









REPORT ON MIGRATION AND ASYLUM IN LATVIA REFERENCE YEAR 2019

Riga, April 2020

Pursuant to Council Decision 2008/381/EC of 14 May 2008, the European Migration Network was established; its objective is to meet the information needs of institutions of the European Union and its Member States by providing up-to-date, objective, reliable, and comparable information on migration and asylum, with a view to supporting policymaking in these areas in the European Union. 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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SUMMARY

General political developments

The new composition of the government of the Republic of Latvia developed a government declaration, which intends to maintain an unchanged position on migration policy as on a matter of national competence. The government will only support a position that allows the EU Member States to voluntarily accept asylum seekers but does not create an obligation or pressure to do so. The government declaration provides for an opportunity to assess immigration policy to address labour shortages. It is planned to continue the construction and equipping of the eastern border zone, as well as to establish an entry system corresponding to the interests of Latvia. ¹

Legal migration

Similar to other EU countries, in 2019 migration flows tended to increase in Latvia as well. This is evidenced by the number of issued first temporary residence permits (10,060), which has increased significantly compared to 2018 (8,885). 2,362 first residence permits were issued in connection with family reunification, 4,436 first residence permits were issued to

Legal migration - migration in accordance with the applicable legal framework.

(EMN Glossary on Migration and Asylum)

third-country nationals in connection with employment, and 2,565 – in connection with education. The increase was mainly due to the residence permits issued to migrant workers and students.

A number of incentives for the employment of third-country nationals has been adopted.

International migration and asylum

The number of asylum seekers remained relatively low: in 2019, there were 178 asylum seekers. 18 persons who have received the status of international protection in Latvia have been returned to Latvia within the readmission process.²

Informing of the asylum seekers about the conditions of stay in the Accommodation Centre for Asylum Seekers has been improved.

Asylum - a form of protection given by a State on its territory, based on the principle of non-refoulement and internationally or nationally recognised refugee rights and which is granted to a person who is unable to seek protection in their country of citizenship and / or residence, in particular for fear of being persecuted reasons of race, religion, nationality, membership of particular social group or political opinion.

(EMN Glossary on Migration and Asylum)

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¹ Declaration on the Planned Activities of the Cabinet of Ministers Chaired by Arturs Krišjānis Kariņš. - Available at: https://www.mk.gov.lv/sites/default/files/editor/kk-valdibas-deklaracija_red-gala.pdf.

² Data source: SBG

Unaccompanied minors and other vulnerable groups

The number of unaccompanied minors who entered Latvia decreased: during the reporting period, 12 unaccompanied minors who did not apply for asylum entered Latvia, and 5 persons applied for asylum in Latvia.

On 12 December 2019, amendments to the Law on the Protection of the Children's Rights³ were adopted. The amendments govern the procedure and extent, to which local government expenses are covered for the accommodation of an unaccompanied minor⁴ in a childcare institution, guardian family or foster family, if that person does not have the status of asylum seeker, refugee or alternative status.

Vulnerable person minors, unaccompanied minors, disabled people, elderly people, pregnant women, single parents with minor children, victims of trafficking in human beings, persons with serious illnesses. persons with mental disorders and persons who have been subjected to torture, rape or other serious forms of psychological, physical or sexual violence, such as victims of female genital mutilation. (EMN Glossary on Migration and Asylum)

Integration

State and non-governmental organizations implemented several projects for the integration of migrants in Latvia, providing opportunities to receive support from a social mentor and opportunities to learn the Latvian language, to get to know the life in Latvia, as well as providing integration courses and assistance in finding work.

The Ministry of Culture has introduced a new method for learning and building the Latvian language skills – language clubs – in several projects implemented in 2019 by the Asylum, Migration and Integration Fund (AMIF).

Citizenship and statelessness

At the end of the year 2019, a law was adopted determining that the non-citizen status is not granted anymore to newborns in Latvia from 1 January 2020⁵. The Law on Termination of Granting the Status of Non-citizen to Children⁶ provides for automatic granting of Latvian citizenship to children of non-citizens of Latvia who were born after 1 January 2020, except when the parents of the child have agreed on the granting of citizenship of another country to the child.

Stateless person - person who is not considered as a national by any state under the operation of its law.

(EMN Glossary on Migration and Asylum)

³Amendments to the Law on the Protection of Children's Rights. - Latvijas Vēstnesis, No 257A, 23.12.2019 - [came into force on 06.01.2020].

⁴ Unaccompanied minor – a third-country national or a stateless person who is less than 18 years of age and has arrived or resided in the Republic of Latvia without being accompanied by such person who is responsible for him or her in accordance with the laws and regulations of the Republic of Latvia in the field of family law (father, mother, guardian) until the moment when the responsible person resumes the fulfilment of the obligations in relation to him or her (Asylum Law – *Latvijas Vēstnesis*, 05.01.2016).

⁵ In accordance with the Law on the Status of those Former U.S.S.R. Citizens who do not have the Citizenship of Latvia or that of any Other State, noncitizens are such citizens of the former USSR who reside in the Republic of Latvia as well as who are in temporary absence and their children who simultaneously comply with the following conditions:

¹⁾ on 1 July 1992 they were registered in the territory of Latvia regardless of the status of the living space indicated in the registration of residence, or up to 1 July 1992 their last registered place of residence was in the Republic of Latvia, or it has been determined by a court judgment that they have resided in the territory of Latvia for 10 consecutive years until the referred to date;

²⁾ they are not citizens of Latvia; and

³⁾ they are not and have not been citizens of another state.

⁶ The Law on Termination of Granting the Status of Non-citizen to Children. - Latvijas Vēstnesis No 224, 05.11.2019 - [came into force on 19.11.2019]

Borders

The National Border Integrated Management Plan of the Republic of Latvia for the period 2019-2020, with a view to achieving a higher level of security and cooperation capabilities at the EU's external borders, has been approved.

The maximum amount of fine for violation of the rules for crossing the state border is increased. The number of third-country nationals detained for the irregular crossing of the "green" border has decreased. The main groups of detainees were nationals of Vietnam and India.

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...

(EMN Glossary on Migration and Asylum)

The number of refusals of entry at the border has increased; most often the entry was refused to nationals of Ukraine, Russia, and Georgia.

The State Border Guard (hereinafter – the SBG) participated in 11 joint operations organised by Frontex⁸, which provided support to both the EU Member States and third countries.

Irregular migration and smuggling of migrants

On 1 July 2019, the amendments to the Immigration Law⁹ entered into force providing for fines and increasing the maximum limit of the fine for violations committed by foreigners in the field of immigration as well as identified competent authorities that deal with cases of administrative offenses.

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.

(EMN Glossary on Migration and Asylum)

Trafficking in human beings

A status of a suspect is determined for four persons and three persons are sentenced for organization of trafficking in human beings within the framework of initiated criminal proceedings. 24 third-country nationals were recognized as victims of trafficking in human beings.

In March 2019, the Ombudsman's Office, in cooperation with the SBG, launched a multi-year project "Effective implementation of the surveillance and removal process (stage 1)". The implementation of the project will result in strengthening of interinstitutional cooperation to identify victims of trafficking in human beings before removal and to ensure the protection of their rights, including against repeated victimization and falling under the authority of organizers of trafficking in human beings.

Trafficking in human beings - the recruitment, transportation, transfer, harbouring or reception of persons, including the exchange or transfer of control over those persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.

(EMN Glossary on Migration and Asylum)

⁷ The Law on the State Border of the Republic of Latvia. - Latvijas Vēstnesis No 189, 02.12.2019 - [came into force on 16.12.2019].

⁸ European Border and Coast Guard Agency.

⁹ The Law on Amendments to the Immigration Law. - Latvijas Vēstnesis, No 123, 19.06.2019 - [came into force on 01.07.2019].

Return and readmission

In 2019, 58 persons were removed but 1 536 persons have returned voluntarily. Riga Office of the International Organization for Migration (hereinafter – IOM) provided assistance in voluntary return to 91 persons in 2019.

In the beginning of the year 2019, the IOM representation in Latvia launched the AMIF project "Voluntary return and reintegration assistance in Latvia, 2019-2022". It will provide voluntary return assistance to 280 persons and reintegration assistance to 140 persons.

Return - the movement of a person going from a host country back to a country of origin, country of nationality or habitual residence usually after spending a significant period of time in the host country whether voluntary or forced, assisted or spontaneous.

(EMN Glossary on Migration and Asylum)

International cooperation

An agreement on border guarding cooperation and the fight against irregular migration with Belarus, Georgia, Russia, Ukraine and Uzbekistan has been concluded.

Migration experts have participated in a number of migration forums and projects to share and gain experience in cooperation with third countries.

INTRODUCTION

The annual report on the migration and asylum in Latvia (hereinafter – the Report) provides an overview of the most important and most significant implemented and planned changes in the migration and asylum policy for the time period from 1 January to 31 December 2019 and in the beginning of 2020. The Report contains information from migration policy makers and implementers, as well as from the published researches and media analysis.

The Report was developed on the basis of the specification drawn up by the European Commission and approved by the National Contact Points of the European Migration Network (hereinafter – the EMN), enabling to collect single and comparable information about all Member States. The Synthesis Report on the migration and asylum situation in 2019 in EU after drawing up thereof will be available on the EMN website www.emn.lv.

Information necessary for development of the Report was acquired from the Ministry of the Interior, the SBG, the Ministry of Foreign Affairs, the Consular Department of the Ministry of Foreign Affairs, the Ministry of Culture, the Ministry of Welfare, the Ministry of Education and Science, the Ministry of Health, the IOM Riga Office, the Society Integration Foundation, and the OCMA.

In order to reflect opinions dominant in the society and review the discussions held in the political environment, articles, opinions and assessments published on various news and public policy portals as well as information available on websites of other public authorities were used in the Report. All items of used sources and literature are included in the list of used sources and literature.

Also, data collected by the national data providers and the EU Statistical Bureau Eurostat are used in the Report. The data have been coordinated with the experts of migration and asylum areas.

All terms used in the Report correspond with the definitions determined in the EMN Asylum and Migration Glossary¹⁰.

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¹⁰ Available at: https://ec.europa.eu/home-affairs/what-we-do/networks/european_migration_network/glossary_en.

OVERVIEW OF CHANGES IN THE ASYLUM AND MIGRATION POLICY

General political developments

On 6 October 2018, elections were held, in which the 13th *Saeima* was elected. On 23 January 2019, the newly elected *Saeima* approved the government created by Krišjānis Kariņš, in which the "*Jaunā Vienotība*" party association, the political party "KPV LV", *Jaunā konservatīvā partija*¹², "*Attīstība/Par!*" party association, and *Nacionālā apvienība*¹⁴ work together. The post was retained by Dace Melbārde, the Minister of Culture, who is responsible for integration, and Edgars Rinkevičs, the Minister of Foreign Affairs. The Minister of the Interior Sandis Ģirģens took the responsibility over the migration. On 8 July 2019, the *Saeima* approved Nauris Puntulis (*Nacionālā apvienība*) in the position of the Minister of Culture¹⁵ as Dace Melbārde was elected as a member of the European Parliament.

General changes in the field of migration

The adopted declaration of government¹⁶ provides for maintaining an unchanged position on migration policy as a matter of national competence. With regard to the relocation of asylum seekers from other EU Member States and resettlement from third countries, the government will only support a position that allows the EU Member States to take asylum seekers voluntarily, but does not create an obligation or pressure to do so. The government declaration provides for an opportunity to assess immigration policy to address labour shortages. It is planned to continue the construction and equipping of the eastern border zone, as well as to establish an entry system corresponding to the interests of Latvia.¹⁷

The Latvian labour market still lacks both skilled and low-skilled labour. In the long term, more and more skilled workers will be needed. The Ministry of Economics concludes that the number of vacancies in the professions of medium qualification has increased. To prevent this from happening, investors and employers point to the need to facilitate immigration procedures. Government representatives believe that an adequate pay would ensure sufficiency of local labour and workforce shortages should not be then addressed through migration. Although the government declaration states that it is necessary to motivate local people to work before considering attracting labour from abroad, in view of the shortage of labour, a number of incentives for employing third-country nationals have been adopted:

¹¹ Jaunā vienotība - New Unity.

¹² Jaunā konservatīvā partija - New Conservatives' party

¹³ Attīstībai/Par! - Development/For!

¹⁴ Nacionālā apvienība "Visu Latvijai!"-"Tēvzemei un Brīvībai/LNNK" - The National Alliance "All for Latvia!" - "For Fatherland and Freedom/LNNK".

