of asylum-seekers is imposed only as a measure of last resort and is never applied to children seeking asylum, and that legal aid is available to asylum-seekers in detention and during all stages of the asylum application procedure.

Issue 3: Improved access to state-provided legal aid

According to the *Asylum Law*, Latvia provides free legal aid to asylum-seekers and international protection beneficiaries in specific situations to challenge the SBG or OCMA decisions.³⁹ *The State-Ensured Legal Aid Law*⁴⁰ stipulates that asylum-seekers shall be assigned a legal aid provider, with application for legal aid to be submitted through the SBG or the OCMA.

³⁵ *Asylum Law*, note 4 above, Section 11(2)(5) limits the state ensured legal aid only to appealing SBG decisions on restrictive measures and the proposal to detain to the district (city) court falls outside of the scope of this asylum-seekers' rights: *Section 11. Rights of an Asylum Seeker (2) An asylum seeker has the right to: (5) to receive State ensured legal aid in the amount laid down in the laws and regulations, when appealing the decision of the State Border Guard on registration of the asylum seeker with the unit of the State Border Guard or to detain the asylum seeker to the city (district) court.*

³⁶ Council of Europe, *Report to the Latvian Government on the periodic visit to Latvia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 10 to 20 May 2022*, CPT/Inf (2023), 16 July 2023, pages 22-25, rm.coe.int/1680abe944, see also Amnesty International, *Latvia: Return home or never leave the woods*, note 22 above, pages 45-46.

³⁷ Among persons in detention 11 per cent were women and 12 per cent were children; the main countries of origin were India, Bangladesh, and Syria.

³⁸ UNHCR, *Detention | UNHCR*, and *UNHCR's position regarding the detention of refugee and migrant children in the migration context | UNHCR*, January 2017.

³⁹ *Asylum Law*, see note 4 above, Section 36: (1) challenge the SBG decision on detention (see issue 2 above), (2) appeal against the OCMA decisions in the framework of asylum procedures (Dublin regulation, suspension of the asylum procedure, denial of international protection, etc.), and (3) appeal against other decisions related to providing the subsistence and daily allowance.

⁴⁰ Latvia, *State Ensured Legal Aid Law*, 33 (6), 17 March 2005, <https://likumi.lv/ta/id/104831-valsts-nodrosinatas-juridiskas-palidzibas-likums>.

In 2024, there was an increase in legal aid requests submitted through OCMA, which is likely linked to a rise in negative decisions on asylum claims.⁴¹ In contrast, the number of legal aid requests submitted via the SBG has remained relatively low, despite an increase in detention instances since August 2021.⁴² This discrepancy may suggest barriers to accessing legal aid and/or a lack of awareness among asylum-seekers regarding the availability and effectiveness of state-provided legal aid. Additionally, the low number of requests could be attributed to the relatively short, duration of detention of up to six days (see Issue 2 above), which may not allow sufficient time for asylum-seekers to initiate or pursue legal challenges.

Legal assistance is especially important when asylum is requested at the border, where procedures take place outside public scrutiny and often under stressful conditions.⁴³ Individuals stranded at the border are often in dire situations, lacking means of communication, and facing significant challenges due to language barriers and limited knowledge of legal procedures. Consequently, they are often unable to obtain legal assistance and, thus, cannot rely on effective legal remedies to challenge their detention or denial of access to the territory and asylum. Furthermore, due to current restrictions, civil society organizations, including UNHCR NGO partners are unable to provide regular legal counselling and assistance in detention facilities, precisely where such support is most needed to complement state efforts and uphold procedural safeguards.

Recommendations:

- Ensure that professional and efficient free legal assistance and representation is available at all stages of the asylum process, including during detention.
- Guarantee the automatic provision of legal aid to asylum-seekers with specific needs, such as individuals with disabilities, victims of trauma, and unaccompanied children.
- Provide unhindered access of UNHCR, NGOs and UNHCR's legal partners to persons at the border and detention facilities to deliver assistance and legal counselling.

Issue 4: Reduction of statelessness and protection of stateless persons

Although “*non-citizens*” generally enjoy rights exceeding the minimum standards set by the 1954 *Convention*, they still face serious limitations in exercising all human rights and accessing state assistance on par with nationals, including due to the application of reservations. While they may obtain long-term residence permits, they cannot vote, run for public office, or hold certain positions. Additional restrictions apply to property ownership and retirement benefits.

