

**Latvian Citizenship:
Developments 2013-2014**

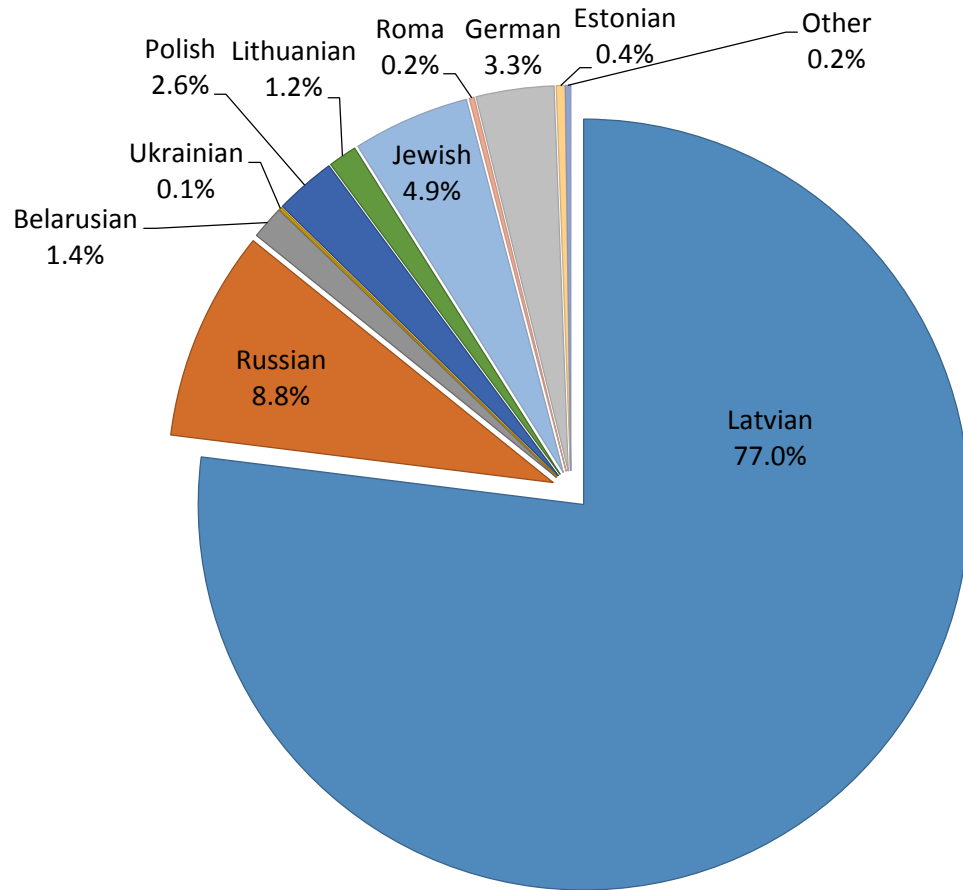
Facts

- Citizenship Law which was adopted in 1994, is based on the 1919 Law on Citizenship; major amendments were made in 1998 (referendum on abolishing the «window system») and in 2013:
 - Latvian citizenship is granted automatically to newborn children of stateless persons and former USSR citizens;
 - The naturalization procedure has been simplified;
 - The scope for dual citizenship has been significantly extended.
- Former citizens of the USSR in Latvia are not stateless persons:
 - 1) “The Law On the Status of those Former U.S.S.R. Citizens who do not have the Citizenship of Latvia or that of any Other State” adopted in 1995 establishes the status of so-called non-citizens or former USSR citizens;
 - 2) The status of stateless persons is defined by the “Law On Stateless Persons” adopted in 2004;
 - 3) On 9 October 2003, the European Court of Human Rights in its judgment in the case of *Slivenko v. Latvia* recognized that the status of “non-citizens” or permanently resident non-citizens, as a group of persons who have lost the citizenship of the USSR, when the country collapsed, and who have failed to accept the citizenship of any other country, **is not equivalent to the status of a foreign national or stateless person.**
 - 4) “[..] the State does not aim at merging the statuses of citizen and non-citizen thus equating them in the rights possessed, but rather the purpose of the State is to motivate persons to obtain citizenship which would provide them a legal link to the State and a broader scope of rights and obligations” *Ombudsman of the Republic of Latvia*

