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The Saeima¹ has adopted
and the President has proclaimed the following Law:

Law On Stateless Persons

Section 1.

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

Section 2.

(1) A person may be recognised as a stateless person in the Republic of Latvia if some other state has not recognised the person as a citizen thereof in accordance with the laws of such state.

(2) A person who has lost the status of a non-citizen of Latvia shall be recognised as a stateless person if he or she does not have citizenship of any other state and has not been issued a guarantee in accordance with the procedures specified in the legislation of other countries regarding granting of citizenship.

Section 3.

(1) A person may not be recognised as a stateless person in the Republic of Latvia if the provisions of 28 September 1954 Convention Relating to the Status of Stateless Persons do not apply to the person.

(2) A person who is a subject of the Law On Status of the Former USSR Citizens Who Do Not Have the Citizenship of Latvia or that of any Other State may not be recognised as a stateless person.

Section 4.

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

- 1) an application;
- 2) a personal identification document;
- 3) a document issued by a foreign competent authority determined by the Office certifying that the person is not a citizen of the relevant state and he or she is not guaranteed the citizenship thereof, or documentary evidence that it is not possible to obtain such a document.

(2) If a person is not able to submit any of documents referred to in Section 4, Paragraph one, Clauses 2 and 3 due to reasons beyond his or her control, an official authorised by the head of the Office shall take a decision to recognise or to refuse recognition of a person as a stateless

¹ The Parliament of the Republic of Latvia

person on the basis of the documentary confirmed information which is at the disposal of the Office.

Section 5.

(1) A decision regarding recognition or refusal to recognise a person as a stateless person shall be made by an official authorised by the head of the Office within a time period of three months after the submission of documents referred to in Section 4 of this Law. If necessary, the official authorised by the head of the Office shall require the person to submit additional documents or information.

(2) Due to a justified reason an official authorised by the head of the Office may extend the time period of taking the decision referred to in Paragraph one of this Law for a period up to one month.

(3) A person is entitled to dispute the decision referred to in Paragraph two of this Section by submitting a relevant application to the head of the Office.

(4) A person is entitled to appeal against the decision of 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 the Immigration Law.

(2) A stateless person who resides in the Republic of Latvia legally is entitled to receive a travel document of a stateless person in accordance with the procedures prescribed in the Personal Identification Document Law.

(3) A stateless person who has immigrated into the Republic of Latvia and is not able to prove that his or her residence in this State is legal, may be issued a travel document of a stateless person in accordance with the provisions of the 28 September 1954 Convention relating to the Status of Stateless Persons.

Section 7.

(1) The duty of a stateless person residing in the Republic of Latvia is to observe the requirements of the regulatory enactments of the Republic of Latvia.

(2) A stateless person who resides in the Republic of Latvia legally has the rights specified in the 28 September 1954 Convention Relating to the Status of Stateless Persons.

Section 8.

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

(2) A person shall be deprived of a stateless person status if he or she has provided false information and thus in accordance with the provisions of this Law and the 28 September 1954 Convention Relating to the Status of Stateless Persons has obtained the status of a stateless person unjustifiably.

(3) A decision of an official authorised by the head of the Office regarding the deprivation of status of a stateless person shall be taken within a period of one month beginning with the day when circumstances referred to in Paragraph two of this Section have become known.

(4) Due to a justified reason an official authorised by the head of the Office may extend the time period of taking the decision referred to in Paragraph three of this Section of this Law for a period up to one month.

- (5) A person is entitled to dispute a decision regarding the deprivation of status of a stateless person by submitting a relevant application to the head of the Office.
- (6) A person is entitled to appeal against a decision of the head of the Office regarding the deprivation of status of a stateless person to a court.

Transitional Provisions

1. The Law On Status of Stateless Persons in the Republic of Latvia (*Latvijas Republikas Saeimas un Ministru Kabineta Ziņotājs*, 1999, No. 6) is repealed with the coming into force of this Law.
2. Persons who have received a document certifying the status of a stateless person prior to coming into force of this Law shall be issued a permanent residence permit in the Republic of Latvia, at the same time, a new travel document of a stateless person shall be issued.
3. Applications regarding the determination of status of a stateless person which are submitted to the Citizenship and Migration Department and for which a decision has not been taken by the day of coming into force of this Law, shall be examined and the decision shall be taken in accordance with the procedures specified by this Law.

This Law has been adopted by the *Saeima* on 29 January 2004.

Acting for the President,
Chairperson of the *Saeima*

I. Ūdre

Rīga, 17 February 2004