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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

**REPUBLIC OF LATVIA**

**LAW ON CITIZENSHIP**  
**as passed at the reading on 22 July 1994**

The Saeima has adopted and  
the President of the State has declared:

## LAW ON CITIZENSHIP

### Chapter One.

#### GENERAL

**Terms used in the Law:**

- |                  |   |  |
|------------------|---|--|
| Alien            | - | citizen (subject) of a foreign state.                                    |
| Stateless person | - | person with no citizenship (a person who is not a subject of any state). |
| Dual citizenship | - | a person's possession of citizenship in more than one state.             |
| Naturalization   | - | granting of citizenship.   |
| Descendants      | - | relatives by directly descending line                                    |

#### Article 1. Latvian Citizenship.

(1) Latvian citizenship is a permanent legal connection of a person to the state of Latvia.

(2) The substance of Latvian citizenship is the total complex of mutually interconnected rights and obligations of the citizen and the state.

#### Article 2. Possession of Citizenship of Latvia.

Citizens of Latvia are:

- 1) Persons who were citizens of Latvia on June 17, 1940, and their descendants registered according to the procedures established by the law, except persons who

have become citizens (subjects) of another state after May 4, 1990.

2) Persons who have been naturalized or have obtained citizenship of Latvia in another manner according to procedures determined by law;

3) Children found on the territory of Latvia whose parents are not known;

4) Children with no parents who live in an orphanage or a boarding school of Latvia;

5) Children both of whose parents were citizens of Latvia on the day of birth of such children irrespective of the place of birth of the children.

### **Article 3. Citizenship of a Child if One of its Parents is a Citizen of Latvia.**

(1) If one of the parents of a child was a citizen of Latvia on the day of the birth of the child, while the other parent was an alien, the child shall be a citizen of Latvia if it:

1) was born in Latvia;

2) was born outside Latvia while the place of permanent residence of its parents, or of the parent with whom the child lives, was in Latvia on the date of the birth of the child;

(2) In the cases listed above parents can, upon mutual agreement, choose the citizenship of another state (other than Latvia) for the child.

(3) If, on the day of the child's birth, one parent was a citizen of Latvia and the other parent was an alien and the permanent residence of both parents was outside Latvia, then the child's citizenship shall be decided upon the mutual agreement by the parents;

(4) If, on the day of the child's birth, one parent was a citizen of Latvia and the other parent was stateless or was unknown, then the child shall be a citizen of Latvia regardless of his/her place of birth.

#### **Article 4. Equality of Citizens of Latvia.**

Rights and obligations of citizens of Latvia are equal irrespective of the manner in which citizenship was obtained.

#### **Article 5. The Right to Retain Citizenship of the Republic of Latvia when Contracting Marriage.**

(1) A marriage contracted by a citizen of Latvia with an alien or a stateless person, and the dissolution of such a marriage, shall not cause a change of citizenship of citizens of Latvia.

(2) Acquisition or loss of Latvian citizenship by one of the spouses shall not cause a change of citizenship of the other spouse.

#### **Article 6. Retention of Latvian Citizenship by Persons Residing outside the Territory of Latvia.**

Residence outside the territory of Latvia shall not cause loss of Latvian citizenship by citizens of Latvia irrespective of the term of such residence, except in cases provided for by this law.

#### **Article 7. Protection of Citizens of Latvia abroad.**

Citizens of Latvia abroad shall enjoy the protection of the State of Latvia.

#### **Article 8. Inadmissibility of Extradition to Foreign Countries, and Expulsion from the State of Citizens of Latvia.**

(1) The Republic of Latvia shall not extradite its citizens to a foreign state.

(2) Citizens of Latvia shall not be expelled from Latvia.

### Article 9. Dual Citizenship.

(1) Persons taking Latvian citizenship shall not have dual citizenship.

(2) If a citizen of Latvia simultaneously can be considered a citizen (subject) of a foreign state according to the laws of that state, he/she shall be considered solely a citizen of Latvia regarding his/her juridical relations with the Republic of Latvia.

