

Report of the EMN Latvia

Application of the Temporary Protection Directive:

challenges and good practices in 2023

Summary in English



Office of Citizenship and
Migration Affairs
Republic of Latvia



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 of 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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Since February 24, 2022, Russia's military invasion of Ukraine has created a situation where Ukrainian civilians are coming en masse from Ukraine to the European Union (EU) and other neighbouring countries of Ukraine. At the request of the EU's interior ministers, the European Commission proposed to activate the Temporary Protection Directive (TPD) (2001/55/EC) on March 2, 2022. On 4 March 2022, the Council adopted an implementing decision establishing temporary protection for displaced persons from Ukraine and the Temporary Protection Directive was activated for the first time in 20 years since its adoption in 2001. It was a key component of the EU's unified response to Russia's military incursion.

In the national report for the study of the European Migration Network (EMN) "Application of the Temporary Protection Directive: challenges and good practices" it is possible to get acquainted with the most significant changes in regulatory acts, challenges and examples of their solution, as well as good practices, by examining the legal, educational, employment, health and social welfare aspects in the period from January 1, 2023 to July 1, 2023 in Latvia.

The most significant changes found in the researched period are:

- Ukrainian civilians who apply for temporary protection in Latvia are granted a temporary residence permit for two years, as well as for persons who have been granted a long-term visa or temporary residence permit before January 1, 2023, it is automatically extended until March 4, 2025.
- For Ukrainian civilians who have applied for temporary protection, the term of providing primary assistance has been extended from 60 to 120 days (from 60 to 90 days in 2022), but no longer than December 31, 2024.

Several challenges have been observed during the research period:

- 1) application for temporary protection when changing the host country;
- 2) evaluation of applications of Ukrainian civilians who claim to be fleeing the war in Ukraine;
- 3) difficult integration of Ukrainian civilians into the Latvian labour market due to lack of knowledge of the Latvian language;
- 4) deficiencies in the proxy of the legal representative of Ukrainian minors to represent the rights and interests of the child abroad.

The information necessary for the development of the report was obtained from Latvian regulatory enactments, the Ministry of the Interior, the Ministry of Welfare, the Ministry of Education and Science, the Ministry of Health and the Office of Citizenship and Migration Affairs.

In order to provide the most up-to-date information and avoid duplication with previous EMN publications and other sources, the study focuses on events, challenges and good practices arising in the first half of 2023. Thus, the time scope of the study is from January 1, 2023 to July 1, 2023. It consists of information compiled for the three EMN briefing reports published in 2022 on key issues related to temporary protection, as well as the 2022 report on migration and asylum.

1.

Legal status

1.1. Legal pathways and transition from temporary protection to other types and forms of residence or protection

Civilians of Ukraine residing in Latvia can apply for another type of residence document other than temporary protection - a temporary residence permit or a long-term visa with the right to employment.⁶⁷ These two documents are an alternative to temporary protection. If a Ukrainian civilian requests a visa or a temporary residence permit, which is not temporary protection, but the documents submitted by him do not meet all the established requirements, the Office of Citizenship and Migration Affairs can set a deadline of up to one year for a Ukrainian civilian to submit all the necessary documents for a visa or temporary residence permit.⁶⁸ If another type of temporary residence permit or visa is granted, the temporary protection status and the resulting assistance measures are terminated.⁶⁹

If a person who has been granted temporary protection in Latvia submits an application for the granting of a refugee or alternative status, after an initial review of the information specified in the application, if it does not contain information that could indicate an individual threat, the person is asked to evaluate the need for international protection status, explaining that they already have protected status, which in many aspects provides wider rights and support for Ukrainian civilians than those granted refugee or alternative status.⁷⁰ However, if a Ukrainian civilian has not been granted temporary protection in Latvia and wants to submit an application to receive it, the conditions for receiving temporary protection, as well as the rights and obligations related to temporary protection, are explained to them.⁷¹

With the outbreak of war in Ukraine, many people are using legal migration routes to enter for economic reasons. Latvia has faced two major challenges in relation to persons claiming to be fleeing the war in Ukraine:

The first challenge, indicated by administrative practice, is created by persons who enter Latvia without valid identity documents. The Office of Citizenship and Migration Affairs examines the documents and decides on the granting of temporary protection. When persons enter without valid identity documents, it is not possible to identify the person to ensure compliance with the criteria for temporary protection.⁷²

In order to resolve this challenge, persons entering the territory of Latvia without valid identity documents are asked to contact the Embassy of Ukraine in Latvia, where their identity is confirmed.

