

Law of Stateless Persons

The *Saeima* has adopted and the President has proclaimed the following law:

Law of Stateless Persons

Section 1

The purpose of this Law is to determine the legal status of such persons in the Republic of Latvia, as well as to determine the rights and obligation of such persons.

Section 2

(1) The status of a stateless person in the Republic of Latvia may be acquired by a person unless any other state according to its law has recognised this person as a citizen.

(2) The status of a stateless person may be acquired by a person who has lost the status of alien in the Republic of Latvia unless such a person does not have citizenship of any other state, as well as he or she has not been issued a warranty regarding receiving citizenship in accordance with the procedures prescribed by foreign legislative acts.

Section 3

(1) The status of a stateless person in the Republic of Latvia may not be acquired by a person if provisions of Convention Relating to the Status of Stateless Persons, adopted on 28 September 1954, cannot be applied to him or her.

(2) The status of a stateless person may not be acquired by a person who is the subject of 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.

Section 4

(1) In order to acquire the status of a stateless person, he or she shall submit to the Office of Citizenship and Migration Affairs (hereinafter - the Office) the following documents:

- 1) application;
- 2) personal identification document;
- 3) a document issued by a foreign competent authority designated by the Office confirming that a person is not a citizen of the respective state and the citizenship of this state is not guaranteed for him/her, or a documentary confirmation that it is not possible to receive such a document.

(2) if a person, for reasons independent of him or her, cannot submit any of the documents referred to in Paragraph one, Clause 2 or 3 of this Section, an official authorised by the Head of the Office based on the documentary confirmed information at the Office disposal, shall take the decision whether to consider or decline to consider a person as a stateless person.

Section 5

(1) The decision whether to consider or decline to consider a person as a stateless person shall be taken by an official authorised by the Head of the Office within three months of submission of the documents referred to in Section 4. An official authorised by the Head of the Office, if necessary, shall request a person to submit additional documents or information.

(2) An official authorised by the Head of the Office due to sound reason can prolong the decision-making term referred to in Paragraph 1 of this Section up to one month.

(3) A person shall have the right to challenge the decision referred to in Paragraph two of this Section by submitting respective application to the Head of the Office.

(4) A person shall have the right to appeal the decision made by the Head of the Office to a court.

Section 6

(1) A stateless person shall reside in the Republic of Latvia in accordance with the procedures prescribed by Immigration Law.

(2) A stateless person lawfully residing in the Republic of Latvia shall have the right to receive the travel document of a stateless person in accordance with the procedures prescribed by the Law On Personal Identification Documents.

(3) A stateless person who has immigrated to the Republic of Latvia and cannot prove that he or she lawfully resides in the territory of Latvia, can be issued a travel document of a stateless person in accordance with the provisions of Convention Relating to the Status of Stateless Persons, adopted on 28 September 1954.

Section 7

(1) While residing in the Republic of Latvia, a stateless person has an obligation to comply with the regulatory acts of Latvia.

(2) A stateless person who lawfully resides in the Republic of Latvia shall have the rights prescribed by Law On Convention Relating to the Status of Stateless Persons adopted on 28 September 1954.

Section 8

(1) A person shall lose the status of a stateless person in Latvia if he or she has obtained the citizenship of Latvia or another state.

(2) A person shall lose the status of a stateless person in Latvia if he or she has knowingly provided false information and thus in accordance with this Law and the provisions of Law On Convention Relating to the Status of Stateless Persons adopted on 28 September 1954, has without reason acquired the status of a stateless person.

(3) An official authorised by the Head of the Office shall take the decision regarding revocation of the status of a stateless person within a month, starting from the day the conditions referred to in Paragraph two of this Section are notified.

(4) An official authorised by the Head of the Office due to sound reason can prolong the respective decision-making term up to one month.

(5) A person shall have the right to challenge the decision regarding the loss of the status of a stateless person by submitting a respective application to the Head of the Office.

(6) A person shall have the right to appeal the decision to a court regarding the loss of the status of a stateless person made by the Head of the Office.

Transitional Provisions

1. With the coming into force of this Law, the Law On the Status of Stateless Persons in the Republic of Latvia (*Latvijas Republikas Saeimas un Ministru Kabineta Zinotajs*, 1999, No.6) shall be repealed.

2. Persons who have received a personal identification document of a stateless person in the Republic of Latvia prior to coming into force of this Law, on issuing a new travel document of a stateless person shall be issued the permanent residence permit in the Republic of Latvia as well.

3. Applications regarding granting the status of a stateless person which are submitted to the Office of Citizenship and Migration Affairs and regarding which the decision has not yet been taken until the date of coming into force of this Law, shall be examined and respective decision shall be made in accordance with the procedures prescribed by this Law.

This Law was adopted by the *Saeima* on 29 January, 2004.

Acting for the President

Chairperson of the *Saeima* *I.Udre*

Riga, February 17, 2004

Editorial note: the law comes into force on March 2, 2004.