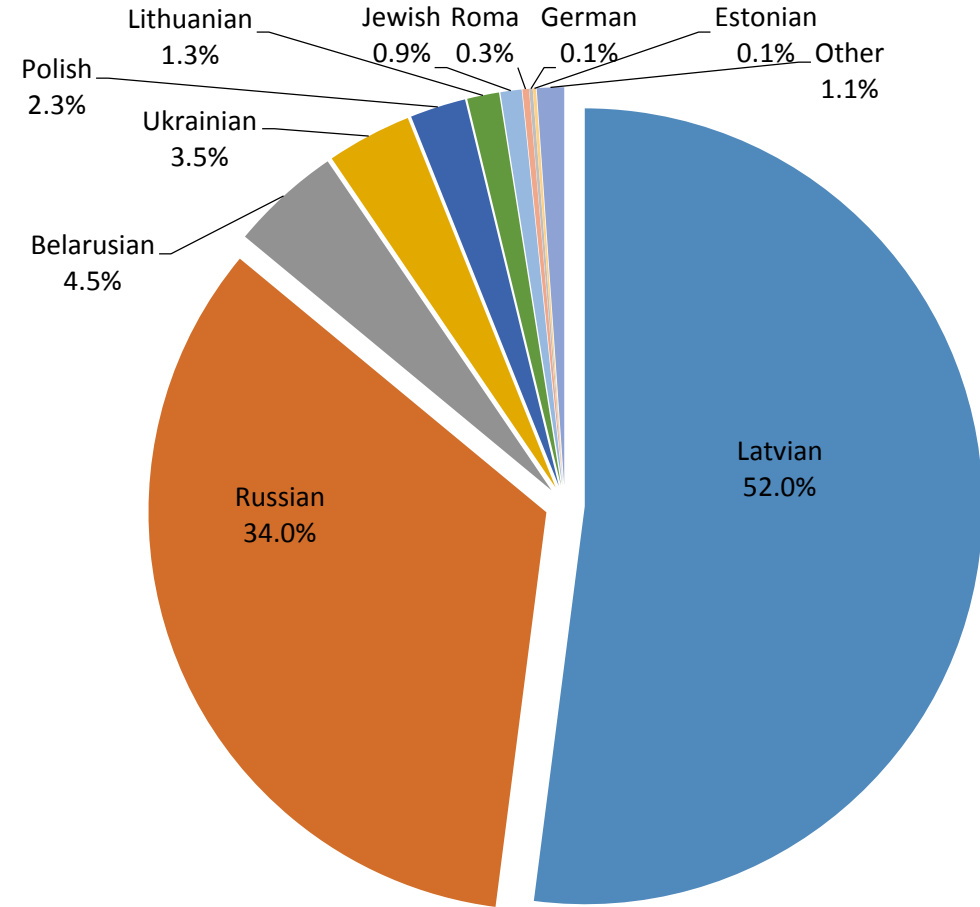
- Former USSR citizens have the same social guarantees as Latvian citizens including, for example, pensions and unemployment benefits. As to political rights - the only significant difference between Latvian citizens and former USSR citizens is the right to vote and to work in the civil service or occupy posts directly related to national security.
- Since the beginning of the naturalization process in 1995, 141 165 persons have been granted the citizenship of Latvia by the decree of the Cabinet of Ministers, including 14 264 underage children naturalizing together with their parents.

