



EMN FOCUSED STUDY

IMPACT OF VISA LIBERALISATION ON COUNTRIES OF DESTINATION– LATVIAN EXPERIENCE

National report of Latvia

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Impact of visa liberalisation on countries of destination– Latvian experience

Pursuant to Council Decision 2008/381/EC of 14 May 2008, the European Migration Network was established, its objective shall be to meet the information needs of European Union institutions and of Member States' authorities and institutions, by providing up-to-date, objective, reliable and comparable information on migration and asylum, with a view to supporting policymaking in the European Union in these areas. The European Migration Network also serves to provide the general public with information on these subjects.

The Network is composed by the European Commission and the contact points designated by the Member States. Each contact point establishes a national migration network.

The contact point of each state prepares studies, whose topics have been set in the respective annual program of activities. The topics of studies are related to the area of migration of third-country nationals.

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DEFINITIONS

The following key terms are used in the Common Template. The definitions are taken from the EMN Glossary 5.0 (2017) and should be considered as indicative to inform this study.

When discussing about illegal or irregular migration there is no unified terminology concerning foreigners. The UN and EU recommend using the term irregular rather than illegal because the latter carries a criminal connotation and is seen as denying humanity to migrants. Entering a country in an irregular manner, or staying with an irregular status, is not a criminal offence but an infraction of minor offences or administrative regulations. As a result, referring to Resolution 1509 (2006) of the Council of Europe Parliamentary Assembly, 'illegal' is preferred when referring to a status or process, whereas 'irregular' is preferred when referring to a person.

Asylum seeker – In the global context, a person who seeks protection from persecution or serious harm in a country other than their own and awaits a decision on the application for protection under the Geneva Convention of 1951 and Protocol of 1967 in respect of which a final decision has not yet been taken.

Country of destination – The country that is a destination for migration flows (regular or irregular).

European Border Surveillance System – A common framework for the exchange of information and for the cooperation between EU Member States and the European Border and Coast Guard Agency (Frontex) to improve situational awareness and to increase reaction capability at the external borders for the purpose of detecting, preventing and combating irregular immigration and cross-border crime, and contributing to ensuring the protection and saving the lives of migrants.

Facilitators of the unauthorised entry, transit and residence – Intentionally assisting a person who is not a national of an EU Member State either to enter or transit across the territory of a Member State in breach of laws on the entry or transit of aliens, or, for financial gain, intentionally assisting them to reside within the territory of a Member State in breach of the laws of the State concerned on the residence of aliens. Definition is based on Article 1(1)(a) and (b) of Council Directive 2002/90/EC of 28 November 2002 defining the facilitation of unauthorised entry, transit and residence.¹

Fraudulent travel or identity document – Any travel or identity document: (i) that has been falsely made or altered in some material way by anyone other than a person or agency lawfully authorised to make or issue the travel or identity document on behalf of a State; or (ii) that has been improperly issued or obtained through misrepresentation, corruption or duress or in any other unlawful manner; or (iii) that is being used by a person other than the rightful holder.

Illegal employment of third-country nationals – Economic activity carried out in violation of provisions set by legislation.

Illegal employment of a legally staying third-country national – Employment of a legally staying third-country national working outside the conditions of their residence permit and / or without a work permit which is subject to each EU Member State's national law.

Illegal employment of an illegally staying third-country national – Employment of an illegally staying third-country national.

Irregular entry – In the global context, crossing borders without complying with the necessary requirements for legal entry into the receiving State. In the Schengen context, the entry of a third-

¹ Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32002L0090:EN:NOT>

Impact of visa liberalisation on countries of destination– Latvian experience

country national into a Schengen Member State who does not satisfy Art. 6 of Regulation (EU) 2016/399 (Schengen Borders Code).

Irregular migration – Movement of persons to a new place of residence or transit that takes place outside the regulatory norms of the sending, transit and receiving countries. There is no clear or universally accepted definition of irregular migration. From the perspective of destination countries it is entry, stay or work in a country without the necessary authorization or documents required under immigration regulations. From the perspective of the sending country, the irregularity is for example seen in cases in which a person crosses an international boundary without a valid passport or travel document or does not fulfil the administrative requirements for leaving the country.

Irregular stay – The presence on the territory of a Member State, of a third-country national who does not fulfil, or no longer fulfils the conditions of entry as set out in Art. 5 of Regulation (EU) 2016/399 (Schengen Borders Code) or other conditions for entry, stay or residence in force in that Member State.

Overstay(er) – In the global context, a person who remains in a country beyond the period for which entry was granted. In the EU context, a person who has legally entered but then stayed in an EU Member State beyond the allowed duration of their permitted stay without the appropriate visa (typically 90 days), or of their visa and / or residence permit.

Passport – One of the types of travel documents (other than diplomatic, service/official and special) issued by the authorities of a State in order to allow its nationals to cross borders². All third-country nationals subject to the visa-free regime have to carry a biometric passport to qualify for visa-free travel in the EU (except for UK and Ireland). Non-biometric passport holders from the visa-free third countries require a Schengen visa to enter the EU.

Pull factor – The condition(s) or circumstance(s) that attract a migrant to another country.

Push factor – The condition(s) or circumstance(s) in a country of origin that impel or stimulate emigration.

Refusal of entry – In the global context, refusal of entry of a person who does not fulfil all the entry conditions laid down in the national legislation of the country for which entry is requested. In the EU context, refusal of entry of a third-country national at the external EU border because they do not fulfil all the entry conditions laid down in Art. 6(1) of Regulation (EC) No 399/2016 (Schengen Border Code) and do not belong to the categories of persons referred to in Art. 6(5) of that Regulation. Regulation (EU) 2017/458 subsequently amended the Schengen Borders Code to reinforce the rules governing the movement of persons across borders and the checks against relevant databases at external borders.

Regularisation – In the EU context, state procedure by which irregularly staying third-country nationals are awarded a legal status.

Return decision – An administrative or judicial decision or act, stating or declaring the stay of a third-country national to be illegal and imposing or stating an obligation to return.

Schengen Borders Code – The rules governing border control of persons crossing the external EU borders of the EU Member States.

Short - stay visa – The authorisation or decision of a Member State with a view to transit through or an intended stay on the territory of one or more or all the Member States of a duration of no more than 90 days in any 180-day period.

² Available at: [http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52011XC0722\(02\)](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:52011XC0722(02))

Impact of visa liberalisation on countries of destination– Latvian experience

Third-country national – Any person who is not a citizen of the European Union within the meaning of Art. 20(1) of TFEU and who is not a person enjoying the European Union right to free movement, as defined in Art. 2 (6) of Regulation (EU) 2016/399 (Schengen Borders Code).

Third-country national found to be illegally present – A third-country national who is officially found to be on the territory of a Member State and who does not fulfil, or no longer fulfils, the conditions for stay or residence in that EU Member State.

Travel document – A document issued by a government or international treaty organisation which is acceptable proof of identity for the purpose of entering another country.

Visa – The authorisation or decision of a Member State required for transit or entry for an intended stay in that EU Member State or in several EU Member States.

Visa free regime/ Visa liberalisation - Treaties between the European Union and third countries on visa free entry procedures stipulate that a country may be entered and stayed in without a visa if the purpose of the trip is a temporary private visit or tourism.

Visa Code – Regulation outlining the procedures and conditions for issuing visas for transit through or intended stays in the territory of the Schengen Member States not exceeding 90 days in any 180-day period.

TOP-LINE FACTSHEET

Study "Impact of visa liberalization on countries of destination – Latvian experience" covers the field of migration associated with migration flows due to visa liberalization in the Western Balkans³ and Eastern Partnership⁴ countries.

The European Migration Network's study's aim is to give an overview of the Latvian experience in association with the visa-free regime. The study includes challenges, best practice examples and positive experience, as well as provides information of the latest trends in the respective field of migration policy. The study covers Western Balkans and Eastern Partnership countries which have successfully concluded visa liberalization dialogues with the respective action plans.⁵

In implementation of the visa-free regime there are involved institutions subordinated to the Ministry of the Interior. According to statistical data, after implementation of the visa-free regime, the number of people crossing the external border of Western Balkans significantly increased but this can be explained by the overall increase of people crossing the border and it is not associated with the visa liberalization. The introduction of the visa-free regime has not led to any increases in the number of issued first time residence permits for citizens of Western Balkans in connection with education, entrepreneurship or rights to employment. Furthermore, the number of detained persons, persons irregularly crossing the border, attempts to use forged documents, and asylum-seekers also has not increased.

The introduction of the visa-free entry regime with Moldova, Ukraine, and Georgia has failed to significantly influence the number of persons who wish to stay in Latvia for a long period of time by receiving a residence permit based on education, entrepreneurship or rights to employment.

Latvia has not made a comprehensive assessment of the visa liberalization process, however, it can be concluded that in some cases administrative burdens have been reduced to the diplomatic missions of Latvia in the respective countries, as the number of applications for visas has decreased, as well as the number of applications for residence permits submitted to representative offices. The decrease in administrative burden is also observed in the Office of Citizenship and Migration Affairs (the number of invitations to issue visas has declined). The administrative procedure for requesting a residence permit has become simpler for the nationals of the countries concerned, because fewer documents have to be submitted and applications can be submitted in Latvia.

The assessment of economic cooperation tendencies show that the visa liberalization has not promoted significant intensification of economic relations with countries from the respective regions. The analysis of flow of goods between Latvia and Western Balkans and Eastern Partnership countries shows no tendencies suggesting direct correlation between the visa-free regime and changes in the flow of goods. E.g. during the period of visa liberalization, the exchange of goods with Serbia has even decreased, whereas the trade relations with Moldova increased during the period of visa liberalization but again reduced in the following years.

The main challenges faced by Latvia are abuse of visa liberalization: nationals of Ukraine, Moldova, and Georgia cross the external and internal borders of the European Union by claiming a false entry purpose. Up until this moment, the State Border Guard has not identified any challenges related with visa liberalization process; however, the Border Guard has detected increased occurrence of violations of entry, residence, exit and transit, as well as employment

³ Former Yugoslav Republic of Macedonia, Montenegro, Serbia, Albania, Bosnia and Herzegovina.

⁴ Moldova, Georgia, Ukraine.

⁵ An overview of the progress reports for Moldova, Georgia and Ukraine can be found here: http://ec.europa.eu/home-affairs/what-we-do/policies/international-affairs/eastern-partnership/visa-liberalisation-moldova-ukraine-and-georgia_en, The readiness reports <https://www.esiweb.org/index.php?lang=en&id=359>.

Impact of visa liberalisation on countries of destination– Latvian experience

conditions, these violations being performed by nationals of visa liberalization countries. Most often the visa-free regime was breached by nationals of Ukraine who were employed illegally. The State Border Guard of Latvia cooperates with the border guard services from Belarus and Russia to prevent the flow of irregular migration through Latvia to other European Union Member States.