¹⁵The Saeima approves Nauris Puntulis as the Minister of Culture. - Available at: https://www.lsm.lv/raksts/zinas/latvija/saeima-kulturas-ministra-amata-apstiprina-nauri-puntuli.a324936/.

¹⁶ https://www.mk.gov.lv/sites/default/files/editor/kk-valdibas-deklaracija_red-gala.pdf

¹⁷ Declaration on the Planned Activities of the Cabinet of Ministers Chaired by Arturs Krišjānis Kariņš. - Available at: https://www.mk.gov.lv/sites/default/files/editor/kk-valdibas-deklaracija_red-gala.pdf.

¹⁸ https://www.lsm.lv/raksts/zinas/ekonomika/pedejos-trijos-gados-teju-dubultojies-darba-atlauju-skaits-treso-valstu-pilsoniem.a350353/

- Nationals of third countries can work in Latvia on the basis of a long-term visa;
- Preferential regulations for start-ups from third countries are set;
- Deadline for applying for a place of work if an employee is invited from a third country is shortened;
- No vacancy information should be published if a third-country national is going to be employed by the same employer in another occupation or after graduation;
- For employment in certain professions, third-country nationals are not required to provide copies of the document confirming their education or work experience.

The State Revenue Service has facilitated the attraction of employees from third countries to companies that have acted in good faith with respect to the state and are included in the in-depth cooperation program.

It should be noted that the Minister of Environmental Protection and Regional Development Kaspars Gerhards, commenting on possible solutions to the labour shortage in Latvia, emphasized that the development of Latvian economy cannot be ensured by immigration. He believes that before finding solutions to the labour shortage, it is necessary to assess the causes of this problem. According to him, the main reasons for emigration in Latvia are the search for better work and pay elsewhere. This, in turn, is due to unfair commercial practices in relation to labour and possibly also due to the shadow economy. Kaspars Gerhards said that in cases where the workplace is available and the employer provides fair and competitive remuneration to its employees, the workers will be found.¹⁹

Industry experts point out that a significant challenge in attracting labour from third countries is the application of the average salary in the country (1 004 EUR), rather than the average salary in the industry for foreign workers. This puts a burden on local businesses and encourages the use of unfair migration schemes, such as sending employees to work from another country to Latvia, thereby reducing the cost of remuneration to the minimum wage (430 EUR). It was predicted that, following the current growth of the economy, 14 000 to 15 000 of foreign employees would be needed in Latvia by the year 2030.

The problem of illegal employment of third-country nationals has also been raised.

The OCMA has held several international meetings with migration service staff from Romania, Lithuania, and Estonia, where issues of labour migration and the reception of third-country nationals have been discussed.

In April 2019, one OCMA expert participated in a research visit to the Federal Office for Migration and Refugees of Germany, organised within the framework of the Prague Process. The basic purpose of the study visit was to present the asylum system in Germany providing a broad insight into all aspects of the asylum procedure, from the registration of asylum seekers to integration into Germany after granting status or return to the country of origin in the event of rejection of the international protection status requirement. During the visit, participants were introduced to the solutions applied by Germany to manage the challenges of the asylum seeker crisis in 2015-2016.

In June 2019, an official of the Ministry of the Interior attended the Meeting of Senior Officials of the Prague Process in Lithuania, which was dedicated to the ten-year anniversary of the Process. Participants of the meeting discussed the previous achievements and impact of the Prague Process at national and regional level, the vision for the future, the challenges, as well as the creation of synergy between the Prague Process and the EMN.

¹⁹ Gerhards: The development of Latvia's economy cannot be ensured by immigration. - Available at: https://www.apollo.lv/6531897/gerhards-latvijas-ekonomikas-attistibu-nevar-nodrosinat-ar-imigraciju.

In June 2019, the Deputy Head of the OCMA attended the annual conference of the GDISC (General Directors of Immigration Services Conference) held in Switzerland. The main objective of the event was a joint discussion on action to allow persons granted with international protection in one of the EU countries to go to their country of citizenship if the situation has changed and there are safe regions.

In June, an OCMA expert participated in the closing conference of the MOBILAZE project in Baku, in which the activities carried out within the project as well as the results achieved were discussed. Both EU Member States and Azerbaijani partners welcomed the progress of the project, during which knowledge and experience was gained and legislative initiatives in the field of legal migration, asylum and irregular migration were implemented.

In October, a meeting of the three regional working groups of the Budapest Process took place in North Macedonia. It was attended by an expert from the OCMA to learn more in detail about the possibilities of international cooperation, about the priorities of the countries and international organizations of the Budapest Process and about current issues and problems in the field of migration and asylum at regional and national level.

In December, Turkey hosted the annual meeting of senior officials of the Secretariat of the Budapest Process, which was attended by an OCMA expert. The main objective of the meeting was to approve the Implementation Plan, which includes the measures envisaged in the framework of the Budapest Process in various fields for the next five years.

In October, the training course of the European Union Agency for Law Enforcement Training (CEPOL) organized by the State Police College for representatives of law enforcement agencies and migration management institutions "Monitoring the impact of migration – public order, hate crimes, integration" took place in Riga. The aim of the course is to help to improve the quality of order provision in the event of an increase in the number of migrants, focusing in particular on maintaining public order and security. As a part of the course, a lecture was delivered by an expert from the OCMA, who introduced the participants to the current issues of the EU migration and asylum policy.

In November, a workshop on public communication in the field of migration was held in Greece, organised by the International Centre for the Migration Policy Development (ICMPD). The seminar was attended by two OCMA experts.

In November, five OCMA experts went on an experience exchange visit to the Czech Republic, where they got acquainted with the experience of the Czech authorities in the field of reception and accommodation of asylum seekers.

LEGAL MIGRATION

Total number of first-time temporary residence permits issued in 2019 compared to the previous year has increased $-10\ 060^{20}$ (in 2018-8,885).

Economic migration

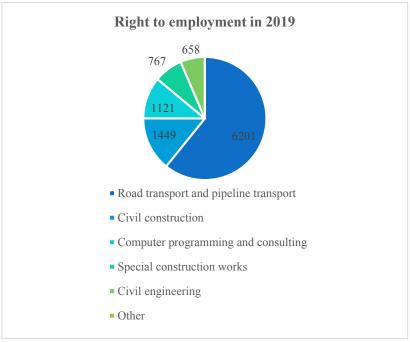


Figure 3-1.

The total number of employment rights granted to third-country nationals (both on the basis of a visa (5 386) and a temporary residence permit) in 2019 has increased by 63% (in 2018 – 9 450; in 2019 – 15 363); most of those persons are employed in the field of road transport and pipeline transport (6 201), in the field of civil construction (1 449), in the field of computer programming and consulting (1 121), in the field of special construction works (767), and in the field of civil engineering (658). Other popular professions are also truck drivers, cooks, and builders. The majority of employed foreigners are nationals of Ukraine, Belarus, Russia, Uzbekistan, and India.

²¹ Data source: OCMA.

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²⁰ Data source: OCMA. The initial data on temporary residence permits collected at Eurostat will be adjusted at a later date.

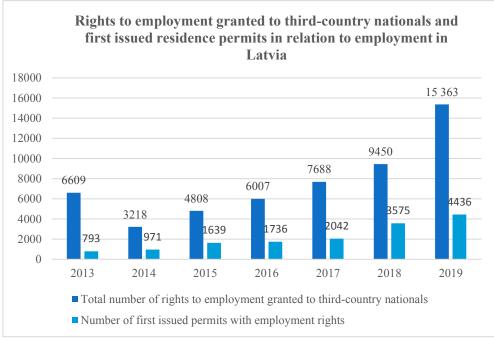


Figure 3-2.

The number of residence permits first issued to third-country nationals for employment purposes increased: in 2018 - 3575, in 2019 - 4436.

In June 2019, the *Saeima* adopted amendments to the Immigration Law²², which provide for the possibility for employers **to employ third-country nationals on the basis of a long-term visa²³.** The process of receiving a visa is simpler, cheaper and faster than receiving a residence permit, thus allowing employers to attract the necessary workforce more flexibly. If in the first half of the year 2 453 visas with the right to employment were valid but at the end of the year 2019, the number of valid visas doubled (5 386), which confirms the relevance of amendments of the legal act.

In the end of the year 2019, a number of amendments to the legislation affecting the employment of foreign nationals was adopted:

On 10 December 2019, the Cabinet of Ministers adopted Regulation No 637 "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners" adopted by the Cabinet of Ministers on 28 January 2014". The amendments provide that **the minimum period for applying for a vacancy is shortened** to 10 working days (instead of 30 days) if the employer wishes to invite a third-country national in connection with employment, as well as **the requirement to publish a vacancy is cancelled** in cases where the third-country national who is planned to be employed has been employed in Latvia or has been employed with a particular employer for two years and the employer wishes to employ him or her in another profession (occupation) in the future. The amendments are designed to reduce bureaucratic barriers to attracting foreign labour and thus diminish the negative consequences caused by the lack of local labour. Amendments to the regulation of the Cabinet of Ministers 26,27 **abolish the requirement to submit a copy of the**

²² The Law on Amendments to the Immigration Law. - Latvijas Vēstnesis, No 123, 19.06.2019 - [came into force on 01.07.2019].

²³ The visa will be issued for the expected period of employment, but not more than for one year.

Regulation No 637 "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners" adopted by the Cabinet of Ministers on 28 January 2014" adopted by the Cabinet of Ministers on 10 December 2019. - Latvijas Vēstnesis, No 258, 27.12.2019 - [came into force on 28.12.2019]
 Abstract of the Cabinet of Ministers draft regulation "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners" adopted

by the Cabinet of Ministers on 28 January 2014". - Available at: http://tap.mk.gov.lv/lv/mk/tap/?pid=40473595.

²⁶ Regulation No 638 "Amendments to Regulation No 552 "Procedures for Approval of Invitations and Drawing up of Written Requests" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019. - *Latvijas Vēstnesis* No 258, 27.12.2019 - [came

into force on 28.12.2019]

²⁷ Regulation No 639 "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019. - *Latvijas Vēstnesis* No 258, 27.12.2019 - [came into force on 28.12.2019]

document on education or a document confirming three years of experience in the profession in which the employer intends to employ a third-country national, if a third-country national is invited for employment in a profession that is included in the ninth basic group of the <u>Classification of Occupations</u>²⁸. This obstacle to attracting foreign labour is often pointed out by employers noting that employees in these professions do not need a special level of education or previous experience, since it is sufficient for the successful performance of their duties if a third-country national is acquainted with the work to be carried out, the rules of occupational health and safety, and internal rules of procedure of the company.²⁹

On 10 December 2019, the Cabinet of Ministers adopted Regulation No 639 "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 28 January 2014"³⁰. They allow participants of the in-depth cooperation program³¹ (employers) administered by the State Revenue Service to use the following **incentives** when inviting employees from third countries:

Incentives to participants of the in-depth cooperation programme administered by the State Revenuce Service when invitating employees from third countries

to the participants of golden and silver level of the programme (companies that have paid taxes in good faith for a long term and the amount of paid taxes exceeds 500,000 EUR per year)

all invitations of thirdcountry nationals submitted by the participants of the indepth cooperation programme for the purpose of employemnt shall be approved in two working days third-country nationals may submit documents for requiring of residence permit while staying in the territory of Latvia with valid visa; this advantage applies also to family members of employed third-country nationals

does not request documents
certifying
education/professional
experience of third-country
nationals who are not invited
to work in a regulated
occupation or who do not
require the EU Blue Card

does not request submitting a certification that the natural person, whith whom a service or work performance contract, is a registered taxpayer and to submit a licence for performing specific types of business activity

²⁸ Simple professions, such as room cleaners, workers.

²⁹ Abstract of the Cabinet of Ministers draft regulation "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 21 June 2010". - Available at: http://tap.mk.gov.lv/lv/mk/tap/?pid=40473593.

³⁰ Regulation No 639 "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019. - *Latvijas Vēstnesis* No 258, 27.12.2019 - [came into force on 28.12.2019].

³¹ The operation of the program is regulated by Article 7.1 of the Law on Taxes and Fees and Regulation No 748 "Regulations Regarding the Operation of In-depth Cooperation Programme" adopted by the Cabinet of Ministers on 27 November 2018.