Historical background

1935



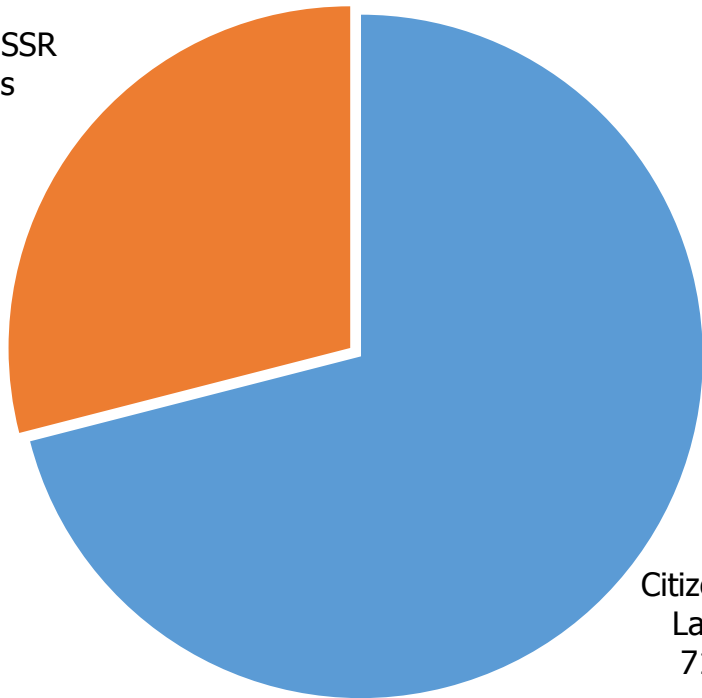
1989



Citizenship of individuals residing in Latvia

1995

Former USSR
citizens
29%

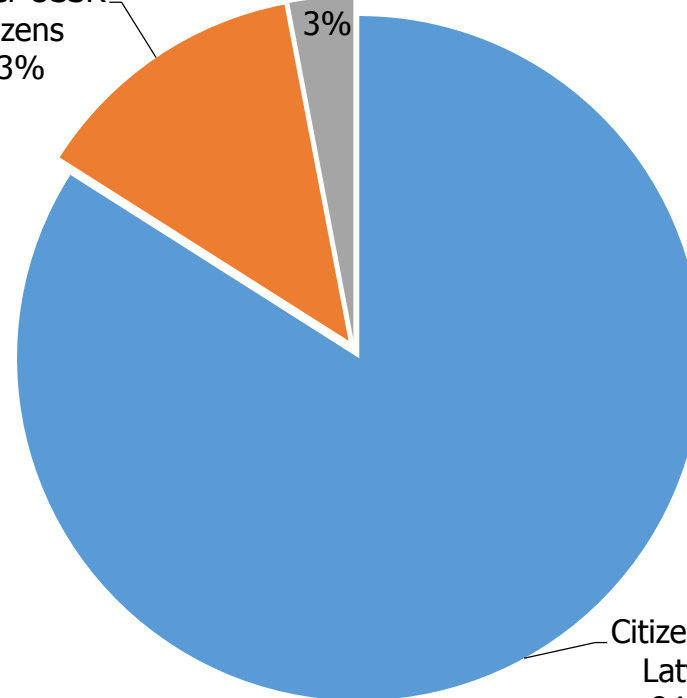


Citizens of
Latvia
71%

1 January 2014

