

Asylum granting procedure in Latvia

Published: 13.10.2020.

Updated: 13.07.2021.

The rights of persons to receive asylum in the Republic of Latvia, the rights to obtain the status of a refugee or an alternative status or to obtain temporary protection are provided for by [The asylum Law](#).

A third country national or a stateless person, who are located outside their country of origin may request an asylum in the Republic of Latvia.

An application for the granting of a refugee or alternative status in Latvia can be submitted in person to the State Border Guard at the border crossing point or a transit area before the entry to Latvia or at any territorial structural unit of the State Border Guard, if the person is located in Latvia.

The asylum seeker must submit the documents at their disposal to the State Border Guard before the moment, when the final decision is made, except for the cases, where the person has other legal grounds to reside in Latvia, for instance, a valid visa or a residence permit. The asylum seeker, who is not detained, shall be issued a personal ID document of an asylum seeker by the State Border Guard.

In the Republic of Latvia, the application for the granting of a refugee or alternative status is examined by the Asylum Affairs Department of the Office of Citizenship and Migration Affairs.

After the receipt of the documents submitted by the asylum seeker from the State Border Guard, the Asylum Affairs Department of the Office of Citizenship and Migration Affairs shall make the decision on the acceptance of the application of the asylum seeker for examination within 10 business days, if the asylum seeker resides in the territory of Latvia, indicating date, time and place, where a personal interview with the asylum seeker will be held in the decision.

The personal interview with the asylum seeker must be held within one month after the making of the aforementioned decision and it is performed by the employees of the Office of Citizenship and Migration Affairs.

The Asylum Affairs Department of the Office of Citizenship and Migration Affairs must make the decision on the granting of the refugee or alternative status or the refusal to grant one within three months after the personal interview with the asylum seeker, however, the decision on the granting of the refugee or alternative status must be taken no later than within a total of six months after the request of asylum was made.

The period of decision making may be extended by nine more months and, thus, the total decision-making period may reach as much as 15 months.

The status of a refugee may be granted, if a person has justified fear of persecution in the country of their citizenship or the previous country of residence due to:

- race,
- religion,
- ethnic origin,
- social class,
- political affiliation.

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

- the person is in danger of a death sentence or corporal punishment, torture, inhuman or degrading attitude or degrading

punishment in their country of citizenship or previous country of residence;

the person requires protection due to international or internal armed conflicts and cannot return to their country of citizenship or previous country of residence.

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

In individual cases provided for by *Section 33 of the Asylum Law*, the decision on the case of an asylum seeker to grant or to refuse granting of a refugee or alternative status according to accelerated procedures can be made, i.e., within 20 business days from the date, when the personal interview was conducted.

For more information on the periods of decision making, see *Section 29 of the asylum Law*

<https://www.pmlp.gov.lv/en/asylum-granting-procedure-latvia>