The second challenge, indicated by the administrative practice faced by the Office of Citizenship and Migration Affairs, which complicates the decision-making process, is the decision to grant temporary protection status to persons who have stayed outside the territory of Ukraine for a long time before the start of the war, or who enter from safe regions in Ukraine for economic purposes (for example, Transcarpathian region).⁷³

67 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

68 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

69 Source: Office of Citizenship and Migration Affairs

70 Source: Office of Citizenship and Migration Affairs

71 Source: Office of Citizenship and Migration Affairs

72 Source: Office of Citizenship and Migration Affairs

73 Source: Office of Citizenship and Migration Affairs

In order to resolve this challenge, the cases of persons who have stayed outside the territory of Ukraine before the start of the war or are moving out of safe areas are evaluated individually, requesting an explanation of the situation. If a negative decision is made, the person can contest it at the Office of Citizenship and Migration Affairs and then go to court.⁷⁴

1.2. Traveling to other member States and outside the European Union

Currently, there are no mechanisms in Latvia that track the movement of recipients of temporary protection between the countries of the European Union or outside of it. Latvia submits data to the Temporary Protection Platform, however, the data contained in this platform is not widely used due to limited administrative capacity.⁷⁵ In 2022, the Office of Citizenship and Migration Affairs consulted with migration authorities in other European Union Member States, such as Hungary, on the identification of residents of the Transcarpathian region of Ukraine who have passports issued by Hungary and who apply for temporary protection status in Latvia.⁷⁶

If persons who have been granted temporary protection leave Latvia for another European Union Member State, a third country or Ukraine, the status is not cancelled, however, if a person leaves Latvia for another European Union country and tries to apply for temporary protection status there, the temporary this person loses the temporary protection status in Latvia.⁷⁷

Taking into account that the status does not have to be renounced when leaving Latvia, sometimes there are cases where persons are required to renounce their temporary protection status in Latvia and submit a signed decision when they leave for other European Union countries. This creates complications if the persons are already in another country. Latvia, when accepting persons from other countries, does not make such a requirement.⁷⁸ Administrative practice indicates that this is a challenge for Ukrainian civilians, because in such cases, unnecessary administrative obstacles arise, which affect people's opportunities to receive the necessary support.⁷⁹

74 Source: Office of Citizenship and Migration Affairs

75 Source: Office of Citizenship and Migration Affairs

76 Source: Office of Citizenship and Migration Affairs

77 Source: Office of Citizenship and Migration Affairs

78 Source: Office of Citizenship and Migration Affairs

79 Source: Office of Citizenship and Migration Affairs

1.3. Help for Ukrainian civilians who want to go back to Ukraine

This type of assistance is not provided in Latvia. In the period from January 1 to July 1, 2023, 1,815 Ukrainian civilians have refused temporary protection in Latvia. The number of annulled temporary protection statuses is similar every month, it varies from 177 (May) to 375 (March), however, the highest number of annulled statuses was observed in June and it was 530.⁸⁰

1.4. Registration

During the research period, there has been one change in the field of registration of applicants for temporary protection. As of January 1, 2023, the civilians of Ukraine, who have the right to receive temporary protection status or who have been granted such a status, are issued a temporary residence permit - a third-country citizen identity card - for two years by the Office of Citizenship and Migration Affairs; before that, it was issued for one year.⁸¹ Also, visas are no longer issued as of January 1, 2023.⁸²

From February to May 2022, a large number of residence permits and visas were issued to Ukrainian civilians. In order to extend the term of residence documents as smoothly as possible, a Law⁸³ was adopted that all visas and residence permits issued until December 31, 2022 are valid in the Republic of Latvia until March 4, 2025. Right of residence for all registered Ukrainian civilians residing in Latvia was automatically extended until March 4, 2025. No new documents need to be submitted. Documents must be renewed in case it is necessary to travel to other countries.⁸⁴

Anyone who needs to renew their residence document to leave or for any other reason must re-apply. In order for the whole process to go faster, equipment for the transfer of biometric data for the issuance of residence permits has also been installed at the Riga Support Centre for Ukrainian Residents, where the Office of Citizenship and Migration Affairs also serves Ukrainian civilians.⁸⁵