The State Border Guard has not introduced any special procedures to solve issues associated with implementation of the visa-free regime. The main breaches committed by nationals of third countries are associated with statements of false entry purpose (nationals of Moldova, Ukraine, and Georgia) and illegal employment. After entry into force of the visa-free regime, Latvia did not experience inflow of asylum-seekers from third countries. Violations of transit conditions are usually related with intentions to request an asylum in other Member States of the Schengen Agreement, most often committed by nationals of Georgia.

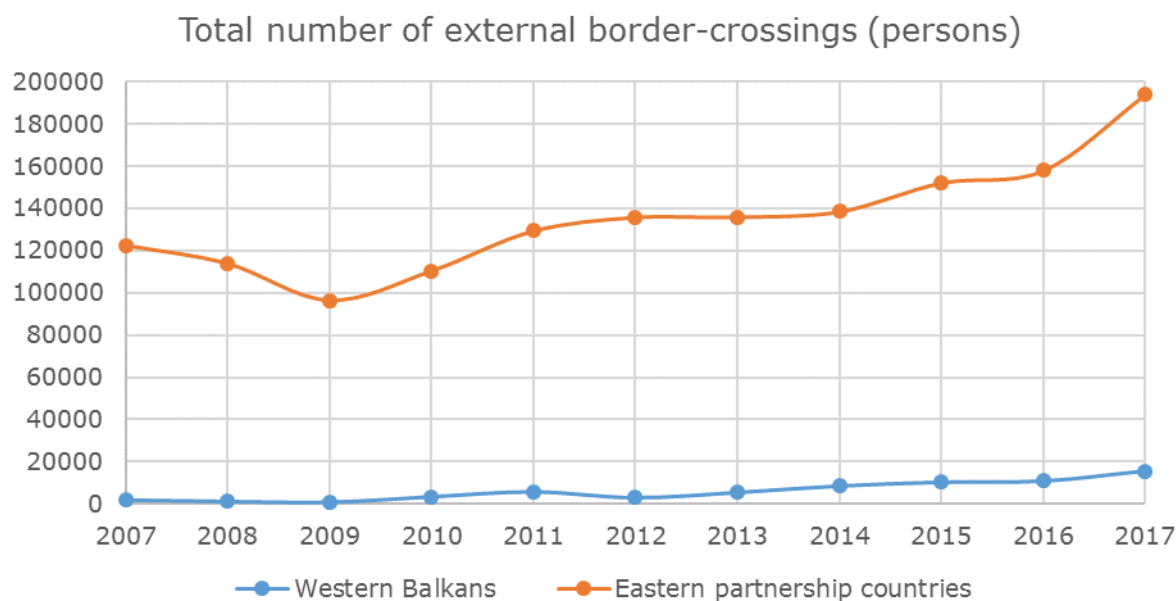
SECTION 1: THE NATIONAL FRAMEWORK**SECTION 1.1: DESCRIPTION OF NATIONAL SITUATION**

Q1.1 Please provide an analysis of the short term (within two years) and long-term (beyond two years) trends which appeared in Latvia after the commencement of visa-free regimes disaggregated by region and third countries of interest.⁶

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

In accordance with the statistical data, the number of people crossing the border from Western Balkans significantly increased during the first years of the visa-free regime and continues to grow (Tab. 1.2.1.); however, in absolute numbers the number of immigrants from these countries is insignificant. The statistical data shows that the implementation of the visa-free regime with Balkan region countries has not influenced the field of asylum, illegal entries, illegal border-crossings and employment.

⁶ Please use information such as: increase of entries, number of asylum applications, refusals of entry, return and removal decisions in your answers.

Impact of visa liberalisation on countries of destination– Latvian experience**Eastern Partnership - Moldova, Georgia, Ukraine:**

During the introduction year of the visa-free regime the border-crossings from the Eastern Partnership countries increased. Although the number of entrances from the Eastern Partnership countries traditionally is higher than from Western Balkans, nothing suggests that the procedure of the visa-free regime would significantly influence the number of persons who intend to reside in Latvia for a prolonged period of time, that is, by receiving a residence permit based on education (Tab. 2.2.4.), entrepreneurship (Tab. 2.2.5.) or rights to employment (Tab. 2.2.3).⁷ The number of asylum-seekers from Georgia increased from 2011 to 2013 which could be explained by the political and economic situation in the country. The implementation of the visa-free regime did not lead to increased number of asylum-seekers from the Eastern Partnership countries.

Short-term trend**Moldova:**

- Significantly increased number of detected cases of abuse of the visa-free regime between EU and Moldova; main reason – the person cannot justify purpose of entry in the EU.

Ukraine:

- After implementation of the visa-free regime with Ukraine (since 11th June 2017), the number of cases of the visa-free regime abuse has significantly increased along with the use of forged biometric documents or such documents belonging to other persons.

⁷ Source: Office of Citizenship and Migration Affairs.

Impact of visa liberalisation on countries of destination– Latvian experience

Georgia:

- After implementation of the visa-free regime with Georgia (since 28th March 2017), the number of cases of abuse of the visa-free regime has significantly increased along with the use of forged biometric documents or such documents belonging to other persons.

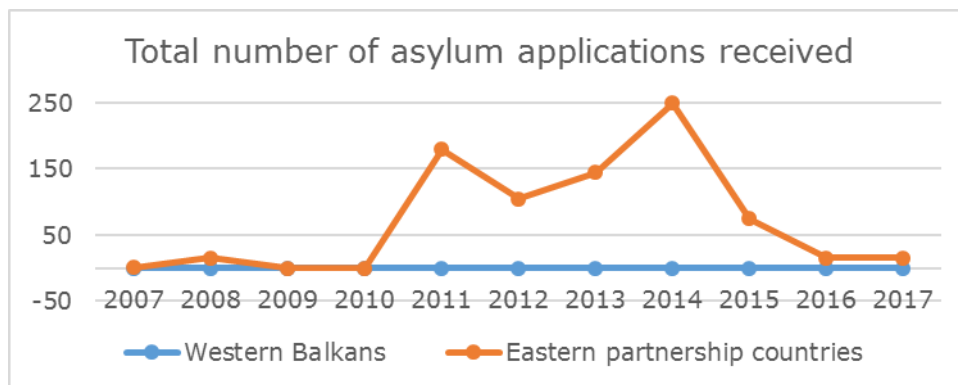
Long-term trends

Ukraine:

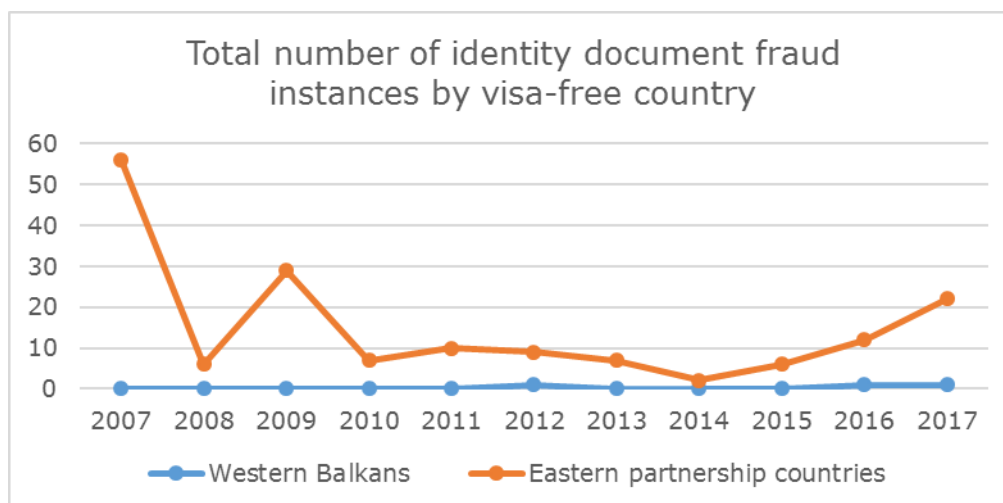
- organized illegal immigration will remain on high level;
- abuse of the visa-free regime will persist along with the use of forged biometric documents or such documents belonging to other persons ;
- illegal employment trend will remain on high level;
- possible partial shift of entry profile away from tourism and labour towards asylum requests;

Georgia:

- abuse of the visa-free regime will persist along with the use of forged biometric documents or such documents belonging to other persons;
- trends of violation of transit requirements will remain as they are.⁸



⁸ Source: State Border Guard.

Impact of visa liberalisation on countries of destination– Latvian experience

Q1.2. What are the main links between the countries of origin and Latvia or the applicable 'pull factors'⁹ disaggregated by region and third countries of interest?

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

N/A

Eastern Partnership - Moldova, Georgia, Ukraine:

The presence of the Georgian diaspora in Latvia and neighbouring countries lead to beneficial conditions for entrance of nationals of Georgia.

The job-related entrance of Ukrainian and Moldavian nationals is encouraged by the willingness of local entrepreneurs to employ low-salary labour force without necessary documents, thus avoiding tax payments and social protection for employees.¹⁰

Q1.3. Which national institutions and/or authorities are involved in implementing the visa liberalisation process and what is their respective role in this process?¹¹

⁹ These may include: presence of diaspora, historical links between countries, social assistance received by asylum seekers, probability of receiving a residence permit/long-term visa, schemes (tourism, family ties, business) for attracting certain categories of migrants using visa-free regime.

¹⁰ Source: State Border Guard

¹¹ For example: changes in instructions for border patrol agents and in equipment.



Q1.4. Were there changes in your national legislation in connection with the introduction of the visa-free regimes? If yes, please explain their scope and impact on nationals coming from the third countries analysed in this study?

The implementation of the visa-free regime did not require any amendments to the national legislation.

Q1.5. Where there any public/policy debates related to the visa liberalisation process in Latvia? If yes, what were the main issues discussed and how did this impact national policy?

The government of Latvia actively supported and still supports introduction of visa liberalization with Eastern Partnership countries.¹² The governmental representatives supported and congratulated both Ukraine and Georgia with entry into force of the visa-free regime, stating that visa-free traveling has a positive impact on Latvian-Ukrainian and Latvian-Georgian bilateral relations, and this will also encourage mutual contacts of the populations.

¹² Eastern Partnership.- 27.08.2016.-Available: <http://www.mfa.gov.lv/arpolitika/austrumu-partneriba>.

Impact of visa liberalisation on countries of destination– Latvian experience

Q1.6. Do you have any other remarks relevant to this section that were not covered above? If yes, please highlight them below.