Latvian authorities continue to promote integration through Latvian language education, cultural identity, and intercultural dialogue. While some municipalities, particularly Riga, have supported naturalization of “*non-citizens*” by offering information days and free preparatory courses, no such initiatives exist at the national level. Despite these efforts, naturalization rates among “*non-citizens*” and stateless persons have steadily declined over the past decade.⁴⁴ The main factors contributing to the reduction of statelessness in Latvia are the

⁴¹ According to OCMA, in 2024, 282 out of 341 rejected asylum-seekers (approximately 83%) applied for state-provided legal aid. Between 2019 and 2024, a total of 589 out of 804 individuals (around 73%) who were denied international protection accessed such aid.

⁴² According to the SBG, only 86 detained asylum-seekers applied for state-provided legal aid to challenge their detention between 2019 and 2024—distributed annually as follows: 8 (2019), 6 (2020), 10 (2021), 31 (2022), 15 (2023), and 16 (2024). In contrast, in 2023 alone, the SBG detained 781 asylum-seekers for up to six days and 457 for more than six days.

⁴³ UNHCR, *Global Consultations on International Protection/Third Track: Asylum Processes (Fair and Efficient Asylum Procedures)*, EC/GC/01/12, 31 May 2001, paragraphs 21-23, <https://www.refworld.org/policy/strategy/unhcr/2001/en/13248>.

⁴⁴ According to the OCMA, while an average of 1,000 people were naturalized annually between 2015 and 2019, this number dropped to around 500 per year during 2020–2024. Specifically, 653 individuals were naturalized in 2020, 419 in 2021, 518 in 2022, 595 in 2023, and 534 in 2024, including both non-citizens and stateless persons. In 2024, there were only two stateless persons (a woman and a man) who were naturalized in Latvia.

natural population decrease and emigration.

The amendments to the “*Non-Citizens*” Law⁴⁵ successfully resolved the statelessness issue for children born after 1 January 2020 to “*non-citizen*” parents, who do not hold or confer upon the child citizenship of another state. While there are no children aged 0-5 who are currently stateless, 1,585 children remain without a nationality (1,580 “*non-citizens*” and five children recognized as stateless persons).⁴⁶ In these cases, one of the child’s parents should have formally requested Latvian citizenship at the time of the child’s birth registration. In practice, if parents, who do not fully recognize the importance of submitting such an application and the impact it will have on their child’s ability to be a full-fledged member and rights-holder of Latvian society, might have unintentionally contributed to perpetuating their child’s statelessness.

Latvian legislation also does not prevent statelessness of children who are born in Latvia to parents who cannot transmit their citizenship to the child due to a conflict of laws or other barriers. This is inconsistent with the 1961 *Convention*, which requires States to ensure that every child born on their territory acquires a nationality at birth or as soon as possible thereafter.⁴⁷

Latvia is among the leading countries that have introduced a statelessness determination procedure.⁴⁸ The procedure allows recognized stateless persons to be granted a legal status, have a travel document and a temporary residence permit.⁴⁹ However, In addition, contrary to the requirements of the 1954 *Convention*, stateless persons in Latvia are not afforded the same conditions regarding state fees or potential exemptions when obtaining travel documents, identity cards, or temporary residence permits.⁵⁰ Additionally, due to Latvia’s reservation to Article 27,⁵¹ applicants awaiting determination of statelessness are not provided with a legal right to stay and identity papers in Latvia. This situation may potentially put applicants at risk of arbitrary detention and/or deportation and may limit their protection.

Recommendations:

- Consider withdrawing the reservations to Article 24(1)(b) and Article 27 of the 1954 *Convention*.
- Undertake targeted outreach initiatives and promote the naturalization of eligible “*non-citizens*” and recognized stateless persons.
- Amend the *Citizenship Law* to include provisions for the automatic acquisition of citizenship by children born on the territory of Latvia who would otherwise be stateless.

⁴⁵ Latvia, *Law on Termination of Granting Non-Citizens Status to Children*, 17 October 2019, <https://likumi.lv/ta/id/310468-par-nepilsona-statusa-pieskirsanas-izbeigsanu-berniem>.

⁴⁶ Office of Citizenship and Migration Affairs, *Distribution of Latvian population by year of birth and legal status as of 01 January 2025*, <https://www.pmlp.gov.lv/lv/media/12633/download?attachment>.