80 Source: Office of Citizenship and Migration Affairs

81 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

82 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

83 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

84 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

85 Source: Ukrainian civilian reception centre in Riga



**Access to the rights set
out in the Temporary
Protection Directive**

2.1. Accommodation

When evaluating the most important legislative, political or practical changes related to the accommodation of temporary protection recipients during the research period, only one actual change was found. On June 1, 2023, the Parliament of the Republic of Latvia adopted the law "Amendments to the Law on Assistance to Ukrainian Civilians", which extended the provision of primary support to Ukrainian civilians, including accommodation to up to 120 or 60 days, until December 31, 2024.⁸⁶

Compared to 2022, the main challenge in providing accommodation in 2023 is the need to move from primary short-term accommodation to long-term accommodation solutions for Ukrainian civilians and to promote the ability of Ukrainian civilians to provide housing for themselves in the long term.⁸⁷

According to the information provided by municipalities and non-governmental organizations, one of the main challenges can be considered the need to align potential residences and workplaces, as well as the availability of infrastructure (transportation, educational institutions, medical facilities) necessary for everyday life, as accommodation is more freely available in areas with lower employment opportunities and further from the infrastructure needed for everyday life.⁸⁸

In order to solve this, the State Fire and Rescue Service conducted consultations with the Ministry of Welfare and the State Employment Agency (NVA) on the possibility of granting NVA representatives access to the Ukrainian Civilian Support Information Register (UCASNIR) system, with the aim of the NVA representative accessing and viewing the relevant person's qualifications and other requirements, as well as to make sure that there is a suitable vacancy and free accommodation in the municipality of the relevant person. Currently, NVA representatives have access to the contacts of the accommodation coordinators of each municipality. Therefore, the NVA representative not only promotes the search for job opportunities, but also provides the opportunity to move from one municipality to another, if necessary.⁸⁹

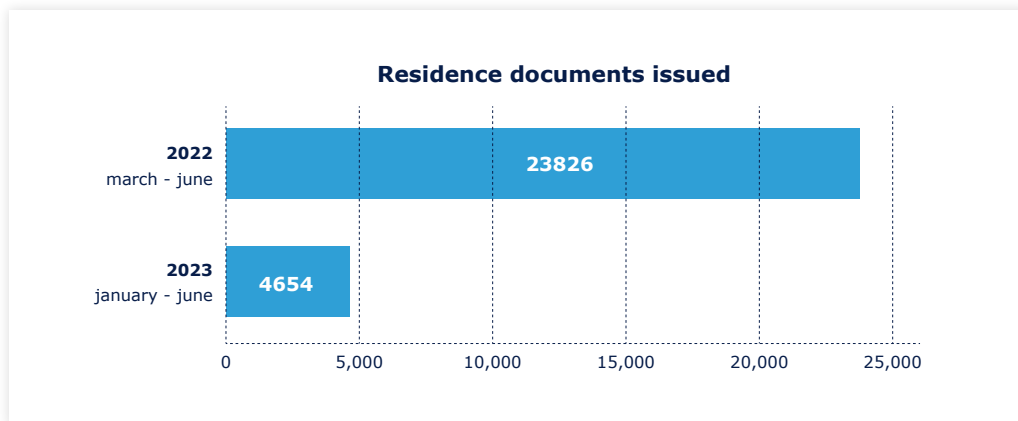
Taking into account the great challenges, the number of Ukrainian civilians accommodated in the territory of Latvia has decreased in 2023 compared to 2022.

86 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023.]

87 Source: Ministry of the Interior

88 Source: Ministry of the Interior

89 Source: Ministry of the Interior



As of June 30, 2023, 3,430 Ukrainian civilians have been accommodated through the municipality; while 28,295 Ukrainian civilians indicated that they provide their own place of residence. In Latvia, on July 1, 2023, there were 498 vacant beds in municipalities.⁹⁰

