



Integration of refugees in Latvia **Participation and Empowerment**

Understanding Integration in Latvia through the participation of refugees, integration stakeholders' experiences, and research

October 2014 – January 2015



UNHCR
The UN
Refugee Agency



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LEGAL PROCESS: refugees are granted a range of entitlements and rights which are broadly commensurate with those enjoyed by citizens. These include freedom of movement, access to education and the labour market, access to social assistance, including health facilities, and the capacity to travel with valid travel and identity documents. Realization of family unity is another important aspect of integration. Over time the process should lead to permanent residence rights and in some cases the acquisition of citizenship in the country of asylum.

ECONOMIC PROCESS: refugees attain a growing degree of self-reliance and become capable of pursuing sustainable livelihoods, thus contributing to the economic life in the host country.

refugee integration

TWO-WAY PROCESS: preparedness on the part of the refugees to adapt to the host society without having to forego their own cultural identity, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and to meet the needs of a diverse population.

SOCIO-CULTURAL PROCESS: refugees acclimatize and local communities accommodate refugees to enable them to live amongst or alongside the receiving population without discrimination or exploitation, and contribute actively to the social life of their country of asylum.

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List of abbreviations

AGD	Age, Gender, Diversity
AMIF	Asylum, Migration and Integration Fund
CFREU	Charter of Fundamental Rights of the European Union
ECHR	European Convention on Human Rights and Fundamental Freedoms
ERF	European Refugee Fund
EU	European Union
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
OCMA	Office for Citizenship and Migration Affairs
LCHR	Latvian Centre for Human Rights
MoC	Ministry of Culture
MoE	Ministry of Education and Science
MoI	Ministry of Interior
MoW	Ministry of Welfare
MFA	Ministry of Foreign Affairs
MFT	Multi-Functional Team
NGO	Non-Governmental Organization
PA	Participatory Assessment
PDM	NGO Patvērumis "Drošā Māja"
RC	Reception Centre
RICE	Refugee Integration, Capacity and Evaluation in Europe
RRNE	UNHCR Regional Representation for Northern Europe
SOLID	EU fund "Solidarity and Management of Migration Flows"
UNHCR	United Nations High Commissioner for Refugees
1951 Refugee Convention	1951 Convention relating to the Status of Refugees

Terminology

For the purpose of this report, the following terminology is used:

A **Third-Country National** is “a person, who is neither the citizen of Latvia, nor the citizen of any other European Union Member State, the European Economic Area or the Swiss Confederation, and who has not been afforded stateless status in any of these countries”.

A **stateless person** is “a person who is not considered as a national by any State under the operation of its law”.

International protection is “refugee or alternative status, granted in line with the Latvian Asylum Law”.

A **beneficiary of international protection** is “a person, who has been granted either refugee or alternative status, in line with the Latvian Asylum Law”.

A 1951 Convention **refugee** is “a person who, owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”, and who has been granted refugee status in line with Article 20 of the Latvian Asylum Law. **In this report, the term “refugee” is used in a generic manner to encompass all beneficiaries of international protection, including 1951 Convention refugees and persons granted alternative status, unless otherwise specified.**

A **person with alternative status** is an individual, who is “a Third-Country National or stateless, who cannot be granted refugee status in line with Article 20 of the Latvian Asylum Law and who has been granted subsidiary protection in line with Article 23 of this Law due to a risk of serious harm if returned to his or her country of origin and who is therefore unable or unwilling to avail himself or herself of the protection of this country”.

An **asylum-seeker** is “a Third-Country National or a stateless person, who has applied for international protection in Latvia, and with regard to whom the decision on the granting of international protection has not entered into force and is not final, in line with Article 1(7) of the Latvian Asylum Law”.

Participatory Assessment (PA) is a methodology that includes various steps aimed at gathering information, reviewing existing information, mapping diversity, facilitating discussions, and systematizing and analysing information. PA is a process of building partnerships with refugee women and men of all ages and backgrounds by promoting meaningful participation through structured dialogue, and includes holding separate discussions (or interviews) with women, men, girls and boys in order to gather information on the specific situations they face, to understand their capacities and to hear their proposed solutions where there are concerns. UNHCR’s Tool for Participatory Assessments in operations describes the purpose and methodology of PAs in greater detail.

1. Introduction and objectives of the study

Latvia acceded to the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (1951 Refugee Convention) in 1997, and established an asylum procedure the following year. The asylum system in Latvia is therefore relatively new in comparison with many other Member States of the European Union, including Latvia's Nordic neighbours. To date, Latvia receives one of the lowest numbers of asylum applications in the entire EU, in both absolute and relative terms. From 1998, when the asylum procedure was introduced, to 30 September 2014, a total of 1,366 persons have applied for asylum in Latvia. Of these, 64 persons have been granted refugee status, and 112 alternative status. In this report, the term "refugees" is used to encompass all beneficiaries of international protection in Latvia, including 1951 Convention refugees and beneficiaries of the alternative status, unless specified otherwise.

Taking into consideration that the ability of refugees to integrate is an integral part of an efficient asylum system, the UNHCR Regional Representation for Northern Europe (UNHCR RRNE) has selected integration as one of its regional priorities for advocacy, capacity development and technical support. To better understand the reasons for secondary movements of refugees from Latvia, as well as the opportunities and challenges faced by the refugees who stay, and to inform the content of UNHCR's engagement, UNHCR RRNE carried out this study, or 'mapping'. The study combines desk-based research and interviews with key 'integration stakeholders', conducted by the national consultant employed by RRNE to carry out this project, along with a Participatory Assessment (PA) undertaken with 23 refugees of different nationalities, ages, gender and professional backgrounds.

While the desk research maps the legislative, policy and institutional framework for the integration of refugees in Latvia and looks at previous studies on integration, the interviews with integration stakeholders provide an insight in relation to the practical implementation of these laws and policies. The PA conducted by UNHCR RRNE, in close collaboration with the Latvian Ministry of Culture (MoC) and the NGO "Patvērums "Drošā māja"" (PDM), elicited the voices of the refugees themselves in relation to the impact these policies have on their practical ability to integrate. In many ways, refugees are best placed to determine whether the activities implemented by the Latvian authorities and

non-governmental actors achieve their intended outcomes and what changes, if any, are necessary in order to more effectively use the resources spent on facilitating integration.

The current report is the consolidated result of these efforts to 'map' existing opportunities and challenges faced by refugees in the process of integration, and represents UNHCR's contribution to an analysis of the impact and effectiveness of the current integration program for refugees in Latvia.

The report is structured in 10 parts. After this introduction, Chapter 2 outlines the rationale for UNHCR's engagement in the area of integration. This is followed by a detailed description of the methodology, including the definition of integration, objectives of the research as well as inherent limitations, and explanations in relation to the PAs in Chapter 3. Chapter 4 reviews existing literature and research on the integration of refugees in Latvia, whereas Chapter 5 presents statistical data on the population of refugees, including main countries of origin and socio-demographic characteristics. Chapter 6 maps the legislative, policy and institutional frameworks pertaining to the integration of refugees in Latvia by outlining relevant international, European and national legal instruments, policies, strategies, financing mechanisms, institutional roles and responsibilities, and involvement of non-state actors.

It is followed by Chapter 7, which is organized around 10 thematic areas, key to post-recognition integration. Each thematic area begins with a summary of the relevant standards set out in the 1951 Refugee Convention, and followed by European standards and an overview of specific relevant national legislation, policies and procedures. Chapter 8 summarizes the findings from the desk research, the consultations with stakeholders and the feedback from the refugees who took part in the PAs. Chapters 6, 7 and 8 form the backbone of this report. Based on the opportunities and challenges identified through the findings outlined in Chapter 8, a number of recommendations for changes are proposed. The recommendations proposed at the end of each thematic area are provided against the background of examples of good practice in Europe, mainly in the Nordic countries, which are also the RRNE's area of operation and expertise. Specifically, the proposed recommendations are informed by the experience and knowledge gathered through the EU-funded project "Refugee Integration Capacity and Evaluation" (RICE), which was recently implemented by UNHCR and included a study¹ on refugee integration in four EU Member States: Austria, France, Ireland and Sweden. Subsequently, Chapter 9 presents integration models from the European context and summarises findings in relation to barriers and facilitators of the integration of refugees. Chapter 10 presents concluding remarks regarding the current situation with regard to the integration of refugees in Latvia and the measures proposed in the report, which could enhance the opportunities and reduce the obstacles encountered in this respect.

UNHCR hopes that this report will contribute to raising awareness about the current situation with regard to the integration of refugees in Latvia, and help the Latvian Government and authorities develop an integration program, where the valuable resources invested will effectively contribute to the refugees' ability to legally, economically and socially integrate in their new home.

¹ UN High Commissioner for Refugees (UNHCR), *A New Beginning: Refugee Integration in Europe*, September 2013, available at: <http://www.refworld.org/docid/522980604.html>

2. Rationale for UNHCR's engagement in refugee integration in Latvia

UNHCR has been entrusted by the United Nations General Assembly with the mandate to provide international protection to refugees and, together with governments, seek permanent solutions to the problems of refugees. For the majority of refugees in Europe, integration is the most relevant durable solution. UNHCR's interest and engagement in integration stems from its mandate to seek solutions and Article 34 in the 1951 Refugee Convention, which sets out that states, shall, as far as possible, facilitate the integration and naturalization of refugees. Complementing this article are various soft law and policy documents related to integration, such as the UNHCR Executive Committee (ExCom) Conclusion No. 104 on Local Integration² and the 2009 note on strategic approaches for combating discrimination.³

The logic of the 1951 Refugee Convention framework is that, with the passing of time, refugees should be able to enjoy a wider range of rights as their association and ties with the host country grow stronger. In this sense, the Convention gives refugees a solid basis on which they can progressively restore the social and economic independence needed to get on with their lives. The UNHCR ExCom Conclusion No. 104 calls on states to facilitate, as appropriate, the integration of refugees and recalls that special efforts may be necessary.

Facilitating the integration of refugees in their host country is a priority area for UNHCR's advocacy and capacity-building activities in Northern Europe, including Latvia. As comprehensive studies on this topic were not available, UNHCR RRNE considered it necessary to conduct an analysis and assessment of the current opportunities and challenges in relation to the integration of refugees in Latvia, to help inform and guide the focus and content of RRNE's efforts.

² UN High Commissioner for Refugees (UNHCR), *Conclusion on Local Integration*, 7 October 2005, No. 104 (LVI) - 2005, available at: <http://www.refworld.org/docid/4357a91b2.html>

³ UN High Commissioner for Refugees (UNHCR), *Combating Racism, Racial Discrimination, Xenophobia and Related Intolerance through a Strategic Approach*, December 2009, available at: <http://www.refworld.org/docid/4b30931d2.html>

2.1 Definition of integration

There is no consensus on the definition of immigrant integration in the context of developed countries and there is no legally binding definition in international refugee law. However, based on the definition provided in the soft law ExCom Conclusion No. 104, for UNHCR and for the purposes of this report, integration is understood as the end product of a dynamic, multi-faceted two-way process with three interrelated dimensions: a legal, an economic and socio-cultural dimension. Integration requires efforts by all parties concerned, including preparedness on the part of refugees to adapt to the host society without having to forego their own cultural identity, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and to meet the needs of a diverse population.⁴

UNHCR distinguishes among three specific inter-related dimensions of the two-way process, all of which are important for the ability of refugees to integrate successfully:

- **LEGAL PROCESS** – whereby refugees are granted a range of entitlements and rights that are broadly commensurate with those enjoyed by citizens. These include freedom of movement, access to education and the labour market, access to social and assistance, including health facilities, the possibility of acquiring and disposing of property, and the capacity to travel with valid travel and identity documents. Realization of family unity is another important aspect of integration. Over time, the process should lead to permanent residence rights and in some cases the acquisition of citizenship in the country of asylum.
- **ECONOMIC PROCESS** – whereby refugees attain a growing degree of self-reliance and become capable of pursuing sustainable livelihoods, thus contributing to the economic life of the receiving society.
- **SOCIO-CULTURAL PROCESS** – whereby refugees acclimatize and local communities accommodate refugees to enable them to live amongst or alongside the receiving population without discrimination or exploitation, and contribute actively to the social life of their country of asylum.⁵

⁴ UNHCR ExCom Conclusion No. 104 on Local Integration

⁵ See also UN High Commissioner for Refugees (UNHCR), *Global Consultations on International Protection/Third Track: Local Integration*, 25 April 2002, EC/GC/02/6, available at: <http://www.refworld.org/docid/3d6266e17.html>

3. Methodology

The study has been produced using a three-pronged approach, to best serve the objectives outlined above. Firstly, it contains desk research of academic literature, studies, reports, media articles, relevant legislation, policies, strategies, procedures, available statistics, financing mechanisms, institutional roles and responsibilities and the involvement of non-state actors. Secondly, it draws on semi-structured in-depth interviews with key integration stakeholders chosen based on their role and expertise in relation to integration. Thirdly, it incorporates feedback gained through a PA involving focus group discussions with refugees. The policies and practices relevant to the intergration of refugees in Latvia are compared against international, European and national legal standards and policies in the area of refugee integration as well as international human rights law. The views and experiences of integration stakeholders and refugees are presented in order to provide a more comprehensive basis for the assessment of the practical implementation of the policies concerned and helps to identify opportunities and gaps with regard to refugee integration in Latvia.

3.1 Desk research

The desk research, carried out by the UNHCR national consultant, examined both primary and secondary sources to map Latvia's legal and policy frameworks, as well as administrative practice concerning the integration of refugees. Primary sources are comprised of relevant international, European and national legal instruments, including executive regulations, policy and strategy documents, and statistical information. Particular attention was paid to the inter-relatedness of various rights and distinct statuses, as well as to applicable national procedures. Secondary sources, such as academic literature, studies, reports and media articles, were consulted to complement the findings. The desk research thus served to map the existing legal, policy and procedural standards pertaining to the integration of refugees in Latvia. It does not, however, amount to a comprehensive legal analysis or opinion.