## Chapter Two.

### REGULATIONS AND PROCEDURES FOR NATURALIZATION

Article 10. The Right to Obtain Latvian Citizenship through Naturalization.

A person can be granted Latvian citizenship through naturalization upon his/her request.

### Article 11. Restrictions on Naturalization.

(1) Latvian citizenship shall not be granted to persons who:

1) have turned against the independence of the Republic of Latvia, the democratic parliamentary state system, or the existing state authority in Latvia using unconstitutional methods, if such has been established by a court decree;

2) propagated fascist, chauvinist, national-

socialist, communist, or other totalitarian ideas or stirred up ethnic or race hatred or discord after May 4, 1990, if such has been determined by a court decree;

3) are officials of institutions of a foreign state authority or of foreign state administrative or law enforcement bodies;

4) serve in the armed forces, internal forces, security service, or the police (militia) of a foreign state.

5) have chosen the Republic of Latvia as their place of residence directly after June 17, 1940, after being demobilized from the Armed Forces of the USSR (Russia), or the Internal Armed Forces of the USSR (Russia), and who were not permanently residing in Latvia on the date of their conscription or enlistment. These restrictions shall not apply to persons listed in Part (1), Paragraph 1), 6) and 7) and in Part (5) of Article 13 herein.

6) are former employees, informers, or agents or were in charge of conspiratory premises of the USSR (LSSR) KGB or of other foreign security service, intelligence service, or other special service, if such has been determined in accordance with the procedures established by law;

7) have been sentenced in Latvia or any other state to imprisonment for a term exceeding one year for an intentional crime, which was considered a crime also in Latvia at the time of the coming into force of this Law;

8) have undertaken activities directed against the Republic of Latvia as members of the CPSU(CPL), the International Front of the Working People of the Latvian SSR, the United Council of Labor Collectives, the Organization of War and Labor Veterans, the All-Latvian Committee for Social Salvation or its regional committees after January 13, 1991.

(2) If criminal proceedings have been initiated against a person who has submitted an application for naturalization, then the application shall not be reviewed before a final decree has been issued by the Court.

## Article 12. General Regulations for Naturalization.

(1) Latvian citizenship through naturalization shall be granted only to persons who are registered in the Register of Inhabitants and:

1) whose place of permanent residence on the date of submission of their application has been in Latvia for at least five years counting from May 4, 1990 (for persons who arrived in Latvia after July 1, 1992, the five-year term shall be counted from the date of the issuance of their permanent residence permit);

2) who have a command of the Latvian language;

3) who know the basic principles of the Satversme of the Republic of Latvia and "Constitutional Law: The Rights and Obligations of a Citizen and a Person";

4) who know the text of the National Anthem and the history of Latvia;

5) who have a legal source of income;

6) who have taken an oath of loyalty to the Republic of Latvia;

7) who have submitted a statement of renunciation of their former citizenship and have received an expatriation permit from the state of their former citizenship if such permit is provided for by the laws of that state, or have received a document certifying loss of citizenship;

8) who are not subject to restrictions on naturalization listed in Article 11 herein.

(2) Only persons meeting all the requirements listed in Part (1) of this Article shall be granted citizenship through naturalization.

(3) Regulations listed in Paragraph 7) of Part 1 of this article shall not apply to former USSR citizens who permanently resided in Latvia on May 4, 1990 and who have no other citizenship. A statement of renunciation of the previous citizenship, an expatriation permit, or a document certifying loss of citizenship should be submitted after a person has been officially notified that there are no obstacles against granting him/her Latvian citizenship.

(4) The procedure for testing knowledge of the Satversme of the Republic of Latvia and the principles of "Constitutional Law: The Rights and Obligations of a Citizen and a Person", the text of the National Anthem and the history of Latvia shall be determined by regulations issued by the Cabinet of Ministers.

(5) Upon submitting an application for naturalization a person shall pay a state fee that shall be determined by the Cabinet of Ministers.