Studies and discussions on the development of economic migration in Latvia

In the study "Foreign investment environment index 2015-2019" conducted by the Foreign Investors' Council in Latvia it was concluded that no progress has been seen in the field of workforce accessibility last year, but compared to the availability of low-skilled labour, in the field of skilled workers the situation has become slightly better; however, the improvement is very small. The interviewed foreign investors pointed to the need for a smart immigration policy as well as suggested simplifying immigration control mechanisms.³² A similar opinion was expressed by the newly elected president Egils Levits, who supports a smart immigration policy that would allow the specialists necessary for the country to enter, which would make a significant economic contribution.³³

A survey of members conducted by the Latvian Chamber of Commerce and Industry³⁴ established that 63% of entrepreneurs in Latvia have faced a shortage of low-skilled labour, while 74% also had problems finding highly qualified professionals. The Latvian Chamber of Commerce and Industry noted that attracting labour from third countries is difficult, time-consuming and also requires greater financial investments at the initial stage of attracting an employee. According to the survey, most companies attract the foreign workforce by themselves (62.5%), but there are also companies that use the services of an intermediary and rent the labour (17.5%).³⁵

During the discussion organized by the Ministry of Economics³⁶ the participants emphasized that there is a shortage of specialists needed for development already, and forecasts indicate that Latvia will lack them also later, after ten years and more. The discussion also highlighted that the demand for low-skilled labour will continue to decline and the demand for specialists in natural sciences, information and communication technologies, and engineering will increase. Until the year 2025, the shortfall for highly skilled specialists in STEM (Science, Technology, Engineering and Mathematics) areas can grow to about 17,000 employees.³⁷

It is observed that the high demand for labour has also led to an increase in illegal employment from third countries. According to Arnis Sauka, the Director of the Sustainable Business Centre at the Stockholm School of Economics in Riga, "A few years ago, shadow economics researchers already warned that as the demand for labour increases, irregular immigration may also increase. At present, this prognosis has come true with a reserve. In addition to the already known problems, namely, envelope wages and hiding of income, the issue of unaccounted workforce is becoming increasingly acute. A significant part of this unaccounted workforce is irregular immigrants employed in construction and other areas".³⁸

A study by the Bank of Latvia³⁹ highlights that, although the majority of immigration is composed by re-emigrants, the gradual increase in labour demand and a slight liberalisation of immigration rules also lead to an increase in immigration from non-EU countries. Several non-EU countries with

³² FICIL Foreign investment environment Index 2015–2019. Development of the investment climate in Latvia: the viewpoints of foreign investors. - Available at: https://www.ficil.lv/wp-content/uploads/2020/01/10012020_ENG_FICIL_SentimentIndex2019.pdf

³³ The newly elected president Egils Levits supports a "smart" immigration policy that would allow the specialists necessary for the country to enter, which would make a significant economic contribution. - Available at: https://www.lsm.lv/raksts/zinas/ekonomika/levits-atbalsta-viedo-imigraciju.a325809/.

³⁴ A total of 257 respondents participated in the survey, representing both micro, small, medium, and large enterprises representing Riga and all other regions of Latvia in equal parts. LCCI surveyed entrepreneurs in late October and early November 2019.

³⁵ Survey: Entrepreneurs have problems finding both high-ranking employees and unskilled workers. - Available at: https://nra.lv/ekonomika/latvija/299216-aptauja-uznemejiem-problemas-atrast-gan-augsta-ranga-darbiniekus-gan-melnstradniekus.htm.

³⁶ The discussion was attended by entrepreneurs and industry experts, representatives of regions and municipalities, educational institutions and state institutions.

³⁷ What to do today for work in the future. - Available at: https://lvportals.lv/norises/303901-ko-darit-sodien-darbam-nakotne-2019.

³⁸ Researcher: The number of immigrants working illegally in Latvia has already reached thousands. - Available at: https://www.lsm.lv/raksts/zinas/ekonomika/petnieks-nelegali-stradajoso-imigrantu-skaits-latvija-jau-merams-tukstosos.a319035/.

³⁹ Anatomy of labour reserves in the Baltic countries: a snapshot 15 years after the EU accession. - Available at: https://datnes.latvijasbanka.lv/papers/discussion/dp-2-2019-en.pdf.

relatively low wage levels are close to the Baltic states, including Ukraine, Russia, and Belarus, and could be considered as potential external sources of labour reserves. The flow of immigration from Ukraine and the CIS⁴⁰ countries to the Baltics is already increasing reflecting the growing demand for labour in the Baltic states and the rather weak economic development in Ukraine and some CIS countries in recent years.⁴¹

Students and scientists

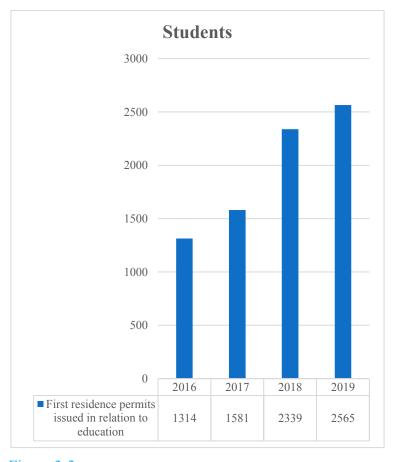


Figure 3-3.

In relation to education, 2 565 first residence permits were issued in the year 2019 (in 2018 – 2 339).

At the end of the 2019, the Cabinet of Ministers adopted Regulation No 637 "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners", which **cancels the requirement to publish a vacancy** in cases where a third-country national who is to be employed has already been employed during his or her studies and wishes to continue his or her employment with the same employer after obtaining his or her education. The amendments are designed to reduce bureaucratic barriers to attracting foreign labour and thus diminish the negative consequences caused by the lack of local labour.⁴³

The draft law of the amendments to the Immigration Law that was submitted to the *Saeima* in 2018 and provides for allowing students from third countries to work full-time throughout their studies was

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⁴⁰ Commonwealth of Independent States.

⁴¹ Anatomy of labour reserves in the Baltic countries: a snapshot 15 years after the EU accession. - Available at: https://datnes.latvijasbanka.lv/papers/discussion/dp 2 2019-en.pdf.

⁴² Regulation No 637 "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners" adopted by the Cabinet of Ministers on 28 January 2014" adopted by the Cabinet of Ministers on 10 December 2019. - *Latvijas Vēstnesis* No 258, 27.12.2019 - [came into force on 28.12.2019]
⁴³ Abstract of the Cabinet of Ministers draft regulation "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners" adopted by the Cabinet of Ministers on 28 January 2014" - Available at: http://tap.mk.gov.lv/lv/mk/tap/?pid=40473595.

not moved forward in 2019 as several objections were received. Leading universities of Latvia do not want third-country nationals studying in Latvia, of whom the largest number are Indians and Uzbeks, to be allowed to work more than the currently set 20 hours per week. Representatives of universities believe that this may lead to a drop in the quality of education and increase in the amount of abuse of legal migration routes. The University of Latvia, Riga Technical University and Turība University repeatedly asked members of the *Saeima* to suspend amendments to the Immigration Law, which are already supported at the first reading. The universities believe that the members of the Parliament have not taken into account their concerns, namely, that allowing foreign students to work 40 hours a week risks lowering even the international rating of Latvian universities. In addition, it should be noted that the amendments adopted by the Cabinet of Ministers high facilitate the entry of third-country nationals for the purpose of employment, and the amendments to the Immigration Law already partially address the challenges of the availability of labour in Latvia.

Family reunification

Family reunification - the establishment of a family relationship which is either the entry into and residence in an EU Member State, in accordance with Council Directive 2003/86/EC (Family Reunification Directive), by family members of a third-country national residing lawfully in that EU Member State (sponsor) in order to preserve the family unit, whether the family relationship arose before or after the entry of the sponsor; or between an union citizen third-country national established outside the European Union who then subsequently enters the European Union.

(EMN Glossary on Migration and Asylum)

In 2019, the number of first-time residence permits issued to third-country nationals in connection with family reunification has increased slightly -2362 (in 2018 - 2271).

⁴⁴Universities do not want to allow third-country students to work 40 hours a week. - Available at: https://skaties.lv/zinas/latvija/augstskolas-nevelas-laut-treso-valstu-studentiem-stradat-40-stundas-nedela/.

⁴⁵ Regulation No 108 "Specialties (professions) in which a Significant Shortage of Labour is Predicted and in which Foreigners can be Invited to Work in the Republic of Latvia" adopted by the Cabinet of Ministers on 20 February 2018; Regulation No 637 "Amendments to Regulation No 55 "Regulations Regarding Employment of Foreigners" adopted by the Cabinet of Ministers on 28 January 2014" adopted by the Cabinet of Ministers on 10 December 2019; Regulation No 638 "Amendments to Regulation No 552 "Procedures for Approval of Invitations and Drawing up of Written Requests" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019; Regulation No 639 "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019.

⁴⁶ The Law on <u>Amendments to the Immigration Law.</u> - Latvijas Vēstnesis, No 123, 19.06.2019 - [came into force on 01.07.2019].

Information on routes and conditions of legal migration

On the internet sites of the Ministry of Foreign Affairs, Latvian missions abroad and external service providers, as well as on the information stands of the missions' offices, information on the procedure for submitting a visa application is regularly updated. The OCMA updates information on its website on changes in the procedure for issuing entry documents.

Updated information is available on the following sites:

www.pmlp.gov.lv

https://www.mfa.gov.lv/ministrija/vestniecibas-un-parstavniecibas/plasaka-informacijas-parlatvijas-parstavniecibam-arvalstis

In 2010, the Ministry of Economics in cooperation with the Latvian Chamber of Commerce and Industry, the Employers' Confederation of Latvia, and Junior Achievement Latvia organized the event "An official shadows an entrepreneur". The purpose of the measure was to enable law developers and implementers to assess the functioning of the regulation established by their institution directly on the user. As part of this initiative, the OCMA officials informed the companies about the possibility of inviting third-country migrant workers.⁴⁷

Attracting start-ups and innovative entrepreneurs from third countries

On 1 July 2019, amendments to the Immigration Law⁴⁸ came into force making it easier to attract start-ups from third countries by extending the period from six to twelve months⁴⁹, during which the start-up must provide information on the early-stage venture capital investment received, as well as equating the amount of the minimum contribution to the one laid down in the Law on Aid for the Activities of Start-up Companies⁵⁰ (15 000 to 30 000 EUR depending on the direction of the company's activities)⁵¹. Before, the legislation provided for a contribution of 30 000 EUR within six months and a contribution of 60 000 EUR within 18 months after obtaining a residence permit.

The amendments also provide for an alternative solution in the case of non-attraction of a qualified venture capital investor: the possibility of submitting a progress report confirming that the company continues to be successful in the implementation of the innovative product.

Regulation No 639 "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019⁵² specifies that, at the request of the OCMA, the Investment and Development Agency of Latvia shall assess the conformity of the planned commercial activity of the founder of third-country start-up with the nature of the start-up if the start-up has not attracted a qualified venture capital investor. ⁵³

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⁴⁷ Source: OCMA.

⁴⁸ The Law on Amendments to the Immigration Law (Article 23(1)33)b)). - Latvijas Vēstnesis No 123, 19.06.2019 - [came into force on 01.07.2019]

⁴⁹ Within 12 months (previously – 6 months) after the first temporary residence permit issued for the implementation of the same activity.

⁵⁰Law on Aid for the Activities of Start-up Companies. - Latvijas Vēstnesis No 241, 10.12.2016 - [came into force on 01.01.2017]

The previous reading of the Immigration Law provided for a contribution of 30,000 EUR within 6 months and a contribution of 60,000 EUR within 18 months after obtaining a residence permit.

⁵² Regulation No 639 "Amendments to Regulation No 564 "<u>Regulations Regarding Residence Permits</u>" adopted by the Cabinet of Ministers on 21 June 2010" adopted by the Cabinet of Ministers on 10 December 2019. - *Latvijas Vēstnesis* No 258, 27.12.2019 - [came into force on 28.12.2019].

⁵³ Abstract of the Cabinet of Ministers draft regulation "Amendments to Regulation No 564 "Regulations Regarding Residence Permits" adopted by the Cabinet of Ministers on 21 June 2010". - Available at: http://tap.mk.gov.lv/lv/mk/tap/?pid=40473593.

Use of the EMN results

The Latvian Contact Point of the EMN developed a national report for study "Migration pathways for start-ups and innovative entrepreneurs in the EU and Norway", in which:

- the process and requirements for obtaining residence permits for start-ups and innovative entrepreneurs in Latvia are described;
- attraction factors and challenges for start-up founders/employees or other innovative entrepreneurs from third countries in Latvia have been identified.

The report contains an overview of the start-up environment, as well as an insight into the legal and political framework for welcoming start-ups and innovative entrepreneurs from third countries.

In Latvia, a favourable framework for obtaining temporary residence permits for start-up founders from third countries allowing to obtain a residence permit for a period of up to three years was introduced in 2017.