3.2 Interviews with integration stakeholders

Semi-structured in-depth interviews were held by the UNHCR national consultant to collect data from key integration stakeholders, namely the MoC, the Office for Citizenship and Migration Affairs (OCMA) under the Ministry of the Interior (Mol), the Asylum Seekers' Reception Centre "Mucenieki" under OCMA, the Ministry of Welfare (MoW), the Ministry of Education and Science (MoE), the Ministry of Foreign Affairs (MFA), the Office of the Ombudsman of the Republic of Latvia, the Municipality of Ropaži, and the non-governmental actors "Patvērums "Drošā māja"" (PDM), the Latvian Human Rights Centre, the Latvian Red Cross and the NGO "Association of Syrians of European Union". Written contributions were submitted by the Municipality of Riga and the State Employment Agency. The stakeholders were represented at a variety of functional levels – from Ambassadorial level at the Ministry of Foreign Affairs and the Chair of the Board at PDM, to the Head of Unit level at MoC and OCMA, and to expert level at the Office of the Ombudsman and other line ministries. Overall, institutional stakeholders demonstrated interest in the research topic and were keen to share their knowledge and experience.

In order to ensure consistency among the interviews held,⁶ a questionnaire was developed by the UNHCR national consultant in cooperation with UNHCR RRNE. The questionnaire consisted of 15 questions related to relevant laws, policies, strategies, financing mechanisms and their effectiveness, as well as institutional roles and responsibilities, and the involvement of non-state actors.

The interviews were held between October and December 2014, and the majority of them were recorded. Depending on the involvement of the stakeholder in question in the integration of refugees in Latvia, the interviews lasted between 15 minutes (with the Latvian Red Cross) to more than one hour (PDM, LCHR, and the Office of the Ombudsman). A number of follow-up phone calls were later made by the national consultant to validate some of the information provided in view of the findings of the desk research.

Of the public authorities interviewed, representatives of the line ministries were generally cautious about assessing the current situation with regard to the integration of refugees in Latvia, and chose to limit their statements mainly to areas directly relevant to their mandate, legislation, policies and normative acts. Representatives of local governments, in particular, Ropaži Municipality, were, by comparison, more open to discuss a broader range of issues pertaining to post-recognition integration, and provided the UNHCR national consultant with valuable practical information, gained through their direct work with refugees. Interviews with the staff of OCMA and the Asylum-seekers' Reception Centre "Mucenieki", as well as with the Office of the Ombudsman, were particularly informative. They provided important data and critical insights into nearly every aspect relevant to the integration of refugees in Latvia.

Interviews with PDM and LCHR were key for tapping into the expertise and experience of the non-governmental sector in the area of post-recognition integration. PDM, in particular, provided the national consultant with valuable information about the practical situation of refugees in Latvia and the challenges they face. The NGO "Association of Syrians of European Union", in turn, contributed with important insights into the difficulties

⁶ Full list contained in Annex 1

of starting and running a non-governmental organization by a refugee in Latvia. Overall, the NGOs were open and keen to share their knowledge on all the questions raised during the interviews.

The collected information, including comments and feedback from the national stakeholders, is structured around 11 thematic areas in Chapter 8, which encompass the three inter-related dimensions of integration – the legal, economic and socio-cultural dimensions.

It should be noted that only the MoC and PDM, who were members of the Multi-Functional Team, received prior to publication a draft version of this report for their review of the content, including the accuracy of the statements attributed to them. The UNHCR national consultant, who conducted the stakeholder consultations, therefore takes responsibility for the formulation of findings and recommendations based on these consultations.

3.3 Multi-Functional Team (MFT)

Once the desk research was complete, an MFT was established to conduct the PA with refugees in Latvia. Having a MFT helped ensure that the topics selected to guide the discussions with the refugees would reflect the different aspects of the integration process, and that the views expressed by the refugees would be analyzed from all relevant perspectives. UNHCR RRNE considered that participation of integration stakeholders in the MFT would also facilitate a stronger ‘anchoring’ of the findings and proposed measures for improvement, and enhance the likelihood that recommendations would be reflected in future integration strategies. The MFT included a representative from the MoC, two staff members of UNHCR RRNE and one representative from PDM.

3.4 Participatory Assessment (PA)

Based on UNHCR’s policy⁷ that refugees must be at the centre of identifying their own needs and capacities, and participate in making decisions aimed at enhancing their well-being, UNHCR determined that a key element for such an analysis would be to engage in a direct dialogue with the refugees concerned. In addition, participation of refugees in identifying opportunities and protection gaps, and in proposing, developing and implementing policies and activities to address these gaps promotes their empowerment. The PA methodology was therefore selected as a key element for this study.⁸

⁷ UN High Commissioner for Refugees (UNHCR), *UNHCR Tool for Participatory Assessment in Operations*, May 2006, First edition, available at: <http://www.refworld.org/docid/462df4232.html>

⁸ *Ibid.*



© "Patvērums "Drošā māja" "

As OCMA does not collect information on the whereabouts of accepted refugees, PDM, as the organization with the best overview of the whereabouts of the target group, assisted UNHCR RRNE in the identification of the participants of the PA. The practical arrangements for the PA were also made by PDM, based on advice provided by UNHCR RRNE, which relied on its experience from similar earlier exercises, in particular the PA carried out in Lithuania in 2013.

In Latvia, the total number of refugees who reside in the country is limited, and the majority of them are known to live in Riga. This led the MFT team to conclude that the PA could be undertaken in one location only, without notable significant bias in the findings.

The PA was conducted over the course of two days in January 2015, at the premises of PDM in Riga. At the time of organizing the PA, PDM had a list of 65 "refugee clients", all of whom were invited to take part in the exercise. Although PDM contacted many of the refugees by telephone to encourage their participation, only 23 accepted the invitation. There are grounds to believe that some of the refugees on PDM's list may have left Latvia.

3.5 Age, Gender and Diversity-sensitive composition of refugee groups

In order to ensure that all refugees – regardless of their age, gender and individual characteristics – have equal access to protection of their rights and services, the assessment was conducted in an Age, Gender and Diversity (AGD)-sensitive manner. The MFT therefore sought to ensure that the views elicited during the PA would reflect the impact of the existing integration program on individuals and groups of refugees of different ages, gender, background, family status and other criteria, by including a representative group of refugees in Latvia. Hence, PDM invited all of the refugees known to the organization, which included refugee men and women of different ages, nationalities and backgrounds, with different legal status, and with a varying number of years of residence in Latvia, to attend the PAs.

The refugees originated from five different countries: Afghanistan, Iran, Nigeria, Syria and Uzbekistan. They were divided in six groups, taking into consideration interpretation requirements and age and gender aspects. The MFT met three groups of refugees each day. On the first day, the MFT met with two women from Uzbekistan, one group of Syrian refugees and another group with single men of different nationalities. The second day, the MFT met a group of younger children who were interviewed separately from the adults, although one parent was present, a group of both men and women, the majority originating from Afghanistan and Iran, and a group of adolescent men from Afghanistan and Uzbekistan. Due to language constraints, it was not possible to organize groups with only women refugees for all the nationalities. The PAs were conducted in Russian and in English, and interpretation was provided from Arabic and Farsi.

3.6 Focus areas for the Participatory Assessment

The thematic areas for the discussions during the PA were identified and selected based on UNHCR's experience with other integration PAs in Northern Europe and beyond, in particular, through the RICE project, which highlighted a number of key areas for refugee integration.⁹ These include reception conditions and the time spent in the asylum procedure, post-recognition integration support, including financial assistance and language courses, legal status and duration of residence permits, access to employment and housing, education, family reunification, and social integration including reported instances of discrimination and xenophobia. UNHCR was also guided in the selection of thematic areas by integration benchmarks and indicators used at EU level.

An information note listing all the thematic areas was shared with the refugees by PDM before the start of the PA, and at the beginning of the sessions. The MFT introduced the topics and explained the purpose of the PA and how the findings, or outcomes, would be used. The refugees were also invited to add themes and ask questions. In some groups, the refugees insisted on leading the conversation, thereby devoting more time on the

⁹ UN High Commissioner for Refugees (UNHCR), *A New Beginning: Refugee Integration in Europe*, September 2013, available at: <http://www.refworld.org/docid/522980604.html>

exploration of particular issues and leaving other topics aside. In general, some areas were discussed at more length than others, which served to highlight the issues that refugees felt were of most concern to them.

Overall, the discussions in the PA focus groups centered around the following thematic areas:

- ❶ Post-recognition integration support in the Asylum-seekers' Reception Centre in Mucenieki and in municipalities, including financial assistance and Latvian language courses
- ❷ Access to education
- ❸ Legal status and duration of residence permits
- ❹ Family reunification, including information about access to family reunification procedures and eligibility criteria
- ❺ Access to housing in municipalities
- ❻ Access to the labour market, including validation of qualifications, possibilities for self-employment, and skills training
- ❼ Social integration, including the feeling of belonging, participation in public/communal life, instances of discrimination and xenophobia
- ❽ Access to and quality of health care
- ❾ Access to information and knowledge of rights
- ❿ Reception conditions and time spent in the asylum procedure

3.7 Questionnaire to refugees

To supplement the 'qualitative information' gathered through the PA with refugees, UNHCR RRNE prepared a questionnaire, which asked the refugees to provide basic information about the time of their arrival to Latvia, their age and sex, country of origin and legal status as well as their current place of residence. The questionnaire served to limit the amount of time during the meetings spent gathering basic data on the composition of the refugee groups.

Among the refugees who participated in the PA, six indicated that they had arrived in Latvia in 2009, while the rest arrived at different times between 2010 and 2014. Eight participants indicated that they had been granted refugee status, and 11, alternative status. Four questionnaires did not reveal the status of the person concerned. The feedback received from the refugees during the PA is presented in Chapter 8.

3.8 Considerations in relation to methodology

The report is a qualitative study, and does not cover the practices of all or most of the municipalities of the Republic of Latvia, focusing instead on two, Riga and Ropaži. Riga Municipality was selected because the majority of refugees in Latvia reside there. Ropaži Municipality was chosen because the Asylum-seekers' Reception Centre "Mucenieki" is located within its administrative territory. Information on the activities of the non-governmental sector pertaining to post-recognition integration of refugees in Latvia is largely limited to one source – the PDM, which is, in practice, the main service provider in this area.

It must be acknowledged that only 23 refugees attended the PA. Out of these, seven were children or young adults, and their feedback was understandably more limited due to age, and possibly, timidity. The fact that they likely have fewer responsibilities in the household may have impacted their perception of the family's life situation and concerns, and therefore their feedback in this respect. The low number of adult refugees (16) who took part in the PA limits UNHCR's ability to draw firm evidence-based conclusions and trends from the PA.

The focus group format may also have impacted each individual's level of comfort when expressing him/herself at length regarding issues and feelings of a private or sensitive nature and hence limited the feedback received. On the other hand, this format enabled some of the feedback received to be 'validated' among refugees, who shared similar views about specific topics. Another relevant consideration, when analyzing the responses of the refugees, is the fact that most of the assistance provided to them in Latvia is channelled through PDM, and that the interviews were conducted in the presence of PDM's staff. The refugees did not voice any critical views in relation to the services provided by PDM, and stated that they were grateful for the help received. Perhaps their feedback would have been more nuanced in another setting. The refugees clearly expressed gratitude that the MFT was interested in learning about their situation and concerns. The MFT understood that the attention given to refugees by organizing the PA was in itself considered rewarding for the participating refugees.

The MFT was able to dedicate approximately two hours per refugee group. During this time, the themes, which had been selected to guide the discussion, were outlined and the refugees were invited to introduce themselves. Towards the end of the session, the refugees were asked if they wished to make additional comments, add a theme or ask questions. Without the time limit, additional attention could perhaps have been given to themes that generated less consideration and comment.

As a balancing factor with respect to the limitations described above, it should be noted that the conclusions drawn, and the recommendations presented in this report are based on the earlier outlined three-pronged approach with three complementary parts, consisting of the desk research, the stakeholder interviews and the PA with refugees. The PA is therefore only one of the sources upon which the proposed recommendations in Chapter 8 have been based.

3.9 Ethical Considerations

Research involving interviews with refugees must bear in mind some key ethical considerations. The same is valid for PAs undertaken by UNHCR and its partners, both in operations and in advocacy contexts. The rights and well-being of refugees, who share their experience, must be safeguarded, and they must understand the rationale for being asked to share their views with a multi-functional team. UNHCR therefore explained to the refugees that the report would not reveal details of who provided what feedback in the PAs.

4. Previous studies and publications on the integration of refugees in Latvia

While the integration of refugees has not been among the top political priorities in Latvia, a number of studies have been conducted on certain aspects pertaining to this topic. The present report does not attempt to provide a comprehensive overview and analysis of them all; instead, it touches upon the main findings of those studies, which are directly related to the objective of this report.

Relevant literature can largely be grouped into two categories – one, which focuses on the integration of refugees in particular, and the second, which looks at social integration from a general perspective. So far, existing studies related to refugees have focused mainly on public attitudes, access to education, social assistance and services. A gap in comprehensive research on all aspects, key to successful integration policies and practices, is apparent.

Among the first category, *Study on access to social assistance and services by persons with alternative status*¹⁰ from 2012 by the Office of the Ombudsman of Latvia aims to map relevant normative acts and their compliance with international standards, as well as the availability of social assistance and services in practice. The study reveals that recipients of alternative status experience significant income, housing and employment insecurity. This, *inter alia* stems from the language barrier, which hampers access to professional education and training, and ultimately the labour market. In this regard, the report recommends modifications to relevant normative acts, which would provide persons with alternative status with access to language courses on a more equal footing with those granted 1951 Convention refugee status. These amendments have since been introduced.¹¹

¹⁰ Office of the Ombudsman, *Study on access to social assistance and services by persons with alternative status*, 2012

¹¹ Republic of Latvia, *Asylum Law*, 15 June 2009 (as last amended on 7 November 2013, 218 (5024)), Article 37(2)

Further, the study of the Ombudsman points at the need to implement measures to ensure recognition of foreign diplomas and qualifications in Latvia. In addition, the study concludes that Latvia does not fully comply with the obligation to provide refugees with access to information on their rights and obligations in a language that they comprehend, as per the recast Qualification Directive.¹² The study also indicates that the temporary residence status afforded to persons with alternative status precludes access to housing assistance, otherwise available to Third-Country Nationals lawfully residing in Latvia. While the scope of this study does not cover access to health care, it nevertheless notes that challenges appear to exist in this area as well. Finally, the study concludes that a long-term integration strategy for this group of persons in Latvia does not exist.

Building on the findings of this study, the Annual Report of the Office of the Ombudsman from 2013¹³ reiterates the aforementioned conclusions and outlines the results of a Roundtable among institutional and non-governmental stakeholders, such as the MoI, OCMA, the MoC, the MoW, the Municipalities of Riga and Ropaži, LCHR, PDM and the Latvian Red Cross, held in February 2013. It notes that the participants of the Roundtable emphasized the need to establish a continuous and sustainable integration mechanism as well as a specialized centre for integration, staffed with trained social workers. They also called for changes to the normative base and integration policy for persons with alternative status, as well as for the availability of earmarked funding. The report highlights that during the discussion, NGO representatives pointed out that the international protection afforded to individuals in Latvia only effectively amounted to physical safety. Finally, the annual report states that the government acknowledged that a sustainable and continuous integration programme, taking into account the special needs of beneficiaries of international protection, must be developed.