N/A

SECTION 1.2: STATISTICAL INFORMATION

Table 1.2.1: Total number of external border-crossings (persons) by nationals of visa-free countries¹³

Indicator	2007-2017											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of external border-crossings (persons) by nationals of visa-free countries												
FYROM	317	215	73	181	251	122	347	523	557	539	808	Data source: State Border Guard
Montenegro	198	88	135	229	334	281	403	367	706	734	740	Data source: State Border Guard
Serbia	830	649	472	2842	4672	2056	3314	6478	7772	8484	12263	Data source: State Border Guard
Albania	197	115	75	52	88	127	136	135	501	363	429	Data source: State Border Guard
Bosnia and Herzegovina	328	128	96	150	422	402	1282	1029	790	770	1432	Data source: State Border Guard
Moldova	7795	8645	6429	6042	6727	6715	6900	7442	7791	7265	9171	Data source: State Border Guard
Georgia	8304	13043	15490	18436	15273	10749	10260	9009	9327	8779	11526	Data source: State Border Guard
Ukraine	106412	92227	74533	85894	107292	118222	118649	121944	134909	141808	173141	Data source: State Border Guard
Total	124381	115110	97303	113826	135059	138674	141291	146927	162353	168742	209510	Data source: State Border Guard
Total number of external border crossings (persons)¹⁴	15334766	5167577	3826454	4137724	4511600	4418561	4472083	4311521	3907002	4119418	4331553	Data source: State Border Guard

¹³ Information to be provided by inserting national data as gathered by competent authorities. The indicator refers to border-crossings at the external borders of the EU plus NO.

¹⁴ All nationalities apply, to calculate the proportion out of the total number of border crossings (persons)

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 1.2.2: Total number of detections of irregular border-crossings from nationals of visa-free countries¹⁵

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of detections of irregular border-crossings from nationals of visa-free countries													
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	1	0	0	0	0	0	0	Data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.

¹⁵ Information to be provided by inserting national data as gathered by competent authorities. Also see Frontex: Number of detections of illegal border-crossings by sea and land; Available at: <http://frontex.europa.eu/trends-and-routes/migratory-routes-map/>

Impact of visa liberalisation on countries of destination– Latvian experience

Moldova, Ukraine	Georgia,	14	0	0	7	11	51	31	11	8	2	0	<p>Data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Eastern Partnership are grouped together in this table. The largest majority of border crossings have been Georgian nationals.</p> <p>In 2012 and 2013, the trend was caused by political (2102 Parliamentary elections) and economic situation in Georgia. In 2014 and 2015 – trend from previous years continued.</p>
Total		14	0	0	7	11	52	31	11	8	2	0	
Total number of detections of irregular border-crossings¹⁶		18	40	29	15	38	104	66	144	476	376	121	<p>Data source: State Border Guard; Since 2014, mostly Vietnamese nationals have irregularly crossed the State border.</p>

¹⁶ All nationalities apply, to calculate the proportion out of the total number of irregular border crossings.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 1.2.3: Total number of short-stay visa applications by third country¹⁷

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of short-stay visa applications by third country													Data source: Office of Citizenship and Migration Affairs. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	623	51	29	5	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
Moldova	1364	255	202	120	77	73	69	32	N/A	N/A	N/A		
Georgia	1430	2844	2836	2469	2794	2749	2855	4301	7507	1356	1476		
Ukraine	15620	11833	9250	10085	13326	13757	13256	12872	15301	8607	9111		
Total	19037	14983	12317	12679	16197	16579	16180	17205	22808	9963	10587		
Total number of short-stay visa applications – all third countries¹⁸	16651 4	134833	119145	138904	166505	185242	206870	205230	165990	166745	165814		

¹⁷ See DG HOME Schengen Visa statistics, Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats. For MS that still apply visa requirements, please remove the N/A and complete the table in full.

¹⁸ All nationalities apply, to calculate the proportion out of the total number of short-stay visa applications.

Impact of visa liberalisation on countries of destination– Latvian experience

Table 1.2.4: Total number of short-stay visa application refusals by third country¹⁹

Indicator	2007-2017											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of short-stay visa application <u>refusals</u> by third country												
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	10	3	1	0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Data source: Office of Citizenship and Migration Affairs. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
Moldova	194	88	78	38	4	2	1	1	N/A	N/A	N/A	
Georgia	24	439	349	427	261	266	241	229	341	182	182	
Ukraine	551	689	250	171	162	49	26	14	143	151	107	
Total	779	689	678	636	427	317	268	244	484	333	289	
Total number of short-stay visa application <u>refusals</u> – all third countries²⁰	3490	4912	2114	1970	1502	1327	1584	1186	1800	2564	2564	

¹⁹ See DG HOME Schengen Visa statistics, Available at: https://ec.europa.eu/home-affairs/what-we-do/policies/borders-and-visas/visa-policy_en#stats. For MS that still apply visa requirements, please remove the N/A and complete the table in full.

²⁰ All nationalities apply, to calculate the proportion out of the total number of short-stay visa application refusals.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 1.2.5: Total number of asylum applications received from visa-free countries²¹

Indicator	2007-2017											Additional Information	
	2007 ²²	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of asylum applications received from visa-free countries													
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	0	Data source for 2007: Office of Citizenship and Migration Affairs
Moldova Georgia Ukraine	1	15	0	0	180	105	145	250	75	15	15	15	Data source for 2007: Office of Citizenship and Migration Affairs. The trend in 2011-2014 was caused by the political and economic situation in Georgia and Ukraine.
Total	1	15	0	0	180	105	145	250	75	15	15	15	
Total number of asylum applications – all third countries²³	34	55	60	65	340	205	195	375	330	350	355	355	

²¹ See Eurostat: Asylum and first time asylum applicants by citizenship, age and sex Annual aggregated data (rounded) [migr_asyappctza]. For Georgia and Ukraine, monthly date may be considered.

²² Data source: Office of Citizenship and Migration.

²³ All nationalities apply, to calculate the proportion out of the total number of asylum applications.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 1.2.6: Total number of negative decisions on asylum applicants from visa-free countries²⁴

Indicator	2007-2017											Additional Information	
	2007 ²⁵	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of <u>negative</u> decisions on asylum applicants from visa-free countries													Data source: EUROSTAT. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries are grouped together in this table.
FYROM	0	0	0	0	0	0	0	0	0	0	0		
Montenegro													
Serbia													
Albania													
Bosnia and Herzegovina													
Moldova	2	0	10	0	25	45	30	45	55	10	5		
Georgia													
Ukraine													
Total	2	0	10	0	25	45	30	45	55	10	5		

²⁴ See Eurostat: First instance decisions on applications by citizenship, age and sex, Annual aggregated data (rounded) [migr_asydcfsta]²⁵ Data source: Office of Citizenship and Migration Affairs

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 1.2.7: Total number of positive and negative decisions on asylum applicants (top five nationalities, not limited to visa-free countries)²⁶

Indicator	2007-2017											Additional Information	
	2007 ²⁷	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017		
Total number of <u>positive</u> decisions on asylum applicants (top five nationalities, not limited to visa-free countries)													
Nationality 1 Syria	0	0	0	0	5	15	15	20	15	70	210	Data source: EUROSTAT	
Nationality 2 Afghanistan	0	0	0	15	5	0	0	0	5	10	15		
Nationality 3 Equatorial Guinea -	0	0	0	0	0	0	0	0	0	10	20		
Nationality 4 Iraq	1	0	0	0	0	0	0	0	0	30	0		
Nationality 5 Russia	0	0	0	0	0	0	0	0	0	10	0		
Total	8	0	0	20	15	20	25	20	20	135	260		
Total number of <u>negative</u> decisions on asylum applicants (top five nationalities, not limited to visa-free countries)													
Nationality 1 Georgia	1	0	10	0	25	45	30	40	20	0	0	Data source: EUROSTAT	

²⁶ This is to provide a broader context; any nationality may be included in the top five. See Eurostat: First instance decisions on applications by citizenship, age and sex Annual aggregated data (rounded) [migr_asydcfsta]; Total positive decisions, including only refugee status and subsidiary protection, rounded up to the unit of 5.

²⁷ Data source: Office of Citizenship and Migration Affairs

Impact of visa liberalisation on countries of destination– Latvian experience

Nationality 2 Afghanistan	0	0	5	10	5	5	20	0	5	25	0	
Nationality 3 Vietnam	0	0	0	0	0	0	0	0	65	0	10	
Nationality 4 Russia	2	0	5	0	10	5	5	5	5	10	15	
Nationality 5 Ukraine	1	0	0	0	0	0	0	5	35	10	5	
Total	11	0	30	20	55	105	60	65	145	120	90	

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 1.2.8: Total number of identity document fraud instances by visa-free country²⁸

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of identity document fraud instances by visa-free country													
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	1	0	0	0	1	1	Data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.	
Moldova Georgia Ukraine	56	6	29	7	10	9	7	2	6	12	22	Data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Eastern Partnership are grouped together in this table. The trend is associated with the use of forged documents for employment purposes as well as to avoid administrative liability when exiting the country with exceeded residence period.	

²⁸ Information to be provided by inserting national data as gathered by competent authorities.

Impact of visa liberalisation on countries of destination– Latvian experience

Total	56	6	29	7	10	10	7	2	6	13	23	
Total number of identity document fraud instances²⁹	130	53	104	97	252	135	61	65	62	47	67	

²⁹ All nationalities apply, to calculate the proportion out of the total number of identity document fraud instances.

SECTION 2: POSITIVE IMPACT OF VISA LIBERALISATION ON (MEMBER) STATES

SECTION 2.1: DESCRIPTION OF NATIONAL SITUATION

Q2.1. What impact did the visa liberalisation have on Latvia? Please provide a short description of your national situation.

The visa liberalization process has failed to influence number of persons entering the country from the countries included in the study with residence permits received based on education and rights to employment.³⁰

Positive aspects are the reduction of administrative barriers for immigrants from the regions concerned, since nationals of visa free countries have several reliefs when they receive rights to employment or residence permits in Latvia.

There have not been any specific changes in economic relations with the countries of the region, but, given that traditionally the most intensive economic ties were between Latvia and the countries of the Eastern Partnership, Georgia and Ukraine, but the visa free entry procedure with these countries came into force only in 2017, it is not yet possible to fully assess the visa liberalization process impact on the economic.