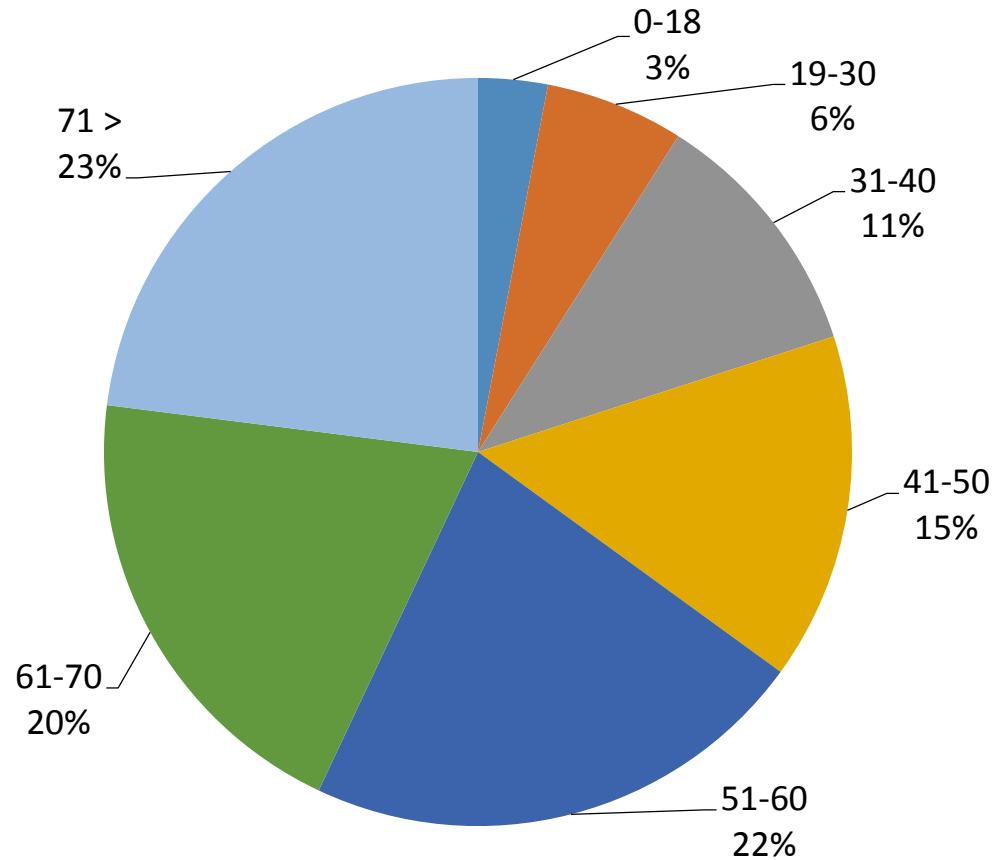
Former USSR
citizens
13%

Foreign
nationals
3%



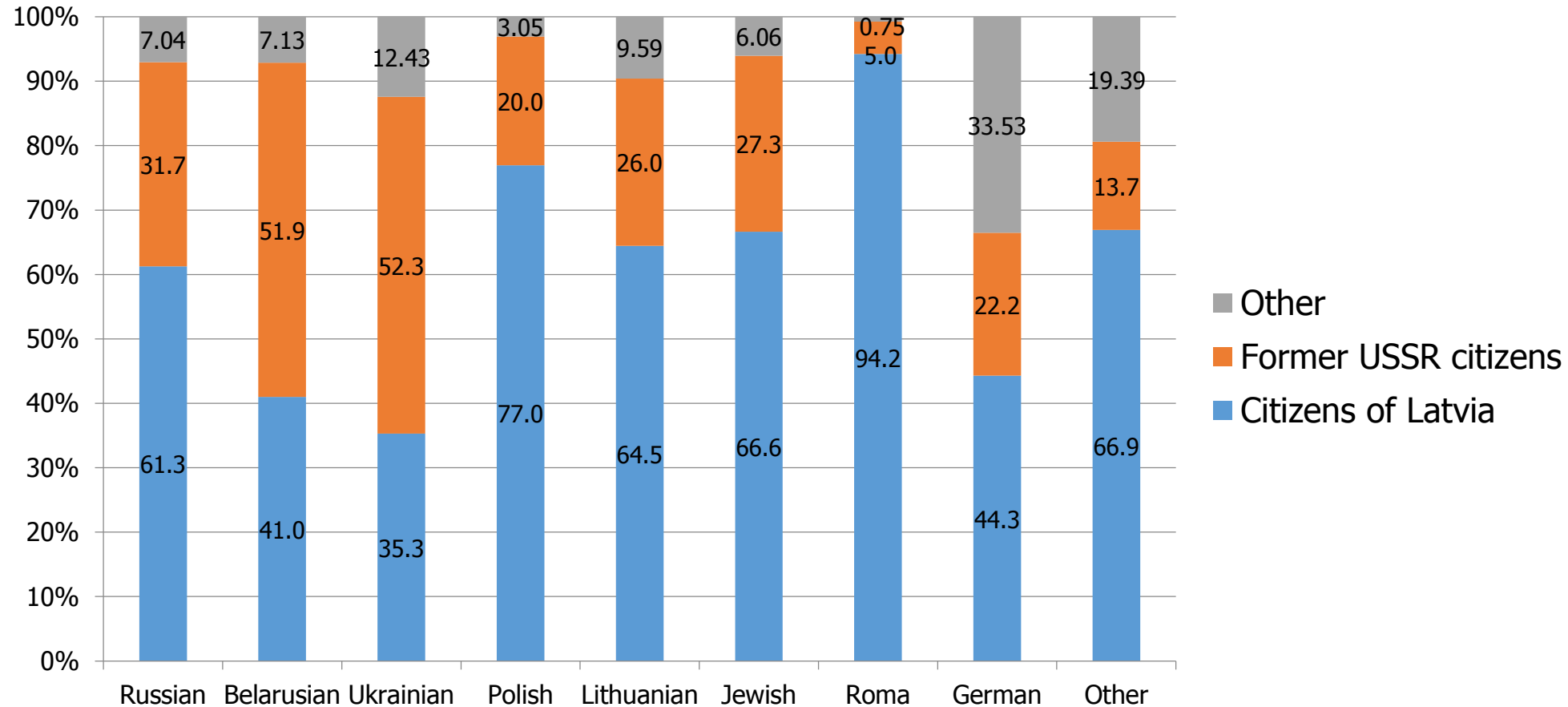
Citizens of
Latvia
84%

Former citizens of the USSR by age group



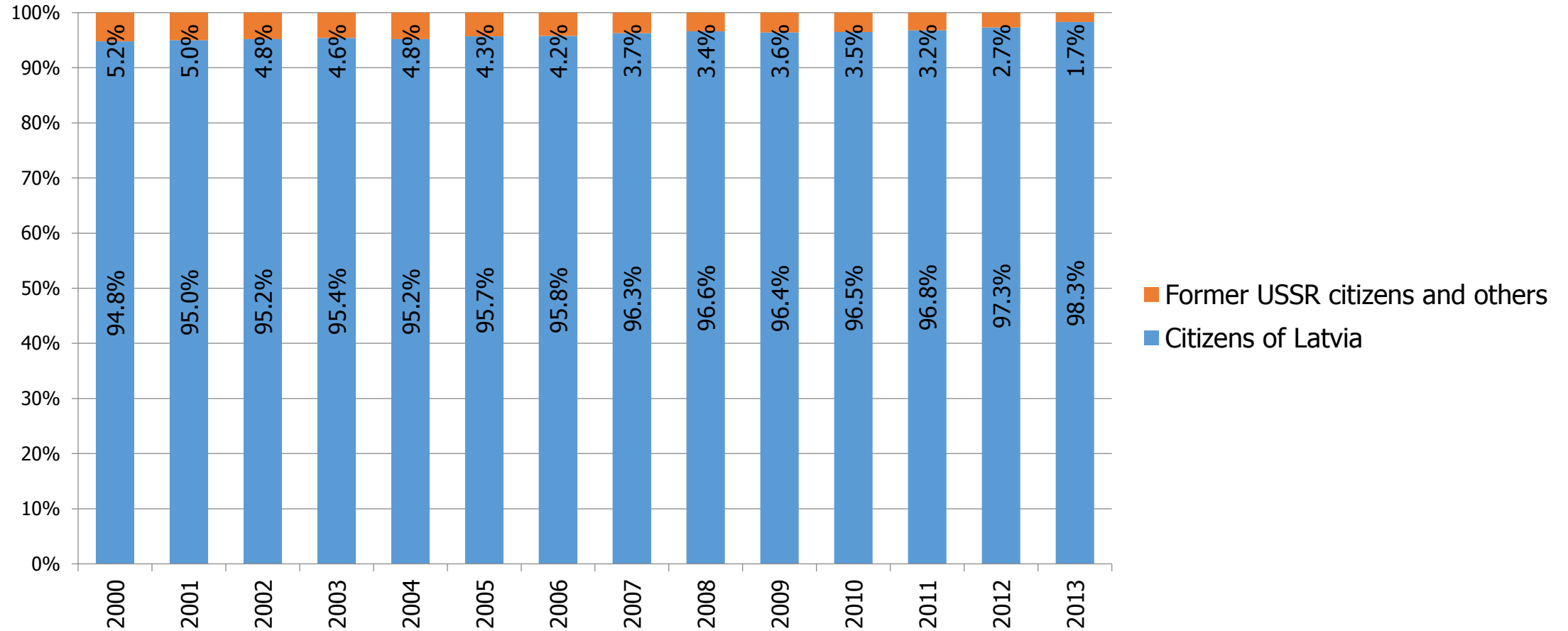