The report *Integration of new members of the society*,¹⁴ commissioned by IOM and conducted by Quality Research Studio in 2008, maps the opportunities for and barriers to the integration of refugees in Latvia, as well as public attitudes towards integration. This is achieved through a quantitative survey of a statistically representative group of the general population and in-depth interviews with refugees and institutional stakeholders. The results of the survey reveal that the perception of the general public is that refugees experience challenges integrating into Latvian society, owing mainly to cultural differences as well as unwelcoming attitudes on the part of the receiving community. The survey also notes that a significant share of respondents does not support cultural diversity; and that views on refugees originating from Chechnya and those of Muslim faith are particularly negative. In-depth interviews with experts confirm that the overall attitude of the general public towards refugees gravitates towards indifferent, negative or intolerant.

The study also reveals that stakeholders from relevant institutions and non-governmental organizations do not agree on the overall success of the integration policy in Latvia. While public authorities maintain that the needs of refugees are met at an adequate standard and underline that refugees must themselves take a proactive approach to

¹² European Parliament and the Council of the European Union, *Directive 2011/95/EU on standards for the qualification of Third-Country Nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast)*, 13 December 2011, Article 22, available at: <http://goo.gl/wNGZcS>

¹³ Office of the Ombudsman, *Annual Report 2013, 2014*, p. 92-94

¹⁴ Quality Research Studio, *Integration of new members of the society*, 2008

exercise their rights, NGO workers note that a lack of understanding and a humane attitude hampers the translation of applicable legal provisions into effective protection and assistance. Among the specific challenges faced by refugees when attempting to forge a new life in Latvia, the report singles out post-recognition access to housing. Institutional stakeholders also point to the importance of knowledge of the Latvian language when enabling refugees to access the full range of their rights. Moreover, the study makes mention of the limited financial resources for integration-related programs and projects. Finally, the study reveals that the institutional stakeholders consulted agree that the establishment of a social support and monitoring network providing mentoring, informational and psychological assistance would facilitate the integration of refugees in Latvia.

The study concludes that two distinct groups of refugees appear to exist - one comprised of individuals originating from the former USSR and another, consisting of persons whose language skills and cultural background are not conducive to integration in Latvian society. Consequently, the study suggests that these groups face different challenges with regard to integration. The report therefore recommends that a differentiated case-by-case approach be adopted to provide all refugees in Latvia with equal access to integration opportunities. The findings of this study corroborate those of two other reports – *Social integration and tolerance in Latvia: a research-based opinion*¹⁵ from 2008 by Evija Klave and an earlier *Study on the attitudes of residents, public authorities and NGOs towards asylum seekers in Latvia*,¹⁶ published by the Baltic Institute of Social Sciences in 2005 within the framework of the project “Step by Step” of the European Community Initiative EQUAL.

Further, access to education for refugees is examined in the report *Study on access to education of asylum-seekers, refugees and persons with alternative status in Latvia*,¹⁷ conducted in 2011 by the Latvian Centre for Human Rights. The study reveals that certain progress in the provision of access to education is observed and that relevant legislative norms have been considerably broadened through amendments to the Law on Education in 2010. Gaps, nonetheless, remain.

Concerning access to general education, the report notes that gaps include a lack of unified systems for testing pre-existing knowledge, a lack of adapted educational programs and guidelines, inadequate support in terms of funding, insufficient availability of information, limitations with regard to the choice of the language of instruction, delays in providing access to education after the submission of an asylum claim, language barriers, insufficient mainstreaming of minors at schools, and an absence of a methodological centre tasked with developing targeted programs.

In terms of access to professional, academic and informal education, the report concludes that almost all members of the target group receive Latvian language training either within the framework of projects funded through the European Refugee Fund or with the

¹⁵ Klave, E., *Social integration and tolerance in Latvia: a research-based opinion*, 2008, available at <http://goo.gl/OMf6eQ>

¹⁶ The Baltic Institute of Social Sciences, *Study on the attitudes of residents, public authorities and NGOs towards asylum seekers in Latvia*, December 2005, available at <http://goo.gl/v5Fs0P>

¹⁷ Latvian Centre for Human Rights, *Study on access to education of asylum seekers, refugees and persons with alternative status in Latvia*, June 2011, available at <http://goo.gl/e8nhyb>

assistance of the State Employment Agency. The effectiveness of these language courses is, however, called into question due to a lack of adapted training programs, insufficient number of lessons, varied background knowledge, as well as the psychological and socio-economic challenges faced by the target group, which render acquisition of new language skills difficult. The report identifies the language barrier as an obstacle to accessing information related to the services provided by the State Employment Agency, including training, and, ultimately, obtaining employment. The report also notes that stakeholders point to a lack of a comprehensive integration policy in Latvia as well as the need for the development of a social and psychological support network. Finally, the report concludes that funding allotted by the state falls short of meeting the financial requirements of educational programs for the target group.

Some of these conclusions echo views articulated by Ms Baiba Biezā, former Head of the IOM Office in Latvia, in the article *If only a helping hand*.¹⁸ The article points to the need for a trustworthy mentor for refugees in Latvia - a local curator, who would facilitate their integration. Ms Biezā states that although the legislative and normative basis is established at an acceptable standard, this alone does not translate into the provision of effective integration support. Finally, the article refers to the good practice of other European states, such as the Netherlands and Lithuania, where the policy of assigning a case manager to each refugee has brought about positive results.

Within the second group of studies, the report *Immigrant Integration in Latvia*¹⁹ from 2009 by the Advanced Social and Political Research Institute of the University of Latvia, reveals that from 2005 to 2008, the former Secretariat for Special Assignments Minister for Social Integration Affairs implemented activities aimed at different groups of new arrivals, including refugees. It states that a system for integrating immigrants, refugees and persons with alternative status has not, however, been established. Refugees are either included in general integration policy documents, which mainly focus on the integration of the Russian-speaking minorities, or are targeted through non-systematic and unsustained activities, which are limited to certain aspects of integration. Consequently, the study points at the need to develop a comprehensive introductory program, including language instruction, professional training and social orientation for the newcomers. Finally, the report advocates for representation of immigrants in consultative bodies at both the local and national levels, particularly regarding issues relevant to their basic rights and interests. This, the study, concludes, would promote the integration of new arrivals to Latvia and facilitate their participation in the social and political life of the receiving society.

Integration into Latvian society is unpacked also by the report *Social integration in Riga*²⁰ from 2010, focussed on third country nationals and commissioned by the Riga Municipality. While the study does not single out refugees in particular, they appear to be pooled under the broader group of migrants. The report notes that the experts consulted for the purpose of this study recommend that migrants with a permanent resident status should benefit from services related to housing, primary education and health care

¹⁸ Biezā B., *Kaut tikai palīdzīga roka*, Providus, 2008, available at <http://providus.lv/article/kaut-tikai-palidziga-roka>

¹⁹ Zankovska-Odiņa, S., *Immigrant Integration and Participation in Latvia* in Muiznieks, N. Immigrant Integration in Latvia, Advanced Social and Political Research Institute, University of Latvia, 2009, p. 15, 16.

²⁰ Riga Municipality, *Social Integration in Riga*, 2010, available at <http://goo.gl/srIXbj>

under the same conditions as the general public. The report also reveals that, while the experts do not consider issues related to immigration particularly topical in Latvia, they nevertheless acknowledge that measures should be taken to include immigrant children in the educational system and that conditions should be created for the full participation of the immigrants in society, except for political rights.

The report *How Integrated Is Latvian Society? An Audit of Achievements, Failures and Challenges*²¹ from 2010 by the Advanced Social and Political Research Institute of the University of Latvia, explores the development of policy and practice with regard to social integration in Latvia. Among its conclusions, the report notes that the inevitable flow of immigrants, asylum-seekers and refugees in the future will render integration one of the most important preconditions for sustainable development in Latvia.²²

Finally, the report *A summary: Citizenship, language and participation of minorities in Latvia*²³ from 2012 by Providus looks at applicable rights in terms of language and education, as well as the political and socio-economic participation of representatives of minority groups in Latvia. The report concludes that the residents of Latvia do not enjoy equal access to full participation in the society. For example, political participation is limited for non-citizens. While there are no legal obstacles to the participation of minority groups in the socio-economic life of the society, the report concludes that minorities tend to be under-represented in the public sector.

²¹ University of Latvia, Advanced Social and Political Research Institute, *How Integrated Is Latvian Society? An Audit of Achievements, Failures and Challenges*, 2010, available at <http://goo.gl/kRMcmV>

²² Rozenvalds, K., The Soviet Heritage and Integration Policy Development Since the Restoration of Independence in N. Muiznieks (ed), *How Integrated Is Latvian Society? An Audit of Achievements, Failures and Challenges*, University of Latvia, Advanced Social and Political Research Institute, 2010, p. 59, available at <http://goo.gl/oZVPaq>

²³ Providus, *Citizenship, language and participation of minorities*, 2012, available at <http://goo.gl/A8cPNJ>

5. Statistical data

5.1 Number of asylum applications and status recognition

Statistical data available for the period from 1 January 1998 to 30 September 2014, provided by UNHCR and OCMA show that, from 1998 to 2007, the number of asylum applications submitted annually ranged from a low of five in 1998 to 34 in 2007. In 2008, 51 applications for asylum were filed. 2009 saw 52 new asylum requests, and 61 persons applied for asylum in Latvia in 2010. A sharp peak was observed in 2011, when 335 asylum-seekers sought international protection in Latvia, while the figure dropped to 189 and 185 respectively in 2012 and 2013. The total number of persons seeking international protection in Latvia over the first nine months of 2014 is 290 – a relatively large increase compared to the two preceding years.

Between 1998 and September 2014, 63 persons have been granted refugee status and 99 alternative status, making up a total of 162 beneficiaries of international protection in Latvia.

5.2 Countries of origin of beneficiaries of international protection

The list of countries of origin of asylum-seekers in Latvia is rather diverse, including Afghanistan, Bangladesh, Belarus, Cuba, the Democratic Republic of Congo, Georgia, Iran, Iraq, the Russian Federation, Syria, Tajikistan, Uzbekistan, and others. While some of the countries of origin account for only a few asylum applicants, several bigger clusters stand out.

Georgians have by far constituted the biggest group of asylum-seekers in Latvia, having submitted a total of 614 applications in the time period from 1998 to 30 September

2014. The number of claims have peaked in recent years with 176 applications filed in 2011 (52 per cent of all claims), 106 in 2012 (56 per cent of all claims), 144 in 2013 (77 per cent of all claims) and 157 (54 per cent of all claims) during the first nine months of year 2014. This is largely underpinned by the visa facilitation agreement concluded between the European Union and Georgia in 2011, which renders easier access to the territory of the Latvia. The protection recognition rate for this group stands at 0 per cent, as no one has been granted refugee or alternative status.

The next sizeable group of asylum applicants originates from the Russian Federation, with a total of 100 claims filed from 1998 to 30 September 2014. The number of asylum applications submitted per year has ranged from two to 18, except in 2004 when no asylum application from persons of Russian origin were received. Of the Russian applications submitted, 12 individuals have been granted refugee status, and seven persons alternative status.

Syrian nationals have comprised the next biggest group, totalling 82 asylum-seekers in the period from 1998 to September 2014. Since the outbreak of the conflict in 2011, the number of applications from Syrians has ranged from 16 in 2011 (5 per cent of all claims), 18 in 2012 (9 per cent of all claims), 15 in 2013 (8 per cent of all claims) to 28 in the first nine months of 2014 (10 per cent of all claims). Of these, 39 Syrians have been granted alternative status. There are no beneficiaries of Convention refugee status among this group.

Asylum-seekers from the Democratic Republic of Congo (DRC) follow with a total of 72 applications for international protection, submitted from 1998 to September 2014. In 2011, Latvia received 39 asylum claims (12 per cent of all applications) and in 2012, 23 applications for international protection were submitted (12 per cent of all claims). Only one individual from the DRC has been recognized as a refugee and there are no beneficiaries of alternative status among this group.

Of the 290 asylum claims filed during the first nine months of 2014, the following constitute the biggest numbers as per country of origin: 157 applicants originated from Georgia, 48 from the Ukraine, 28 from Syria, 12 from Armenia, 11 from Iraq, and nine from Afghanistan. Within this time period, one Egyptian national has been granted refugee status, and a total of eight persons have received alternative status – one individual originating from Eritrea, six persons originating from Syria and one from Nigeria.

5.3 Socio-demographic characteristics

In line with the UNHCR statistics published in 2013 on refugees who had received status in Latvia during the preceding 10 years (from 2003 to 2013), 23 per cent of the beneficiaries were females. Of those, 33 per cent were girls aged zero to 17, and the remaining were females aged 18 to 59. Males made up 77 per cent of the beneficiaries of international protection, with boys accounting for 16 per cent and adults aged 18 to 59 years for 85 per cent. In total, minors of both genders aged 0 - 17 represented 20 per cent of the refugees in Latvia in 2013.

5.4 Naturalization data

A total of four refugees have naturalized as Latvian citizens in the time period from 1998 to 30 September 2014, three of whom were adults with refugee status, and one was a minor, who had received alternative status.

5.5 Employment data

There is no data on the employment of refugees in Latvia.

6. Overview of the legal, policy and institutional framework for the integration of refugees in Latvia

6.1 International standards

A number of universal, regional and national legal instruments, by which Latvia is bound, contain provisions relevant to the integration of refugees. The international body of law can be grouped in two categories – general human rights law and international refugee law.

While universal human rights law does not specifically deal with refugees, it nevertheless constitutes a critical source of rights for refugees. The two 1966 Human Rights Covenants, which Latvia is party to – the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) - guarantee a set of basic civil, political, economic, social and cultural rights to all persons within a contracting State's territory, or subject to its jurisdiction, including asylum-seekers and refugees. The Covenants thereby complement the protection regime established by the 1951 Refugee Convention. Where the ICESCR provides for the progressive realization of the socio-economic rights, the ICCPR obliges its States parties to respect and protect a range of civil and political rights, including freedom of speech, freedom of assembly, freedom of religion, as well as the right to justice. It also imposes an absolute prohibition of *refoulement* to a situation of torture or cruel, inhuman or degrading treatment or punishment.