2.2. Access to the labour market

During the research period, Ukrainian civilians encountered several obstacles that hindered their entry into the laborlabour market - lack of available and affordable rental apartments in Riga and other centres of economic development; limited offer of vacancies in counties and rural areas outside the Riga region; limited public transport routes from residences in rural areas to county centres; lack of knowledge of the national language in highly qualified professions (e.g. teachers, doctors, lawyers, etc.), which hinders working in one's profession and fully realizing one's potential; illegal employment without an employment contract (e.g. in construction, etc.) and lack of social guarantees; insufficient number of part-time vacancies relevant, e.g. for women with preschool/primary school age children.⁹¹

Insurmountable challenges in providing employment measures for Ukrainian civilians have not been identified, however, the most important thing is still the learning of the Latvian language. According to NVA data, only half of the total number of Ukrainian civilians participating in the training pass the Latvian language exam the first time.⁹² This means that the person should be motivated to take the exam again or, if necessary, learn the program again.

According to the NVA data, in the period from January 1 to July 1, 2023, 267 Ukrainian civilians were involved in learning state language programs of various levels.⁹³ The most - 176 persons - have started

90 Source: Ministry of the Interior

91 Source: Ministry of Welfare

92 Source: Ministry of Welfare

93 Source: Ministry of Welfare

studies at the 1st level of the basic level (A1). Of all Ukrainian civilians who started training, 233 persons had completed their training (including 162 persons at the 1st level of the basic level (A1)).⁹⁴ Out of all those who completed the training, 104 persons had also passed the state exam at the National Centre for Education within the specified 90-day period after the completion of the training (108 persons had not passed the exam, but information about 21 persons had not yet been received). The current legal framework allows the unemployed to be involved in the national language learning program at the same level once a year, if the unemployed person does not pass the national language proficiency test of the given level.⁹⁵

2.3. Access to health care

Significant legislative changes that would affect the provision of health care services to Ukrainian civilians have not occurred in the specified time period. The National Health Service has faced challenges in ensuring access to a general practitioner, particularly for children. In order to improve the availability of general practitioners for children of Ukrainian civilians, the responsible employee of the territorial department of the National Health Service, upon receiving information about the need for a general practitioner for a child, comes to an agreement with the general practitioner on the provision of health care services for the specific child, then informs the child's parents about the general practitioner with whom an agreement has been reached.⁹⁶

During the research period, it was found that Ukrainian civilians had difficulties accessing health care due to their personal status in the register of health care service recipients. Civilians of Ukraine who have been granted temporary protection and who receive health care services under the Law on Assistance to Ukrainian Civilians are placed in the register of health care recipients in the status of "blocked", which prevents them from receiving services.⁹⁷

There have been cases where a Ukrainian civilian, who should be in the status of "blocked" in the register of recipients of health care services, is excluded from the register of recipients of health care services.⁹⁸ Such a situation tends to cause confusion both for the patients themselves and also for medical personnel who provide health care services. The mentioned challenge is addressed in each individual case by including the person in the register of recipients of health care services, as well as explaining to medical personnel that Ukrainian civilians have the right to receive state-paid health care services regardless of their status in the register of recipients of health care services.⁹⁹

94 Source: Ministry of Welfare

95 Source: Ministry of Welfare

96 Source: Ministry of Health

97 Source: Ministry of Health

98 Source: Ministry of Health

99 Source: Ministry of Health

2.4. Access to education

During the study period, there were no significant changes in legal acts, however, on May 23, 2023, the Cabinet of Ministers determined support in the amount of 1,800,000 euros for the organization of camps.¹⁰⁰ From May 2023 to December 1, the National Centre for Education is implementing the project "Support for Ukrainian and Latvian children and youth camps".¹⁰¹ Summer camps for children and youth are implemented in municipalities to provide psycho-emotional support, advance the learning of the Latvian language and promote the integration of children of Ukrainian civilians. Camps are organized for Grade 1 to 12 students, inviting 50% of Ukrainian and 50% of Latvian students.¹⁰² Camp programs for young people from Ukraine and Latvia offer both Latvian language lessons and various other types of events and creative activities that improve communication and interaction skills. At the same time, it is a way to promote social-emotional skills and strengthen psycho-emotional well-being, which is important for both Ukrainian and Latvian children and youth due to the geopolitical situation.¹⁰³

The Cabinet of Ministers has set aid of EUR 1 050,000 for non-formal education. From May 2023 to December 1, 2023, the National Centre for Education implements the program "Informal education activities, including Latvian language learning, for Ukrainian children and youth" with the aim of providing support to Ukrainian civilians - children and youth aged from 5 to 18 years, in order to reduce the psycho-emotional tension caused by the events of the war, as well as to strengthen the ethnic identity of Ukrainian children and their unity with the Ukrainian community living in Latvia.¹⁰⁴ In order to fully and successfully integrate and be included in the educational system and cultural environment of Latvia, the program offers activities and events for learning Latvian language skills.