During the existence of the start-up founder attraction scheme, by the end of the year 2018, nine temporary residence permits have been issued for start-up founders, mainly nationals of the CIS countries. Based on the information provided by experts, third country start-ups are mainly related to the information and communication technology sector.

The state aid policy in Latvia is aimed at improving business competitiveness and supporting innovative companies, including start-ups, and it provides equal opportunities for these companies, regardless of the country of origin of its founder. The ecosystem of start-ups has been developing over the last five years: the number of start-ups, the amount of investment attracted and the formation of start-up hubs increases. In general, the business environment in Latvia is favourable for start-ups, it is one of the Top10 EU Member States in the World Bank's Doing Business rating, and the work on improving the business environment and reducing the administrative burden on start-ups is carried on.

Support for innovative enterprises is one of the government's priorities, also defined in the planning documents of national level – the National Industrial Policy Guidelines 2014-2020 and the Smart Specialization Strategy. Setting such a priority is an essential factor in drawing up proposals for a plan of measures to improve the business environment.

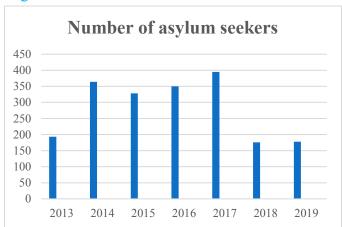
In order to facilitate the establishing of start-ups, a special support mechanism in the form of tax incentives has been established. Start-ups have access to support within the framework of one-stop agency – the Investment and Development Agency of Latvia – as well as access to financing in publicly co-financed acceleration funds and venture capital funds.

At the beginning of the year 2019, the Ministry of Econom in cooperation with the Latvian Association of Start-ups and Gateway&Partners conducted a study of the ecosystem of start-ups in Latvia "Evaluation of the ecosystem of start-ups in Latvia, identification of the current state and development of proposals based on it".

The national report, as well as the synthesis report on migration pathways for start-ups and innovative entrepreneurs in the EU and Norway is available on the website of the Latvian Contact Point of the EMN www.emn.lv.

INTERNATIONAL PROTECTION

Figure 4-1.



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 refugee status under relevant international and national instruments. (EMN Glossary on Migration and Asylum)

Compared to the year 2018, the number of asylum seekers in 2019 remained nearly unchanged - **178** (in 2018 - 176). Compared to the previous year, in 2019 the dominant countries of origin of asylum seekers have changed: the largest number of asylum seekers arrived from Azerbaijan - 35 (in 2018 - 14), India -14 (in 2018 - 5), Ukraine - 12 (in 2018 - 5) and Georgia - 12 (in 2018 - 8), while the number of asylum seekers from Russia - 23 (in 2018 - 48) and Vietnam - 1 (in 2018 - 10) has decreased. 54

As part of the Dublin mechanism, 105 asylum seekers have been transferred to Latvia in 2019. Nearly half were transferred from Germany.

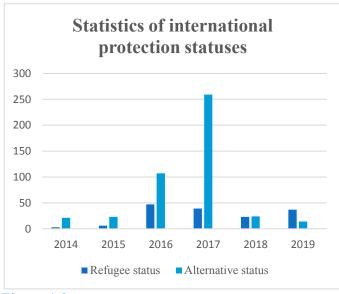


Figure 4-2.

In 2019, 51 person received international protection in Latvia. Refugee status was granted to 37 persons, alternative status – to 14 persons.

Refugee - In the EU context, either a third-country national who, owing to a well-founded fear of persecution for reasons of race, religion, nationality, political opinion or membership of a particular social group, is outside the country of nationality and is unable or, owing to such fear, is unwilling to avail themselves of the protection of that country, or a stateless person, who, being outside of the country of former habitual residence for the same reasons as mentioned above, is unable or, owing to such fear, unwilling to return to it, and to whom Art. 12 (Exclusion) of Directive 2011/95/EU (Recast Qualification Directive) does not apply.

(EMN Glossary on Migration and Asylum)

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⁵⁴ Data source: OCMA.

Implementation of the Common European Asylum System

Common European Asylum System (CEAS) - a framework of agreed rules which establish common procedures for international protection and a uniform status for those who are granted refugee status or subsidiary protection based on the full and inclusive application of the Geneva Refugee Convention and Protocol and which aims to ensure fair and humane treatment of applicants for international protection, to harmonise asylum systems in the EU and reduce the differences between Member States on the basis of binding legislation, as well as to strengthen practical cooperation between national asylum administrations and the external dimension of asylum. (EMN Glossary on Migration and Asylum)

In 2019, activities related to the introduction of the Common European Asylum System were mainly carried out using the AMIF resources.

The OCMA experts supplemented the brochure "<u>Guideline for asylum seekers in Latvia"</u> with two more foreign languages – Azerbaijani and Georgian.⁵⁵ The brochure is currently available in 12 languages.







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⁵⁵ Within the AMIF project "Support measures for the admission and accommodation of persons in need of international protection in Latvia (stage 2)". The project implementation period is from 2 January 2018 to 30 June 2020.



To facilitate the availability of information about life in Latvia for persons with the status of international protection, in the spring of 2019, the Society "Shelter "Safe House" supplemented the mobile application First Steps in Latvia with a Russian-language version^{56,57}

Within the project "Information Centre for Newcomers" provided by the Society "Shelter "Safe House'"⁵⁸, 133 asylum seekers, 35 refugees and 23 persons with alternative status were consulted in 2019.

The OCMA continued the AMIF project "Improvement and development of information systems supporting migration and asylum and related processes". The aim is to reduce the circulation of paper files and to ensure that the parties involved in the asylum process manage the workflow of the asylum process more effectively and to improve the processing of asylum seeker data and information on the course of the asylum case, in order to find an opportunity in the future for all involved, including the appellate instance, to work with electronic asylum process.⁵⁹ In 2019, more than 3,000 files of asylum seekers were digitized.

In 2019, the OCMA experts participated in support activities organised by the European Asylum Support Office for the EU Member States that faced disproportionate pressure on their asylum systems.

Four experts in the field of accommodation for asylum seekers participated in an aid measure in Greece on the island of Hiya in spring and autumn 2019. During the mission, representatives of the OCMA were assigned to work in the Safe Zone for accommodation of unaccompanied minors on the island of Hiya and carried out various duties here, both administrative work and very practical assistance. Most of the activities were related to the improvement of the Safe Zone, in which the inhabitants of this zone – unaccompanied minors – were also involved. As part of the improvement works, a small garden was created, chairs were made, the outer walls of containers of the Safe Zone were painted. Representatives of the OCMA emphasized that it was essential that children were also involved in these works, thus teaching both new skills and respect for their work and the Safe Zone inventory in general.

59 Source: OCMA.

⁵⁶ Until now, it was available in Latvian, English, French, Arabic, and Dari.

⁵⁷ A test version of the mobile application about life in Latvia in Russian is available. - Available at: http://www.beglis.lv/lv/pieejama-mobilaslietojumprogrammas-par-dzivi-latvija-testa-versija-krievu-valoda.

⁵⁸ The project implementation period is from 2 January 2018 to 30 June 2020. The project is implemented with the support of AMIF. The task of the project is to ensure the establishment and operation of a national coordination structure to provide support to third-country nationals, including persons who have been granted international protection and who have received the right to stay in the territory of Latvia. The aim of the project is to increase participation in public processes and to promote the inclusion of these persons in Latvian society by providing information on rights and obligations in various spheres of life adapted to the needs of third-country nationals.⁵

In autumn 2019, one expert took part in the provision of the asylum procedure in Italy. Within the mission, the expert informed asylum seekers about the asylum procedure in Italy and the Dublin Process and conducted initial interviews of asylum seekers. 60

Reception of applicants for international protection

Two video briefings were elaborated in order to ensure effective and simple informing of asylum seekers about domestic issues in the Accommodation Centre for Asylum Seekers.⁶¹ They inform about fire safety and electrical safety, internal rules of procedure (room cleaning, schedules, responsibilities, prohibitions, etc.), and other issues. Since December 2019 the footage is played regularly at the Accommodation Centre for Asylum Seekers on a specially installed information screen at the place where asylum seekers stay most often, thus regularly informing the existing and newly arrived asylum seekers.⁶²

Use of the EMN results

In the year 2019, the Latvian Contact Point of the EMN developed a national report for the EMN study "Comparative overview of national protection statuses in the EU and Norway". The National Report states that Latvia does not have national protection statuses. All positive asylum decisions in Latvia correspond to the EU harmonised statuses – refugee or alternative status. In the future, it is not planned to introduce national protection statuses. The synthesis report will be available in the middle of the year 2020 on the website of the Latvian Contact Point of the EMN www.emn.lv.

62 Source: OCMA.

⁶⁰ Source: OCMA.

⁶¹Funded within the AMIF project "Support measures for the admission and accommodation of persons in need of international protection in Latvia (stage 2)".

UNACCOMPANIED MINORS AND OTHER VULNERABLE **GROUPS**

In 2019, in Latvia 1263 unaccompanied minors were detained for staying in Latvia without valid travel documents. Five ⁶⁴unaccompanied minors applied for asylum in Latvia. The largest number of unaccompanied minors from third countries came from Egypt.

Unaccompanied minors seeking asylum

In 2019, a total of 80 SBG officials participated in the training on unaccompanied minors and other vulnerable persons who apply or do not apply for asylum (qualification upgrading program) "Profiling, interviewing and identification", and five SBG officials participated in the adult nonformal education program "Protection of the rights of the child".

In the spring of the year 2019, in Latvia, within the framework of the project "ALFACA" implemented by the Dutch foster family organization "NIDOS" in cooperation with the Ministry of Welfare and the out-of-family Care Support Centre "Dūja" of the foundation "Social Services Agency", training for specialists⁶⁵ working with families who admit unaccompanied minors was organized. 13 people participated in the training⁶⁶. Foreign lecturers in cooperation with the State Language Centre translated ALFACA's teaching material⁶⁷ into Latvian in order to promote the use of the information contained herein among out-of-family care professionals when working with host families.68

Unaccompanied minors not seeking asylum

On 12 December 2019, amendments to the Law on the Protection of the Children's Rights⁶⁹ were adopted governing the procedure and extent, to which local government expenses are covered for the accommodation of an unaccompanied minor referred to in the Asylum Law in a childcare institution, guardian family or foster family, if that person does not have the status of asylum seeker, refugee or alternative status. These amendments to the law came into force on 6 January 2020.

⁶³ Data source: SBG.

⁶⁴Source: OCMA.

⁶⁵ Extra familial care support centres, orphan courts, social services, etc.

⁶⁶ Seven employees of extra familial care support centres, two representatives of orphan courts, and one social mentor within the framework of the service "Provision of social workers' and social mentors' services to asylum seekers and persons with refugee or alternative status" provided by the Latvian Red Cross, two specialists of the State Inspectorate for Protection of Children's Rights, and one representative of the Ministry of Welfare.

⁶⁷ ALFACA Manual for staff working with reception families and unaccompanied children living in reception families.

⁶⁸ Source: Ministry of Welfare.

⁶⁹ Law on Amendments to the Law on the Protection of Children's Rights. - Latvijas Vēstnesis, No 257A, 23.12.2019- [came into force on 06.01.2020].

INTEGRATION

Integration policy in Latvia is under the responsibility of the Ministry of Culture. The Ministry of Education and Science, the Ministry of Culture, the Ministry of Foreign Affairs, the Ministry of Welfare, the Ministry of State and Regional Development, the Ministry of the Interior, the Society Integration Fund, and non-governmental organizations are also involved in the implementation of this policy.

In 2019, the Ministry of Culture started the work on Guidelines for a Cohesive and Civilly Active Society. A cycle of discussions on the formation of a united Latvian society was organized in regions. Discussions were open to all residents of Latvia, including nationals of third countries, and were held in 18 cities.⁷⁰

In 2019, Latvia faced a new migration phenomenon, namely, persons who received international protection in Latvia, went to other EU countries and were returned back to Latvia. These persons cannot receive any state and local government support. In 2019, 18 persons were returned to Latvia during the readmission process.⁷¹ So far, no long-term solution for the readmission of persons has been found in Latvia. The ministers of welfare and interior cannot agree which ministry should take care of these persons. 72 Assistance to families under international protection who have returned from other EU countries was provided by the Society "Gribu palīdzēt bēgļiem" (I want to help refugees) and the Latvian Red Cross. 73 The Society helped to find an apartment and work, provided financial support. The Society has concluded an agreement with the UN Refugee Agency (UNHCR). Within the framework of the agreement, mentors are attracted.⁷⁴

Promoting integration for socio-economic participation

Measures to promote the integration of third-country nationals are largely implemented through the AMIF funding.