The overarching principle of non-discrimination found in Article 2(1) and Article 26 of the ICCPR, and in Article 2(2) of the ICESCR, commits Latvia to respect and ensure the rights declared therein to all individuals within its territory and subject to its jurisdiction without discrimination of any kind, such as race, colour, sex, language, religion, political

or other opinion, national or social origin, property, birth or other status. The guarantee of non-discrimination is essential to the integration of refugees.

The Human Rights Committee, monitoring State parties' compliance with the ICCPR has expressly stated that "States Parties are required by article 2, paragraph 1, to respect and to ensure the Covenant rights to all persons who may be within their territory and to all persons subject to their jurisdiction...As indicated in General Comment 15 adopted at the twenty-seventh session (1986), the enjoyment of Covenant rights is not limited to citizens of States Parties but must also be available to all individuals, regardless of nationality or statelessness, such as asylum seekers, refugees, migrant workers and other persons, who may find themselves in the territory or subject to the jurisdiction of the State Party."²⁴ This principle has been recognized by UNHCR's Executive Committee in its Conclusion No. 82, where reference is made to the "obligation to treat asylum-seekers and refugees in accordance with applicable human rights and refugee law standards as set out in relevant international instruments."²⁵

Also, as noted by Rosa da Costa in her reference guide *Rights of Refugees in the Context of Integration: Legal Standards and Recommendation*,²⁶ while the 1951 Convention continues to be the most commonly relied upon and most specific international instrument regarding the rights of refugees and, more specifically, the integration rights of recognized refugees, international human rights law offers an increasingly important complement to the Convention. With the evolution of human rights law, the 1951 Convention standards have in some cases been complemented or even superseded by more generous provisions in subsequent international and regional instruments. When this is the case, States are obliged to accord refugees the benefit of the highest standard or most generous provision from amongst the international instruments they have ratified. Some of these international and regional human rights instruments also have the added advantage of addressing specific issues and rights not elaborated upon in the 1951 Convention and making available international enforcement or supervisory mechanisms. In these various ways, human rights instruments often play a significant role both in further defining and protecting (i.e. enforcing) refugee integration rights.²⁷

UNHCR's Executive Committee has also noted "that the 1951 Convention and its 1967 Protocol set out rights and minimum standards for the treatment of refugees that are geared towards the process of integration" and recognized "the need for State Parties to implement their obligations under these instruments fully and effectively".²⁸ Hence, the 1951 Refugee Convention and its additional 1967 Protocol represent an important point of departure in regard to the standards of treatment of refugees that underpin successful integration and the attainment of a durable solution.

²⁴ UN Human Rights Committee (HRC), *General comment no. 31 [80], The nature of the general legal obligation imposed on States Parties to the Covenant*, 26 May 2004, CCPR/C/21/Rev.1/Add.13, para. 10, available at: <http://www.refworld.org/docid/478b26ae2.html>

²⁵ ExCom Conclusion No. 82 (XLVII) of 1997, on Safeguarding Asylum, para. (vi), available at: <http://www.unhcr.org/3ae68c958.html>

²⁶ UN High Commissioner for Refugees (UNHCR), *Rights of Refugees in the Context of Integration: Legal Standards and Recommendations*, June 2006, POLAS/2006/02, available at: <http://www.refworld.org/docid/44bb9b684.html>

²⁷ *Ibid.*, p. 15.

²⁸ UN High Commissioner for Refugees (UNHCR), *Conclusion on Local Integration*, 7 October 2005, No. 104 (LVI) - 2005, available at: <http://www.refworld.org/docid/4357a91b2.html>

The benefits and rights provided under the 1951 Convention have different levels of applicability depending on the nature of the refugee's sojourn or residence in the host country. According to the 1951 Refugee Convention, a refugee "lawfully staying" in the territory is to be granted the same treatment as nationals with regard to public relief (Art. 23), social security (Art. 24(1)) and primary education (Art. 22(1)), and at least (at minimum) the same treatment as that accorded to aliens generally in the same circumstances with regard to the right to self-employment, liberal professions, housing and post elementary education. As relates to wage-earning employment, States are to give "sympathetic consideration" to granting refugees the same rights as nationals, but at minimum they must be accorded the most favourable treatment granted to nationals of a foreign country in the same circumstances, pursuant to Article 17(1) and (3). Treatment as favourable as that accorded to their nationals, is also to be granted with respect to freedom of religion and religious education of children (Art. 4), the protection of artistic rights and industrial property (Art. 14), access to courts, legal assistance, and exemption from *cautio judicatum solvi* (requirement to provide security for costs in court proceedings (Art. 16).

Specifically in regard to integration, Article 34 calls on the Contracting States to, as far as possible, facilitate integration and naturalization in general, and, more specifically, make every effort to expedite naturalization proceedings and reduce charges or costs of such proceedings.

In addition, several UNHCR ExCom Conclusions contain principles and guidance of relevance to the integration of refugees, with ExCom Conclusion No. 104 on Local Integration being the most comprehensive in this respect. It, amongst other things, calls on States to facilitate the integration of refugees, including through facilitating their naturalization, and encourages State parties to the 1951 Refugee Convention to consider withdrawing reservations to the Convention.²⁹ The Conference Room Paper *Local Integration and Self-Reliance*, on which the ExCom Conclusion was based, constitutes another authoritative source of guidance in the area of local integration.³⁰

Latvia acceded to the 1951 Convention and its additional Protocol in 1997 with a number of reservations.³¹ Reservations apply to Article 8, Article 17(1) and (2) and Articles 26 and 34. According to the reservation, Latvia does not consider itself bound by Article 8 and Article 34. In respect of Article 26, Latvia reserves the right to designate the place or places of residence of refugees whenever considerations of national security or public order so require. Furthermore, Latvia considers Article 17 (1) and (2) recommendations and not legal obligations, and declares that in all cases where the Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country, this provision shall not be interpreted by Latvia as necessarily involving the regime accorded to nationals of countries with which the country has concluded regional customs, economic, political or social security agreements. Latvia's reservation to Article 34 is particularly regretful in the context of refugee integration, as this provision constitutes an important point of departure for a national integration program for refugees.

²⁹ *Ibid.*, para. (d).

³⁰ UN High Commissioner for Refugees (UNHCR), *Local Integration and Self-Reliance*, 2 June 2005, EC /55/SC/CRP.15 available at <http://www.refworld.org/docid/478b3ce12.html>

³¹ Republic of Latvia, *Law on the Convention Relating to the Status of Refugees of 31 January 1967*, 19 June 1997 (as last amended on 8 October 1997, 258/259 (973/974))

6.2 European Standards

The principle of non-discrimination is also contained in Article 14 of the 1950 European Convention on Human Rights and Fundamental Freedoms (ECHR), to which Latvia is a State party. Article 1 of the ECHR stipulates that the Contracting States shall secure to everyone within their jurisdiction the rights and freedoms defined in Section I of the ECHR, thereby affirming its applicability to refugees. The ECHR guarantees a broad range of civil and political rights, relevant to the integration of beneficiaries of international protection, including a non-derogable right to life, absolute prohibition of slavery and labour, the right to liberty and security, the right to a fair trial, a non-derogable prohibition of extra judicial punishment, the right to respect for private and family life, the right to freedom of thought, conscience and religion, freedom of expression, freedom of assembly and association, the right to marry, and the right to an effective remedy.

Legislative norms of relevance to the integration of refugees are also found in the EU asylum *acquis*, by which Latvia is bound. The 2000 Charter of Fundamental Rights of the European Union (CFREU), which sets forth the right to asylum in Article 18, is largely consistent with the ECHR and guarantees additional freedoms and rights that stem from the case law of the Court of Justice of the EU, common constitutional traditions of EU countries and other international instruments. As the CFREU is primary EU law, secondary EU legislation as well as the domestic laws of EU Member States must be interpreted in light of its provisions.

The recast Qualification Directive³² (the recast QD), which is part of the EU asylum *acquis*, establishes a set of minimum standards for the content of protection. In the recast QD, the majority of rights granted to Convention refugees and beneficiaries of subsidiary protection have been approximated. Hence, all beneficiaries of international protection have the right to information (Art. 22), employment (Art. 26), education (Art. 27), procedures for recognition of qualifications (Art. 28), health care (Art. 30), accommodation (Art. 32), freedom of movement (Art. 33) and integration assistance (Art. 34). The only exceptions to equal rights are in regard to residence permits (Art. 24), travel documents (Art. 25) and social welfare (Art. 29).

Further, the Recast Reception Conditions Directive (the recast RCD),³³ sets standards at EU level for the reception phase, which impact how refugees integrate in the receiving societies upon status recognition. The recast RCD includes provisions on asylum-seekers' access to information (Art. 5), documentation (Art. 6), residence and freedom of movement (Art. 7), family unity (Art. 12), access to education for minors (Art. 14), employment (Art. 15), vocational training (Art. 16), health care and modalities for material reception conditions (Art. 18 and 19). The recast RCD will be transposed into Latvian legislation during 2015, through amendments to the Latvian Asylum Law.

³² European Union: Council of the European Union, *Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast)*, 20 December 2011, OJ L. 337/9-337/26; 20.12.2011, 2011/95/EU, available at: <http://www.refworld.org/docid/4f197df02.html>

³³ Council of the European Union, *Directive 2013/33/EC EU laying down minimum standards for the reception of applicants for international protection (recast)*, 26 June 2013 available at <http://www.refworld.org/docid/51d29b224.html>

Provisions relevant to the integration of refugees are also covered in the 2001 Temporary Protection Directive.³⁴ This Directive sets forth rights concerning the issue of residence permits, access to information, access to employment (Art. 12), accommodation or housing, access to health care, social welfare or means of subsistence (Art. 13), access to education (Art. 14), and conditions for family reunification (Art. 15), as well as provisions for unaccompanied minors (Art. 16), where temporary protection is granted.

The 2003 Family Reunification Directive³⁵ is also of relevance to the integration of refugees in the EU, insofar as it defines criteria for the reunification of family members. The Directive extends more favourable treatment to Convention refugees, taking into account the particular challenges they may face with regard to family reunification. Beneficiaries of subsidiary or temporary protection, however, are required to conform to the general requirements of this Directive under the same conditions as migrants. Authoritative guidance on the application of the Family Reunification Directive is provided by the European Commission in its Communication to the European Parliament and the Council dated April 2014.³⁶

Finally, standards for long-term residence at EU level are laid down by the 2011 Long-term residence Directive.³⁷ It provides the right for refugees to apply for a long-term residence permit, where they fulfil conditions such as lawful and continuous stay in the territory of an EU Member State for the period of five years immediately prior to the submission of the relevant application (Art. 4), they have stable and regular resources to provide for themselves and their families (Art. 5(1)), as well as sickness insurance (Art. 5(2)). Access to the status of a long-term resident is an important aspect of the integration of refugees insofar as it aims to provide equality of treatment with the citizens of the EU Member State of residence in a wide range of social and economic matters.

6.3 Domestic legislation

The basic civil, political, economic, social and cultural rights contained in the international and European human rights instruments referred to above are enshrined as constitutional guarantees in Section VII “Fundamental human rights” of the Constitution of the Republic of Latvia.³⁸ The Constitution prohibits discrimination (Art. 91), stipulates the right to access to courts (Art. 92), the right to life (Art. 93), the right to freedom (Art. 94), prohibition of torture or cruel, inhuman or degrading treatment or punishment (Art. 95),

³⁴ Council of the European Union, *Directive 2001/55/EC on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof*, 20 July 2001, available at <http://goo.gl/sA8ze0>

³⁵ Council of the European Union, *Directive 2003/86/EC of 22 September 2003 on the right to family reunification*, 22 September 2003, available at <http://goo.gl/1rflww>

³⁶ European Commission, *Communication from the Commission to the European Parliament and the Council on guidance for application of Directive 2003/86/EC on the right to family reunification*, 2 April 2004, available at <http://goo.gl/s1RXk8>

³⁷ European Parliament and the Council of the European Union, *Directive 2011/51/EU amending Directive 2003/109/EC to extend its scope to beneficiaries of international protection*, 11 May 2011, available at <http://goo.gl/CScQLm>

³⁸ Republic of Latvia, *Constitution*, 15 February 2002 (as last amended on 8 July 2014, LV 131 (5191)).

the right to respect for private life, home and correspondence (Art. 96), and freedom of movement and choice of place of residence (Art. 97 and 98). It also lays down the right to freedom of thought, conscience and religion (Art. 99), freedom of expression (Art. 100), suffrage rights (Art. 101), freedom of association (Art. 102), the right to peaceful assembly and demonstrations (Art. 103), the right to own property (Art. 105), and the right to choose employment and freedom from servitude and forced labour (Art. 108). Further, the Constitution provides the right to receive commensurate wage (Art. 107), freedom of trade unions as well as the right to strike (Art. 108), the right to social benefits according to relevant legislation (Art. 109), family rights and the obligation on the part of the state to extend assistance to the disabled and minors, who have suffered from violence or separated from their families (Art. 110), the right to basic health care (Art. 111), and the right to education, including free primary and secondary education, with the primary education being mandatory (Art. 112). Finally, it stipulates freedom of scientific, artistic and other creativity, including ownership rights (Art. 113), the right of minorities to maintain and develop their language, ethnic and cultural heritage (Art. 114), as well as environmental rights (Art. 115). The rights espoused in Articles 96, 97, 98, 100, 102, 103, 106 and 108, as well as the freedom of expression of religion, may only be limited in accordance with law in the interests of protecting the rights of other persons, democracy, public security, welfare and public morals. With its broad remit of human rights provisions, the Constitution serves as an important source of fundamental rights relevant to the integration of refugees in Latvia.

In addition to the constitutional rights outlined above, refugees benefit from the provisions of a number of domestic laws, which govern matters related to integration. The Latvian Asylum Law,³⁹ adopted in 2009 and last amended in 2013, establishes the asylum procedure and reception conditions for asylum-seekers, as well as some of the content of the protection granted. It guarantees equal rights for refugees and persons with alternative status to information (Art. 34), while the rights granted to the respective groups differ in regard to residence status (Art. 36), social benefits (Art. 37(1)(2)), and family unity (Art. 38(1)(3)). While the Latvian Asylum Law states that the granting of temporary protection and its content shall be regulated by the Cabinet of Ministers in cooperation with OCMA, it nevertheless establishes a set of minimum rights that beneficiaries of temporary protection would be entitled to, such as access to information, emergency medical care, family reunification and access to education for minors.

