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**EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW**

**REPUBLIC OF LATVIA**

**Draft Law on the Status of Former USSR Citizens  
who are not Citizens of Latvia or any other State**

(UNOFFICIAL TRANSLATION — August 23, 1994)

**Draft Law on the Status of Former USSR Citizens  
Who are not Citizens of Latvia or any other State**

**Chapter 1  
General Provisions**

**Article 1 Subjects of the Law**

The subjects of this Law are those former USSR citizens (and their descendants) living in the Republic of Latvia who lived and were permanently registered without a time limitation in the territory of Latvia before July 1, 1992 and who are not citizens of the Republic of Latvia or of any other State.

The legal status of those persons who have entered the Republic of Latvia after July 1, 1992 shall be determined by the Republic of Latvia Law "On the Entry and Residence of Foreign Citizens and Stateless Persons in the Republic of Latvia".

This Law shall not apply to:

- 1) military personnel in active service in the Russian Federation (USSR) Armed Forces or other military formations and persons who, after May 4, 1990, retired from active military service if on the date of their conscription they were not permanently residing in the territory of Latvia and are not family members of Republic of Latvia citizens;
- 2) spouses of the persons mentioned in paragraph 1 of this Article, and the family members of these persons — children, dependents and other relatives residing with them, if they have arrived in Latvia in connection with the service of military persons in the Russian Federation (USSR) Armed Forces irrespective of their arrival date in Latvia and if they are not Republic of Latvia citizens;
- 3) civilians who are in Latvia due to a business trip associated with the presence or withdrawal of the Russian Federation (USSR) Armed Forces from Latvia, if these persons are not Republic of Latvia citizens.

**Article 2 Documents certifying legal status**

The legal status of the subjects of this Law is certified by a former USSR passport containing a personal code of a resident of the Republic of Latvia or a personal identification document issued in the Republic of Latvia containing a personal code of a resident of the Republic of Latvia.

It is prohibited to require any additional documents or certificates to confirm the legal status of the subjects of this Law.

## **Chapter 2 Rights and Obligations**

### **Article 3 Principles of the rights and obligations**

The rights and obligations of the subjects of this Law shall be determined by the Constitutional Law of the Republic of Latvia "On the Rights and Obligations of a Citizen and a Person", this Law and the international and interstate agreements of the Republic of Latvia.

The subjects of this Law shall be obligated to abide by the Satversme (Constitution) and laws of the Republic of Latvia.

### **Article 4 Inadmissibility of all forms of discrimination**

It is inadmissible to have any discrimination of the subjects of this Law, that is — no differentiation, exceptions, restrictions or privileges based on race, skin colour, sex or differences in national or ethnic heritage. Any form of discrimination or any invitation to such discrimination shall be punished in accordance with the laws of the Republic of Latvia.

### **Article 5 Protection of personal life**

No one is permitted to arbitrarily and illegally interfere in the personal and family lives of the subjects of this Law, to break the inviolability of the home and the secrecy of written correspondence and telephone conversations.

### **Article 6 Rights in judicial, and state government and administrative institutions**

When attending judicial, state government and administrative institutions, the subjects of this Law shall have a right, in accordance with Articles 8 and 9 of the Language Law, to be assisted by an interpreter, free of charge, when necessary.

### **Article 7 Right to a family and family unity**

The subjects of this Law shall be entitled to freely choose a spouse, contract a marriage and form a family and, by observing the procedure set in the laws of the Republic of Latvia, to have residing with them, their

spouse, minors, other children under their guardianship and their incapacitated parents from a foreign country.

#### **Article 8 Right to freedom of thought, opinion, conscience and religious conviction**

The subjects of this Law shall have a right to freedom of thought, opinion, conscience and religious conviction. These rights can only be restricted by law if restrictions are necessary to ensure the safety of society, public order, the health and morality of the population or for guaranteeing the rights and freedoms of other persons.

The subjects of this Law, by observing the laws of the Republic of Latvia, shall have a right to freely express their opinion, to organize and participate in peaceful meetings, gatherings, street marches and demonstrations.

#### **Article 9 Right to retain one's national identity**

The subjects of this Law shall be entitled to retain their native language, culture and traditions.

#### **Article 10 Right to handle one's property**

The subjects of this Law shall be entitled, in the procedure set in the laws of the Republic of Latvia, to acquire, manage, utilize and handle property either personally or through the assistance of a representative or together with other persons and, by observing the legislation of the Republic of Latvia, to receive and transfer personal cash resources and property from (to) foreign countries.

#### **Article 11 Right to choose a place of residence**

The subjects of this Law shall be entitled to freely choose a place of residence in any part of the territory of Latvia and to freely leave and return to Latvia if they, in accordance with the procedure set by law, maintain their permanent place of residence in Latvia.

#### **Article 12 Protection against arbitrary expulsion**

The subjects of this Law may only be expelled from the Republic of Latvia with a decision adopted in accordance with the procedure set by law and only if another state has agreed to admit this person.

The decision to expel an individual may be appealed to the courts.

### **Article 13 Right to employment and to receive pay**

The subjects of this Law shall have a right to protect themselves from unemployment and to receive fair pay for work in accordance with the laws of the Republic of Latvia and to join and form trade unions or other trade organizations.

### **Article 14 Right to social security**

In accordance with the legislation of the Republic of Latvia, the subjects of this Law shall be entitled to protection of health, medical care, social security, a place to live, an education and professional training.

### **Article 15 Right to appeal a violation of one's rights or freedoms to the courts**

In accordance with the legislation of the Republic of Latvia, the subjects of this Law shall be entitled to appeal any violation of their rights or freedoms to the courts.

## **Chapter 3 Required documents**

### **Article 16 Personal documents**

All subjects of this Law who reside in the Republic of Latvia must have valid personal documents which indicate their status in the Republic of Latvia.

### **Article 17 Personal identification certificate**

The personal identification document of the subjects of this Law in Latvia is a personal identification certificate issued by the Republic of Latvia.

Persons receive personal identification certificates upon reaching the age of 16.

The standard of the personal identification certificate and the issuing procedure shall be determined by the Republic of Latvia Cabinet of Ministers. The individual personal code of a Republic of Latvia resident shall be indicated on the personal identification certificate.

If a person acquires the citizenship of any state, he/she must submit his/her personal identification certificate to a competent Republic of Latvia state establishment within one month.

The particulars of minors who have not reached 16 years of age shall be fixed in the personal identification certificates of their parents or their legal guardians.

#### **Article 18 Exchange of a former USSR citizen's passport for a personal identification certificate**

A personal identification certificate shall be issued in exchange for a former USSR citizen's passport in accordance with the procedure and within the time period set by the Republic of Latvia Cabinet of Ministers.

If the subject of this Law does not exchange the former USSR citizen's passport for a personal identification certificate without a substantiated reason within the time period set by the Republic of Latvia Cabinet of Ministers, the legal status of this person shall be determined by the Republic of Latvia Law "On the Entry and Residence of Foreign Citizens and Stateless Persons in the Republic of Latvia".

#### **Article 19 Application of international and interstate agreements**

If an international agreement which the Republic of Latvia Saeima has acceded to or an interstate agreement which the Republic of Latvia has signed provides for regulations other than those contained in this Law, the regulations of the international or interstate agreement shall be applied.