The Ministry, in cooperation with the education administrations of the state cities and regions, has collected information about students who study only through distance education in Ukraine.¹⁰⁵ Observing the right of parents to freely choose an educational institution for their children stipulated in the Law on Education and the Law on Assistance to Ukrainian Civilians, the Ministry, in cooperation with local governments, the association "I want to help refugees" encourages parents of Ukrainian civilians to choose education in person in Latvia.

During the school year of 2022/2023, the ESF project "Support for the development of individual competences of learners" (8.3.2.2/16/I/001) provided support for the provision of teaching assistants. The teaching assistant provides support for work during lessons in classes with a large number of students

100 [Order on the reallocation of appropriations from the budget Resor to the budget of the Ministry of Education and Science - Latvian Vestnesis 296](#), [entered into force 23.05.2023.]

101 [Order on the reallocation of appropriations from the budget Resor to the budget of the Ministry of Education and Science - Latvian Vestnesis 296](#), [entered into force 23.05.2023.]

102 [Order on the reallocation of appropriations from the budget Resor to the budget of the Ministry of Education and Science - Latvian Vestnesis 296](#), [entered into force 23.05.2023.]

103 Source: Ministry of Welfare

104 [Order on the reallocation of appropriations from the budget Resor to the budget of the Ministry of Education and Science - Latvian Vestnesis 296](#), [entered into force 23.05.2023.]

105 Source: Ministry of Welfare

and pronounced linguistic diversity, in classes where there are students with insufficient knowledge of the national language, as well as providing additional support to groups of these students after school hours in order to provide maximum support in language learning.¹⁰⁶

An online platform was created in 2022: www.schooleducationgateway.eu for students studying in the distance learning program in Ukraine. The platform offers online learning materials in Ukrainian from 5th to 11th grade and for children of preschool age.

2.5. Access to social assistance

Social assistance is provided by the social services of local governments according to the same conditions set for the citizens of Latvia. Significant challenges in the provision of social assistance and its access to recipients of temporary protection have not been identified in the mentioned time period, but it is necessary to point out some problems found in the administration process.

Social assistance is provided to the client based on an assessment of his material resources - income and property. In accordance with the Cabinet Regulation of December 17, 2020 No. 809 "[Regulations Regarding the Assessment of the Material Situation of a Household and Receipt of Social Assistance](#)", the person must submit to the social services account statements of all persons living in the household from all credit institutions for the last three full calendar months. Social services sometimes face difficulties in assessing the material situation in situations where recipients of temporary protection do not present account statements in credit institutions of other countries. The databases available to social services do not reflect bank accounts in other countries.¹⁰⁷

It is not possible to ensure the availability of account statements for social services in the current situation, because the systems with which social services work show only bank and Latvian Postal Service current accounts registered in Latvia. Connecting access to foreign accounts requires significant systemic changes and additional funding. In order to solve this problem and prevent unjustified provision of social assistance to persons with sufficient income and savings, the social services ask the recipients of temporary protection to confirm in writing the absence of bank accounts in foreign countries in the application, and also inform the recipients of social assistance that in accordance with Article 39 of the Law¹⁰⁸ on Social Services and Social Assistance the social services can make a decision on the recovery of unreasonably paid social assistance benefits if it finds that the relevant benefit was unreasonably paid due to the client's fault, that is, the client provided false or incomplete information or did not notify of changes that could affect the right to benefits or their amounts.¹⁰⁹

106 Source: Ministry of Welfare

107 Source: Ministry of Welfare

108 [Law on Social Services and Social Assistance](#) – Latvian Vestnesis No 168 [entered into force 19.11.2002]

109 Source: Ministry of Welfare

3.