Third-country nationals may access the information about their rights and obligations in the Information Centre for Newcomers. 75 Within the project, in 2019 assistance was provided to more than a thousand third-country nationals⁷⁶ from Russia, Ukraine, India, Uzbekistan, Pakistan, Turkey, Vietnam, Azerbaijan, Tajikistan, and Syria. Third-countries nationals have been interested in employment, business opportunities in Latvia, family reunification, as well as migration issues. Third-country nationals also work as volunteers in the Information Centre.

Internet site www.integration.lv has published information relating to the integration of third-country nationals in Latvia and services available to third-country nationals, current information on integration measures implemented by state and non-governmental organisations as well as information materials and resources intended for third-country nationals. 77

Asylum seekers, refugees and persons with alternative status have the opportunity to use the support of social mentors in solving various household issues, for example, assistance in paperwork, provision of escort to various institutions or places of assistance and consultations. In 2019, the social mentor

⁷⁰ Source: Ministry of Culture.

⁷² The refugees were deported back to Latvia... Petraviča and Girģens cannot agree on who must take responsibility for the refugees. - Available at: https://www.la.lv/petravica-un-girgens-nevar-vienoties-kam-jauznemas-atbildiba-par-begliem.

⁷³ Refugees expelled to Latvia are advised to become beggars. - Available at: https://skaties.lv/zinas/latvija/uz-latviju-izraiditajiem-begliem-iesaka-klutpar-ubagiem/.

Head of the Society about refugees in Latvia: the attitude of public changes, but there is a lack of political will. -Available at: https://www.lsm.lv/raksts/zinas/latvija/biedribas-vaditajs-par-begliem-latvija-sabiedribas-attieksme-mainas-bet-politiskas-gribas-trukst.a347658/.

⁷⁵ In 2018, the implementation of the project "Information Centre for Newcomers" provided by the Society "Shelter "Safe House"" continued.

⁷⁶ Last year, more than a thousand foreigners asked for help to the Information Centre for Newcomers. - Available at: https://www.patverumsdm.lv/lv/pern-vairak-neka-tukstotis-arvalstnieku-versusies-pec-palidzibas-informacijas-centra-iebraucejiem/1002

⁷⁷ The site is administered by the Society "Shelter "Safe House"" within the framework of the project "Information Centre for Newcomers". The project is implemented with the support of AMIF. Source: Ministry of Culture.

service was provided by the Latvian Red Cross. During the year 2019, 236 asylum seekers, refugees and persons with alternative status received the services of a social worker and social mentor⁷⁸.

In 2019, measures were implemented to promote socio-economic participation of third-country nationals for the development of their social skills, the acquisition of the Latvian language and employment or start-up of a business.

Project "Support measures for persons under international protection II" provided by the Society "Shelter "Safe House" was implemented. During the integration course, persons with the status of international protection were introduced to the socio-economic and cultural environment of Latvia in order to adapt more successfully to the new conditions and integrate into society. In 2019, 138 people participated in integration courses.⁷⁹

In order to improve the performance of third-country nationals in the education system and vocational training and to promote the acquisition of Latvian language skills, the Ministry of Education and Science in cooperation with the Latvian Language Agency provides courses for educators working in educational institutions where asylum seekers and other third-country nationals study.⁸⁰ The Ministry of Education and Science has provided funding to local governments for activities that promote the integration of third-country nationals in Latvia, such as language training. In one to three years of study, the educational institution offers additional classes for students from third countries to learn the Latvian language, Latvian history and social studies.⁸¹

The integration of asylum seekers, refugees and persons with alternative status into Latvian society and environment is also hampered by the lack of knowledge of the Latvian language. To reduce it, a number of measures is being implemented.

In several projects implemented by the AMIF in the year 2019, the Ministry of Culture introduced a new method of learning and strengthening Latvian language skills for third-country nationals: language club classes. The purpose of the implementation of language clubs is to promote the use of language in practice in order to strengthen the ability to use the language in everyday life, applying it as a means of communication in Latvian society through informal, interactive methods: video recordings, images, audio recordings, role games, narratives, and other exercises. Within the framework of three projects, language clubs are implemented in five Latvian cities: Riga, Rezekne, Liepaja, Cesis, and Jelgava.82

The Latvian Language Agency has developed a new electronic material for learning the Latvian language – a diverse self-learning tool for learning language levels A1 and A2 "e-Laipa". 83 It is intended for learning Latvian language for young people from the age of 15 and adults.

In 2019,84 42 persons with refugee or alternative status were registered in the State Employment Agency, several of them were registered repeatedly. Uldis Līkops, the General Secretary of the Latvian Red Cross, says in an interview with the mass media that although these people find work, it is usually low-skilled and low-paid work. Living expenses cannot be covered by the income obtained. 85 This factor contributes to the further movement of recipients of the status of international protection in the direction of Western Europe.

In 2019, the State Employment Agency continued implementation of the project "Integration of refugees and persons with alternative status in the Latvian labour market" which was launched in the

⁷⁸ Source: Society Integration Foundation.

⁷⁹ The project is implemented with the support of AMIF.

⁸⁰ Source: Ministry of Education and Science.

⁸¹ Source: Ministry of Education and Science.

⁸² Project "Living in Latvia – Learning Latvian (stage 2)" provided by the Education Development Centre; project "Integration bridge" provided by the Association of Lifelong Learning, Culture and Science Communication "Intelligence park" of Daugavpils University, project "Integration ABC - 3" provided by the association "Cooperation Platform".

83 www.elaipa.lv

⁸⁴ until 30.11.2019

⁸⁵ https://www.lsm.lv/raksts/zinas/latvija/muceniekos-atlauju-paliksanai-es-gaida-neliels-skaits-beglu-centrs-aizpildits-par-10.a313921/

year 2016. Five introductory lectures "Labour market in Latvia" were organized for 42 asylum seekers in English, Dari, Arabic, Spanish, Russian, Turkish, and Pashto languages in 2019⁸⁶. Starting the year 2019, due to the limited resources, individual consultations for asylum seekers on the possibility of finding work in the Accommodation Centre for Asylum Seekers in Mucenieki take place at the request of a person. In 2019, three such meetings were held.

To inform entrepreneurs about the employment of foreigners as well as to provide information to foreign nationals about employment and business start-up opportunities in Latvia, in 2019 the Information Centre for Newcomers⁸⁷ held open door days in five regions of Latvia. They were attended by employers, entrepreneurs, employees, representatives of state and municipal authorities, and other interested persons.⁸⁸

In October 2019, PROVIDUS researchers elaborated "Opinion on housing policy for beneficiaries of international protection" which recommends concrete solutions and directions for improving this aspect of integration policy. The opinion includes the following recommendations:

- 1. The Ministry of Welfare must clearly assume responsibility for providing housing to beneficiaries of international protection;
- 2. The requirement for beneficiaries of international protection to indicate their registered place of residence must be abolished;
- 3. A separate allowance for housing costs must be provided;
- 4. The role of the public sector in the housing market must be increased.

Non-discrimination

The attitude of society towards the entry of third-country nationals testifies to the polarization of opinions.

To draw public attention to issues of discrimination, tolerance and unequal treatment, in 2019 the second thematic year of the informative campaign "Openness is a value" was launched. The year 2019 was dedicated to people of different ethnic origin and affiliation. Multiple activities were implemented for employers, young people and various audiences of Latvian people. ⁹⁰

The Society Integration Foundation conducted a population survey⁹¹ to find out the opinion on ethnic relations in Latvia. The main findings of the survey show that although the majority of Latvian people are in daily contact with representatives of their own nationality and do not personally know people of other ethnicities, only a fifth or 20% of Latvian people have no prejudice against people of other nationalities. 60% of the Latvian population would not want representatives of other ethnic groups working in their collective.⁹²

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⁸⁶ until 30.11.2019

⁸⁷ The Information Centre for Newcomers works as a one-stop agency in Riga and four regional centres of Latvia – Daugavpils, Jelgava, Cesis, and Liepaja – providing an opportunity to receive versatile, free support for both foreign citizens and service providers and specialists of various fields working with this target group, including entrepreneurs. The operation of the Information Centre for Newcomers is provided and developed by the NGO "Shelter "Safe House"" within the framework of the AMIF. The centre is co-financed by the European Union. Grant agreement No AMIF/12/2017/2/01.
88 On 1 February Jelgava will host an open door day on employment and entrepreneurship organized by the Information Centre of Newcomers. - Available at: https://www.patverums-dm.lv/lv/1februari-jelgava-notiks-informacijas-centra-iebraucejiem-atverto-durvju-diena-par-nodarbinatibu-un-uznemejdarbibu/944.

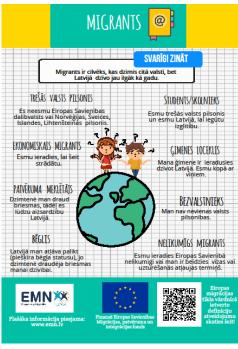
Opinion beneficiaries of international Available housing protection $http://providus.lv/article_files/3617/original/atzinums_majoklu_politika_(1).pdf?1572594309.$ What accomplished 2019 promote Available was in at: https://www.sif.gov.lv/index.php?option=com_content&view=article&id=10812%3AKas-paveikts-2019-gada-dazadibasveicinasana&catid=14%3AJaunumi&Itemid=186&lang=lv.

⁹¹ The survey was conducted on the internet, surveying 1 005 residents of Latvia aged 18 to 75 years.

Survey: citizens' opinion on ethnic relations in Latvia. - Available at: https://www.sif.gov.lv/index.php?option=com_content&view=article&id=10603%3AAptauja-iedzivotaju-viedoklis-par-etniskajam-attiecibam-Latvija&catid=14%3AJaunumi&Itemid=186&lang=lv.

From 3 to 18 October 2019, the association Latvian Platform for Development Cooperation (LAPAS) in cooperation with a number of partners organized a campaign on migration "For Humanity" throughout Latvia. Within the framework of the campaign, 42 events were held in Latvia – documentary films, discussions, thematic workshops, meetings with decision-makers. The campaign called for attention to aspects of migration and humanity, promoting a deeper public understanding of global migration through local, historical and personal experiences.⁹³

The initiative "Preventing and Combatting Racism and Xenophobia through Social Orientation of Non-Nationals – RACCOMBAT" explored throughout Member States good practices in combatting racism, xenophobia and other forms of intolerance. The ways in which the newcomers are introduced to the laws, traditions and values of society and how knowledge of relevant institutions and inter-community activities throughout the process of acquaintance, adaptation and integration of migrants is promoted were examined. The analysis of existing practices created a conceptual basis for the guidelines on the inclusion of the principles of tolerance and mutual respect in support activities for the integration of refugees and migrants saimed at the development of a reception and integration system in which the implemented activities aim to support and educate newcomers so as to prevent hostile and intolerant behaviour from any party involved in the integration process, as well as to recognise and combat discrimination using the main legal remedies offered by the state.



The Latvian Contact Point of the EMN developed an <u>informative material</u> for school students and teachers on the types of migration and migrants, explaining their essence. The definitions included in the EMN's Asylum and Migration Glossary are used in the explanation of the terms, transforming them into a form that is more easily to perceive. Information pages are available and can be downloaded on the website of the Latvian Contact Point of the EMN.

In autumn 2019, the collective monograph "The problem of asylum seekers and their solutions in the European Union and Latvia" was published, which includes studies by three authors on asylum seekers' policy issues. The authors looked at the problems of asylum seekers from both Latvian and

⁹³Campaign "For humanity" will take place. - Available at: https://www.patverums-dm.lv/lv/notiks-kampana-%E2%80%9Cpar-cilvecibu%E2%80%9D/978

⁹⁴ The project was implemented by Providus in Latvia. Project partners: University of Antwerp/CeMIS (Belgium), Centre for European Constitutional Law (Greece), Association "Pro Refugiu" (Romania), Centre for the Study of Democracy (Bulgaria), and ETC Graz (Austria).

⁹⁵ Guidelines on the inclusion of the principles of tolerance and mutual respect in support activities for the integration of refugees and migrants. -Available at: http://providus.lv/article_files/3543/original/Vadlinijas-LV-web.pdf?1554813183.

⁹⁶ Collective monograph "Challenges of asylum seekers and their solutions in the European Union and Latvia". A. Austers, D. Beitnere-Le Galla, Z. Rasnača - LU Akadēmiskais apgāds, 2019.