Additional provisions relevant to the integration of beneficiaries of international protection are laid down in the Immigration Law of the Republic of Latvia,⁴⁰ adopted in 2002 and last amended in 2014. In line with the Latvian Asylum Law, Articles 23(13) and 24(9) of the Immigration Law provide for different residency types for persons with alternative status and 1951 Convention refugees and their family members in Latvia, whereby the former group are entitled to temporary residence permits and the latter to permanent residency permits.

³⁹ Republic of Latvia, *Asylum Law*, 15 June 2009 (as last amended on 7 November 2013, 218 (5024)).

⁴⁰ Republic of Latvia, *Immigration Law*, 31 October 2002 (as last amended on 4 June 2014, 108 (5168)).

6.4 Relevant European and national policies and strategies

Since the special meeting of the European Council in Tampere on 15 and 16 October 1999, work has taken place towards establishing a Common European Asylum System, based on the full and inclusive application of the 1951 Refugee Convention and its 1967 Protocol. In addition to the legislation adopted, as outlined above, the EU has also provided guidance on matters related to integration. While these policy documents mostly target the broader group of migrants or Third-Country Nationals rather than refugees, they nevertheless serve as an important source of key definitions and concepts in this area.

The Hague Programme: Strengthening Freedom, Security and Justice in the European Union for 2004 – 2009 called for the development of a comprehensive migration policy, including aspects related to integration (Art. 1.(2)), creation of equal opportunities to participate fully in society, removal of obstacles to integration, establishment of common basic principles of integration, as well as clear goals and means of evaluation (Art. 1.(5)).⁴¹ *The 2004 Common Basic Principles for Immigrant Integration Policy in the European Union*,⁴² subsequently adopted, constitute the main policy document at EU level in this area. They offer a non-binding definition of integration, as “a dynamic, two-way process of mutual accommodation by all immigrants and residents of Member States”, and establishes a set of soft standards concerning key aspects of integration, such as access to education and institutions, knowledge of local language, access to the labour market, interaction with the receiving society and participation in democratic processes at the local level. *The 2005 Common Agenda for Integration: Framework for the Integration of Third-Country Nationals in the European Union*⁴³ build on the 2004 Common Basic Principles for Integration by proposing concrete measures to put the principles into practice at both the national and EU levels. In addition, the *2008 European Pact on Immigration and Asylum*⁴⁴ invited EU Member States to adopt policies to promote the harmonious integration of immigrants, who are likely to settle permanently. These include specific measures to promote language learning, access to employment and combatting discrimination, as well as exchange of best practices in this area, in line with the 2004 Common Basic Principles on Integration.

⁴¹ European Council, *Hague Programme: Strengthening Freedom, Security and Justice in the European Union*, 16054/04, JAI 559, 13 December 2004, available at <http://goo.gl/5V3T0r>, p. 10, 11.

⁴² Council of the European Union, *Common Basic Principles for Immigrant Integration Policy in the European Union*, 14615/04, 19 November 2004, accessed at <http://goo.gl/ZSdNwW>

⁴³ Commission of the European Communities, *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions: A Common Agenda for Integration, Framework for the Integration of Third-Country Nationals in the European Union*, COM(2005) 389 final, 1 September 2005, available at <http://goo.gl/j3XWsl>, p. 4.

⁴⁴ Council of the European Union, *European Pact on Immigration and Asylum*, 13440/08, ASIM 72, 24 September 2008, p. 6, available at <http://goo.gl/NnX3tE>

Further, the *Stockholm programme – an Open and Secure Europe Serving and Protecting Citizens*⁴⁵ covering the period from 2010 through to 2014, pointed to the need to intensify efforts to establish a uniform status for those granted international protection and to approximate their rights. Besides encouraging more vigorous, effective and mainstreamed integration policies, aimed at granting migrants rights and obligations comparable to those of citizens of the EU, it also called for the “(...) development of core indicators in a limited number of relevant policy areas (for example employment, education and social inclusion) for monitoring the results of integration policies in order to increase the comparability of national experiences and reinforce the European learning process.” As a result, in 2010 the EU proposed the so-called Zaragoza indicators⁴⁶ to support the monitoring of integration of migrants and the outcome of integration policies in four areas: i) employment, ii) education, iii) social inclusion and iv) active citizenship, which were subsequently tested in a pilot study.

Building on the *2005 Common Agenda for Integration* and the lessons learned from its implementation, the *2011 European Agenda for the Integration of third-country nationals*,⁴⁷ reiterated that “Integration is a dynamic, long-term process requiring efforts by a wide range of actors in different policy areas and at various levels”⁴⁸ and highlighted integration challenges. These included low employment levels of migrants, especially for migrant women, rising unemployment and high levels of 'over-qualification', increasing risks of social exclusion, gaps in educational achievement, and public concerns with the lack of integration of migrants.⁴⁹ To facilitate the integration of Third-Country Nationals in the EU, the communication proposed action by means of encouraging integration through participation, more action at local level and involvement of countries of origin.⁵⁰ The relevance of integration of migrants in the labour markets of the receiving societies was also stressed in the 2011 Global Approach to Migration.⁵¹

In addition, the EU has published three *Handbooks on Integration for Policy Makers and Practitioners* (in 2004, 2007 and 2010), which were developed by the Migration Policy Group in close cooperation with experts from EU Member States, who serve as National Contact Points for Integration. The objective of the handbooks is to provide a platform for the exchange of information and best practices of EU Member States in the area of migrant integration. Each handbook covers different areas relevant to integration, such as introduction courses, civic participation, acquisition of nationality, awareness raising, economic integration and others.

⁴⁵ European Council, *The Stockholm Programme – an Open and Secure Europe Serving and Protecting Citizens*, 2010/C 115/1, available at: <https://goo.gl/ZQYhkN>

⁴⁶ European Ministerial Conference on Integration, *Draft Declaration*, 15 – 16 April 2010, p. 13, available at <http://goo.gl/5qUhyh>

⁴⁷ Commission of the European Communities, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Agenda for the Integration of Third-Country Nationals*, COM/2011/0455/final, available at <http://goo.gl/3EQAzW>

⁴⁸ *Ibid.*, Article 1.

⁴⁹ *Ibid.*, Article 1.

⁵⁰ *Ibid.*, Article 2.

⁵¹ Commission of the European Communities, *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, The Global Approach to Migration and Mobility*, COM/2011/0743 final, Article 1, available at <http://goo.gl/TjclFK>

The European Union has supported the implementation of integration-related policies and actions through the European Refugee Fund and the European Integration Fund as part of the General Programme “Solidarity and Management of Migration Flows”, as well as the European Fund for Integration of Third-Country Nationals for the period from 2007 to 2013.

At national level, the integration of refugees in Latvia is not conceived through targeted policy documents or strategies. Instead, refugees are subsumed under the broader group of third-country nationals, which encompasses various subsets of persons with significantly different integration challenges and opportunities. Also, the political and policy focus appears to be placed on promoting the social integration of the sizable Russian-speaking minority in Latvia, who have resided in the country for decades. Given the differing conditions and needs of non-citizens compared to refugees, mainstreaming of the integration of the latter into activities targeting the Russian-speaking population may not yield the intended outcomes.

Currently, Latvia’s general integration policy is set out in the *Guidelines on National Identity, Civil Society and Integration Policy of the Republic of Latvia for the period from 2012 to 2018*, adopted in 2011 by the Cabinet of Ministers. The overall objective of integration, according to these Guidelines, is a strong, united Latvian nation, which is a national and democratic community. It is based on the maintenance and development of the Latvian language, cultural and national identity, European democratic values and a unique cultural space. The basic principles of integration are inclusive ‘Latvianness’, responsibility and participation, belonging to Europe, preservation of the cultures and languages of minority nations, free choice as far as it is compatible with respect for human rights, and the assumption that identities are complementary, not exclusionary.⁵²

The Guidelines set out to create conditions conducive to a comprehensive immigrant integration policy, with activities such as participation in language courses and NGO activities, establishment of the National Integration Centre and a Consultative Board involving immigrants and their representatives, informative measures, exchange of good practices, and conduct of surveys.⁵³ Among the long list of integration activities, only one is targeted specifically at refugees, namely “Measures promoting integration of refugees and persons with alternative status”, such as access to Latvian language courses, improved access to education, as well as support concerning health care and social issues.⁵⁴

In addition, in 2012, the Riga Municipality adopted a Social Integration Programme for Riga City for the period from 2012 to 2017.⁵⁵ Newcomers (persons, who have taken up residence in Latvia after it regained independence in 1991) are one of the target groups of this program. It foresees measures for their integration in Latvian society, including the provision of access to education for children, free Latvian language courses, as well as a

⁵² Republic of Latvia, *Guidelines on National Identity, Civil Society and Integration Policy of the Republic of Latvia for the period (2012 to 2018)*, Order No. 542, 20 October 2011, p. 9, 10 available at <http://goo.gl/7oPPhb>

⁵³ *Ibid.*, Chapter 9.

⁵⁴ *Ibid.*, Chapter 9, p. 45.

⁵⁵ Riga Municipality, *Social Integration Programme for Riga City for the period from 2012 to 2017*, Decision No. 5252, 25 October 2012.

range of other support and informational activities. Refugees are not, however, singled out as a specific target group within the framework of this programme.

6.5 Competences of relevant institutions at national and municipal levels

At the national level, competencies with regard to refugees in Latvia are shared between two Ministries and their respective subordinate offices: the MoC, which bears the main responsibility for the integration of refugees and the Mol, which exercises competence for the reception of asylum-seekers and for some aspects related to post-recognition assistance.

The Office for Citizenship and Migration Affairs (OCMA) under the Mol implements the state policy on migration, including examining asylum applications and taking all decisions concerning the granting, extension or withdrawal of status, issuing identification and travel documents, and residence permits. As the institution charged with the establishment and maintenance of the register of asylum-seekers in Latvia, OCMA also collects a broad range of relevant information, such as the applicants' personal data, level of education, languages spoken, as well as information on the application, including the decision on status and appeal, and assistance in terms of accommodation and benefits granted.⁵⁶ OCMA is responsible for the granting and payment of post-recognition financial assistance to refugees. In line with its mandate and following a presumption that refugees should integrate with the general population of the country, OCMA does not, however, collect information related to the whereabouts, employment or housing of refugees in Latvia after they have been granted status.⁵⁷

Responsibility for the running of reception centres for asylum-seekers in Latvia also falls upon OCMA. To date, there is one such facility – the open Reception Centre (RC) "Mucenieki". It was established in 1998 with a capacity of up to 200 persons. Its main purpose is to provide accommodation and food to asylum-seekers, whose identity has been established. While in principle, upon recognition of status, refugees should leave RC "Mucenieki" without delay, the reality is different. Information collected through interviews with stakeholders shows that refugees have difficulties finding housing and that it is not uncommon that the search for suitable accommodation takes months. During this process, refugees are allowed to remain at RC "Mucenieki" if they pay the requested rent; in exceptional cases, they also benefit from the assistance of the RC staff in finding another place to live. It is noted by OCMA that this places a significant additional strain on the already limited administrative and financial resources of the Centre.⁵⁸

Once the reception phase is complete and status is granted, the responsibility for the integration of refugees in Latvia officially falls upon the MoC. Its competence over the integration of Third-Country Nationals, including refugees, covers the development and implementation of policies for social integration and promotion of civil society, as well as

⁵⁶ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 356 on the Register of Asylum seekers*, 1 July 2014, Article 5.

⁵⁷ Interview with Līga Vijupe, Head of Asylum Affairs Department, OCMA.

⁵⁸ Interview with Edīte Pavlova, Head of Asylum seekers' Reception Centre "Mucenieki".

the protection of the rights of minorities, including Roma, through eradicating racial and ethnic discrimination.

To provide a platform for discussion on a broad range of integration-related issues, the MoC has established a Consultative Board on the Integration of Third-Country Nationals.⁵⁹ The Board is comprised of 18 national and local public authorities, as well as NGO representatives, and is tasked with the situational analysis of the protection of the rights of Third-Country Nationals concerning social integration, and with proposing remedies to identified shortcomings. Although inclusion of representatives of the target group in consultative bodies is recommended, currently the membership of the Consultative Board on the Integration of Third-Country Nationals does not include any refugees. By the end of 2014, the Board had convened five times and is yet to deliver concrete solutions to challenges related to the integration of refugees in Latvia. However, the meetings convened by the Board in 2014 included one with UNHCR RRNE and the national consultant, at which the the purpose and scope of the current study was presented.

The Board is also responsible for the development and implementation of a strategy for the establishment of the National Integration Centre (NIC),⁶⁰ a new initiative of the Society Integration Foundation (SIF) with financing from the European Fund for the Integration of Third Country Nationals. Currently, as a project financed by European Integration Fund, the NIC is tasked to improve the access by Third-Country Nationals to various services and for facilitating their integration into the Latvian society, as well as for promoting a greater understanding of migration processes among the general public. In the future, within the new EU financing mechanism the “Asylum Migration and Integration Fund” for 2014 to 2020, the MoC endeavours to improve the situation through the development of the coordination structure, as a one-stop shop for integration support to refugees.⁶¹

Besides the competencies of the MoC and its subordinate offices, responsibilities concerning the integration of refugees at the national level are also mainstreamed across a number of other relevant policy areas and institutions, such as the MoW, MoE, and the Office of the Ombudsman. The MoW develops normative acts concerning social care, social rehabilitation, professional rehabilitation, and relevant technical assistance, also applicable to this target group. Concerning the provision of social services and assistance, the responsibilities are distributed among the state and municipalities, with separate budgets.⁶² The State Employment Agency under the auspices of MoW is charged with the provision of assistance to the unemployed, job seekers and to persons at risk of unemployment, including refugees.

As the institution tasked with the development and implementation of education-related policies in Latvia, the MoE is concerned with the provision of access to education for refugees, including minors. In cooperation with OCMA, schools and municipalities, it ensures that all children receive compulsory secondary education, as well as high school

⁵⁹ Information about the Consultative Board available on the MoC, website available at <http://goo.gl/m54gL2>

⁶⁰ *Ibid.*

⁶¹ Interview with Anita Kleinberga, Head of Social Integration and Civil Society Development Unit, Ministry of Culture.