Vulnerable groups

3.1. Assistance to vulnerable groups of persons

In Latvia, the Law on Assistance to Ukrainian Civilians does not define what a vulnerable person is. However, the law stipulates that persons with disabilities; persons of retirement age according to the retirement age set in Latvia; persons who receive education in Latvia in person at a pre-school, basic education, general secondary or vocational secondary education institution or transfer to studies at the next level of education, obtain education at a higher education institution or continue their education in Ukraine through distance learning or remotely at a basic education, general secondary or vocational secondary education institution; for women registered as pregnant; one of the child's parents or an emergency guardian who takes care of the child up to the age of two; persons who provide childcare and care for a preschool-aged child and the child does not have the opportunity to attend a preschool educational institution; children of preschool age who do not have the opportunity to attend a preschool educational institution; persons transferred from a Ukrainian medical institution to an in-patient medical institution in Latvia within the framework of state-paid medical transportation and receiving health care services in accordance with the purpose of medical transportation, the state provides the primary support provided to Ukrainian civilians for longer than stipulated by law (from 60 to 120 days), but no longer than December 31, 2024.¹¹⁰

The law provides for the provision of primary assistance, which includes accommodation and benefits, until December 31, 2024, to persons belonging to one of the mentioned groups. All of these individuals must complete an application to qualify for the benefit.¹¹¹

3.2. Support for unaccompanied minors, separated children and children accompanied by Ukrainian guardians

In order to ensure the protection of the rights of an unaccompanied minor and to provide him or her with support, the chairperson of the Orphan's and Custody Court, the deputy chairperson of the Orphan's and Custody Court or a member of the Orphan's and Custody Court of the municipality in which the minor has arrived shall make a decision on the establishment of extraordinary guardianship and the appointment of an extraordinary guardian.¹¹²

110 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023]

111 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023]

112 Source: Ministry of Welfare

The Orphan's and Custody Court also makes a relevant decision if:

- parents have issued a power of attorney for child care to another person;
- the parents have arrived and verbally indicated to which person they entrust the children;
- the person accompanying the child is appointed as the child's guardian in Ukraine (or is another type of out-of-family care provider);
- the minor arrived unaccompanied with an adult sister/brother, etc.¹¹³

The decision is also made for a child who is not identifiable - that is, the child does not have identity documents.

An extraordinary guardian can be:

- the person to whom the unaccompanied minor arrives;
- a person who has been granted guardianship or adoptive status, foster family or guest family status in Latvia;
- the person with whom the minor arrived in Latvia unaccompanied.¹¹⁴

A challenge to the legislator and law enforcers – Orphan's and Custody Court.

Taking into account the large flow of Ukrainian refugees in the first year of the war caused by Russia, the competent authorities of Latvia, when deciding on the establishment of extraordinary guardianship for Ukrainian children or the reception of groups of children from Ukraine, did not verify and did not evaluate the documents at the disposal of the person accompanying the child or the person receiving the child, which could contain the authorization of child's parent or other legal representative of the child, in accordance with the regulatory framework of Ukraine to represent the child's rights and interests abroad or documents issued by the competent authority of Ukraine certifying the transfer of the child to out-of-family care in Ukraine and the legal representative during out-of-family care.¹¹⁵

However, according to international law, decisions made by Ukrainian institutions are binding and must be taken into account. Therefore, in order to normatively strengthen the decisions made by Ukrainian institutions regarding the child's out-of-family care and the recognition of authorizations issued by parents, as well as to improve the currently valid legal framework, including more strictly regulating the status of guardians and to ensure full-fledged supervision of guardianship and other forms of out-of-family care, Latvia has asked the embassy of Ukraine in Latvia to provide information about documents conforming to the national regulations of Ukraine, on the basis of which a person should be recognized as having the right to represent a child, as well as information about how out-of-family care of a child is regulated in national legislation of Ukraine and what are its supervision requirements.¹¹⁶ After receiving the response, Latvia has undertaken to review the national regulatory framework so that it meets the best interests of Ukrainian children and ensures targeted protection of their rights and interests.¹¹⁷

113 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023]

114 [Law on Assistance to Ukrainian Civilians](#). - Latvian Vestnesis 2022/240A.04, 12.12.2022. [entered into force 01.01.2023]

115 Source: Ministry of Welfare

116 Source: Ministry of Welfare

117 Source: Ministry of Welfare

A challenge to the supervisory authorities

Latvia's experience shows that currently a special situation arises when groups of children arrive as sports teams (or similar). According to the data of the State Inspectorate for Protection of Children's Rights, until August 22, 2023, the common register contains information on 512 children who came to Latvia in groups together with a coach, assistant coach, teacher, guardian or foster parents.¹¹⁸