Q2.1.1 If applicable, please categorise your answer to **Q2.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

The number of persons entering from Western Balkans is insignificant and not affected by the visa liberalization process.³¹

Eastern Partnership - Moldova, Georgia, Ukraine:

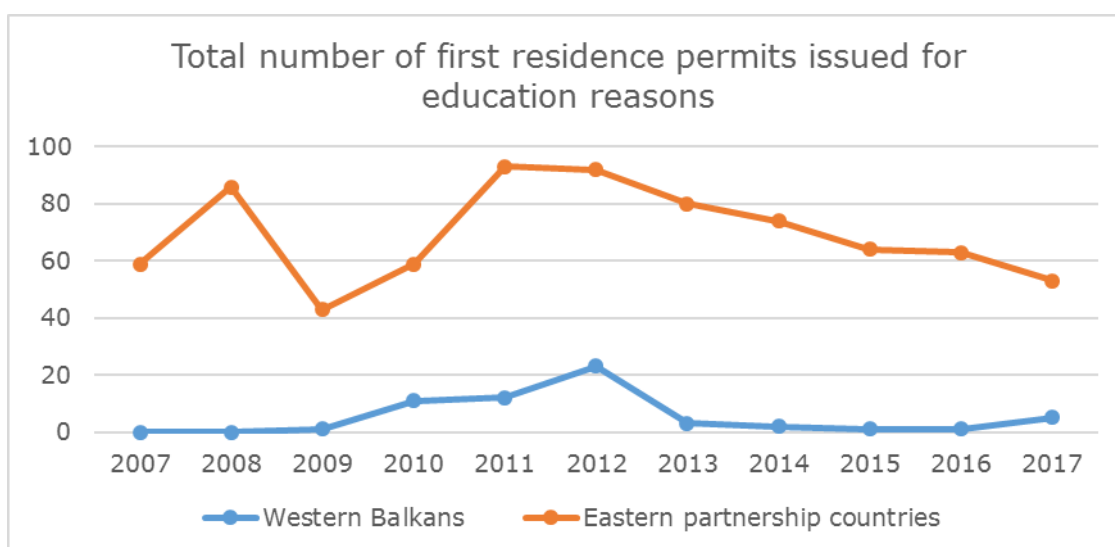
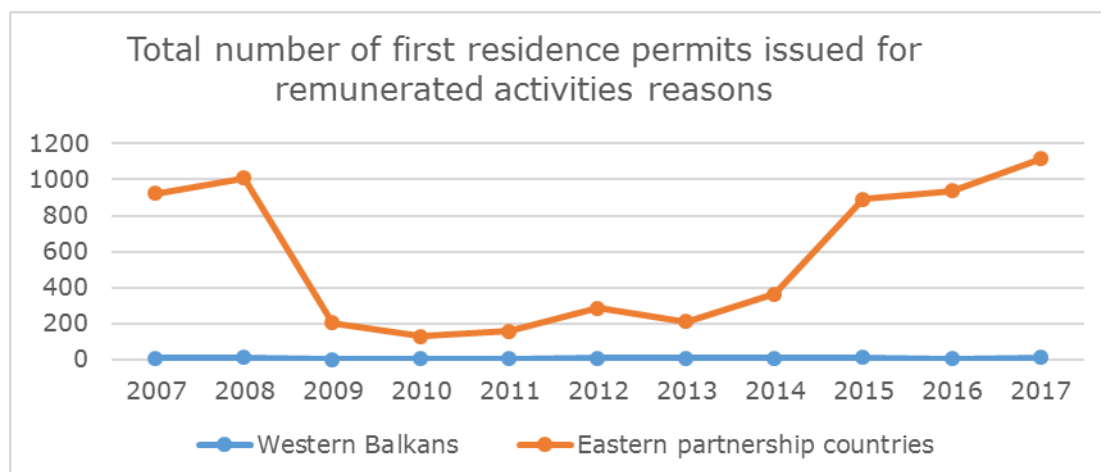
The number of persons entering from the Eastern Partnership countries³² traditionally is higher than from other regions; however, it must be concluded that the visa liberalization process has not affected the number of persons entering the country and it has stayed on the previous level.³³

³⁰ Source: Office of Citizenship and Migration Affairs.

³¹ Source: Office of Citizenship and Migration Affairs.

³² The number of issued residence permits.

³³ Source: Office of Citizenship and Migration Affairs.

Impact of visa liberalisation on countries of destination– Latvian experience

Q2.2. Did Latvia assess the impact of visa liberalisation as positive? If yes, please explain the reasons for your positive assessment and how this was reached (i.e. who was involved in the assessment and how they reached this conclusion). If no, explain why this is the case.

Latvia has not performed a comprehensive assessment of the visa liberalization process (risk analysis on certain negative aspects of the visa liberalization process performed only by the State Border Guard); however, several positive aspects must be noted: reduced administrative burden in Latvian diplomatic missions in the respective countries due to smaller number of visa applications as well as the number of residence permit applications lodged with the diplomatic mission. The administrative burden has also reduced in the Office of Citizenship and Migration Affairs (reduced number of invitations to be approved for visa requests). The administrative procedure has become easier for the nationals of the respective countries, because nationals from the visa-free countries must lodge smaller number of documents; furthermore, the application for a residence permit and rights to employment can be lodged from the territory of Latvia.³⁴ Such an option is highly valued by Latvian employers, especially if the nationals of the respective visa-free countries are invited for seasonal work, because this allows to reduce expenses associated with inviting guest workers (it is not necessary to receive a long-term visa to enter the territory of

³⁴ Source: Office of Citizenship and Migration Affairs.

Impact of visa liberalisation on countries of destination– Latvian experience

Latvia in order to receive a residence permit).³⁵

Q2.2.1. Did your collaboration with relevant third countries improve within the field of migration since the introduction of visa liberalisation?³⁶ If yes, please provide a short description and specific examples.

Latvia cooperates with third countries with whom there is established visa liberalization regime on migration matters. At the same time, it cannot be said that this cooperation has improved or intensified due to the visa liberalization.³⁷

Q2.2.2. Did Latvia identify specific economic benefits?³⁸ If yes, please list them and provide a short description for each.

There are no studies performed in Latvia about the impact of the visa-free regime on Latvian economy. Out of all countries included in the study, Ukraine has made the largest direct investments in the Latvian economy. The increase of direct investments has been gradual since 2012 and unaffected by the visa-free regime.³⁹

Q2.2.3. Did Latvia experience a growth in tourism⁴⁰ from third-country nationals under the visa liberalisation regime? If yes, please provide a short description and specific examples.

Since 2014 the number of tourists from Ukraine (and slightly also from Georgia) has grown; however, this cannot be directly explained by the visa liberalization because the visa-free regime was introduced in 2017. The trends about the Western Balkan countries cannot be analysed because there are no data on the number of tourists from these countries.

Q2.2.4. Did Latvia experience an impact on its labour market since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the link between visa free travel and access to the labour market in the national context.

The visa liberalization has beneficial impact on the employers' opportunities to invite guest workers because nationals of the countries with the visa-free regime can lodge documents for rights to employment from the territory of Latvia. The document execution costs are lower because the persons no longer need to receive an entrance visa, it is not necessary to pay the consular fee for document transfer because the documents are submitted from Latvia. At the same time, it must be noted that the visa liberalization has not increased the flow of guest

³⁵ Source: Office of Citizenship and Migration Affairs.

³⁶ For example: in cases of return and readmission.

³⁷ Source: Office of Citizenship and Migration Affairs.

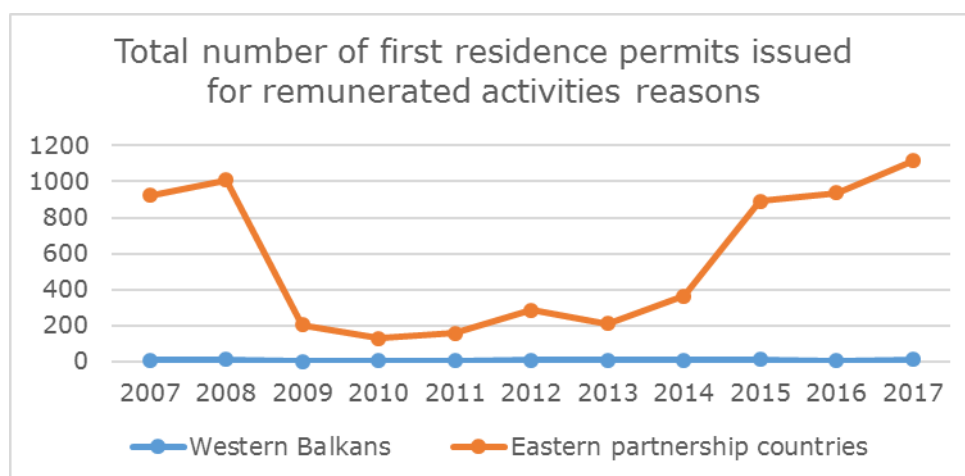
³⁸ For example: an increase in direct investments from the respective third countries to your (Member) State.

³⁹ Direct Investments data by country tables.- Available: <https://statdb.bank.lv/lb/Data.aspx?id=128>.

⁴⁰ For example: third-country national visitors staying in hotels and other accommodation establishments increased.

Impact of visa liberalisation on countries of destination– Latvian experience

workers to Latvia. The number of employed third - country nationals has grown but this is explained by the growth of the national economy and insufficient local workforce.⁴¹



Q2.2.5. Did Latvia experience a growth in the number of students arriving from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

The number of foreign students has grown over the course of last couple of years, but not from the visa free countries; therefore, it can be concluded that the visa-free regime has not influenced the number of foreign students from Western Balkans and Eastern Partnership countries.⁴²

Q2.2.6. Did Latvia experience a growth of entrepreneurship, including of self-employed persons from third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples, including background information on the access to self-employment from visa free regimes in the national context.

The number of residence permits issued based on entrepreneurship for people from Western Balkans and Eastern Partnership countries is highly low and has not increased as a result of the visa liberalization.⁴³

Out of all Western Balkan countries, only nationals of Serbia have active businesses in Latvia, but

⁴¹ Source: Office of Citizenship and Migration Affairs.

⁴² Source: Office of Citizenship and Migration Affairs.

⁴³ Source: Office of Citizenship and Migration Affairs.

Impact of visa liberalisation on countries of destination– Latvian experience

the number thereof is low.⁴⁴

It must be stated that since entry into force of the visa-free regime the number of active Moldavian businesses in Latvia has grown from **156** in 2014 to **551** in 2017.⁴⁵

The number of active Ukrainian businesses will grow in 2018; during the first months of 2018, there were 1,470 active businesses, but in 2017 – 1,474 businesses.⁴⁶

It is possible that the number of active Georgian businesses will also grow in 2018 because during the first months of 2018 there were active 105 businesses, but in 2017 – 107 businesses.⁴⁷



Q2.2.7. Did Latvia experience a growth in trade with third countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples (i.e. in which sectors / what type of goods or services).

The responsible authorities have not investigated changes in the volume of trade related to the introduction of a visa-free regime. However, according to the statistics of flow of goods, volume increases were shown only by **Bosnia and Herzegovina** and **former Yugoslav Republic of**

⁴⁴ Economic cooperation between Latvia and Serbia. Summary of external trade and investments. Available: http://eksports.liaa.gov.lv/files/liaa_export/attachments/2018.03_lv_serbija_ekon_sad.pdf.