⁶² Interview with Anda Masejeva, Senior Expert at the Social Services Department of the MoW.

and professional education. Additionally, MoE provides advice to refugees on education-related issues, when approached directly. It also monitors and collects information on children's enrolment in schools, including visits to meet the minors and their parents, as well as tutors and school administration.⁶³

In Latvia, municipalities have been given competencies with regard to the integration of refugees registered within their administrative territories, including the provision of social assistance and services, the scope of which is determined by the residency and social status of the person concerned. In addition, in cooperation with the Orphans' Courts, municipalities are tasked with the analysis and overall protection of the rights of minors within their administrative territories, including their right to access education. Since refugees and their family members are granted permanent residency in Latvia, they are eligible for the full scope of social services and assistance offered by local governments, including services with regard to housing, finding employment, training, and access to education. Persons with alternative status and their family members benefit from the right to night shelter, shelter, information, consulting services and a social benefit with regard to the Guaranteed Minimum Income (GMI), as long as they hold the temporary residence permits which they are issued upon status recognition. Orphans and unaccompanied minors with alternative status are also eligible to receive social care and rehabilitation, where applicable.⁶⁴

Two municipal councils – Ropazi, where the RC "Mucenieki" is located, and Riga – have experience in regard to the integration of refugees, as many of them choose to reside in these administrative territories. Riga Municipality reports that the number of refugees who approached them with requests for assistance numbered 10, including six minors in 2011; 22 persons, including 10 minors in 2012; 16 persons, including 11 minors in 2013, and 24 persons, including 13 minors in 2014, as of 5 November 2014. According to information provided by the Riga Municipality, families with alternative status have been especially active in reaching out for help, in particular concerning financial assistance and benefits to provide for basic needs, including payment of rental fees and utility costs.⁶⁵

6.6 Involvement of non-state actors

Since 2008, the responsibility for the provision of non-state post-recognition integration assistance to refugees in Latvia has been placed solely on one NGO – PDM. Through projects, mainly funded through the ERF, PDM has offered a range of measures, aimed at facilitating the socio-economic and legal integration of refugees. Material assistance has encompassed support with regard to housing costs, purchasing clothes and household items, financial support for educational activities, and medical assistance, including purchasing medicines.⁶⁶

⁶³ Interview with Olita Arkle, Expert, Ministry of Education and Science.

⁶⁴ Republic of Latvia, Law on Social Services and Social Assistance, Article 3 (1) and Article 9.

⁶⁵ Written feedback submitted by Ilona Stalīdžāne, Head of Projects and Social Integration Unit, Riga Municipality and Ruta Klimkāne, Head of Employment Unit, Riga Municipality.

⁶⁶ Interview with "Patvērums "Drošā māja" ".

On a project basis, PDM has also organized basic level Latvian courses and a conversational Latvian club for refugees. In addition, PDM has provided refugees with the opportunity to receive professional training and assistance in the search for housing and jobs, as well as general information on Latvia, available state-managed services, the educational system, the labour market and the health care system. Finally, PDM trains the staff of local governments, with the aim of increasing the preparedness of regional municipalities to serve refugees more effectively.⁶⁷

On an on-going basis, PDM organizes consultations for refugees with social workers and with lawyers specializing in employment, education and housing matters, and in other legal aid issues such as preparing appeals for status change. Nearly all stakeholders interviewed for the purposes of this report acknowledged that PDM serves as the main source of information, and the default turn-to-organization for refugees on all issues relevant to their integration in Latvia upon the granting of status.

The NGO Latvian Centre for Human Rights (LCHR) primarily monitors the situation of asylum-seekers and provides them with legal aid. However, in exceptional cases, when PDM lacks the necessary resources, the LCHR provides some assistance to refugees. The support extended by LCHR is targeted, in particular, at vulnerable persons, such as minors, families with children, and persons with special needs, and covers issues related to family reunification.⁶⁸

Another actor providing humanitarian assistance and basic necessities to refugees is the NGO "Sv. Jana Palidziba". Interviews with the national consultant revealed that the Office of the Ombudsman sometimes refers refugees there for help.⁶⁹ Unlike in a number of other EU Members States, the Red Cross in Latvia is not particularly active in regard to refugees, and only provides material assistance in terms of clothing, food and non-prescription medicines on an ad hoc basis.⁷⁰

6.7 Financing mechanisms

In Latvia, integration-related activities are mainly financed through available EU funding mechanisms. The Mol and the MoC are the lead institutions for the implementation of these funds. The co-financing provided by the government is an important contribution, however it falls short of establishing an independent and permanent source of funding aimed at facilitating the integration of refugees in Latvia. Municipalities do not receive any financing earmarked for refugees from the state budget.

Within the EU General Programme "Solidarity and Management of Migration Flows" (SOLID), the Mol is the lead institution for the implementation of projects co-financed under the European Refugee Fund, with OCMA serving as the implementing authority.⁷¹

⁶⁷ *Ibid.*

⁶⁸ Interview with Svetlana Djačkova, Researcher, Latvian Centre for Human Rights.

⁶⁹ Interview with Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombudsman.

⁷⁰ Interview with Uldis Likops, General Secretary, Latvian Red Cross.

⁷¹ Republic of Latvia, *Order No. 384 by the Cabinet of Ministers on Institutions responsible for the General Programme Solidarity and Management of Migration Flows*, 20 June 2007, Article 1.4.

So far, projects of relevance to refugee integration have mainly focused on enhancing the administrative capacity of OCMA, fostering cooperation among the authorities, the provision of material assistance, health care, interpretation services and psychological counselling to asylum-seekers, the improvement of reception standards at RC "Mucenieki" and the development of relevant information systems.⁷²

With regard to projects financed by the European Fund for the Integration of Third-Country Nationals, MoC as the lead institution is tasked with the implementation of a set of proposed actions. The activities include Latvian language courses, the promotion of civic participation, the establishment of a volunteer network to support the integration of Third-Country Nationals in the local community, the provision of consultations and assistance concerning health care, employment and other relevant matters, training for representatives of national and local public authorities, exchange of best practices with other EU Member States, as well as research on the integration of Third-Country Nationals in Latvia. These measures do not, however, target refugees specifically.⁷³

As noted above, within the next financing period, which establishes the Asylum, Migration and Integration Fund for 2014 to 2020, MoC has foreseen that the administration of projects aimed at facilitating the integration of refugees may be run by the newly established National Integration Centre, subject to the decision on the open call for proposals.

⁷² Information provided by OCMA.

⁷³ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 292 on the Implementation of Activities within the European Fund for the Integration of Third-Country Nationals*, 9 June 2014.

7. Mapping of the integration of refugees in Latvia – applicable rights, procedures and assistance

This chapter is structured around the thematic areas that have been deemed particularly important for refugees' ability to integrate in their new societies, as explained in Chapter 3.6 above. Where available, reference is made to corresponding rights, first in the 1951 Refugee Convention and then in EU legislation. An overview of related provisions in the Latvian legislation and policy documents is thereafter provided. However, it need to be stressed that this chapter does not, in any way, attempt to provide a comprehensive assessment and gaps analysis of the national legal and policy framework vis-à-vis the international and European standards in these thematic areas.

7.1 Financial assistance

With regard to financial assistance, Article 23 of the 1951 Convention provides that “The Contracting States shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to their nationals.” The recast Qualification Directive elaborates this further by stipulating that refugees shall be provided with adequate social welfare and means of subsistence, without discrimination with regard to social assistance, in order to avoid social hardship. It also provides EU Member States with the possibility to limit such assistance to core benefits, in line with national law as long as minimum income support, assistance in case of illness, pregnancy and parental assistance are provided at the same level and under the same eligibility conditions as to nationals.⁷⁴

Rights to social benefits in Latvia are regulated through several pieces of national legislation. The Latvian Asylum Law provides refugees with the right to receive a subsistence allowance. Costs related to Latvian language tuition are also covered.

⁷⁴ 2011 Qualification Directive, Article 29 and Article 45 of the Preamble.

1951 Convention refugees are eligible for these allowances the first 12 months after status recognition and persons with alternative status for the first nine months, provided conditions are met. Persons with alternative status, who appeal first instance decisions and subsequently qualify for refugee status, have the right to benefit from both allowances for a total of 12 months. The Latvian language tuition fee is paid directly to the entity providing the service.⁷⁵ Further details on entitlements are contained in the Regulations by the Cabinet of Ministers No. 210 of 22 April 2014 on Subsistence allowance to refugees and persons with alternative status.

Currently, the subsistence allowance is set at 256.12 EUR per person per month, tax-free. Minors are eligible to 30 per cent of this amount. The Latvian language tuition fee has been capped at a maximum of 49.80 EUR per month per person for refugees. To qualify for the language tuition fee, refugees must be at least seven years old.⁷⁶

To receive the subsistence allowance, refugees must present a personal identification document to OCMA, submit a declaration on their means of living and file an application. They are also obliged to inform OCMA within five days of concluding an employment contract for a duration, which extends beyond two months or if they have undertaken economic activity or earned additional income, which exceeds the minimum monthly wage, currently set at 360 EUR per month before tax deduction. These, along with a few other conditions, such as death, cessation of refugee or alternative status, provision of untruthful information on subsistence means, as well as being sentenced to a term of imprisonment for a criminal offense and being incarcerated, may serve as grounds for the cessation of eligibility for the subsistence allowance. Once OCMA takes a positive decision, the subsistence allowance is transferred directly to the personal bank account of the refugee on a monthly basis.⁷⁷

In line with the Law on Support to the Unemployed and to Persons in Search of a Job of the Republic of Latvia⁷⁸ and the Law on Insurance Against Unemployment of the Republic of Latvia,⁷⁹ refugees have the right to receive unemployment benefits under the same conditions as nationals if they fulfil the following criteria: i) they qualify for the status of unemployed, ii) they have been insured against unemployment through social tax contributions in Latvia for at least nine months during the last 12 months and iii) the total duration of their social insurance in Latvia is at least 12 months. Owing to difficulties accessing the labour market and securing legal employment in Latvia, the majority of refugees are likely to fail to meet these criteria and will therefore not be eligible for unemployment benefits. This is indirectly confirmed by the State Social Insurance Agency, responsible for the administration of social insurance and social services in Latvia under the auspices of the MoW, which has never granted the unemployment benefit to a refugee.

⁷⁵ Republic of Latvia, *Asylum Law*, Article 37.

⁷⁶ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 210 on Benefits to refugees and persons with alternative status*, 22 April 2014, Article 2.

⁷⁷ *Ibid.*, Article 3.

⁷⁸ Republic of Latvia, *Law on Support to the Unemployed and to Persons in Search of a Job*, Article 2(2) and *Law on Insurance Against Unemployment*, Article 3.

⁷⁹ Republic of Latvia, *Law on Insurance Against Unemployment*, Article 3.

The rights of refugees to other forms of social assistance are set forth in the Law on Social Services and Social Assistance of the Republic of Latvia,⁸⁰ adopted in 2002 and last amended in 2013. The entitlements differ for refugees and persons with alternative status, and detailed provisions are established in executive legal acts adopted on the basis of this Law.⁸¹ Within the framework of financial assistance provided by the municipalities, refugees can claim the Guaranteed Minimum Income (GMI) benefit, provided they qualify for the so-called 'indigent status', as stipulated in the Law on Social Services and Social Assistance of the Republic of Latvia.⁸² A person or a family is indigent if the median income per person per month for the last three months has not exceeded 128.06 EUR. In addition, it is required that the person or the family i) does not have savings, bonds or property, ii) has not concluded an agreement on provision of sustenance, iii) is not under long-term social care and social rehabilitation, or in prison iv) has registered at the State Employment Agency as an unemployed individual.⁸³

To claim the GMI benefit, refugees must supply the municipality with relevant information, including data on their income during the last three months or provide a certificate on the status of the unemployed. The exact size of financial assistance is determined in accordance with relevant rules at municipality level. In Ropaži Municipality, for example, the GMI benefit is set at 50 EUR per person per month, whereas unaccompanied minors receive 60 EUR per month. In Riga Municipality, the GMI benefit is set at 56.91 EUR per month for adults, whereas unaccompanied minors are eligible to receive 64.03 EUR per month. Persons, who receive a pension may be entitled to 128.06 EUR per month, provided they fulfil the criteria outlined above. Unaccompanied minors, who reach 18 years and are no longer placed in social care, also benefit from a further 65 EUR per month, irrespective of status, as long as they continue education, including high school or college level education, and receive sufficient grading.⁸⁴

In terms of financial assistance, the Law on Maternity and Sickness Insurance of the Republic of Latvia,⁸⁵ adopted in 1995 and last amended in 2014, stipulates in Article 4(1) that individuals who are socially insured in Latvia in line with the Law on State Social Insurance, are eligible to receive maternity, paternity, sickness, funeral and parental allowances.⁸⁶ This applies to both groups of beneficiaries of international protection, provided they are socially insured. With regard to other forms of parental support, differing entitlements apply. Articles 3 and 4(1) of the Law on Social Benefits of the

⁸⁰ Republic of Latvia, *Law on Social Services and Social Assistance*, 31 October 2002 (as last amended on 29 November 2013, 234 (5040)).

⁸¹ See Regulations by the Cabinet of Ministers No. 550 of 17 June 2009 on the Order, in which Social Benefit ensuring Guaranteed Minimum Income is calculated, granted and paid, as well as on the agreement on cooperation; Regulations by the Cabinet of Ministers No. 299 of 30 March 2010 on According poverty status to single persons and families; Regulations by the Cabinet of Ministers No. 288 of 21 April 2008 on the Order, in which social services and social assistance are dispensed; and Regulations by the Cabinet of Ministers No. 299 of 30 March 2010 on Affording indigent status to families and persons.

⁸² Republic of Latvia, *Law on Social Services and Social Assistance*, Article 35.

⁸³ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 299 on Affording indigent status to families and persons*, 30 March 2010, Article 2.

⁸⁴ Information provided by Ropaži and Riga Municipalities.

⁸⁵ Republic of Latvia, *Law on Maternity and Sickness Insurance*, 6 November 1995 (as last amended on 12 November 2014, 225 (5285)).

⁸⁶ *Ibid.*, Article 4(1).

Republic of Latvia,⁸⁷ adopted in 2002 and last amended in 2014 provides foreigners, who permanently reside in Latvia, with the right to receive a range of social benefits, including monthly family allowance, parental leave allowance and a one-off allowance with regard to the birth of a child under the same conditions as nationals.⁸⁸ The monthly family allowance is currently set at 11.38 EUR per month for the first child, 22.76 EUR for the second child and 34.14 EUR for the third and all following children.⁸⁹ The parental leave allowance is set at a minimum of 171 EUR per month for a child younger than 1,5 years and at 42.69 for a child who is between 1,5 and 2 years old⁹⁰ and the one-off allowance on the occasion of the birth of a child is set at 421.17 EUR per child.⁹¹ In line with Articles 4(2) and 4(4) of this Law, persons with alternative status are not eligible to the monthly family allowance, the childcare allowance and the one-off allowance with regard to the birth of a child, irrespective of their social insurance status, except where the benefits are claimed by the guardian of a minor, who has received alternative status.