For example, a youth football team (42 children) along with three coaches arrived in Latvia after being invited by a sports school to participate in a sports training camp (15 days) and were accommodated in accordance with Article 12 of the [Law on Assistance to Ukrainian Civilians](#).¹¹⁹ The parents of all the children in Ukraine had drawn up a notarial power of attorney for the representation of the children in the applicant's name, the Orphan's and Custody Court accordingly established extraordinary guardianship for each child and appointed an extraordinary guardian. After the end of the camp, when the children returned to Ukraine together with the coaches, the Orphan's and Custody Court made decisions on the termination of extraordinary emergency guardianship.¹²⁰

In total, from the beginning of 2023 until July 2023, three cases have been identified when children's sports teams with coaches who identified themselves as a group of refugees from the Ukrainian war arrived in Latvia from Ukraine.¹²¹ Local governments, in accordance with the Law on Assistance to Ukrainian Civilians, accommodate the teams and provide them with social support, including the payment of benefits, as for Ukrainian civilians who have entered the Republic of Latvia arriving from Ukraine due to the ongoing war there. In addition to the above-mentioned, the coaches of the sports team, using the rights provided for in the Law on Assistance to Ukrainian Civilians, submit an application to the municipal Orphan's and Custody Court, expressing the desire to become an extraordinary guardian for the children of the sports team, which in turn gives rise to the right to also receive compensation for the performance of extraordinary guardian duties and an allowance for each child's subsistence. The total amount of material support provided to one team is on average 15,000 euros. After receiving the mentioned support, the teams stay in the municipality for about one month, after which they leave the territory of the Republic of Latvia.¹²²

Concerns are expressed that the sports teams come to Latvia as part of a purposefully organized camp, and the identified cases could indicate a dishonest use of the support mechanism provided by the state.¹²³

At the same time, during an inspection in one such place of group accommodation, the State Inspectorate for Protection of Children's Rights concluded that the living conditions of the children are safe, the children are protected from possible violence, the living conditions are full-fledged, meaningful free time and appropriate classes and activities are planned and organized, children participate in decision-making.¹²⁴

118 Source: Ministry of Welfare

119 Source: Ministry of Welfare

120 Source: Ministry of Welfare

121 Source: Ministry of Welfare

122 Source: Ministry of Welfare

123 Source: Ministry of Welfare

124 Source: Ministry of Welfare

Also, the State Inspectorate for Protection of Children's Rights has information that 10 sports teams have been accommodated in one of the municipalities since the beginning of the war. Accommodation was provided in accordance with the accommodation places approved in the civil protection plan of the regional cooperation territory. The municipality covered the expenses from its own funds, which were compensated by the Ministry of Environmental Protection and Regional Development.¹²⁵

3.3. Prevention of trafficking in human beings

In 2023, more than 67,000 citizens of Ukraine entered the Republic of Latvia by crossing the external border, mostly persons are crossing the Republic of Latvia in transit (to return to Ukraine or to go to another EU country).¹²⁶ The majority came from Russia and Belarus. According to estimates, a total of approximately 35 thousand Ukrainian civilians could permanently reside in Latvia.¹²⁷ It should be noted that the prevention of trafficking in human beings is based on the prevention of various socio-economic risks, which is implemented within the framework of the temporary protection mechanism. The temporary protection mechanism appears to have been the most powerful tool to prevent trafficking in human beings.

During the development of the study, a close-knit community and strong so-called social control also served as a strong protective factor, for example, if an employer has mistreated an employee, this information quickly reaches Ukrainian jobseekers, for instance, through Telegram groups.¹²⁸

In 2023, most of the measures have taken place directly with the arrived persons, that is, on the border. For example, State Border Guard officials checked 3,266 persons and 15,565 vehicles in 2023.¹²⁹ Tents are pitched at the Grebņeva border crossing point, where the largest number of people enter. Most of the assistance is provided by non-governmental organizations, but the State Border Guard, involving the State Police, carries out control measures and patrols. At the same time, it should be pointed out that most of the arrivals are met by an already ordered transport to go further.