***1 January 2014**

Proportion of citizens amongst different national minorities

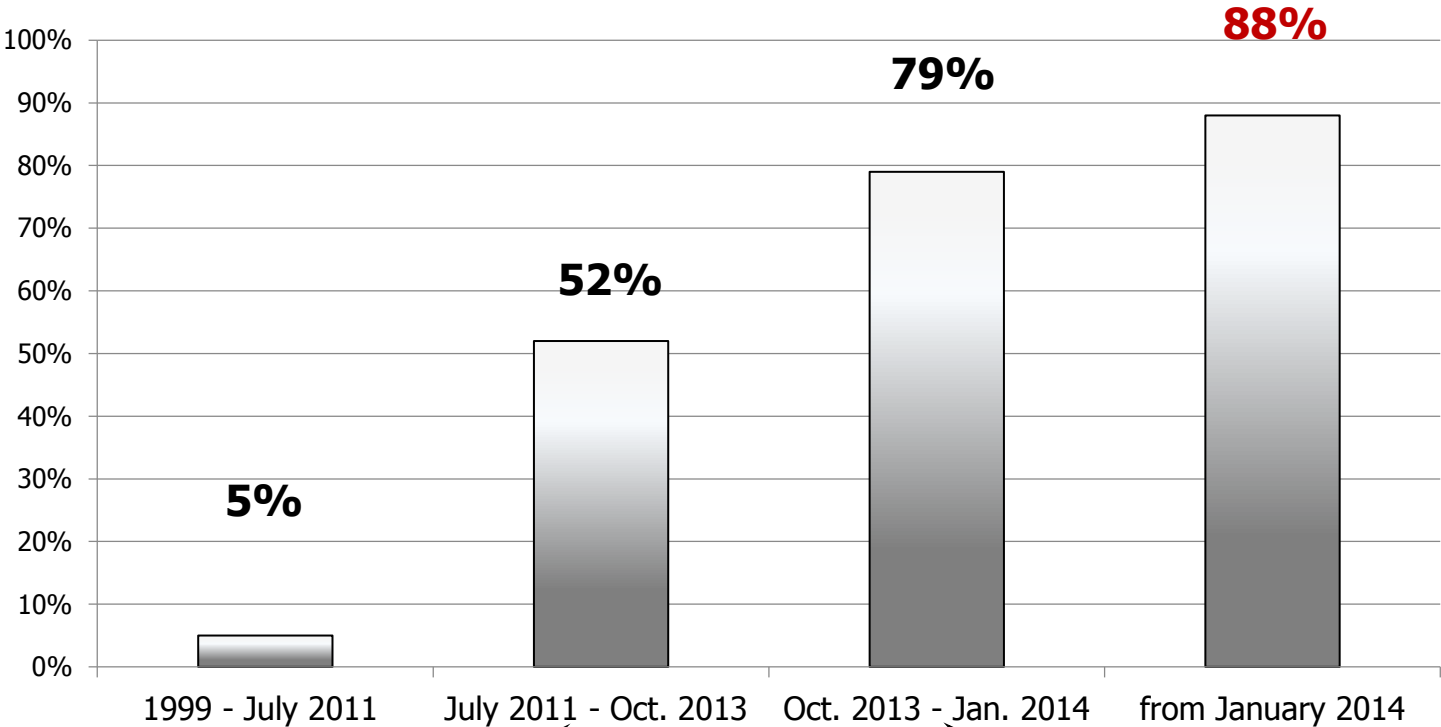


***1 January 2014**

Citizenship of children born in Latvia 2000-2013



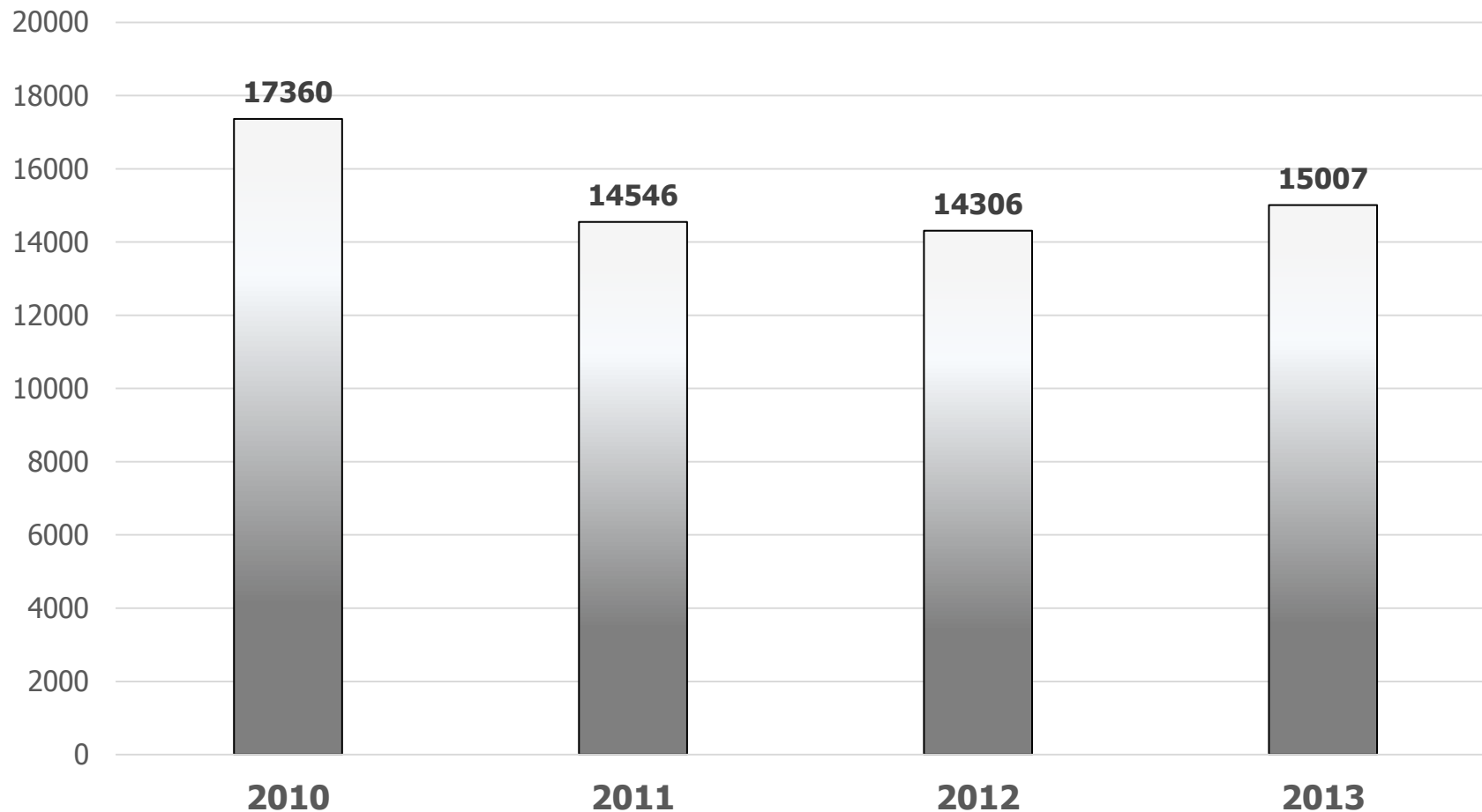
Proportion of newborns of former USSR citizen parent(s) recognized as Latvian citizens*



On 5 July 2011, Adoption of regulations by the Cabinet of Ministers according to which both parents could apply directly to the Civil Registry Office to register a child's citizenship together with birth registration.