7.2 Access to education and Latvian language courses

With regard to education, Article 22 of the 1951 Refugee Convention stipulates that “The Contracting States shall grant to refugees the same treatment as is accorded to nationals with respect to elementary education” and “(...) treatment as favourable as possible, and, in any event, not less favourable than accorded to aliens in the same circumstances, with respect to education other than elementary education and, in particular, as regards access to studies, the recognition of foreign school certificates, diplomas and degrees, the remission of fees and the award of scholarships”.

The recast Qualification Directive also sets forth a number of provisions in this area. Firstly, it obliges EU Member States to ensure that activities such as employment-related education opportunities for adults, vocational training, including training courses for upgrading skills are offered to beneficiaries of international protection, under the same conditions as nationals.⁹² Secondly, it stipulates that access to the education system must be granted to all minors benefiting from international protection, under the same conditions as nationals and that adult beneficiaries of international protection shall be allowed access to the general education system, further training or retraining, under the same conditions as legally resident Third-Country Nationals.⁹³

⁸⁷ Republic of Latvia, *Law on Social Benefits*, 31 October 2002 (as last amended on 16 September 2014, 183 (5243)).

⁸⁸ *Ibid.*, Articles 3 and 4(1).

⁸⁹ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1517 on the Order for granting, payment and revision of family allowance and allowance for a handicapped child*, 22 December 2009, Article 7.

⁹⁰ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1609 on the Granting, payment and revision of parental leave allowance and additional allowances, including those related to the birth of twins or more children during one labour*, 22 December 2009, Article 2.

⁹¹ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1546 on the Order for granting and payment of an allowance for the birth of a child*, 22 December 2009, Article 2.

⁹² 2011 Qualification Directive, Article 26.

⁹³ *Ibid.*, Article 27.

Refugees in Latvia are granted access to education in line with Article 3(7) of the Law on Education of the Republic of Latvia,⁹⁴ adopted in 1998 and last amended in 2013, which stipulates that such access shall be provided irrespective of financial and social status, race, nationality, ethnic group, gender, religion and political opinion, health condition, occupation and place of residence.⁹⁵ In line with Article 12(5) of this Law, refugees are entitled to receive secondary and high school education free of charge under the same conditions as Latvian citizens and non-citizens. There is no reference to the right of refugees to attend universities for free under the same conditions as citizens and non-citizens of Latvia.⁹⁶ Instead, pursuant to this Law, foreigners pay fees for higher education in line with contracts agreed with the service provider. In accordance with Article 45 of the Law on Universities of the Republic of Latvia,⁹⁷ adopted in 1995 and last amended in 2014, however, refugees have the right of access to higher education. Finally, Article 11 of the Law on Education regulates the recognition of diplomas obtained abroad.

The Law on the Protection of the Rights of the Child of the Republic of Latvia,⁹⁸ adopted in 1998 and last amended in 2014, sets forth the right of every child to free pre-school, secondary and high school, as well as vocational education⁹⁹ and prohibits discrimination on the basis of race, nationality, gender, language, political party membership, religion and political opinion, national, ethnic or social origin, place of residence in Latvia, financial and health situation, birth or other circumstances of either the child, or her parents, guardians or family members.¹⁰⁰ By extension, these provisions apply to refugees and their family members. Specific provisions concerning the protection of and assistance to minors with either refugee or alternative status are spelled out in Article 74 of this Law, which, amongst others, states that unaccompanied minors, who are refugees, are entitled to the same support as any other child without parental care.

Regulations by the Cabinet of Ministers No. 174 of 23 February 2010 on Rules concerning access to education for minor asylum-seekers¹⁰¹ sets out the right to education for minors during the asylum procedure. In this Regulation, special provisions are foreseen for minor asylum-seekers through agreements, which the MoE concludes with the school selected, thereby providing additional funding for individual tutoring in every subject in parallel to the possibility to attend mainstream classes, as well as for the purchase of schoolbooks. According to the MoE, this ensures a “soft” transition to mainstream schooling.¹⁰²

Once the minor asylum-seeker is granted international protection in Latvia, however, the agreement between the MoE and the chosen school ceases to be applicable. From

⁹⁴ Republic of Latvia, *Law on Education*, 29 October 1998 (as last amended on 24 July 2013, 142 (4948)).

⁹⁵ *Ibid.*, Article 31(1).

⁹⁶ *Ibid.*, Article 12(4).

⁹⁷ Republic of Latvia, *Law on Universities*, 2 November 1995 (as last amended on 29 October 2014, 214 (5274)).

⁹⁸ Republic of Latvia, *Law on the Protection of the Rights of the Child*, 19 June 1998 (as last amended on 25 March 2014, 60 (5120)).

⁹⁹ Republic of Latvia, *Law on the Protection of the Rights of the Child*, Article 11(1).

¹⁰⁰ *Ibid.*, Article 3(2).

¹⁰¹ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 174 on Rules concerning the access to education for minor asylum seekers*, 23 February 2010.

¹⁰² Interview with Olita Arkle, Expert, Ministry of Education and Science.

then on, individual tutoring may be provided by the school at its own initiative and within the limits of its administrative and financial capacities. As stated by the MoE, some local governments, such as Riga municipality, are in the position to provide additional support to schools in this regard. In general, however, minor refugees are granted access to education under the same conditions applicable to all children in Latvia and special assistance by the state is not provided.¹⁰³

As mentioned in Chapter 7.1 above, the Latvian Asylum Law stipulates that refugees have the right to have the expenses of the Latvian language tuition fee covered.¹⁰⁴ 1951 Convention refugees are eligible for this benefit during the first 12 months after status recognition, and persons with alternative status for the first nine months, provided they are at least seven years old. In addition, persons with alternative status, who appeal first instance decisions on status and subsequently qualify for refugee status, have the right to have the costs covered for a total of 12 months. Currently, the Latvian language tuition fee is set at a maximum of 49.80 EUR per month per person and is paid directly to the entity providing the service.¹⁰⁵ Refugees must independently find suitable courses, as centralized training is not provided. OCMA is in the position to supply them with some information on service providers, however it does not have a complete and updated list on available courses at its disposal. The attendance of Latvian language courses is not mandatory, and does not impact on the eligibility for the subsistence allowance.

In addition to the financial assistance provided by OCMA, the Law on Support to the Unemployed and to Persons in Search of a Job of the Republic of Latvia stipulates that refugees and their family members alike have the right to receive the full scope of support foreseen by this Law, including Latvian language training on a non-discriminatory basis.¹⁰⁶ Within the framework of this support program, implemented by the State Employment Agency, six refugees have attended language courses, of whom five studied Latvian and one chose to learn German.¹⁰⁷ However, satisfaction levels with this training are, apparently, low.¹⁰⁸

As of 2011, access to Latvian language classes is also provided by the Riga Municipality to all adults, whose declared place of residence is Riga. Unemployed persons are, however, excluded from the target group eligible to attend this training, as they are expected to be able to benefit from the support provided by the State Employment Agency described above. In addition, in line with the Social Integration program for Riga City for 2012 – 2017, the integration of newcomers (persons, who have taken up residence in Latvia after regaining independence in 1991) is facilitated through a range of measures, including the provision of access to education for children and free Latvian language courses. The latter program is financed through the European Fund for the Integration of Third-Country Nationals, it therefore does not target refugees in particular. The Riga Municipality does not collect data on the legal status of persons participating in

¹⁰³ *Ibid.*

¹⁰⁴ Republic of Latvia, *Asylum Law*, Article 37.

¹⁰⁵ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 210 on Benefits to refugees and persons with alternative status*, Article 2.

¹⁰⁶ Republic of Latvia, *Law on Support to the Unemployed and to Persons in Search of a Job*, Article 2(2).

¹⁰⁷ Information provided by Egils Vidžups, Head of Development Unit and Deputy Director of Finance and Development Department, State Employment Agency.

¹⁰⁸ Interview with "Patvērums "Drošā māja" ".

the language training, therefore information on whether refugees do in fact benefit from this service, is unavailable.¹⁰⁹

Finally, PDM provides refugees with access to basic Latvian language classes as well as a conversational Latvian club on a project basis. Classes take place in small groups and are tailored towards the specific needs of refugees, however, they are dependent upon external financing and are therefore not consistently available. PDM reports that, as a result of the challenges described above, the majority of refugees have not received any Latvian language training before they approach PDM.¹¹⁰

7.3 Legal status, types of residence permits, freedom of movement, identification and travel documents, and access to naturalization

7.3.1 Legal status and residence permits

In line with the provisions of the recast Qualification Directive, the Latvian Asylum Law foresees two distinct statuses, which are afforded to beneficiaries of international protection: refugee status and alternative status, the latter corresponding to that of a beneficiary of subsidiary protection. The rights and entitlements attached to each status differ in a number of aspects, which impact post-recognition integration in Latvia. One such difference is the type of residence permits issued, which confer unequal rights in other areas relevant to integration, such as eligibility for social benefits and assistance, financial assistance, family reunification and social integration.

According to Article 24 of the recast Qualification Directive, EU Member States shall issue to beneficiaries of refugee status "(...) a residence permit which must be valid for at least 3 years and renewable, unless compelling reasons of national security or public order otherwise require, and without prejudice to Article 21(3)", as soon as possible after international protection has been granted. Residence permits issued to refugees' family members may be valid for less than three years and renewable, without prejudice to Article 23(1). Concerning beneficiaries of subsidiary protection and their family members, Article 24(2) of the recast Qualification Directive specifies that EU Member States shall issue renewable residence permits, which must be valid for at least one year and, in case of renewal, for at least two years, unless compelling reasons of national security or public order otherwise require.

The 2003 Long-term residence Directive and the 2011 Long-term residence Directive extending its scope to beneficiaries of international protection, provide the right to beneficiaries of international protection to apply for a long-term residence permit, where they fulfil conditions such as lawful and continuous stay in the territory of an EU Member State for the period of five years immediately prior to the submission of the relevant application, they have stable and regular resources to provide for themselves and their

¹⁰⁹ Information provided by Riga Municipality.

¹¹⁰ Interview with "Patvērums "Drošā māja" ".

families, as well as sickness insurance. Access to the status of a long-term resident is an important aspect of the integration of refugees insofar as it aims to provide equality of treatment with the citizens of the EU MS of residence in a wide range of social and economic matters.¹¹¹

In line with Article 36 in the Latvian Asylum Law and Articles 23 (13) and 24 (9) of the Immigration Law of the Republic of Latvia, refugees and their family members are granted permanent residence permits, which are registered once in five years, whereas persons with alternative status are issued temporary residence permits valid for the duration of their status, which is currently one year. These permits can be extended by another year repeatedly, if the conditions qualifying the individual for alternative status, outlined in Article 23 of the Latvian Asylum Law persist. Family members of persons with alternative status are issued temporary residence permits for the same duration as the beneficiary of alternative status (Art. 38(3)). Persons, who have resided in Latvia continuously for five years with temporary residence permits, are eligible for the status of a permanent resident of the European Community in Latvia or to receive permanent residence permit in Latvia, if they have acquired knowledge of the Latvian language and can provide proof of sufficient means of income.¹¹²

International protection status is also indicated on the residence permits, which used to be provided as stick-ons in the passports in the past and are now issued in the form of a plastic card. Labelling of refugees is thus rendered easy, whenever personal identity documents must be presented. Under certain circumstances, this could constitute abuse of personal data and lead to discrimination.

The issue of and decisions on the extension of residence permits fall under the responsibility of OCMA. In order to apply for residence permits, refugees must submit their travel document and a declaration on the place of residence in Latvia.¹¹³ A fee for the issuance of the residence permit applies to refugees (if the time for the issuance is 10 days, the fee stands at 14.23 EUR, if the residence permit is issued through an accelerated procedure within two days, the fee is doubled to 28.46 EUR).¹¹⁴ It must be noted however, that refugees and minors under 16 years are only required to cover the cost of the documents, and are exempt from paying the fees generally charged for the consideration of the application.¹¹⁵ Family members of refugees older than 16 years, who are themselves not recipients of refugee or alternative status, are not exempt from fees and must comply with general rules.

¹¹¹ 2003 Long-term residence Directive, Article 6 of the Preamble, Articles 4 and 5.

¹¹² Republic of Latvia, *Regulations by the Cabinet of Ministers No. 564 on Residence permits*, 21 June 2010, Article 28(4) and Article 35.

¹¹³ *Ibid.*, Article 32.

¹¹⁴ Information provided by OCMA.

¹¹⁵ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1034 on State fees for the consideration of the necessary documentation for requesting a visa, a residence permit or the status of a permanent resident of the European Union in the Republic of Latvia and related services*, 1 October 2013, Article 10(8) and 10(11).

7.3.2 Freedom of movement

Article 26 of the 1951 Refugee Convention states that the Contracting States shall accord to refugees lawfully in their territories the right to choose their place of residence to move freely within its territory, subject to any regulations applicable to aliens generally in the same circumstances.

While Latvia has made a reservation to Article 26 of the 1951 Convention, thereby retaining the right to designate place of residence to certain groups of refugees where justified by public interest, no restrictions to the movement of freedom of refugees currently apply and they are free to choose their place of residence within the territory of Latvia.

At EU level, Article 33 of the recast Qualification Directive stipulates that freedom of movement within the territory of the EU Member State, which has afforded international protection, shall be granted to refugees under the same conditions and restrictions as those provided for other Third-Country Nationals legally resident in their territories.

7.3.3 Identity and travel documents

In line with Article 27 of the 1951 Refugee Convention, any refugee who does not possess a valid travel document, shall be issued identity papers. With regard to travel documents, Article 28 of the 1951 Convention stipulates that “The Contracting States shall issue to refugees lawfully staying in their territory travel documents for the purpose of travel outside their territory, unless compelling reasons of national security or public order otherwise require. The provisions of the Schedule to the 1951 Convention shall apply with respect to such documents and “(...) travel documents issued to refugees under previous international agreements by Parties thereto shall be recognized and treated by the Contracting States in the same way as if they had been issued pursuant to this article”.

The recast Qualification Directive similarly sets forth that beneficiaries of refugee status shall be issued travel documents, in the form set out in the Schedule to the 1951 Convention, for the purpose of travel outside their territory unless compelling reasons of national security or public order otherwise require. Persons with alternative status, who are unable to obtain a national passport, are entitled to receive documents, which enable them to travel outside the territory of the EU Member State concerned, unless compelling reasons of national security or public order otherwise require.