⁴⁵ Economic cooperation between Latvia and Moldova. Summary of external trade and investments. Available: http://eksports.liaa.gov.lv/files/liaa_export/attachments/2018.03_lv_moldova_ekon_sad.pdf.

⁴⁶ Economic cooperation between Latvia and Ukraine. Summary of external trade and investments. Available: http://eksports.liaa.gov.lv/files/liaa_export/attachments/2018.03_lv_ukraina_ekon_sad.pdf.

⁴⁷ Economic cooperation between Latvia and Georgia. Summary of external trade and investments. Available: http://eksports.liaa.gov.lv/files/liaa_export/attachments/2018.03_lv_gruzija_ekon_sad.pdf.

Impact of visa liberalisation on countries of destination– Latvian experience**Macedonia.**

The main export goods of Latvia to Bosnia and Herzegovina: articles of stone, plaster, cement, glass, ceramics; the production of the chemical and its communications industries; machinery and mechanisms; electrical equipment.

The main Latvian import articles from Bosnia and Herzegovina: wood and its articles, machines and mechanisms, electrical devices, metals and its articles.⁴⁸

The main export goods of Latvia to the former Yugoslav Republic of Macedonia: food products⁴⁹, plastics and textile products.

The main Latvian import articles from former Yugoslav Republic of Macedonia: food products, clothes and textile materials, metal materials, machines and mechanisms.⁵⁰

The statistics of flow of goods from the countries of Eastern Partnership show that volume increases were demonstrated by **Moldova** and **Georgia**.

The main Latvian export product groups to Moldova is chemical industry and its related products,⁵¹ food industry products,⁵² machines and mechanisms, electrical devices,⁵³ animal and livestock products⁵⁴. The main Latvian import products from Moldova are food industry products,⁵⁵ plant products,⁵⁶ machines and mechanisms, electrical devices.^{57,58}

The main Latvian export products to Georgia are: food industry products,⁵⁹ chemical industry and its related industries products,⁶⁰ machines and mechanisms, electrical devices.^{61,62}

The main import product groups from Georgia were food industry products (74.22%; mostly wine and spirits), plant products (24.29%; mostly vegetables, nuts, and spices).

Q2.2.8. What other benefit (or positive impact) was identified by Latvia in relation to visa liberalisation that was not already captured in the previous questions, if applicable?⁶³

N/A.

⁴⁸Bilateral relations between the Republic of Latvia and Bosnia and Herzegovina. Available: <http://www.mfa.gov.lv/arpolitika/divpusejas-attiecibas/latvijas-un-bosnijas-un-hercegovinas-attiecibas>.

⁴⁹ Fish and canned fish, vegetables

⁵⁰ Data source: Central Statistical Bureau.

⁵¹ medicines

⁵² canned fish

⁵³ screens

⁵⁴ cheese and curd

⁵⁵ wine

⁵⁶ fresh and dried grapes

⁵⁷ wires

⁵⁸ Bilateral relations between the Republic of Latvia and Republic of Moldova.- Available:

<http://www.mfa.gov.lv/arpolitika/divpusejas-attiecibas/latvijas-un-moldovas-attiecibas#ekonomika>

⁵⁹ alcohol, canned fish

⁶⁰ medicines, fragrances

⁶¹ mostly microphones, telephone devices

⁶² Bilateral relations between the Republic of Latvia and Georgia.- Available:

<http://www.mfa.gov.lv/arpolitika/divpusejas-attiecibas/latvijas-un-gruzijas-attiecibas#ekonomika>

⁶³ For example: agreements with third countries for exchange of students, scholars; social benefits (social assistance, social trust and cooperation).

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 2.1: Flow of goods between Latvia and the visa-free countries⁶⁴

Indicator	2007-2017 data in thousands of EUR ⁶⁵											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of import and export of goods between Latvia and the visa-free countries												
FYROM	671	1130	925	2146	2314	2852	2736	4115	7861	3677	NI	Data source: Central Statistics Bureau
Montenegro	NI	36	NI	NI	13	4	NI	104	234	177	NI	
Serbia	11568	5720	4563	5096	6029	5417	7300	9150	8443	8806	NI	
Albania	NI	103	518	326	480	483	501	842	1363	1349	NI	
Bosnia and Herzegovina	514	731	NI	737	673	1225	1225	3938	3964	3755	NI	
Moldova	11717	11273	7908	9321	11928	14886	16820	21453	20503	18965	NI	
Georgia	8406	10213	11898	11765	14464	16159	22448	15947	19903	35273	NI	
Ukraine	195870	192132	134823	168170	213429	369922	221223	185631	166852	199870	NI	
Total	228746	221338	160635	197561	249317	410948	272253	241180	229123	235143	NI	

⁶⁴ Data shown in thousands, EUR.⁶⁵ Overall circulation of trade of articles.

SECTION 2.2: STATISTICAL INFORMATION

Table 2.2.1: Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries⁶⁶

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of visitors staying in hotels and other accommodation establishments from the visa-free countries													
FYROM	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Data source: Central Statistics Bureau ⁶⁷ . No available data on nationals of Western Balkans and Moldova, because the number thereof is too small.
Montenegro	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
Serbia	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
Albania	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
Bosnia and Herzegovina	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
Moldova	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
Georgia	523	909	1 169	1 172	1 491	1 481	1 864	2 213	2 961	2 703	3 079		
Ukraine	10 707	11 314	7 667	9 479	12 746	13 015	16 155	21 396	24 919	29 479	29 571		
Total	11 230	12 223	8 836	10 651	14 237	14 496	18 019	23 609	27 880	32 182	32 650		

⁶⁶ Information to be provided by inserting national data as gathered by competent authorities.

⁶⁷ TUG02. Number of guests serviced by hotels and other tourist accommodations, divided by countries: Available; http://data.csb.gov.lv/pxweb/lv/transp/transp__ikgad__turisms/TU0020.px/?rxid=562c2205-ba57-4130-b63a-6991f49ab6fe.

Impact of visa liberalisation on countries of destination – Latvian experience

Total number of visitors staying in hotels and other accommodation establishments⁶⁸	844 828	944 690	753 875	877 774	1 063 294	1 096 274	1 249 814	1 431 038	1 474 765	1 573 632	1 778 973	
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Table 2.2.2: Total number of first residence permits issued for remunerated activities reasons to visa-free country nationals⁶⁹

Indicator	2007-2017											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of permits issued for remunerated activities reasons to visa-free country nationals												
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	7	9	1	4	2	7	6	7	9	3	10	Source of data for 2007 and 2017: Office of Citizenship and Migration Affairs; 2008-2016: EUROSTAT. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
Moldova	450	335	11	1	0	3	1	31	15	5	14	Source of data for 2007 and 2017: Office of Citizenship and Migration Affairs; 2008-2016: EUROSTAT.
Georgia	31	30	5	11	15	10	20	7	7	14	16	
Ukraine	441	643	188	116	142	272	189	325	870	920	1086	

⁶⁸ All nationalities apply, to calculate the proportion out of the total number of tourism visitors staying in hotels and other accommodation establishments.

⁶⁹ See Eurostat: Number of first residence permits issued by reason, EU-28, 2008-2016 [migr_resfirst]

Impact of visa liberalisation on countries of destination– Latvian experience

Total	929	1017	205	132	159	292	216	370	901	942	1126	
Total number of permits issued for remunerated activities reasons⁷⁰	1648	1823	464	397	519	767	793	971	1639	1736	2158	Source of data for 2007 and 2017: Office of Citizenship and Migration Affairs; 2008-2016: EUROSTAT.

⁷⁰ All nationalities apply, to calculate the proportion out of the total number of permits issued for remunerated activities reasons.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 2.2.4: Total number of first residence permits issued for education reasons to visa-free country nationals⁷¹

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of permits issued for education reasons to visa-free country nationals													Source of data for 2007 and 2017: Office of Citizenship and Migration Affairs; 2008-2016: EUROSTAT. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
FYROM	0	0	1	11	12	23	3	2	1	1	5		
Montenegro													
Serbia													
Albania													
Bosnia and Herzegovina													
Moldova	4	1	2	1	13	7	9	4	2	1	3		
Georgia	53	78	31	39	56	41	35	20	17	13	12		
Ukraine	2	7	10	19	24	44	36	50	45	49	38		
Total	59	86	44	70	105	115	83	76	65	64	58		
Total number of permits issued for education reasons⁷²	221	2853	3233	3735	5031	6298	5538	6350	7063	5770	1603		

⁷¹ See Eurostat: Number of first residence permits issued by reason, EU-28, 2008-2016 [migr_resfirst]

⁷² All nationalities apply, to calculate the proportion out of the total number of permits issued for education reasons.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 2.2.5: Total number of first residence permits issued to entrepreneurs (including self-employed persons) from visa-free countries⁷³

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of first residence permits issued for entrepreneurs (including self-employed persons) from visa-free countries													
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	0	0	0	0	0	0	0	Data source: Office of Citizenship and Migration Affairs. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans and Eastern Partnership are grouped together in this table. Data for 2007 and 2008 includes both entrepreneurs and their family members. During these years, the number of residence permits issued to entrepreneurs of Moldovan and Ukrainian nationals is similar, while
Moldova Georgia Ukraine	68	95	10	16	19	10	24	27	25	19	17		
Total	68	95	10	16	19	10	24	27	25	19	17		
Total number of first residence permits issued for entrepreneurs (including self-employed persons)⁷⁴	310	331	81	117	101	131	317	290	155	119	103		

⁷³ Information to be provided by inserting national data as gathered by competent authorities.

⁷⁴ All nationalities apply, to calculate the proportion out of the total number of first residence permits issued for entrepreneurs (including self-employed persons).

Impact of visa liberalisation on countries of destination– Latvian experience

												the number of residence permits issued to Georgian nationals is very small.
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SECTION 3: CHALLENGES OF VISA LIBERALISATION ON LATVIA

SECTION 3.1 : DESCRIPTION OF NATIONAL SITUATION

Q3.1. Did Latvia face certain challenges (if any) since the introduction of visa liberalisation? Please provide a short description of your national situation.

Please answer this question by making a link with the data presented in Section 3.2, while specific challenges can be detailed in sub-questions **Q3.1.2** to **Q3.1.7**.

The statistical data does not show any changes in the flow of persons from Western Balkans⁷⁵, as it remains low without any changes.

At the moment, the State Border Guard has not identified any challenges related to the visa liberalization process. However, the State Border Guard indicates that this does not exclude or reduce the risks of entry, stay and transit from the nationals of Moldova, Ukraine and Georgia.

Q3.1.1 If applicable, please categorise your answer to **Q3.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

With respect to Western Balkans, there are no risks or significant challenges recognized.