Information booklets with warning signs of suspicious situations and information on where to turn for help were distributed as part of the prevention of trafficking in human beings. The booklets were left over from 2022, new ones will be issued in 2023. Non-governmental organizations ("Centre MARTA" and association "Shelter "Safe House"") continued to provide assistance, and "Centre MARTA" provided training in the association on victim identification and referral at the end of 2022.¹³⁰ Additionally, the Ministry of the Interior, as part of the ELECT THB project, in April and May 2023, provided 4 trainings for Latvian specialists on human trafficking for the purpose of labour exploitation and sexual exploitation (detection, investigation,

125 Source: Ministry of Welfare

126 Source: Ministry of the Interior

127 Source: Ministry of the Interior

128 Source: Ministry of the Interior

129 Source: Ministry of the Interior

130 Source: Ministry of the Interior

prosecution), where the issue of the situation and risks related to Ukrainian civilians was also included.¹³¹

Looking at the prevention of trafficking in minors, it should be noted that until July 2023, 378 children were staying in Latvia for whom extraordinary guardianship was established and an extraordinary guardian was appointed.¹³² However, it is important to point out that most of these children have come to Latvia with grandparents, parents' friends or other relatives to whom this guardianship has been issued. In practice, cases where an unaccompanied minor arrives are very rare. In such a case, the law defines the procedure for granting custody of the child (only to persons who can be foster families).¹³³ Since such cases are few, there have been no major disruptions and it has been possible to ensure a quick procedure.

Until July 1, 2023, no cases of trafficking in human beings were identified. The State Police continues to monitor the situation both in connection with possible risks of sexual exploitation and in connection with labour or other forms of trafficking in human beings. European-wide information exchange platforms, such as the Europol UATF, where Member States can promptly exchange information available to the police, are very valuable.¹³⁴

131 Source: Ministry of the Interior

132 Source: Ministry of the Interior

133 Source: Ministry of the Interior

134 Source: Ministry of the Interior

Conclusions

Two types of challenges have been observed in Latvia when dealing with persons who claim to be fleeing the war in Ukraine, but are not subject to temporary protection status - 1) persons who enter the territory of Latvia without valid travel documents and 2) persons who, before the start of the war, stayed outside the territory of Ukraine or in the safe regions of Ukraine. Solutions have been found for these challenges:

- persons entering without valid documents are asked to contact the Embassy of Ukraine in Latvia, where their identity is confirmed;
- for persons who have stayed outside the territory of Ukraine or in the safe regions of Ukraine, personal cases are evaluated individually, requesting an explanation of the situation.

In 2022, a large number of residence permits and visas were issued, which created a disproportionate workload, so the challenge was to find a solution to extend the documents to ensure a timely extension of the documents. A law was passed that all residence permits issued in 2022 are automatically extended until 2024, and residence permits issued from January 1, 2023 are valid for two years. Automatically extended residence permits are valid in the territory of Latvia, they need to be renewed only if it is necessary to leave the country.

Compared to 2022, the main challenge in providing accommodation in 2023 is the need to move from primary short-term accommodation to long-term accommodation solutions for Ukrainian civilians and to promote the ability of Ukrainian civilians to provide housing for themselves in the long term. It is also one of the factors that prevents Ukrainian civilians from fully integrating into the Latvian labour market - lack of permanent residence. In cooperation with the State Employment Agency, it is planned to solve these two problems together. The State Employment Agency would match vacancies according to a person's qualifications throughout the territory of Latvia, looking in which regions long-term apartment rental or property to purchase is available.

Despite the large influx of Ukrainian civilians in the territory of Latvia, no cases of trafficking in human beings have been detected at the moment. Mainly, it can be said that it is the contribution of the community and the merit of the classes provided by NGOs. The State Police continues to monitor the situation both in connection with possible risks of sexual exploitation and in connection with labour or other forms of trafficking in human beings.

Latvia has faced many challenges related to the registration, accommodation and integration of Ukrainian civilians into Latvian society, however, each challenge has been addressed or there have been efforts to find the most successful solution to the specific problem. Despite the challenges, good practices have also been observed in Latvia, such as the provision of online learning materials for schoolchildren and preschool children, all Ukrainian civilians have the right to receive free primary health care, regardless of their status in the register of recipients of health care services, and all registered unemployed Ukrainians have the opportunity to take a free national language qualification exam at least once a year, if it has not been passed the first time.