⁴⁷ Article 1 of the 1961 *Convention*, and UNHCR, *Guidelines on Statelessness No. 4: Ensuring Every Child's Right to Acquire a Nationality through Articles 1-4 of the 1961 Convention on the Reduction of Statelessness*, 21 December 2012, HCR/GS/12/04, paragraph 11, <http://www.refworld.org/docid/50d460c72.html>.

⁴⁸ Latvia, *Law on Stateless Persons*, 29 January 2004, <https://likumi.lv/ta/en/en/id/84393-law-on-stateless-persons>.

⁴⁹ See note 13 above, *Law on Stateless Persons*, Section 6.

⁵⁰ Cabinet of Ministers, *Regulation No. 133 on the State Fee for the Issuance of Personal Identification Documents*, 21 February 2012, last amended 10 December 2024, <https://likumi.lv/ta/id/244579-noteikumi-par-valsts-nodevu-par-personu-apliecinosu-dokumentu-izsniegšanu>: Nationals of Latvia are subject to state fees for personal identification documents. In 2025, the state fees are: for passports - 44 euros standard, and 70 euros expedited; and for ID cards - 25 euros standard, and 40 euros expedited. From 1 January 2026, the fees increase to: for passports - 50 euros standard, and 75 euros expedited; and for ID cards - 30 euros standard, and 45 euros expedited. Reduced rates apply to Latvian citizens who are youth under 20, pensioners, and persons with disabilities (20 euros for a passport, 10 euros for an ID card). Full exemptions are granted to vulnerable groups, including children under guardianship, persons in long-term care, prisoners, asylum-seekers, refugees and subsidiary protection beneficiaries (for first-time issuance), and those granted temporary protection. Additional fee reductions are available in urgent cases such as medical travel, family emergencies, or recent naturalization. While state fees for travel document for stateless persons are the same, they are not eligible for the same exemptions. Cabinet of Ministers, *Regulation No. 731 on the State Fee for Migration Services* (26 November 2024), <https://likumi.lv/ta/id/356656-noteikumi-par-valsts-nodevu-par-migracijas-pakalpojumiem>: Stateless persons are subject to state fees for a foreigner's identity card/residence permit: 160 euros (standard); and 280 euros or 560 euros (expedited). No exemptions apply to stateless persons under this regulation.

- Encourage to lift reservations to the *1954 Convention* to improve the statelessness determination procedure by providing individuals awaiting a determination of statelessness with a legal right to stay and an identity document.⁵²
- Enhance national legislation to ensure that stateless persons enjoy the same conditions and state fees as nationals when obtaining travel, identity cards and residence permits.

Issue 5: Reservations to the 1951 Convention

Latvia's current reservations to the *1951 Convention*⁵³ affect refugees' access to certain rights, including exemption from exceptional measures, equal access to employment, freedom of movement, and facilitated naturalization. As a result, refugees in Latvia, may face limitations that reduce their ability to participate in and contribute to Latvian society, hinder integration, and affect their overall well-being.

Recently introduced exceptional measures targeting nationals of Belarus and the Russian Federation also affect refugees from these countries, as the law does not provide exemptions for international protection beneficiaries from these countries.⁵⁴

Such measures overlook the fundamental principle that persecution—the very reason individuals become refugees—often originates in their country of nationality. When states apply restrictive measures against refugees solely based on their nationality, as part of broader inter-state tensions or retaliatory policies, these actions appear not only unjust but also counterproductive. On a personal level, they risk compounding the harm already suffered by individuals fleeing persecution.⁵⁵

Recommendations:

UNHCR recommends that the Government of the Republic of Latvia:

- Consider lifting the reservations to the *1951 Convention* to facilitate integration of international protection beneficiaries in Latvia.

UNHCR
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⁵² See note 2 above, *Latvia's reservations*.

⁵³ UNHCR, *Handbook on Protection of Stateless Persons*, 30 June 2014, paragraphs 144–146, <http://www.refworld.org/docid/53b676aa4.html>.

⁵⁴ See note 1 above, *Latvia's reservations*.

⁵⁵ Latvia, *Law on Measures for Restricting Transactions Endangering National Security*, 19 June 2025, <https://likumi.lv/ta/id/361619-nacionalo-drosibu-apdraudosu-darijumu-ierobezosanas-likums>.