Eastern Partnership - Moldova, Georgia, Ukraine:

After the initiation of the visa liberalization process, the trend of illegal employment has grown more important – nationals of Ukraine and Moldova enter Latvia as tourists but start to work illegally after the entry without any rights to employment. Certain issues are also caused by insufficient information regarding conditions of the visa-free regime, e.g. several nationals of Ukraine believed that previous residence period in the Schengen Area with a visa is not to be included in the overall permitted residence period and that after introduction of the visa-free regime the permitted 90-day period over the course of six months is re-started. In such cases, a violation of residence conditions is recognized and an administrative violation report is drawn.

Several nationals of Georgia has abused the transit procedure to reach an EU/SCH country for the purposes of requesting asylum.

Q3.1.2 Did Latvia encounter a rise in illegal employment since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Yes, there are certain cases when nationals of Ukraine enter Latvia as tourists but start to illegally work after the entry. The visa-free regime means that a person is allowed to enter and reside in Latvia without a visa or residence permit up to 90 days. When starting to work without the necessary documents, nationals of Ukraine violate these conditions. In 2016, labour conditions in Latvia were breached by 15 nationals of Ukraine, but in 2017 – by 39. Considering the fact that

⁷⁵The increase of the border crossing flow is a general trend that is not related to visa liberalization.

Impact of visa liberalisation on countries of destination– Latvian experience

the visa-free regime with Ukraine⁷⁶ was introduced rather recently, the true trend will be shown in the statistical review on 2018.

Q3.1.3 Did Latvia encounter a rise in smuggled and/or trafficked persons from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

Although no statistical data are available on the migration smuggling, the State Border Guard states that the actual number of nationals detained from the visa-free countries who are smuggled has not changed.⁷⁷ No human trafficking victims from the countries of the study were recognized from 2007 to 2017.

Q3.1.4 Did Latvia encounter a rise in the number of identified facilitators of unauthorised entry, transit and residence since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

No data are available on facilitators of illegal entry, transit and residence in relation to the introduction of the visa-free regime.

In Latvia, nationals of the Russian Federation (Chechens), Latvia and Estonia are mostly detained for facilitation of illegal immigration.⁷⁸

Q3.1.5 Did Latvia encounter a rise in the number of nationals found to be illegally present from the visa-free countries since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

The number of nationals of Western Balkans, who have been found irregularly residing in the territory of Latvia, is so small that it does not give grounds to argue about any changes in the number.

In the year of introduction of the visa-free regime, only Georgia (from the Eastern Partnership countries) shows small reduction; whereas, the number from Ukraine has increased.

The nationals of Ukraine enter Latvia as tourists but start to work after the entry. Similar cases are seen at entry when the person gives false information on the purpose of his/her entry.

Several nationals of Georgia abuse the transit procedure to reach an EU/SCH country to request an asylum.⁷⁹

⁷⁶ between Ukraine (since 11th June 2017) on one side and EU on other side.

⁷⁷ Source: State Border Guard.

⁷⁸ Source: State Border Guard.

⁷⁹ Source: State Border Guard.

Impact of visa liberalisation on countries of destination– Latvian experience

Q3.1.6 Did Latvia encounter a rise in the number of overstayers since the introduction of visa liberalisation? If yes, please provide a short description and specific examples.

YES.

Third-country nationals from countries with a visa-free regime established in the country of Latvia for employment without the necessary documents, as well as a part of the persons who were found on departure and who violated the conditions of stay exceeding the allowed length of stay.

Q3.1.7 Did Latvia encounter any signs of possible misuse of the visa liberalisation?⁸⁰ If yes, please provide a short description and specific examples.

The main problem faced by Latvia is abuse of the visa liberalization process: certain nationals of Ukraine, Moldova, and Georgia cross the external and internal border of the European Union by stating a false entry purpose.⁸¹

Q3.2. Did Latvia as a country of destination face any administrative burden⁸² since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

YES. Along with the increased number of violations, the State Border Guard faced an additional administrative burden when a person was rejected from entering the country (Tab. 3.2.1.) as well as in cases when residence and employment conditions were breached (Tab. 3.2.5. and 3.2.9.) Furthermore, the workload of the State Border Guard also has increased because they have to control the residence conditions of persons.⁸³

Q3.2.1. If applicable, please list the institutions that faced administrative burdens.

State Border Guard.

Q3.3. Did Latvia as a country of destination face any security risks since the introduction of the visa-free regime? If yes, please provide a short description and specific examples.

According to information in the public reviews of the Security Police, as of now there are no

⁸⁰ For example, dealing with cases when persons enter the country legally but later become illegally employed, are staying in the country legally, but are working without a work permit or apply for asylum without reasonable grounds.

⁸¹ Source: State Border Guard.

⁸² For example: significant increase of residence permit applications, increased demand for work permits, more time-consuming border control procedure due to the lack of visas. etc.

⁸³ Source: State Border Guard.

Impact of visa liberalisation on countries of destination– Latvian experience

national security incidents related to the introduction of the visa-free regime between the European Union and the countries of the study. However, considering the existing political situation and military conflict in East Ukraine, in terms of the State border security, it is expected that there will be a high-level organized illegal immigration risk.⁸⁴

Q3.3.1. Did the visa liberalisation regime increase the security risks in Latvia? If yes, please provide a short description explaining why and provide examples.⁸⁵

The State Border Guard forecasts in "Analysis of the Latvia State Border Security Risks in 2018"⁸⁶ that the number of cases when the visa-free regime is abused by people from Georgia, Ukraine and Moldova will only increase.⁸⁷

Q3.3.2. If applicable, what types of offences⁸⁸ were committed by third-country nationals in Latvia after the commencement of the visa-free regime?⁸⁹ Where there any significant differences compared to the time before the visa-free regime started?

The Court Administration which is responsible for gathering statistics on the court judgments provides data only on the total number of judgments applied to foreigners⁹⁰; therefore, it is not possible to determine trends in court judgments applied to nationals of specific countries.

Q3.3.3. If applicable, what was the rate of offences (final court rulings) committed by third-country nationals⁹¹ in Latvia after the commencement of the visa-free regime? Where there any significant differences compared to the time before the visa-free regime started?

N/A

Q3.4. What is the role and impact of irregular migration facilitators that provide their services to third-country nationals with an entry ban? Please provide a short description with specific examples about Latvia situation and make a clear distinction between people who assist migrants and people who are profiting from facilitation.

⁸⁴ Source: State Border Guard.

⁸⁵ For example: did your (Member) State identify any increased terrorism risks arising from the entry or residence of respective TCNs.

⁸⁶ Approved by the State Border Guard, State Police, State Revenue Service, Food and Veterinary Service and State Environmental Service.

⁸⁷ Largest risks of border safety – malicious use of the visa-free regime and spread of ASFV, 18.06.2018. <https://www.tvnet.lv/4515472/robezas-drosibas-lielakie-riski-launpratiga-bezvizu-rezima-izmantosana-un-acm-izplatiba>. Source used on 27.07.2018.

⁸⁸ Please use this pre-defined list of categories: cybercrime; drugs offences; economic and financial offences; illicit immigration; illicit trafficking (not drug related); offences against property; offences against public order and safety; offences against public trust (e.g. fraud, forgery, counterfeiting); offences against the person; sexual exploitation of children (including child pornography); sexual offences against adults; terrorism-related activity; trafficking in human beings and smuggling of migrants.

⁸⁹ This applies to third-country nationals who do not live your country, but visited (short stay of up to 90 days).

⁹⁰ Includes nationals of both EU and third countries.

⁹¹ See above.

Impact of visa liberalisation on countries of destination– Latvian experience

The facilitators of irregular migration help irregular migrants, who could have a SIS entrance ban or national Latvian entrance ban, to cross the State borders both through the border-crossing points and outside such locations (by the use of a forged document or a document that belongs to another person). Such actions endanger the State and the security of its borders. In 2016, 3 such persons were detained (2 UKR, 1 MDA) from the visa liberalization countries owing to facilitation of irregular migration. Latvia does not record court judgments according to nationality. In Latvia, there have not been any human trafficking victims from the visa-free regime countries.

Q3.4.1 How did the activities of irregular migration facilitators impact Latvia?⁹² Please provide a short description with specific examples about Latvia's situation.

In 2016, 52 irregular migration facilitators were detained, but in 2017 – 15. In 2017, the trend of facilitating irregular migration has reduced thanks to the amendments to the Criminal Law⁹³ (see Q4.1.6.), Belarus Criminal Law as well as overall operations and cooperation with the Russian Border Guard. In 2017, the facilitators of irregular migration shifted towards unlawful movement of excise goods (smuggling) and illegal immigration as such.

Q3.4.2. If applicable, please list and explain any challenges and risks identified by Latvia related to the activities of irregular migration facilitators, while making a clear distinction between people who assist migrants and people who are profiting from facilitation.

Persons who transport irregular migrants mostly belong to an organized crime group (OCG). The main problem with combating the facilitation of the illegal immigration is associated with operational organization which makes it hard to identify the coordinator and organizer. An OCG consists of several parts. Several facilitators are involved in movement of a single group of irregular immigrants across certain routes. The facilitators involved in the OCG have information solely about their role in the process of transportation. They mostly do not know rest of the participants. Upon detaining a transporter, it is almost impossible to identify other persons involved in the transportation.

Q3.5. What other challenge (or negative impact) was identified by Latvia in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

No other challenges.

⁹² Did their activities lead to increases in irregular border-crossings, enhanced border controls or document fraud?

⁹³ Criminal Law.- *Latvijas Vēstnesis*, Nr199/200, 08.07.1998. – [entered into force on 01.04.1999.]

SECTION 3.2: STATISTICAL INFORMATION

Table 3.2.1: Total number of nationals from the visa-free countries refused entry at the external borders⁹⁴

Indicator	2007-2017											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of nationals from the visa-free countries refused entry at the external borders												
FYROM	17	10	5	0	15	0	0	0	5	5	10	2008 - 2016 - data source: EUROSTAT. 2007; 2017 - data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
Montenegro												
Serbia												
Albania												
Bosnia and Herzegovina												
Moldova	23	25	15	5	20	25	35	15	25	30	85	
Georgia	7	5	10	20	80	215	320	960	145	25	49	
Ukraine	87	85	30	25	45	70	65	50	70	55	198	
Total	130	125	60	50	160	310	420	1025	245	115	342	
Total number third-country nationals refused entry at the external borders⁹⁵	1232	875	670	815	1230	1820	2050	2050	875	800	1063	

⁹⁴ See Eurostat: Third-country nationals refused entry at the external borders - annual data (rounded) [migr_eirfs]

⁹⁵ All nationalities apply, to calculate the proportion out of the total number third-country nationals refused entry at the external borders.