EU perspectives. The monograph contains the conclusions of the Rector's Expert Council of the University of Latvia⁹⁷ on the problem of asylum seekers and the improvement of its solutions in Latvia.

It must be acknowledged that the topic of migration is increasingly appearing not only on news sites, but also in the fields of culture and art in Latvia. An example is the film "Olegs", which was coproduced by Latvia, Lithuania, and Belgium and analyses the problems of employment of a Latvian non-citizen⁹⁸ in another EU Member State.

Promoting integration at local level

Two projects aimed at educating professionals who are in daily contact with third-country nationals, for example, local authorities, public institutions, and social service workers, were implemented: project "Intercultural communication and cooperation for professional growth" implemented by the Education Development Centre and project "Intercultural communication training for professionals: "Intercultural dialogue"" implemented by Daugavpils University. The purpose of both projects is to improve the knowledge of professionals of different fields in cultural diversity and intercultural dialogue skills, develop the ability to implement the measures of integration of third-country nationals at different levels of state administration and service provision as well as to build the professionals' capacity in provision of mutual support and coordination of activities.

In September 2019, the Latvian Red Cross, in cooperation with the United Nations High Commissioner for Refugees (UNHCR), organized regional training "Work for integration of refugees and immigrants: intercultural interaction, examples of good practice and experience" in five Latvian cities¹⁰². The target audience of the training was employees of state and municipal institutions including policy planners, school representatives, social work and care professionals, as well as representatives of non-governmental organizations. In total, 100 people attended the training.¹⁰³

⁹⁷ Andris Kesteris, Egils Levits, Inna Šteinbuka.

⁹⁸ Latvian legislation guarantees greater protection to Latvian non-citizens than to stateless persons or foreigners.

⁹⁹ Intercultural communication and cooperation for professional growth. - Available at: http://iac.edu.lv/projekti/aktualie-projekti/new-project-page-2/.
100 Intercultural communication training for specialists: "Intercultural dialogue". - Available at: https://du.lv/starpkulturu-komunikacijas-macibas-specialistiem-starpkulturu-dialogs/.

¹⁰¹ Projects are implemented with the support of AMIF.

¹⁰² The training was organised within the framework of the Red Cross international project "AVAIL – promoting the expression of views of refugees and asylum seekers to improve their integration and life skills".

103 Five regional trainings on the integration of the integration

¹⁰³ Five regional trainings on the integration of refugees and immigrants have been successfully completed. - Available at: https://www.sif.gov.lv/index.php?option=com_content&view=article&id=10779%3AVeiksmigi-noslegusas-5-regionalas-apmacibas-par-beglu-un-imigrantu-integraciju&catid=14%3AJaunumi&Itemid=186&lang=lv.

CITIZENSHIP AND NATURALIZATION

The number of persons admitted to Latvian citizenship through naturalization has decreased in the year 2019 - 808, (in 2018 - 930). Similar to 2018, Latvia's noncitizens -86% – account for the largest proportion of persons acquiring citizenship. Compared to 2018 (99), during the year 2019, the number of third-country nationals who received Latvian citizenship through naturalization has increased -110. The sum of the sum o

The Law on Termination of Granting the Status of Noncitizen¹⁰⁶ to Children¹⁰⁷ adopted on 17 October 2019 provides for automatic granting of Latvian citizenship to Naturalisation - any mode of acquisition after birth of a nationality not previously held by the target person that requires an application by this person or their legal agent as well as an act of granting nationality by a public authority.

(EMN Glossary on Migration and Asylum)

children who were born after 1 January 2020, unless the parents of the child have agreed on the granting of citizenship of another country to the child. Until now, the new-born of non-citizen parents could be registered as a citizen of Latvia on the basis of the will expressed by at least one parent in the registry office simultaneously with the registration of the fact of birth of the child.

Information days are organized mainly in the territorial departments of the OCMA, and sometimes on trips, to promote the interest in obtaining Latvian citizenship by naturalization. Within the framework of the informative days, interested persons are provided with information on obtaining Latvian citizenship in the naturalization procedure, as well as the person is given the opportunity to test his or her knowledge in a trial naturalization exam.

Use of the EMN results

A person who does not have citizenship of Latvia and who lives permanently in Latvia for 5 years may be admitted to Latvian citizenship at the request of that person in accordance with naturalisation procedures.

In 2019, the Latvian Contact Point of the EMN developed a national report for the study "Pathways to citizenship for third-country nationals in the EU Member States". Latvia signed and ratified the UN Convention on the Reduction of Stateless Persons (1961). Stateless persons in Latvia have the opportunity to naturalize, and in 2018, five stateless persons gained citizenship through naturalization. Overall, in Latvia, as of 1 July 2019, there were 171 stateless persons, which is 0.0082% of the entire population.

There are several ways of obtaining citizenship in Latvia. In 2018, only 103 third-country nationals obtained Latvian citizenship through naturalization, mostly citizens of Russia.

Any third-country national with a permanent residence permit who has been resident in Latvia for the last five years may be naturalised. At the same time, there are some restrictions that prevent the application for citizenship, for example, if a person has a criminal conviction that has not been

¹⁰⁴ Data source: OCMA.

¹⁰⁵ Data source: OCMA.

¹⁰⁶ In accordance with the Law on the Status of those Former U.S.S.R. Citizens who do not have the Citizenship of Latvia or that of any Other State, non-citizens are such citizens of the former USSR who reside in the Republic of Latvia as well as who are in temporary absence and their children who simultaneously comply with the following conditions:

¹⁾ on 1 July 1992 they were registered in the territory of Latvia regardless of the status of the living space indicated in the registration of residence, or up to 1 July 1992 their last registered place of residence was in the Republic of Latvia, or it has been determined by a court judgment that they have resided in the territory of Latvia for 10 consecutive years until the referred to date;

²⁾ they are not citizens of Latvia; and

³⁾ they are not and have not been citizens of another state.

¹⁰⁷ The Law on Termination of Granting the Status of Non-citizen to Children. - Latvijas Vēstnesis, No 224, 05.11.2019 - [came into force on 19.11.2019]

¹⁰⁸ This law applies to children of Latvian non-citizens.

extinguished, the person poses a threat to the security and public order of the state of Latvia, or the person serves in the military service or in the intelligence service of certain other countries.

The OCMA is an institution that examines the applications of persons for admission to Latvian citizenship. A person must pass a test of the Latvian language, Latvian history, cultural history, basic provisions of the Constitution, as well as must know the national anthem of Latvia. A person must be fluent in Latvian at least at level B1. The application for naturalization is examined within one year from the moment the person passes naturalization tests. If the person meets all the conditions of naturalization, the OCMA shall decide on the inclusion of the person in the draft order of the Cabinet of Ministers and submit it to the Cabinet of Ministers. The Cabinet shall make the final decision. The decision of the OCMA on the refusal of naturalization is subject to appeal in court, while the decision of the Cabinet of Ministers is political and is not subject to appeal.

In 2013, the last amendments to the Citizenship Law were made, which allowed dual citizenship with the EU, NATO, EFTA states, as well as Australia, Brazil, and New Zealand. Citizens of other countries must renounce their citizenship in order to become a citizen of Latvia. Dual citizens of Latvia are not limited to the right to hold positions or to act in any other sphere of life, while citizens of third countries residing in Latvia with permanent residence permits do not have the opportunity to vote in municipal elections or in parliamentary elections, as well as they are not entitled to hold certain positions in public administration or judicial institutions, for example, to be a judge, to hold positions in state security institutions, to serve in military service, etc. Only citizens of Latvia are eligible for these positions.

The synthesis report will be available in the middle of the year 2020 on the website of the Latvian Contact Point of the EMN www.emn.lv.

BORDER CONTROLS, VISAS AND SCHENGEN MANAGEMENT

Management of external borders

On 20 December 2019, Amendments to the Law on the State Border of the Republic of Latvia¹⁰⁹ came into force, which take over Articles 194¹ and 194² of the Latvian Administrative Violations Code and increase the maximum amount of the fine (up to 500 EUR) for violations of the rules for crossing the state border. The previous maximum penalty amount (210 EUR) was insufficient and was not preclusive as it did not deter persons from committing an offence.¹¹⁰

External EU border - the parts of a Schengen Member State's border, including land borders, river and lake borders, sea borders and their airports, river ports, sea ports and lake ports, that are not common borders with another Schengen Member State.

(EMN Glossary on Migration and Asylum)

In 2019, the first round of modernization of the Latvian-Belarusian border crossing points¹¹¹ has been completed, during which the perimeter security system has been improved, video surveillance system, electronic traffic organization information panels, vehicle forced stop equipment, as well as a unified traffic organization solution for all types of vehicles, pedestrians and cyclists was implemented improving movement and making the work of the border crossing point more efficient.¹¹²

The Information Centre of the Ministry of the Interior in cooperation with the SBG implements the project "Study of the existing functionality and necessary improvements of border control and border surveillance processes". The aim of the project is a general study of the existing SBG electronic information system (REIS) to define the requirements for the development of the second generation REIS by modernizing the REIS in accordance with modern technologies and ensuring its operation in accordance with Latvian and European legislation. 114

New border surveillance technical means have been acquired: presence detection systems (sensors) and two new helicopters, night vision equipment and presence detection systems (sensors).

To improve and strengthen knowledge in the field of border inspection, 70 officials of the SBG participated in training in the field of document verification during the year 2019. The OCMA provided training to officials on the enhanced functionality of the unified migration information system in the Asylum Seeker Register (88 SBG and 14 OCMA officials participated in the training) and the use and development of the national visa information system (633 SBG official, 129 consular officers of the Ministry of Foreign Affairs, and 41 OCMA officials participated in the training). 116

¹⁰⁹ Law on Amendments to the Law on the State Border of the Republic of Latvia. - Latvijas Vēstnesis, No 225, 06.11.2019 - [came into force on 20.11.2019]

¹¹⁰ Draft law "Amendments to the Law on the State Border of the Republic of Latvia". - Available at http://titania.saeima.lv/LIVS13/SaeimaLIVS13.nsf/0/0FCE2C1BDE02522FC225835B005238B0?OpenDocument.

¹¹¹ Silene and Pāternieki.

¹¹² Source: SBG.

¹¹³ Project of the Internal Security Fund.

¹¹⁴ Source: SBG.

¹¹⁵ On the structure of travel documents and on the authenticity and forgery of travel, identification and residence documents.

¹¹⁶ Source: SBG and OCMA.

Cooperation with third countries

On 30 October 2019, the heads of the SBG and the heads of the Frontier Service of the State Security Service of Uzbekistan signed a memorandum of understanding between the State Border Guard of the Republic of Latvia and the Frontier Service of the State Security Service of the Republic of Uzbekistan. The memorandum intends to promote cooperation between Latvian and Uzbek border security authorities within their competence, namely, cooperation between the authorities in combating irregular immigration, illegal movement of persons across the state border, smuggling of radioactive materials, prohibited goods and objects, other potential threats to the security of the state border, cooperation in the organization of border crossing point operation, implementation of international cooperation and international programmes as well as in resolving other issues subject to joint interests.

The SBG annually signs plan for bilateral cooperation activities with the Belarusian State Border Committee, the Border Guard Service of the Russian Federal Security Service, the Border Police of Moldova, the Border Guard of Ukraine, and departments of the Ministry of the Interior of Georgia (Border Police, Patrol Police, Migration Department).

In 2019, experience exchange events were implemented with the state authorities of Moldova, Ukraine and Georgia. During these events, the SBG officials shared their experience and presented best practices.

In accordance with the Joint Action Plan 2019 of the SBG and the National Border Committee of the Republic of Belarus, in June and November 2019, a meeting of representatives of the operational activity departments of the State Border Guard and the State Border Committee of the Republic of Belarus was held to promote the development of cooperation in combating irregular migration and other forms of criminal cross-border activity.

At the beginning of the 2019, experts from the SBG and OCMA provided support to the Kosovo migration authorities in developing a manual of border control procedures. It is intended for all border police officers working at Kosovo border crossings, with particular attention to the organisation of mixed migration flows consisting of irregular migrants, asylum seekers, victims of trafficking in human beings, unaccompanied minors, and other vulnerable groups. The SBG expert provided support in the development of Kosovo's internal procedures for the implementation of the regulation of detention centres in accordance with the EU standards. The OCMA experts provided support to Kosovo for a new National Migration Strategy 2019-2023 and for the development of the Action Plan as well as the concept of the mechanism of the monitoring and report on the progress of the Action Plan. ¹¹⁷

Migration management

On 17 December 2019, the Cabinet of Ministers supported the Plan for Integrated Management of the State Border of the Republic of Latvia in 2019-2020. The Ministry of the Interior is responsible for effectuation of the plan and coordination of the implementation of measures. The plan defines the vision and mission of the integrated management of the state border, as well as sets out the strategic goal to establish a framework for safe and effective crossing of the external border of persons,

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¹¹⁷ Source: OCMA.