(6) Persons whose applications for citizenship have been denied can apply again one year after the decision was taken.

### **Article 13. Extraordinary Naturalization.**

(1) After this Law comes into force, Latvian citizenship can be individually granted to persons,

1) one of whose parents is a Latvian or a Liv and who permanently resides in Latvia or has repatriated to Latvia, and spouses who have been married to them for at least ten years;

2) who were former USSR citizens and their descendants, permanently residing in Latvia on the date this Law came into force, and who were entitled to Latvian citizenship in accordance with Article 1 of the "Law on



Citizenship" of August 23, 1919, but have not exercised such right, and their spouses who have been married to them for at least ten years;

3) who legally entered Latvia and permanently resided there on June 17, 1940, and the descendants of such persons who permanently resided in Latvia on the date this Law comes into force (conditions listed in this paragraph shall not apply to persons who entered Latvia in accordance with the Mutual Assistance Pact between Latvia and the USSR of October 5, 1939);

4) who were forcibly transferred to Latvia by the German occupation regime between 1941 and 1945 and who stayed in Latvia after the end of the occupation regime, and the descendants of those persons who permanently resided in Latvia on the date this Law comes into force;

5) who have acquired a general education at a school with the Latvian language as the language of instruction and who have permanently resided in Latvia for at least 5 years as of the date of applying for naturalization;

6) who were citizens of Lithuania and Estonia on June 17, 1940 and descendants of those persons if they or their descendants have permanently resided in Latvia for at least 5 years as of the date of applying for naturalization;

7) who have been married to a citizen of Latvia for at least 10 years and have permanently resided in Latvia for at least 5 years as of the date of applying for naturalization;

8) who have excellent command of the Latvian language in compliance with requirements adopted by the Cabinet of Ministers.

(2) Persons who meet at least one of the requirements listed in Part 1 of this Article can enjoy extraordinary naturalization.

8) Starting from January 1, 2003, applications by other persons.

(2) Applications for naturalization by persons listed in Paragraphs 1)-7) of Part (1) of this Article shall be reviewed in the order of their submission.

(3) The order of review of applications submitted by persons listed in Paragraph 8) of Part (1) of this Article shall be determined by giving precedence to applicants who have been residing in Latvia for the longest term.

(4) Amendments to this Article aimed at expediting naturalization or amendments to Part (4) of this Article shall come into force not earlier than after one year after their adoption.

#### Article 15. Naturalization of Children.

(1) Naturalized persons' under-age children permanently residing in Latvia shall obtain Latvian citizenship with those persons. This also shall be applied to adopted children and children born out of wedlock. Provisions of Article 12 of this Law shall not apply to under-age children receiving Latvian citizenship.

(2) Should one of the parents become naturalized and the other remain an alien, their under-age child shall obtain Latvian citizenship if:

1) the parents have agreed upon it; [or]

2) the parents have not agreed upon it but the child's place of permanent residence is Latvia;

(3) Should an under-age alien (stateless person) be adopted by a married couple where one of the spouses is a citizen of the Latvian state while the other one is an alien, the child shall obtain Latvian citizenship if:

- 1) the adoptive parents agree upon it; [or]
- 2) the child's place of permanent residence is Latvia.

(4) Should an adoption be canceled the citizenship of the child can be changed.

**Article 16. The Necessity of Approval of an Under-Age Child for Change of its Citizenship.**

(1) Citizenship of a 14 to 18 year old under-age child shall be changed in accordance with its parents' (adoptive parents') citizenship only upon its written approval.

(2) Should an under-age child's citizenship be changed in accordance with the parents' (adoptive parents') citizenship without the written approval of the under-age child, it shall enjoy the right to restore Latvian citizenship within one year after coming of age irrespective of the term of residence in Latvia.

(3) Should a marriage be contracted between a citizen of Latvia and an alien, and should the child obtain foreign citizenship, requirements listed in Paragraph 1) of Part (1) of Article 12 of this Law shall not apply to its naturalization upon its coming of age.