Impact of visa liberalisation on countries of destination – Latvian experience

Table 3.2.2: Total number of return decisions issued to nationals from the visa-free countries⁹⁶

Indicator	2007-2017 (insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of return decisions issued to nationals from the visa-free countries													Data source for 2017: Office of Citizenship and Migration Affairs 2008-2017: EUROSTAT. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	1	0	0	0	0	0	0	0	0	0	0		
Moldova	54	20	30	5	10	25	30	10	10	15	15		
Georgia	10	15	10	15	80	150	110	105	35	30	10		
Ukraine	51	55	20	20	140	305	285	220	220	265	225		
Total	116	90	60	40	230	480	425	335	265	310	250		
Total number of return decisions issued to third-country nationals⁹⁷	236	265	220	210	1060	2070	2080	1555	1190	1450	1350		

⁹⁶ See Eurostat: Third-country nationals ordered to leave - annual data (rounded) [migr_eiord]

⁹⁷ All nationalities apply, to calculate the proportion out of the total number of nationals ordered to leave.

*Impact of visa liberalisation on countries of destination – Latvian experience*Table 3.2.3: Total number of voluntary returns (all types) by nationals of visa-free countries⁹⁸

Indicator	Period of interest (2007-2017) <i>(insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)</i>											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of voluntary returns (all types) by nationals of visa-free countries												
FYROM												
Montenegro	1	0	0	0	0	0	0	0	0	0	0	Data source: 2007-2010 – Office of Citizenship and Migration Affairs. 2011-2017: EUROSTAT. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans and Eastern Partnership are grouped together in this table. The most significant share is made up of Ukrainian nationals, followed by Georgian nationals.
Serbia												
Albania												
Bosnia and Herzegovina												
Moldova												
Georgia	33	27	19	22	0	0	0	330	230	290	240	
Ukraine												
Total	34	27	19	22	0	0	0	330	230	290	240	
Total number of voluntary returns (all types) – all third-country nationals⁹⁹	78	56	67	101	N/I	N/I	N/I	1460	695	1040	1100	

⁹⁸ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Number of voluntary and forced returns [migr_eirt_vol];

⁹⁹ All nationalities apply, to calculate the proportion out of the total number of voluntary returns.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 3.2.4: Total number of forced returns by visa-free country¹⁰⁰

Indicator	Period of interest (2007-2017)											Additional Information
	<i>(insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)</i>											
Total number of forced returns by visa-free country	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	1	0	0	0	0	0	Data source: Office of Citizenship and Migration Affairs. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans and Eastern Partnership are grouped together in this table. After the introduction of a visa-free regime, the number of Moldovan expelled persons has decreased significantly. For the citizens of Ukraine and Georgia, data on the impact of the visa-free regime on this indicator are not yet available.
Moldova Georgia Ukraine	82	63	42	19	15	22	7	11	11	12	4	
Total	82	63	42	19	15	23	7	11	11	12	4	
Total number of forced returns - all third-country nationals¹⁰¹	155	197	151	105	52	67	32	109	480	426	187	

¹⁰⁰ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Number of voluntary and forced returns [migr_eirt_vol];

¹⁰¹ All nationalities apply, to calculate the proportion out of the total number of forced returns.

*Impact of visa liberalisation on countries of destination – Latvian experience*Table 3.2.5: Total number of nationals from the visa - free countries found in illegal employment¹⁰²

Indicator	Period of interest (2007-2017)											Additional Information
	<i>(insert all available data or <u>at least</u> 2 years prior and after the visa waiver agreement date)</i>											
Total number of nationals from the visa-free countries found in illegal employment	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	0	0	1	0	1	2	Data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table. Illegal employment for nationals of the Western Balkans: sport.

¹⁰² Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr_eipre]

Impact of visa liberalisation on countries of destination– Latvian experience

Moldova Georgia Ukraine	43	74	4	2	5	17	52	9	45	32	43	Data source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Eastern Partnership are grouped together in this table. Third-country nationals are illegally employed in animal husbandry, construction, logistics, sport, road transport, and industry.
Total	43	74	4	2	5	17	52	10	45	33	45	Data source: State Border Guard
Total number third-country nationals found in illegal employment¹⁰³	102	174	27	20	42	71	147	50	70	64	68	Data source: State Border Guard

¹⁰³ All nationalities apply, to calculate the proportion out of the total number third-country nationals found in illegal employment.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 3.2.6: Total number of identified facilitators¹⁰⁴ of unauthorised entry, transit and residence¹⁰⁵ from the visa-free countries (final court rulings)¹⁰⁶

Indicator	Period of interest (2007-2017)											Additional Information
	<i>(insert all available data or at least 2 years prior and after the visa waiver agreement date)</i>											
Total number of identified facilitators of unauthorised entry, transit and residence from the visa-free countries (final court rulings)	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
FYROM Montenegro Serbia Albania Bosnia and Herzegovina Moldova Georgia Ukraine	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	Court rulings are not recorded by nationality.
Total	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	NI	
Total number of identified facilitators of unauthorised entry, transit and residence (final court rulings) ¹⁰⁷	2	8	7	0	4	5	1	6	33	30	NI	Data source: Court Administration. Court rulings are not recorded by nationality.

¹⁰⁴ This refer to the nationality of the facilitators. EU nationalities can be provided in the second part of the table.

¹⁰⁵ Facilitators of the unauthorised entry, transit and residence - intentionally assisting a person who is not a national of an EU Member State either to enter or transit across the territory of a Member State in breach of laws on the entry or transit of aliens, or, for financial gain, intentionally assisting them to reside within the territory of a Member State in breach of the laws of the State concerned on the residence of aliens (see Article 1(1)(a) and (b) of Council Directive 2002/90/EC).

¹⁰⁶ Information to be provided by inserting national data as gathered by competent authorities.

¹⁰⁷ All nationalities apply, to calculate the proportion out of the total number of identified facilitators of unauthorised entry, transit and residence.

Identified (detained) facilitators of irregular entry, transit and residence from the European Union Member States (TOP 5 detained nationals of the European Union)¹⁰⁸:2007 - 0

2008- LVA (16), DEU (1)

2009- LVA (21)

2010- 0

2011- LVA (2), FRA (1)

2012- 0

2013- 0

2014- LVA (8), EST (2), POL (3)

2015- LVA (31), LTU (1), EST (4), POL (6), ITA (1)

2016- LVA (4), LTU (1), EST (6)

2017- LVA (5), EST (4)

Identified (detained) facilitators of irregular entry, transit and residence from countries of visa-free regime:¹⁰⁹

2007 - 0

2008 - 0

2009 - UKR (1)

2010 - 0

2011 - GEO (2)

2012 - 0

2013 - 0

2014 - 0

2015 - ALB (1)

2016 - UKR (2), MDA (1)

2017 - 0

¹⁰⁸ Source: State Border Guard.

¹⁰⁹ Source: State Border Guard.

*Impact of visa liberalisation on countries of destination– Latvian experience*Table 3.2.7: Total number of nationals found to be illegally present from the visa-free countries¹¹⁰

Indicator	2007-2017											Additional Information	
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017		
Total number of nationals found to be illegally present from the visa-free countries													
FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	0	0	0	0	3	0	0	0	0	0	1	Source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.

¹¹⁰ Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr_eipre]

Impact of visa liberalisation on countries of destination – Latvian experience

Moldova Georgia Ukraine	161	80	65	15	25	76	87	70	34	21	17	Source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Eastern Partnership are grouped together in this table. After the introduction of the visa-free regime, the number of Moldovan nationals found to have been illegally staying in Latvia significantly decreased.
	Total	161	80	65	15	25	79	87	70	34	21	
Total number of third-country nationals found to be illegally present¹¹¹	433	310	245	195	130	206	175	263	743	671	407	Source: State Border Guard.

Table 3.2.8: Total number of overstayers from the visa-free countries¹¹²

Indicator	Period of interest (2007-2017) <i>(insert all available data or at least 2 years prior and after the visa waiver agreement date)</i>											Additional Information
	2007	2008	*2009	*2010	2011	2012	2013	*2014	2015	2016	*2017	
Total number of overstayers from the visa-free countries												

¹¹¹ All nationalities apply, to calculate the proportion out of the total number of third-country national found to be illegally present.

¹¹² Information to be provided by inserting national data as gathered by competent authorities. Also see Eurostat: Third-country nationals found to be illegally present - annual data (rounded) [migr_eipre]

Impact of visa liberalisation on countries of destination – Latvian experience

FYROM Montenegro Serbia Albania Bosnia and Herzegovina	0	1	4	1	1	0	1	1	1	4	0	Source: State Border Guard. Due to small figures, in accordance with Regulation (2016/679) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, in order not to link statistical data to a particular natural person, the countries of the Western Balkans are grouped together in this table.
Moldova	75	50	40	9	19	19	40	16	23	12	10	Source: State Border Guard
Georgia	5	16	202	126	74	58	42	28	30	20	9	Source: State Border Guard
Ukraine	72	101	129	145	236	282	366	275	330	198	207	Source: State Border Guard
Total	152	167	375	281	330	359	449	320	393	234	226	Source: State Border Guard
Total number of third-country nationals overstayers¹¹³	430	808	1663	2196	2157	1989	2576	1910	1964	912	1101	Source: State Border Guard

¹¹³ All nationalities apply, to calculate the proportion out of the total number of third-country national overstayers.

SECTION 4: MEASURES PUT IN PLACE TO DEAL WITH POSSIBLE MISUSE OF VISA-FREE REGIMES BY LATVIA

SECTION 4.1 : DESCRIPTION OF NATIONAL SITUATION

Q4.1. Did Latvia implement certain measures (if any) to deal with the challenges that appeared after the commencement of the visa-free regime? Please provide a short description of your national situation.

Specific measures can be detailed in sub-questions **Q4.1.2** to **Q4.1.7**.

NO.

Q4.1.1 If applicable, please categorise your answer to **Q4.1** by third country:

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

N/A

Eastern Partnership - Moldova, Georgia, Ukraine:

N/A

Q4.1.2. If applicable, did Latvia implement measures to increase the efforts to promote voluntary return? If yes, for which nationalities and explain their impact.

No. Voluntary return is implemented according to the existing procedure and assisted voluntary return is implemented in case of available funding from European funds.

Q4.1.3. If applicable, did Latvia implement measures to expand the legal possibilities of stay? If yes, for which nationalities and explain their impact.

No.

Q4.1.4. If applicable, did Latvia implement measures to fight illegal employment? If yes, please explain their impact and add specific examples.

The State Border guard controls immigration of foreigners in the territory of the country; furthermore, in cooperation with the State Labour Inspectorate, there are joint immigration and labour condition inspection raids in companies.

Q4.1.5. If applicable, did Latvia implement measures to fight the smuggling and/or trafficking of persons from the visa-free countries? If yes, please explain their impact and add specific examples.