¹¹⁸ Order No 651 "On integrated management plan of the state border of the Republic of Latvia 2019-2020". - Latvijas Vēstnesis, No 257, 23.12.2019

vehicles and goods and management of migration flows, to prevent possible threats to border security, and to promote return measures.

The action lines included in the Integrated Management Plan of the State Border of the Republic of Latvia 2019-2020 aim to achieve a higher level of security and cooperation capabilities in the EU in three strategic directions:

- 1) prevention of external border vulnerabilities based on comprehensive knowledge of the situation;
- 2) ensuring the existence of a safe and well-monitored external border of the EU;
- 3) ensuring sustainable capabilities of the European Border and Coast Guard Agency.

Visa policy

In 2019, the total number of visas issued has increased reaching 171,670 (in 2018 – 164,771); the number of long-term visas issued has also increased. Of the visas issued, 163,948 were Schengen visas, 7,722 – long-term (D) visas.¹¹⁹

Figure 8-1. Total number of issued visas by type, 2018-2019. 120

	2018	2019
Schengen visas	158,601	163,948
Long-term (D) visas	6,156	7,722
Total	164,771	171,670

In the middle of the year 2019, OCMA completed the implementation of project No PMLP/IDF/2015/2 "Usage and development of the National Visa Information System (NVIS) (stage 1)" of the program 2014-2020 of the Internal Security Fund. Within the framework of the project, the functionality of the NVIS software has been improved: the functionality of the existing NVIS application modules has been developed for more convenient and faster work in the system, the data processing solution for data retrieval and reporting has been improved, the Schengen visa application e-service has been improved, a new cross-system interface has been developed for information exchange with the information system of the State Treasury, which provides the import of the received visa payment data to the NVIS. In addition, a new invitation register information system VMIS has been developed and integration of invitation data processing processes in NVIS has been carried out. The VMIS software platform and invitation and call business processes have been modernized in accordance with current requirements and in the future will ensure successful data exchange with the information system of the Register of Natural Persons. Information materials on the Schengen visa issue procedure have been developed in several languages 121: Documents required for obtaining a visa¹²²; Requirements to the quality of the biometric data – face image and fingerprints – necessary for the visa¹²³. ¹²⁴

On 15 April 2019, amendments to the visa representation agreement with the Republic of Poland came into force; according to this agreement Poland initiated visa representation on behalf of Latvia

¹²⁰ Data source: OCMA.

¹²¹ Latvian, English, Russian, Azerbaijani, Uzbek, Mandarin (Chinese)

124 Source: OCMA.

¹¹⁹ Data source: OCMA.

¹²² Documents required for obtaining a visa. - Available at: https://epak.pmlp.gov.lv/NVIS.EService001.WebSite/Help/Checklist/Pmlp_LVA.pdf.

Requirements to the quality of the biometric data – face image and fingerprints – necessary for the visa. - Available at: https://epak.pmlp.gov.lv/NVIS.EService001.WebSite/Help/BiometricRequirements/Mat_LVA.pdf.

in the United States (Houston). The amendments to the agreement also provided for the cessation of representation in the Republic of Iraq (Baghdad) since the Polish Embassy has already been closed for a long time, and there are no plans to reopen the Embassy in the near future for issuing visas. In 2018, the Embassy of the Republic of Latvia in the United Arab Emirates, in cooperation with the external service providers "VFS Global", began accepting visa applications from the following Gulf countries: the United Arab Emirates, Saudi Arabia, Oman, Qatar, Kuwait, and Bahrain. 125

In 2009, cooperation with external service providers in Turkey and Uzbekistan in the field of issuing long-term visas was expanded. The number of requests for long-term visas for foreign students and workers is significantly increasing at the diplomatic and consular missions of Latvia abroad, thus the Consular Department of the Ministry of Foreign Affairs has made preparations to expand cooperation with the external service providers "VFS Global" also in countries such as Indonesia, Vietnam, Thailand, Egypt, and Myanmar.

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¹²⁵ Source: Ministry of Foreign Affairs.

IRREGULAR MIGRATION AND MIGRANT SMUGGLING

In 2019, 57 third-country nationals committed an illegal crossing of the "green" border (in 2018 – 202). The main groups of detainees consisted of Vietnamese nationals (in 2019 – 43.86 %, in 2018 – 75% of all violators) and Indian nationals (22.81% of violators). Compared to 2018, the number of detained Vietnamese nationals has decreased by 82% in 2019. A significant change compared to 2018 was the increase in the number of detained nationals of India (13 Indian nationals were detained on a transit route inside the country after illegally crossing the external border). ¹²⁶

In 2019, the SBG refused entry to Latvia to 1 797persons, which was more than in 2018 (1 685 persons). In 2019, most often the entry was refused to nationals of Ukraine (839), Russia (310), Georgia (189), Belarus (151), and Moldova (86) who could not present a valid entry visa, residence permit, or travel documents, as well as in cases where information provided by third-country nationals indicated the actual threat of irregular entry and stay. 127

The increase in the number of refusals of entry indicates a change in the trend of irregular immigration from third countries to the EU. Third-country nationals are more likely to opt for so-called "legal" routes, abusing the visa-free travel between certain third countries, and tourist visas issued by the EU or the EU Member States are actually used for business or job search in the EU Member States.

In 2019, the SBG annulled Schengen visas for 172 third-country nationals (in 2018 – 115). The significant increase in the number of cancelled visas was influenced by the newly established flights from third countries (United Arab Emirates) and the increased flow of passengers from the Russian Federation and Ukraine used by nationals of other third countries in transit to cross the Russian Federation or Ukraine from their countries of origin and to further move through Latvia to their destination countries in Western or Northern Europe. Most often, visas were cancelled for nationals of Belarus (58), the Russian Federation (50), Ukraine (15), Azerbaijan (16), Uzbekistan (15), and Iraq (8). Most often, Latvian (47), Lithuanian (46), Polish (25), Spanish (10), and Italian (7) visas were annulled.

Visas were cancelled most often at the border checkpoint of Riga airport – 75. 56 visas were cancelled at border crossings on the Latvian–Belarusian border and 29 visas were cancelled on the Latvian–Russian border.

Prevention of abuse of legal migration routes

In 2019, the number of third-country nationals detained by the SBG officials for illegal employment in Latvia has decreased slightly – a total of 299 persons (in 2018 –370). Combating illegal employment has been a topical issue for the SBG in 2019.

To identify as well as investigate cases of abuse of legal migration routes by third-country nationals and illegal employment in the construction sector, in the second half of the year 2019, the SBG elaborated draft law "Amendments to the Law on Taxes and Duties", which is undergoing the process of coordination at the time of drawing up of the Report. The purpose of the draft law is to set the SBG as one of the controlling institutions that, in order to execute its functions, is entitled during a construction site inspection to request and receive the data of electronic working hours' accounting system about persons present at the construction site in the moment of the data requesting as well as

127 Data source: SBG.

¹²⁶ Source: SBG.

¹²⁸ Source: SBG.

to use the Single Database of Electronic Working Hours' Accounting System online. On 9 August 2019, the SBG elaborated informative material for builders about the order of inspections conducted on construction sites by the SBG officials. The informative material is coordinated with the Partnership of Latvian Constructors. The informative material has been prepared to prevent abuse of legal migration entry and working opportunities of third-country nationals who have been sent for work to Latvia from another EU Member State. The informative material is available on the SBG website.

On 13 August 2019, the SBG issued an internal regulatory enactment 129, which defines the actions of the SBG officials in carrying out the employment control of third-country nationals in Latvia in order to prevent, identify and investigate cases of illegal employment. 130

To raise awareness of attracting and immigration of foreign students' issues, in the spring of the year 2019, the Ministry of Foreign Affairs held a seminar attended by representatives of the SBG, the Ministry of Education and Science, the Academic Information Centre, Latvian universities, the Higher Education Export Association, and the OCMA. In the seminar, topical issues regarding the entry and stay of foreign students as well as the attraction and selection of students from abroad were discussed. 131

Latvian embassies abroad tighten selection criteria and Latvian universities begin to more strictly monitor the selection, school results and lecture attendance of third-country students, as the number of "false students" increases: from 1 111 study visas issued at the beginning of the year 2019 already 674 had been cancelled by the end of the year. 132 For example, in October 2019, the Riga Technical University opened representative offices in Chennai, India, Colombo, Sri Lanka, Tashkent, and Uzbekistan to select students onsite and assess the compliance of their knowledge with the University requirements. Indians, Sri Lankans and Uzbeks were not honest in electronic entrance exams until now because they wanted to get to the EU for job search through their studies. In its newly opened education centres in Asia, the Riga Technical University will emphasize that it is not necessary to seek employment in Latvia under the guise of education, because as soon as the school results of students from third countries deteriorate and they do not attend lectures, the Riga Technical University will ask the OCMA to revoke the residence permit. 133

Forged travel documents

The SBG has developed methodological guidelines that determine the procedure for marking counterfeit travel documents or documents containing counterfeits of Schengen stamps. This was necessary because in certain situations, due to objective reasons, there is no possibility of withdrawing these documents. 134

The SBG certified two forensic experts of technical examination of documents; they commenced the performance of official duties on the Latvian–Belarusian border and at the Riga Airport, increasing the effectiveness of verification of authenticity of documents during the border inspection process at these border crossing points. 135

130 Source: SBG.

¹²⁹ SBG order.

¹³¹ Source: Ministry of Foreign Affairs.

¹³² The number of "fake students" is growing rapidly in Latvia. - Available at: https://www.apollo.lv/6783815/latvija-strauji-pieaug-viltus-studentu-

¹³³LNT news; by opening representative offices in Asia, RTU will screen the "fake" students. - Available at; https://skaties.lv/zinas/arvalstis/lnt-zinasatverot-parstavniecibas-azija-rtu-atsijas-viltus-studentus/.

¹³⁴ Source: SBG. 135 Source: SBG.

In 2019, officials of the SBG detained 90 persons (nationals of Ukraine (17), nationals of Russia (15), nationals of Belarus (8)) for the use of forged travel documents.

Fight against facilitation of irregular migration ("human smuggling") and prevention of irregular stay

On 1 July 2019, the amendments to the Immigration Law¹³⁶ entered into force providing for fines and increasing the maximum limit of the fine for violations committed by foreigners in the field of immigration and identified competent authorities that deal with cases of administrative offenses. The amendments provide that in certain cases the penalty for committing administrative violations will also be applied to a legal person. In addition, Article 7 of the amendments provides for a new administrative violation and the corresponding penalty: the responsibility of the sponsor, if the sponsor (natural or legal person) has not informed the direct regulatory of the state authorities that the purpose of entry or stay of one or more invitees does not correspond to the purpose specified in the documents submitted for applying for a visa or residence permit. 137 The amendments were necessary because the Latvian Administrative Violations Code is outdated, while an increased fine could deter a person from committing an offense. 138

A significant role in controlling and limiting the pressure of irregular immigration in 2019 was played by the SBG cooperation with the Border Guard Services of the Russian Federation and the Republic of Belarus that included both improving information exchange and joint operations "KORDON 2019", which resulted in decrease of the risk of illegal border crossing on the "green" border (especially on the Latvian–Russian border). The construction of the state border infrastructure was continued.139

Taking into account the risks of irregular migration from Georgia, as well as the need to develop cooperation with the departments of the Ministry of the Interior of Georgia, in 2019, the SBG adopted the decision to establish a SBG liaison officer point in Georgia in 2020 within the project "Continuation of the activities of the State Border Guard liaison officers in Georgia and Belarus" of the Internal Security Fund 2014-2020. 140

On 17 April 2019, the Latvian Contact Point of the EMN held a conference "Impact of visa liberalisation on countries of destination – challenges and solutions in the Baltic region", the aim of which was to look at the positive and negative effects of the visa liberalisation process at the EU level and in third countries, as well as to identify the common challenges of the Baltic states in the area of visa-free regime and to improve cooperation with visa-free countries. Experts from Latvia, Lithuania and Poland discussed about common and different aspects on tendencies they were facing on visa liberalization process with Eastern partnership states. During the conference, the countries with the greatest impact in cooperation with the countries of the Baltic region – Ukraine and Georgia – gave an overview of the changes made in the management of migration so that the introduction of a visafree regime can be implemented, as well as of the impact of a visa-free regime in their countries. 141

¹³⁶ The Law on Amendments to the Immigration Law. - Latvijas Vēstnesis, No 123, 19.06.2019 - [came into force on 01.07.2019]

¹³⁷ The Law on Amendments to the Immigration Law. - Latvijas Vēstnesis, No 123, 19.06.2019 - [came into force on 01.07.2019]

¹³⁸ Abstract of the draft law "Amendments to the Immigration Law". - Available at:

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¹³⁹ Source: SBG.

