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EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

REPUBLIC OF LATVIA
SUPREME COUNCIL

R E S O L U T I O N

"On the renewal of Republic of Latvia citizens' rights
and fundamental principles of naturalisation"



TRANSLATION

Republic of Latvia Supreme Council Resolution

"On the renewal of Republic of Latvia citizens' rights and fundamental principles of naturalization"

Although the Republic of Latvia was occupied on June 17, 1940 and the state lost its sovereign power, the aggregate body of Republic of Latvia citizens, in accordance with the Republic of Latvia "Law about citizenship" of August 23, 1919, continues to exist.

As a result of the long-standing internationally illegal annexation of Latvia's territory, a large number of USSR citizens, whose entry and residency have not been accepted by any treaty between the Republic of Latvia and the USSR, have settled in Latvia.

To eliminate the consequences of the USSR's occupation and annexation of Latvia and to renew the legal rights of the aggregate body of Republic of Latvia citizens,

The Republic of Latvia Supreme Council resolves:

1. To recognize as invalid with regard to Republic of Latvia citizens, from the moment of its adoption, the USSR Supreme Soviet Presidium decree of September 7, 1940 "On the order in which the Lithuania, Latvia and Estonia Soviet Socialist Republic citizens are granted USSR citizenship".

2. To institute the following order to determine the existing aggregate body of Republic of Latvia citizens:

2.1. Persons, who belong to the aggregate body of Republic of Latvia citizens and who had Republic of Latvia citizenship on June 17, 1940 and their descendants, who at the moment of this resolution's adoption live in the Republic of Latvia, who register by July 1, 1992, and who receive Republic of Latvia passports according to the procedures set forth by the Republic of Latvia Council of Ministers.

2.2. Persons, who belong to the aggregate body of Republic of Latvia citizens and who had Republic of Latvia citizenship on June 17, 1940 and their descendants, who at the moment of this resolution's adoption do not live in the Republic of Latvia or are citizens of another country, can at any time register and, if they show their permission of expatriation, can receive Republic of Latvia passports according to the procedures set forth by the Republic of Latvia Council of Ministers.

2.3. A Republic of Latvia citizen cannot simultaneously be a citizen of another country.

3. To establish the following fundamental principles for naturalization:

3.1. The Republic of Latvia Supreme Council Presidium, on the basis of regulations adopted by the Republic of Latvia Supreme Council, can grant Republic of Latvia citizenship to persons with outstanding accomplishments which benefit the Republic of Latvia.

3.2. At the moment this resolution takes effect, those persons living and permanently registered in Latvia who, not having Republic of Latvia citizenship, had legally entered into Republic of Latvia territory and had resided permanently in Latvia on June 17, 1940 and their descendants, who at the moment this resolution takes effect, live and are permanently registered in Latvia, who register by July 1, 1992 and, if they have lost their former citizenship, will upon their request be granted Republic of Latvia citizenship.

This subsection does not apply to persons who arrived in Latvia in accordance with the October 5, 1939 Mutual Assistance Pact between Latvia and the Union of Soviet Socialist Republics.

3.3. Persons, who, in accordance with section 1 of the August 23, 1919 "Law about citizenship", could have claimed Latvian state citizenship, and their descendants, who, at the moment this resolution takes effect, live in the Republic of Latvia, who register by July 1, 1992 and upon their request, can be granted Republic of Latvia citizenship, if they forfeit their former citizenship and have learned the Latvian language at a conversational level.

3.4. Persons who are not included in the categories described in subsections 2.1., 2.2., 3.1., 3.2., 3.3. of this resolution and who, at the moment this resolution takes effect, live and are permanently registered in Latvia, and who register by July 1, 1992, can be granted Republic of Latvia citizenship in the order determined by the Republic of Latvia law, "About citizenship," if they:

1) have learned the Latvian language at a conversational level, which examination shall be determined by specific regulations adopted by the Republic of Latvia Supreme Council;

2) submit an application renouncing their previous citizenship and have received permission of expatriation from that country, if such is required by that country's law;

3) at the moment this resolution takes effect, have lived and have been permanently-registered residents of Latvia for no less than 16 years;

4) know the fundamental principles of the Republic of Latvia Constitution; and

5) have sworn a citizen's oath to the Republic of Latvia.

To be granted citizenship, all the above requirements and those of subsection 3.5 must be met.

3.5. Republic of Latvia citizenship is not granted to persons who:

1) using anti-constitutional methods have turned against the Republic of Latvia's independence, its democratic, parliamentary state system or the existing state power in Latvia, if such has been established by a court decree;

2) have been convicted with imprisonment for intentional criminal acts or have been called to criminal responsibility at the time that the granting of citizenship is being decided;

3) are serving in the USSR Armed Forces, USSR Interior Armed Forces or state security services, as well as persons who after June 17, 1940 have chosen the Republic of Latvia as their place of residence after demobilization from the USSR Armed Forces, USSR Interior Armed Forces or

state security services and who, upon induction into such service, did not permanently reside in Latvia's territory;

4) have committed crimes against humanity, international or war crimes or have also participated in mass repressions, if such has been established in a court decree;

5) spread chauvinism, fascism, communism or other totalitarian, as well as social class dictatorial ideas, inflame national and racial discord or hatred, if such has been established in a court decree;

6) have been sent into Latvia after June 17, 1940 as USSR Communist Party and Komsomol personnel;

7) are registered in medical institutions for drug addicts and/or chronic alcoholics;

8) live without a legal source of income.

3.6. Naturalization, excluding the matters described in subsections 3.1. and 3.2. of this resolution, will begin no sooner than July 1, 1992 and will be accomplished in accordance with the Republic of Latvia law "About citizenship".

4. This resolution takes effect upon its adoption.

Deputy Chairman of the Supreme Council
of the Republic of Latvia

Andrejs Krastins

Acting Secretary of the Supreme Council
of the Republic of Latvia

Aivars Endzins

Riga October 15, 1991

The authenticity of the translation is confirmed by
Secretary of the Supreme Council
of the Republic of Latvia.

Imants Daudiss