**Article 17. The Procedure for Receipt and Review of Applications for Naturalization.**

(1) Application for naturalization shall be received and reviewed by the Ministry of Interior.

(2) The procedure for reception and review of an application for naturalization shall be determined by regulations set by the Cabinet of Ministers. An application shall be reviewed and a response shall be provided not later than one year from the date of submission of all documents required by the regulations set by the Cabinet of Ministers.

(3) Refusal by the Ministry of Interior of naturalization can be appealed to the courts.

### **Article 18. Oath of Loyalty to the Republic of Latvia Sworn upon Acquiring Latvian Citizenship.**

All persons granted Latvian citizenship shall sign the following oath of loyalty of the Republic of Latvia:

"I (name, surname), born (date and place of birth) vow to be loyal solely to the Republic of Latvia.

I undertake to honestly abide by the Republic of Latvia Satversme and laws and to spare no efforts to protect them.

I undertake, without regard to my life, to defend the independence of the State of Latvia, to live and work honestly in order to augment the prosperity of the state and the people of Latvia."

## **Chapter Three.**

### **THE PROCEDURE FOR TESTING COMMAND OF THE LATVIAN LANGUAGE**

**Article 19. Commissions for the Testing of the Command of the Latvian Language.**

The command of the Latvian language by persons being naturalized shall be tested by commissions appointed by the Cabinet of Ministers; the activities of the commission shall be regulated by regulations issued by the Cabinet of Ministers.

**Article 20. The Level of Command of the Latvian Language.**

A person shall be regarded as having a command of the Latvian language if he/she:

1) fully understands information of an everyday and official nature;

2) can freely speak, discuss, and answer questions on subjects of an everyday nature;

3) can fluently read and understand any text of an everyday nature, laws and other normative acts, instructions and directions of an everyday nature;

4) is able to write an exposition on a everyday theme.

#### **Article 21. Persons Exempt from the Test for Command of the Latvian Language.**

When reviewing applications for naturalization the following persons shall be exempt from the test for command of the Latvian language:

1) persons who have acquired a general education at a school with the Latvian language as the language of instruction;

2) persons having a category 1 invalid status, if such status has been permanently conferred upon them.

### **Chapter Four.**

#### **LOSS AND RESTORATION OF LATVIAN CITIZENSHIP**

##### **Article 22. Loss of Latvian Citizenship.**

The reason for loss of Latvian citizenship can be:

1) Renunciation of citizenship;

2) Deprivation of citizenship.

### Article 23. Renunciation of Latvian Citizenship.

(1) Every person having citizenship of another state or being guaranteed citizenship of another state has the right to renounce the Latvian citizenship.

(2) An application for renunciation can be declined if:

1) the person has not fulfilled his/her obligations to the state;

2) the person has not accomplished mandatory state services.

(3) A decision to deny an application for renunciation can be appealed to the courts.

### Article 24. Deprivation of Latvian Citizenship.

(1) Latvian citizenship can be deprived upon a decree by the Supreme Court, if the person:

1) received citizenship of another state without submitting an application for renunciation of Latvian citizenship;

2) serves in the armed forces, the internal armed forces, the security service, the Police (Militia) of another state, or another juridical institution without permission of the Cabinet of Ministers.

3) intentionally has provided false information about himself/herself when proving his/her right to Latvian citizenship or while becoming naturalized, thus illegally obtaining Latvian citizenship if this is discovered within 5 years from the date of receiving the citizenship.

(2) Deprivation of Latvian citizenship shall not effect the citizenship of the person's spouse, chil-

dren, or other family members.

#### **Article 25. Restoration of Latvian Citizenship.**

(1) A person who has lost his/her Latvian citizenship as a result of a decision made by his/her parents or adoptive parents, a juridical mistake or illegal deprivation of citizenship, can regain Latvian citizenship upon his/her own request and upon a decision of the Cabinet of Ministers.

(2) A person who has been deprived of Latvian citizenship in accordance with Article 24 herein can be granted Latvian citizenship only through naturalization, and not earlier than after 5 years of permanent residence in Latvia starting from the date of deprivation of Latvian citizenship.