¹⁴⁰ Source: SBG.

¹⁴¹ Conference "Impact of visa liberalisation in countries of destination - challenges and solutions in the Baltic region". - Available at: http://www.emn.lv/?p=3277.

Cooperation with Frontex

In May 2019, Frontex liaison officer started the work in Latvia according to the memorandum of understanding between the State Border Guard of the Republic of Latvia and the European Border Coast Guard Agency on the reception of the liaison officer in the Republic of Latvia signed in Romania on 27 March 2019. 142

During the reporting period, the SBG participated in 11 joint operations organised by Frontex providing support to the EU Member States and third countries by ensuring experts and technical equipment: aircraft, helicopter, mobile surveillance complex, ship, and cutter:

Joint operations at land borders:

- In the operation FLEXIBLE OPERATIONAL ACTIVITIES 2019 LAND (host countries -Bulgaria/Greece) 43 representatives of the SBG were involved;
- In the operation FLEXIBLE OPERATIONAL ACTIVITIES 2019 Western Balkans (host country – Albania), four representatives of the SBG were involved;
- In the operation COORDINATION POINTS 2019 LAND (host countries North Macedonia/Kosovo/Ukraine), four representatives of the SBG were involved;
- In the operation **FOCAL POINTS** 2019 LAND (host countries Estonia/Poland/Romania/Bulgaria/Greece), 14 representatives of the SBG were involved.

Joint operations at sea borders:

- POSEIDON 2019 (host country Greece), 310 representatives and technical equipment of the SBG were involved in the operation: a helicopter with a crew – 14 SBG representatives, a SBG ship with a crew -14 SBG representatives and two State police representatives, a mobile surveillance complex with a crew – four SBG representatives, and one cutter with a crew – four SBG representatives;
- In the operation POSEIDON READMISSION ACTIVITIES 2019 (host country Greece), six representatives of the SBG were involved;
- In the operation THEMIS 2019 (host country Italy), nine representatives of the SBG and a leased aircraft with a crew – two representatives of the SBG – were involved;
- In operations MINERVA 2019 and INDALO 2019 (host country Spain), 16 representatives of the SBG were involved.

Joint operations at air borders:

- In the operation FOCAL POINTS Air 2019 (host countries Austria/Cyprus/Finland), three representatives of the SBG were involved;
- In the operation COORDINATION POINTS 2019 AIR (host country Georgia), one representative of the SBG was involved;
- In the operation ALEXIS 2019 (host countries Lithuania/Norway/Sweden), three representatives of the SBG were involved.

Confirming its support for the Frontex, the SBG also involved four State Border Guard experts at the National Coordination Centre in Rome, Italy, one expert at the International Coordination Centre in Catania, Italy, two State Border Guard experts at the International Coordination Centre in Piraeus, Greece, and five State Border Guard experts at the Frontex Situation Centre in Poland, Warsaw.

In 2019, the SBG concluded a contract with the Frontex's Return Operations Sector for support in the provision of return operations and implementation of the necessary return measures in 2019-2020.

¹⁴² The FRONTEX liaison officer is presented at the introductory meeting. - Available at: http://www.iem.gov.lv/lat/aktualitates/?doc=41895.

During the year 2019, 413 representatives of the SBG participated in the joint Frontex operations. 143

PREVENTING TRAFFICKING IN HUMAN BEINGS

A status of a suspect is determined for four persons and three persons are sentenced for organization of trafficking in human beings within the framework of initiated criminal proceedings. ¹⁴⁴ 24 third-country (Tajikistan, Uzbekistan, and India) nationals were recognized as victims of trafficking in human beings. The increase in the number of victims of trafficking in human beings is explained by the lack of local labour, particularly in the areas of construction and agriculture. ¹⁴⁵

Training and awareness-raising

Within the regional project Human Trafficking – Paving the Way for a Harmonized Operational Framework in the Baltic Sea Region (HOF BSR), representatives of the Ministry of the Interior and the State Labour Inspectorate of Latvia participated in a meeting in Ukraine, where representatives of the competent institutions and NGOs of Ukraine discussed the problems of labour exploitation of Ukrainian nationals in Latvia and further preventive actions.

In 2019, the Task Force against Trafficking in Human Beings of the Council of the Baltic Sea States published a glossary "Human trafficking" that explains the terms and concepts associated with trafficking in human beings. The glossary includes an explanation of general human trafficking terms, forms of human trafficking, national mechanisms for combating human trafficking, etc.

Coordination and cooperation of key actors

The Latvian National Coordinator for the Prevention of Trafficking in Human Beings, in cooperation with the relevant state institutions, improved the national interinstitutional cooperation mechanism in order to develop interinstitutional cooperation procedures that would better ensure the recognition of third-country victims and a coordinated approach by providing support, rehabilitation services, and protection measures.¹⁴⁷

The SBG "Methodological guidance on actions of officials of the State Border Guard in carrying out employment control of third-country nationals in the Republic of Latvia" (classified) includes recommendations on how to assess risks of trafficking in human beings.

The Ministry of Health in cooperation with specialists of the Centre for Disease Prevention and Control and the Ministry of the Interior has developed recommendations for medical practitioners to recognize victims of trafficking in human beings. These recommendations contain practical information on both the problem of trafficking in human beings and the possible actions of the medical practitioner in identifying the alleged victim of trafficking in human beings. The recommendations are designed as an aid to medical practitioners to inform them about the modern forms and signs of trafficking in human beings, which may indicate that the patient may have become a victim of trafficking in human beings. ¹⁴⁸

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¹⁴³ Source: SBG.

¹⁴⁴ Data source: Ministry of the Interior.

¹⁴⁵ Source: Ministry of the Interior.

¹⁴⁶ http://www.cilvektirdznieciba.lv/lv/glosarijs-cilveku-tirdznieciba/234

¹⁴⁷ Source: Ministry of the Interior.

¹⁴⁸ Recommendations for medical practitioners to recognize victims of trafficking in human beings are developed. - Available at: http://www.cilvektirdznieciba.lv/lv/izstradati-ieteikumi-arstniecibas-personam-cilveku-tirdzniecibas-upuru-atpazisanai/233.

On the occasion of the EU Anti-Trafficking Day, on 17 October 2019, the European Crime Prevention Network (EUCPN) and European countries launched the anti-trafficking campaign, the main purpose of which is to address people who may have become victims of trafficking in human beings and who need support, help and protection. In Latvia, the Ministry of the Interior disseminated information ¹⁴⁹ in Latvian and Russian about the rights of victims of trafficking in human beings and contacts for applying for help.

Identification of victims of trafficking in human beings

The Ombudsman's Office carried out activities in the field of recognition of victims of trafficking in human beings.

Experts from the Ombudsman's Office provided support to the SBG college within project No VRK/PMIF/2019/2 "Building the capacity of convoys", in which qualification rising programme "Recognition of victims of trafficking in human beings in return and asylum procedures" was developed. Support was provided in the development of the training material in the sections on international, EU and national regulatory framework in the field of trafficking in human beings, as well as on the concept, types and characteristics of trafficking in human beings.

In March 2019, the Ombudsman's Office, in cooperation with the SBG, launched a multi-year project "Effective implementation of the surveillance and removal process (stage 1)". The general objective of the project is to ensure the compliance of the supervisory processes of persons to be forcibly returned with Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008¹⁵¹. Within the framework of the project, special attention is paid to the protection of the rights of unaccompanied travelling minors and the improvement of procedures for the recognition of victims of human trafficking in the removal process.

¹⁴⁹ The campaign consists of a poster, sticker and video. These informative materials will be distributed in Latvia by state and municipal institutions and non-governmental organizations that support and implement state policies to prevent trafficking in human beings.

¹⁵⁰ The Ombudsman's Office is launching an ambitious project aimed at reducing the risks of trafficking in human beings in the process of forced removal. - Available at: http://www.tiesibsargs.lv/news/lv/tiesibsarga-birojs-uzsak-verienigu-projektu-ar-merki-samazinat-cilvektirdzniecibas-riskus-piespiedu-izraidisanas-procesa.

¹⁵¹ Directive 2008/115/EC of the European Parliament and of the Council of 16 December 2008 on common standards and procedures in Member States for returning illegally staying third-country nationals Official Journal of the European Union L 348, 24.12.2008

RETURN AND READMISSION

Voluntary return

In 2019, the number of persons who voluntarily left Latvia increased and composed 1 536 (in 2018 – 1 214). They were in most cases Russian nationals. 152 91 person received the voluntary return assistance.

Voluntary return - the assisted or independent return to the country of origin, transit or third country, based on the free will of the returnee.

(EMN Glossary on Migration and Asylum)

Major national changes in the field of expulsions, including exit orders, (supported) voluntary return)

On 3 January 2019, the IOM representation in Latvia launched the AMIF project "Voluntary return and reintegration assistance in Latvia, 2019-2022". Within the project, it is planned to provide voluntary return assistance to 280 persons and reintegration assistance to 140 persons.

Within the project it is planned to provide temporary residence assistance to 56 persons: provision of temporary residence, purchase of food and basic necessities for persons who do not have access to funds for the maintenance of themselves and their families until the moment of departure. The costs of staying of these persons in a hostel or cheaper hotel until the day of departure will be covered. ¹⁵⁴

In 2019, the number of forcibly returned persons decreased reaching 58 (in $2018 - 103^{155}$). The largest number of forcibly returned third-country nationals came from Vietnam.

Strengthening cooperation with third countries of origin and transit on return and readmission management

The agreement between the Republic of Latvia and the Socialist Republic of Vietnam on the readmission of persons residing in the country irregularly undergoes the process of development and mutual coordination.¹⁵⁶

In 2019, a draft agreement between the Republic of Latvia and Bangladesh on the readmission of persons residing irregularly and a draft protocol for execution of the draft agreement was developed.¹⁵⁷

The SBG commenced the use of the Electronic Readmission Case Management System, which facilitates and accelerates the fulfilment of the conditions of the EU-Georgia agreement on the readmission of persons residing irregularly.

¹⁵² Data source: OCMA.

The project will be implemented in the period from 3 January 2019 to 31 December 2022.

¹⁵⁴ Office of the International Organization for Migration in Latvia. What we do. - Available at: https://www.iom.lv/p/ko-mes-daram.html.

¹⁵⁵ Source: SBG.

¹⁵⁶ Source: SBG.

¹⁵⁷ Source: SBG.

Use of the EMN results

In November, the coordinator of the Latvian Contact Point of the EMN, together with representatives of the EMN contact points from Estonia, Lithuania, Luxembourg, and the Netherlands, participated in a mission organized by the EMN in third countries – Georgia and Moldova. These countries have expressed their willingness to join the EMN as an observer, similar to what Norway already does. The objective of the mission was to acquaint the representatives of the Georgian and Moldovan public authorities with the activities carried out by the EMN and the regularity and methodology of their implementation in order to allow them to assess their capacity and decide on the intensity of involvement. Together with colleagues from the EMN, the coordinator of the Latvian Contact Point introduced the representatives of these countries to the EMN working groups, the methodology for developing reports, the information exchange system, cooperation with other institutions at national and the EU level, and the development of the EMN glossary. Both Georgia and Moldova wish to establish EMN contact points in their countries in order to be able to take advantage of the opportunity to engage in the collection of joint and comparable information on migration and asylum, as well as to use expert assistance to address certain migration issues.

Since 2016, the Latvian Contact Point of the EMN writes reports on the situation in the field of migration in Latvia for the Organisation for Economic Cooperation and Development (hereinafter – the OECD). In the beginning of October, the **annual meeting of the OECD working group of migration experts** was held in Paris, which was attended by an expert of the Latvian Contact Point of the EMN. At the meeting, representatives of the OECD countries informed about current developments in the field of migration and asylum, including statistical data and the latest and planned changes to the legislation. The International Migration Outlook publication is available <u>here</u>.

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ABBREVIATIONS USED

EU – European Union

EMN – European Migration Network

IOM – International Organisation for Migration

OCMA – Office for Citizenship and Migration Affairs

SBG – State Border Guard

AMIF - Asylum, Migration and Integration Fund

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