

Asylum Seeking

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Guidance for asylum seekers in Latvia

Asylum is the right of a third-country national or a stateless person to reside in the Republic of Latvia and receive its legal protection in accordance with the provisions of the Asylum Law and other legislative acts.

Who is an asylum seeker?

A person who has submitted an application for the granting of a refugee or alternative status shall be considered to be an asylum seeker in the Republic of Latvia.

The refugee status may be granted if a person has a well-founded fear of persecution in his/her country of citizenship or in the previous country of residence

(if the person is a stateless person) on grounds of:

- race,
- religion,
- nationality,
- social background,
- political affiliation.

The alternative status may be granted to a person if there are grounds to believe that:

- the person is subject to the death penalty or corporal punishment, torture, inhuman or degrading treatment or degrading punishment in the country of citizenship or in the previous country of residence (if the person is a stateless person);
- the person needs protection and cannot return to his/her country of citizenship or previous country of residence (if the person is a stateless person) due to external or internal armed conflicts.

Temporary protection may be granted to a group of persons who have left their country due to ethnic conflicts or civil war. Temporary protection gives the right to reside in the Republic of Latvia for a certain period of time. The issue of granting temporary protection is decided by the Cabinet of Ministers.

Who can apply for the refugee or alternative status?

Any person, except citizens of the Republic of Latvia, non-citizens and persons who have received the status of a stateless person

in Latvia, may apply for the refugee or alternative status. However, the person must have a justified reason (*see above*) to receive one of the abovementioned statuses.

How to apply for the refugee or alternative status?

The person must submit an application to the State Border Guard at a border control point or its territorial structural unit.

After the submission of the application, the representatives of the State Border Guard carry out interview with the asylum seeker. The reasons for the need for asylum are clarified during the interview. In order to clarify issues relevant to the decision to grant or refuse the refugee or alternative status, the asylum seeker is obliged to cooperate with the institutions involved in the asylum granting process and to provide all information in his/her possession that is relevant for the decision.

If the person has no legal grounds to stay in Latvia, for example, a valid visa or residence permit, the person is accommodated in the Asylum Seekers Accommodation Center "Mucenieki" during the claim examination.

How long does it take to make a decision?

The decision is made within 3 months (the examination period can be extended to 12 months for justified reasons), and the person is notified immediately. The asylum seeker has the right to appeal a negative decision of the Asylum Affairs Department to the Administrative District Court.

What document is issued to the asylum seeker, the refugee and the person who has been granted the alternative status?

During the asylum granting process, the State Border Guard issues the asylum seeker's identity document to the person. It gives the right to stay in the asylum seeker's accommodation center and go outside the center with the permission of the administration.

The refugee is issued a permanent residence permit and a travel document, which is also an identity document.

The person who has been granted the alternative status is issued a temporary residence permit. If the person who has been granted the alternative status does not have a valid identity and travel document and it is not possible to obtain it, a travel document shall be issued to him/her.

What are the rights of the refugee and the person granted the alternative status?

The person who has been granted the refugee or alternative status is subject to economic, social, personal and other rights and freedoms, as well as obligations included in Chapter 8 "Fundamental Human Rights" of the Satversme. The refugee and the person who has been granted the alternative status have the right to family reunification as well as the right to receive allowance. In addition to the abovementioned rights, the refugee has the right to leave and return freely to Latvia and receive an allowance for learning the official language.

Asylum seeker centre

Statistics on asylum seekers until 2021

Number of asylum seeking

Rights of refugees and persons who have been granted alternative status in Latvia

Useful information for asylum seekers, refugees and persons with alternative status

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<https://www.pmlp.gov.lv/en/asylum-seeking>