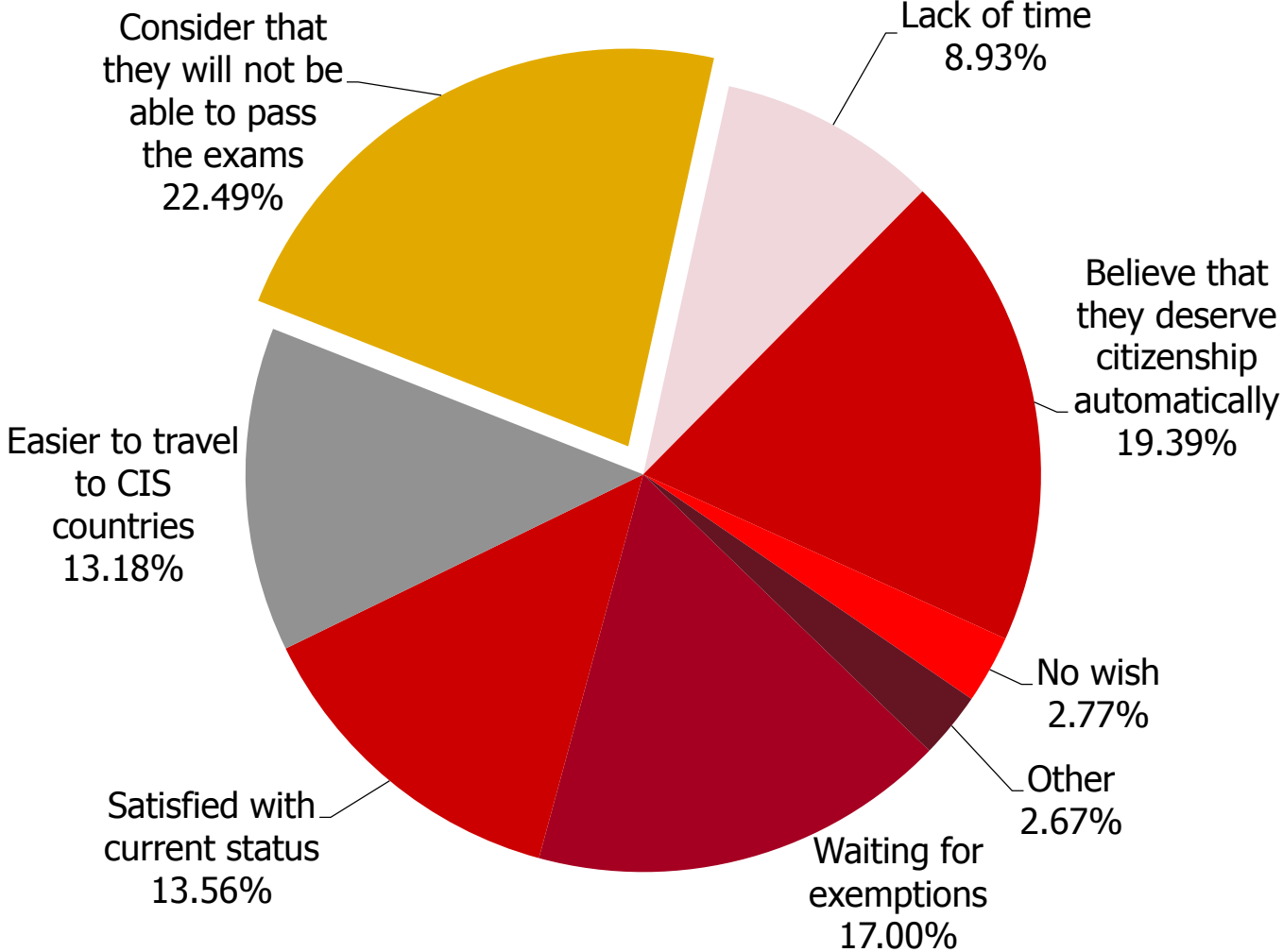
On 1 October 2013, Amendments to the Citizenship Law entered into force according to which one parent's consent is sufficient to register a new born child whose parents are stateless or former USSR citizens as Latvia's citizen together with birth registration.