Considering the fact that often human trafficking is hidden through another criminal offence (e.g. a promise to a person to move him or her irregularly across the State border or to assist him or her in entering a certain country can be only a part of the true intention; the true intention is to use the person as a victim of trafficking in human beings), the State Border Guard takes

Impact of visa liberalisation on countries of destination– Latvian experience

measures to detect and prevent such cases.

Persons crossing the external border in order to enter or leave Latvia are interviewed and checked at border crossing points. In cases where a person cannot present valid travel documents, a valid visa or residence permit or cannot justify the purpose and circumstances of entry, he is denied entry to Latvia.

In addition to inspection of entry purpose and justification, the State Border Guard, in case of suspicion, makes sure whether a national of the third country has sufficient financial means to reside in Latvia or another member state of the Schengen Agreement; the State Border Guard also makes sure that the third - country national exits the territory of the member state of the Schengen Agreement without breaching entrance, residence and transit conditions.

The officials from certain departments of the State Border Guard regularly profiles persons at airports, ports, bus stations, and train stations and carries out inspections on roads. The departments of the State Border Guard, for the purposes of migration control near the internal borders, inspect persons and vehicles based on the risk assessment and operative information.

In case of suspicion that the foreigner could be a victim of trafficking in human beings, the official of the State Border Guard informs the State Police which, within its competence, carries out necessary activities to make sure that the possible victim is legally identified and receives statutory protection and help.

Q4.1.6. If applicable, did Latvia implement measures to fight the activities of facilitators of unauthorised entry, transit and residence? If yes, please explain their impact and add specific examples.

Depending on the situation, it is possible to commence either an administrative proceedings or proceedings in a criminal process. On 7th April 2016 amendments to Section 285 of the Criminal Law came into force, providing for liability for move of a person across the State border, as well as amendments to Section 285¹ providing for liability for securing an opportunities to reside in Latvia irregularly. The amendments raised the penal sanctions. In 2016, 52 persons were detained for facilitating irregular immigration, but in 2017 – only 15.

Q4.1.7. If applicable, did Latvia implement measures to reduce the incidence of nationals found to be illegally present in your country? If yes, please explain their impact and add specific examples. Please also see **Q4.4** (on overstayers) before answering to avoid overlap.

NO. The number of identified persons and prognosis does not suggest that it is necessary to implement special procedures.

Q4.1.8. If applicable, what was the effectiveness of the measures listed above and which of them were most successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

N/A.

Impact of visa liberalisation on countries of destination– Latvian experience

Q4.2. Did Latvia implement measures to deal with administrative burdens since the introduction of the visa-free regime?¹¹⁴ If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

Yes. In case of recognized third - country nationals, who possibly could be abusing the visa-free regime, and if it is not possible to ban them from entering the country, the State Border Guard gathers the necessary information for it to be sent to the competent immigration department of the respective region of Latvia. The main objective of the duty – to purposefully carry out control of the identified third - country national’s residence conditions, thus allocating administrative and human resources.

Q4.3. Did Latvia implement measures to deal with the possible misuse of visa liberalisation?¹¹⁵ If yes, please list and explain these measures, their impact / effectiveness and add any good practices / lessons learned you have identified.

During the border-checks officials of the State Border Guard questions the person who benefits from the visa-free regime for entering the country, in order to identify cases when the visa-free regime is abused.

Q4.4. How did Latvia deal with cases when third-country nationals entered the country legally, but did not legalize their stay after 90 days (overstayers)? Please provide a short description of such instances while highlighting any measures implemented by your country to deal with this. If applicable, what was the impact / effectiveness of these measures and are there any good practices / lessons learned you have identified?

Upon identifying a third - country national who exceeds the permitted period for residence in the country, an official of the State Border Guard assesses circumstances in the case and issues a return order (compulsory expulsion order or return decision); if the third - country national is identified while leaving Latvia (crossing the external border) – a return decision is issued (return decision in absentia).

Q4.4.1 In the case of overstayers from the visa-free countries, does Latvia apply a different return procedure compared to the usual procedure? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

No.

Q4.4.2 Does Latvia apply any special procedures in cases where overstayers have lost their identification documents or in instances where there are problems with their identification? If yes, please provide a short description of such instances while highlighting any good practices / lessons learned you have identified.

¹¹⁴ For example: significant increase of residence permit applications, increased demand for work permits, more time-consuming border control procedure due to the lack of visas. etc.

¹¹⁵ For example, dealing with cases when persons enter the country legally but later become illegally employed, are staying in the country legally, but are working without a work permit or apply for asylum without reasonable grounds.

Impact of visa liberalisation on countries of destination– Latvian experience

None.

Q4.4.3 If applicable, what was the effectiveness of these procedures (see **Q4.4.1** and **Q4.4.2**) and were they successful in reaching their intended goals? Please provide any good practices / lessons learned you have identified.

N/A.

Q4.5. How did your cooperation with the visa-free countries evolve over time in terms of assistance and information exchange, before and after the visa-free regime commencement?¹¹⁶ Please provide a short description and specific examples of your national situation disaggregated by region and third countries of interest.

Western Balkans - FYROM, Montenegro, Serbia, Albania, Bosnia and Herzegovina:

The State Border Guard does not have any special cooperation with these countries on information exchange.

Eastern Partnership - Moldova, Georgia, Ukraine:

The State Border Guard does not have a direct cooperation with Ukraine and Moldova on information exchange.

On 31st March 2018 the liaison officers' point of the State Border Guard in Georgia was closed.¹¹⁷ One of the points duties was to ensure cooperation and information exchange.

Q4.5.1. If applicable, how effective was the cooperation with third countries to reach your desired goals? Where there any particular differences in your interactions with different third countries and did you identify any good practices / lessons learned?

The State Border Guard cooperates with the Russian Federation within the overall border task force of the Republic of Latvia – Russian Federation. One of the best practice examples is joint operation KORDON-2018.

Q4.6. If applicable, how did Latvia respond to the influx of asylum seekers from the visa-free countries? Please provide a short description of the measures taken and any good practices / lessons learned you have identified.¹¹⁸

The most intensive inflow of asylum-seekers from the countries included in this study was from Georgia and Ukraine before implementation of the visa-free regime (2011-2014). During these

¹¹⁶ For example, in terms of information campaigns in the third countries working on the elimination of 'push factors' – unemployment, poverty, poor conditions in the national health system, assistance to visa-free countries from Member States and reintegration assistance to returnees.

¹¹⁷ State Border Guard project "Continuation of Operation of Communication Site of Officers of the State Border Guard in Georgia and Belarus (1st stage)".

¹¹⁸ For example, using the concept of safe country of origin.

Impact of visa liberalisation on countries of destination– Latvian experience

years, there were 105-175 asylum seekers from Georgia every year. Such inflow of asylum-seekers was seen due to 2012 Parliamentary elections in Georgia as well as the country's economic situation. In 2014, there were 75 asylum seekers from Ukraine. During these years, Latvia experienced increase in numbers of asylum-seekers. To admit the asylum-seekers, in 2011 the accommodation centre of asylum-seekers carried out activities by increasing the capacity of the accommodation centre of asylum-seekers.¹¹⁹

Q4.6.1 If applicable, were the measures of Latvia effective to manage the influx of asylum seekers from the visa-free countries? Please provide a short description of your national situation highlighting any good practices / lessons learned you have identified.

N/A

Q4.6.2 If applicable, how did Latvia cooperate with other (Member) States found in a similar situation (i.e. influx of asylum seekers from the visa-free countries)? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

N/A

Q4.6.3 Did you receive assistance from the EU to deal with the influx of asylum seekers from the visa-free countries? If yes, how effective was the assistance in supporting Latvia? Please provide a short description of your national situation and any good practices / lessons learned you have identified.

N/A

Q4.7. What other measure (or good practice / lesson learned) was adopted by Latvia in relation to visa liberalisation that was not already captured in the previous questions, if applicable?

At the same time, are there any planned measures that will be adopted in the nearby future?¹²⁰

N/A

¹¹⁹ Source: State Border Guard.

¹²⁰ For example, in relation to Ukraine or Georgia for which the visa waiver agreement entered into force in 2017.

SECTION 5: CONCLUSIONS

Q5.1. With regard to the aims of this Study, what conclusions would you draw from the findings reached in elaborating your National Contribution?

The risks identified on the scale of the European Union in relation to nationals of FYROM, Albania, Montenegro, Serbia, Bosnia and Herzegovina are not topical in Latvia.

In the field of legal migration, the number of persons entering the country from Balkans, Moldova, Ukraine and Georgia with residence permits received based on education, entrepreneurship and rights to employment has not increased.

The visa liberalization has a positive impact on the employers' opportunities to invite guest workers from the countries of the said regions; however, it must be noted that in the case of Latvia significant advantages refer only to Ukraine, because the number of persons entering the country from the rest of the aforementioned countries still remains low.

There are no significant visa liberalization-affected changes in the field of economy.

In 2017, the results of the State Border Guard's activities and measures taken to consolidate security on the border (establishment and equipment of the border zone, joint activities with the border services of the Russian Federation and Belarus, joint operations on the internal borders of the Baltic States etc.) have allowed to reduce the flow of irregular migration through Latvia; however, these measures at the same time lead to a situation where transporters of persons look for new and more complicated methods for irregularly moving persons across the State border.

Although the number of offenders detained by the State Border Guard in 2017 is significantly smaller when compared with the number of 2016, information at disposal of the Border Guard suggests that the risk of illegal migration is still high.

The following was important to reduce the pressure of the illegal migration:

- 1) more active operations by the border guard services of the Russian Federation and Republic of Belarus, in order to combat move of irregular immigrants from these countries to Latvia, as a result of which ever-growing fraction of the potential immigrants is detained next to the Latvian border before even crossing the border;
- 2) improved exchange of information between the State Border Guard of the Republic of Latvia and respective border guard services of neighbouring countries;
- 3) organized joint activities "KORDON 2017" with the border guard services of the Russian Federation and Belarus;
- 4) continued construction of the State border infrastructure.

The overall results of the State Border Guard's activities in 2017 show that in the field of illegal immigration there is increased proportion of so-called "legal immigration" (abuse of the visa and visa-free regime, as well as the asylum procedure). The highest risk was posed by the Ukrainian nationals who used the visa-free regime with the European Union Member States as well as the nationals of the Russian Federation and Belarus, who used visas received by providing false information on entry purposes.

It must be noted that in 2017 the State Border Guard, while carrying out border-checks, recognized increasing number of nationals of Ukraine, Georgia and Moldova who tried to enter the country by violating the entrance conditions defined after entry into force of the visa-free

Impact of visa liberalisation on countries of destination– Latvian experience

regime between the aforementioned states and the European Union.

Q5.2. What do you consider to be the relevance of your findings to (national and/or EU level) policymakers?

N/A