#### **Article 26. Procedure for Documenting Loss and Restoration of Latvian Citizenship.**

The procedure for documenting loss and restoration of Latvian citizenship shall be determined by regulations from the Cabinet of Ministers.

### **Chapter Five.**

## **CONCLUDING REGULATIONS**

#### **Article 27. Identification Documents of a Citizen of Latvia.**

The identification document of a citizen of Latvia is a Passport of the Republic of Latvia, as well as a Certificate issued by diplomatic and consular representative offices of the Republic of Latvia.

## **Article 28. Application of International Agreements.**

Should an international agreement ratified by the Saeima provide for provisions other than those contained in this Law, the provisions of the international agreement shall be applied.

## **Article 29. Control of the Implementation of the Law on Citizenship.**

Parliamentary control of the implementation of the Law on Citizenship shall be performed by a special Saeima commission.

## **Provisions for Transition.**

1. Citizens of Latvia and their descendants who escaped from Latvia as fugitives while fleeing from USSR and German occupation regimes, who were deported or could not return to Latvia due to the aforementioned reasons within the period from June 17, 1940 to May 4 1990, and were naturalized during this time in a foreign state shall retain their right to be registered in the Register of Inhabitants as citizens of Latvia, and shall enjoy the full scope of citizens' rights and fulfill citizens' obligation after the registration, if registered before July 1, 1995. Should these persons be registered after July 1, 1995, they must renounce the citizenship of the other state.

2. Requirements listed in paragraph 2) [of part (1)] of Article 24 of this Law shall not apply to citizens of Latvia having dual citizenship if their place of permanent residence is outside the territory of Latvia.

3. Persons who were registered or have applied for Latvian citizenship in accordance with Paragraph 3.2 of the Decree of the Supreme Soviet of the Republic of



Latvia: "On Restoration of the Rights of the Citizens of the Republic of Latvia and on General Provisions for Naturalization" of October 15, 1991 (Bulletin of the Supreme Soviet and the Government of the Republic of Latvia, issue 43, 1991) and with the Decree "On the Conditions for the Recognition of the Rights of Citizens of the Republic of Latvia of Persons who had been Residing on the Territory of Latvia before August 1, 1914 and of their Descendants" (Bulletin of the Supreme Soviet and the Government of the Republic of Latvia, issues 46, 47, and 48, 1992) are Latvian citizens and their registration shall not be subject to cancellation except for cases provided for by this Law.

4. Upon the coming into force of this Law, the following laws and decrees shall become null and void: The Decree by the Supreme Soviet of the Republic of Latvia "On Restoration of the Rights of the Citizens of the Republic of Latvia and on General Provisions for Naturalization" of October 15, 1991 (Bulletin of the Supreme Soviet and the Government of the Republic of Latvia, issue 43, 1991), the Decree by the Supreme Soviet of the Republic of Latvia "On the Application of Decree by the Supreme Soviet of the Republic of Latvia "On Restoration of the Rights of the Citizens of the Republic of Latvia and on General Provisions for Naturalization" of October 15, 1991, to Citizens of the Republic of Latvia Residing abroad" of November 27, 1991 (Bulletin of the Supreme Soviet and the Government of the Republic of Latvia, issue 49 and 50, 1991), the Decree "On the Requirements for Acknowledgement of the Rights of Citizens of the Republic of Latvia of Persons who had been Residing on the Territory of Latvia before August 1, 1914 and of their Descendants" of October 28, 1991 (Bulletin of the Supreme Soviet and the Government of the Republic of Latvia, issues 46, 47, and 48, 1992), the Decree by the Supreme Soviet of the Republic of Latvia "On Addenda and Amendments to the Decree by the Supreme Soviet of the Republic of Latvia "On Restoration of the Rights of the Citizens of the Republic of Latvia and on General Provisions for Naturalization" of October 15, 1991" of October 28, 1992 (Bulletin of the Supreme Soviet and the Government of the Republic of