The diminishing number of former USSR citizens in Latvia 2010-2013*

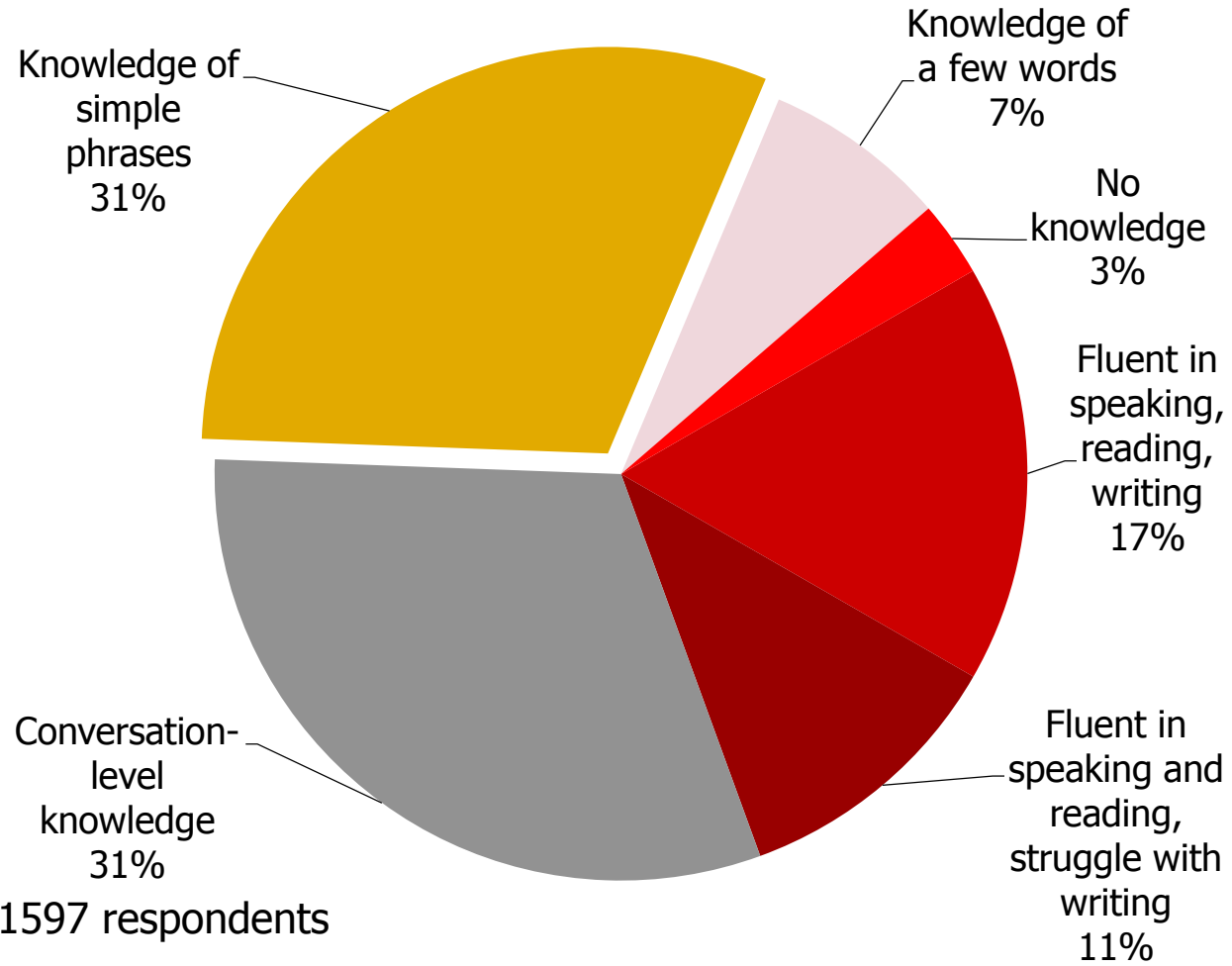


***Number of persons who have lost their former USSR citizen status**

Why former USSR citizens do not naturalize



Former USSR citizens self-assessment of Latvian language skills*



* 2014 research, 1597 respondents

Citizenship policy in Europe: comparative analysis

- The project «Access to Citizenship and its Impact on Immigrant Integration» (ACIT) has been carried out by a consortium of EU-based academic experts on matters of citizenship legislation and policies;*
- It concludes, inter alia, that the indicator measuring the inclusiveness of the naturalization procedure in Latvia (score $\geq 0,60$ and $< 0,80$) is above the European Union average (0,48);
- The «inclusiveness of the naturalization procedure» describes :
 - Promotion: how do authorities help applicants to meet the legal conditions?
 - Documentation: how do applicants prove that they meet the legal conditions?
 - Discretion: how much room do authorities have to interpret the legal conditions?
 - Bureaucracy: how do authorities come to a decision?
 - Review: how strong is judicial oversight of the procedure?

*The study covered 27 EU Member States and EEA countries;
it has been carried out from October 2011 to April 2013

Conclusions

- Amendments to the Citizenship Law last year have had a positive effect on registration of newborns as Latvian citizens;
- Steady trend – the falling number of former USSR citizens;
- Pace of naturalization slows down due to ageing of former USSR citizens and due to a lack of motivation and interest amongst elderly former USSR citizens;
- A focus on children – automatic registration of Latvian citizenship at birth; pupils who have acquired at least half of the basic educational program in Latvian language are exempted from all naturalization examinations;
- More effort needed on Latvian language teaching for those who want to naturalize.