In line with the Latvian Asylum Law, a refugee shall be issued a travel document, which is simultaneously a personal identity document, in line with the 1951 Convention. Such a document is also issued to persons with alternative status, who cannot obtain a travel document from their previous country of habitual residence.¹¹⁶ Articles 6, 7 and 9 of the Law on Identity Documents of the Republic of Latvia,¹¹⁷ adopted in 2012 and last amended in 2014, lay down further rules concerning the identity and travel documents for refugees

¹¹⁶ Republic of Latvia, *Asylum Law*, Article 35.

¹¹⁷ Republic of Latvia, *Law on Identity Documents*, 12 January 2012 (as last amended on 18 July 2014, 140 (2500).

and Regulations by the Cabinet of Ministers on Personal Identity Documents No. 134 of 21 February 2012, adopted on the basis of the Law on Identity Documents, provide detailed information on the format, content, issuance and validity of these documents. In line with the Regulations No. 134, refugees are entitled to a passport, which certifies 1951 Convention refugee status and has a blue cover, marked with "Travel document" and "Convention of 28 July 1951".¹¹⁸ Persons with alternative status are issued a passport with a cover in the same blue colour, however it only states "Travel document". The validity of the document is five years for persons over the age of five; and two years, or the duration of the travel if it is longer than two years, but in any case no more than five years for minors aged less than five.¹¹⁹ Reference to the holder's alternative status is provided inside the passport.¹²⁰

With regard to consular assistance, Article 25 of the 1951 Convention sets forth that the Contracting States shall extend the help of their authorities or an international authority to refugees where the exercise of a right by a refugee would normally require the assistance of authorities of a foreign country to whom he cannot have recourse.

Article 11 of the Consular Regalement¹²¹ of the Republic of Latvia provides refugees, as holders of passports issued by Latvia, with the right to receive consular assistance in matters related to courts, administrative issues and passports, and protection of their personal and material, as well as other rights and interests. In addition, Article 7(3) of the Law on Identity Documents foresees the possibility to issue return documents to refugees in Latvia, who are abroad and do not have a valid travel document at their disposal.

7.3.4 Access to naturalization

With regard to naturalization, Article 34 of the 1951 Refugee Convention stipulates that the Contracting States "shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings." Moreover, by mentioning that *in particular*, costs should be reduced and the naturalization procedures expedited, it is implied in Article 34 that other measures to facilitate naturalization are also encouraged, and that those stipulated are not intended to be exclusive. Indeed various other measures may be taken in order to facilitate naturalization, including easing the conditions for naturalization, such as by reducing the period of residence required or by not requiring proof of release from a former nationality. As noted above, the Republic of Latvia has made a reservation to this provision thereby exempting itself from any obligation to facilitate the naturalization of refugees. Accordingly, refugees have broadly the same access to Latvian citizenship as other Third-Country Nationals, in line with the provisions of the Citizenship Law of the Republic of Latvia.

¹¹⁸ Republic of Latvia, *Regulations by the Cabinet of Ministers on Personal Identity Documents No. 134*, 21 February 2012, Annex 5, available at <https://goo.gl/F3MfdB>

¹¹⁹ *Ibid.*, Article 56.

¹²⁰ *Ibid.*, Annex 6.

¹²¹ Republic of Latvia, *Law on the Consular Reglament*, 8 June 1994 (as last amended on 3 October 2013, 193 (4999)).

Access to naturalization is regulated through the Citizenship Law of the Republic of Latvia,¹²² adopted in 1994 and last amended in 2013. This Law defines general naturalization criteria, which are applicable to refugees, with the exception of the requirement to relinquish previous citizenship.

The criteria for the naturalization of adults, outlined in Article 12 (1) of the Citizenship Law, include a number of requirements: (i) permanent residence in Latvia for no less than five years, with a total permitted interruption of no more than one year, which cannot be the last year before applying for naturalization (ii) knowledge of the Latvian language, the basic tenets of the Constitution of Latvia, the lyrics of the national anthem and the basics of Latvian history and culture (iii) proof of legitimate means of income, and (iv) swearing an oath of allegiance to the Republic of Latvia. Regulations by the Cabinet of Ministers No. 973 of 24 September 2013 on Testing knowledge of the Latvian language, basic tenets of the Constitution of the Republic of Latvia, the lyrics of the national anthem, and Latvian history and culture contain more detailed provisions on the testing of these requirements. Also, Article 20 of the Citizenship Law defines that a person is considered to have knowledge of the Latvian language if he or she (i) fully understands information both related to everyday life as well as official matters, (ii) can freely talk, converse and answer questions related to everyday life, (iii) can read fluently and understand instructions, manuals and other texts related to everyday life, and (iv) can write an essay on a topic pertaining to everyday life, as instructed by the commission.¹²³ These requirements may be difficult to fulfil for refugees who have arrived to Latvia later in their life and who may not have the capacity to acquire Latvian to the degree required.

Finally, the Citizenship Law requires a declaration relinquishing previous citizenship as well as permission to 'expatriate' from the country of previous citizenship, if so provided by the laws of that country, or a document certifying loss of citizenship, as well as proof that the person does not have the citizenship of another country. According to Article 12 (6), refugees are explicitly exempt from this requirement, and this constitutes the only measure which facilitates their naturalization in Latvia. The exemption does not apply to persons with alternative status, thereby rendering their access to naturalization more challenging.

Applications for naturalization are accepted and reviewed by OCMA, according to the procedure set out in Regulations by the Cabinet of Ministers No. 1001 of 24 September 2013 on the Order for submission and consideration of applications for naturalization. The application shall be supplemented by a number of supporting documents, such as proof of legitimate means of income, a photo, one or several documents certifying permanent residence in Latvia and, where the applicant is a citizen of another country, a declaration on criminal record or documented proof such a declaration is impossible to obtain.¹²⁴ If the application is rejected by OCMA, an appeal can be filed in line with the Law on Administrative Process of the Republic of Latvia, as provided for in the Citizenship Law. It stipulates that, if the application for naturalization is rejected on the grounds outlined in Article 11(1) of the Citizenship Law and based on information gathered through intelligence or counter-intelligence measures, an appeal can be filed with the General

¹²² Republic of Latvia, *Citizenship Law*, 12 June 1997 (as last amended on 23 May 2013, 98 (4904)).

¹²³ *Ibid.*, Article 20.

¹²⁴ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1001 on the Order for submission and consideration of applications for naturalization*, 24 September 2013, Article 3.

Prosecutor, whose judgement cannot be further appealed against. Further, it states that the final decision on granting Latvian citizenship is made by the Cabinet of Ministers. Finally, the Citizenship Law provides that a repeated application for naturalization can be filed within a year after the deadline for appeal has expired and the decision has not been appealed against or from the date the court judgement denying access to naturalization has entered into force, or from the date the Cabinet of Ministers has taken a negative decision on granting citizenship.¹²⁵ Regulations by the Cabinet of Ministers No. 974 of 24 September 2013 on the Order for the registration of a person as a Latvian citizen, sets out the procedure for registering a person who has acquired Latvian citizenship.

The fee for filing an application for naturalization is currently set at 28.46 EUR and refugees are not exempt from it. They may, however, be entitled to the reduced fee of 4.27 EUR if they fall under one of the categories or persons listed in Article 3 of the Regulations by the Cabinet of Ministers No. 849 on the Fee for the application for naturalization, such as the unemployed registered with the State Employment Agency, or if they have been granted indigent status. Persons subject to political repression, persons with a disability classified in group 1, orphans and minors outside parental care and persons under state or municipality social care, are exempt from the fee for filing an application for naturalization altogether.¹²⁶

According to data supplied by OCMA, only four beneficiaries of international protection have naturalized in the Republic of Latvia between 1998 and 30 September 2014. Three of these are adults, who had been granted 1951 Convention refugee status. The fourth is a minor, who had received alternative status.

7.4 Family reunification

The 1951 Refugee Convention does not contain a specific provision providing for the right to family unity or reunification. However, this fundamental right is clearly an integral part of the broad object and purpose of the 1951 Refugee Convention, and is expressly affirmed in the Recommendation on the Principle of Family Unity contained in the Final Act of the Conference of Plenipotentiaries, which reads as follows:

Considering that the unity of family, the natural and fundamental group unit in society, is an essential right of the refugees, and that such unity is constantly threatened, and Noting, with satisfaction that, according to the official commentary of the ad hoc Committee on Statelessness and Related Problems (E/161, p. 40), the rights granted to a refugee are extended to members of his family.

Recommends Governments to take the necessary measures for the protection of the refugee's family, especially with a view to:

- (1) Ensuring that the unity of the refugee's family is maintained particularly in cases where the head of the family has fulfilled the necessary conditions for admission to a particular country,*
- (2) The protection of refugees who are minors, in particular unaccompanied children and girls, with special reference to guardianship and adoption.*

¹²⁵ Republic of Latvia, *Citizenship Law*, Articles 17(3), 17(4), 17(5) and 17(6).

¹²⁶ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 849 on the Fee for the application for naturalization*, 17 September 2013, Articles 2, 3 and 4.

Numerous UNHCR Executive Committee Conclusions also affirm the right to family unity and reunification, in particular No. 88¹²⁷ which recognizes the unity of the family as an essential right of refugees, and notes that the rights granted to refugees are extended to members of their family. It further recommends that Governments take the necessary measures for the protection of the refugee's family, including by maintaining family unity (particularly where the head of the family has fulfilled conditions for admission to the host country) and protecting minors who are refugees. ExCom Conclusion No. 24¹²⁸ also makes several important recommendations to Contracting States in relation to family reunification.¹²⁹

At EU level, family reunification is defined as the entry into and residence in an EU Member State by family members of a Third-Country National residing lawfully in the territory of that Member State in order to preserve the family unit, whether the family relationship arose before or after the resident's entry.¹³⁰ The 2003 Directive on Family Reunification states that the situation of 1951 Convention refugees should be given special attention on account of the reasons which obliged them to flee their country and prevent them from leading a normal family life there, and that more favourable conditions should therefore be provided for the exercise of their right to family reunification.¹³¹

To this end, on the one hand, the 2003 Directive on Family Reunification calls on EU Member States to relax requirements with respect to official documentary evidence, accommodation, sickness insurance, stable and regular resources and compliance with integration measures,¹³² and provides EU Member States with the right to authorise reunification with other family members not referred to in Article 4 of the Directive, if they are dependent on the 1951 Convention refugee. It also stipulates that refugees may be exempt from the requirement for the sponsor of family reunification to have lawfully resided in their territory for a period not exceeding two years.¹³³

On the other hand, the Directive on Family Reunification grants EU Member States the right to limit the application of family reunification to 1951 Convention refugees, whose relationships predate their entry, where family reunification is possible in a third country and to require compliance with requirements concerning accommodation, sickness insurance and stable and regular resources, where the application for family reunification is not filed within three months after the granting of the refugee status.¹³⁴

Concerning the family reunification of unaccompanied 1951 Convention refugee minors, the 2003 Directive on Family Reunification obliges EU Member States to authorise the

¹²⁷ UN High Commissioner for Refugees (UNHCR), *Protection of the Refugee's Family*, 8 October 1999, No. 88 (L) - 1999, available at: <http://www.refworld.org/docid/3ae68c4340.htm>

¹²⁸ UN High Commissioner for Refugees (UNHCR), *Family Reunification*, 21 October 1981, No. 24 (XXXII) - 1981, available at: <http://www.unhcr.org/3ae68c43a4.html>

¹²⁹ See further UN High Commissioner for Refugees (UNHCR), *Rights of Refugees in the Context of Integration: Legal Standards and Recommendations*, June 2006, POLAS/2006/02, p. 116, available at: <http://www.refworld.org/docid/44bb9b684.html>

¹³⁰ 2003 Directive on Family Reunification, Article 2.

¹³¹ *Ibid.*, Article 8 of the Preamble.

¹³² *Ibid.*, Articles 7 and 12.

¹³³ *Ibid.*, Articles 8 and 12.

¹³⁴ *Ibid.*, Articles 9 and 12.

entry and residence for the purposes of family reunification of the minor's first-degree relatives in the direct ascending line without the requirement that the unaccompanied refugee minor is dependent on them and does not enjoy proper family support in the country of origin. It also provides Member States with the possibility to authorise the entry and residence for the purposes of family reunification of the legal guardian or any other member of the family of the unaccompanied minor, where he or she has no relatives in the direct ascending line or such relatives cannot be traced.¹³⁵ Application of these more favourable conditions set forth by the Family Reunification Directive is limited to 1951 Convention refugees and does not apply to beneficiaries of subsidiary protection.

The recast Qualification Directive also obliges EU Member States to ensure that family unity is maintained and that family members of the refugee, who do not individually qualify for such protection are entitled to claim benefits with respect to residence permits, travel documents, access to employment, education, access to procedures for recognition of qualifications, social welfare, healthcare, provisions for unaccompanied minors, access to accommodation, freedom of movement in the Member State, access to integration facilities and repatriation, in accordance with national procedures and as far as is compatible with the personal legal status of the family member.¹³⁶ EU Member States are given the freedom to decide whether to apply these provisions to "(...) other close relatives who lived together as part of the family at the time of leaving the country of origin, and who were wholly or mainly dependent on the beneficiary of international protection at that time".¹³⁷

The definition of 'family members' set forth by the recast Qualification Directive includes the following members of the family of the beneficiary of international protection who are present in the same Member State in relation to the application for international protection, in so far as the family already existed in the country of origin:

- "(...) the spouse of the beneficiary of international protection or his or her unmarried partner in a stable relationship, where the law or practice of the Member State concerned treats unmarried couples in a way comparable to married couples under its law relating to Third-Country Nationals;
- the minor children of the couples referred to in the first indent or of the beneficiary of international protection, on condition that they are unmarried and regardless of whether they were born in or out of wedlock or adopted as defined under national law;
- the father, mother or another adult responsible for the beneficiary of international protection whether by law or by the practice of the Member State concerned, when that beneficiary is a minor and unmarried."¹³⁸

Within the framework of Latvian legislation, Article 38(1) of the Latvian Asylum Law affords to refugees the right to reunite with family members, who are abroad.¹³⁹ In line with Article 1(3) of this Law, family members are defined as the spouse of the asylum-seeker, refugee, person with alternative status or temporary protection and their minor children, who

¹³⁵ *Ibid.*, Article 10(3) c.

¹³⁶ 2011 Qualification Directive, Article 23(2).

¹³⁷ *Ibid.*, Article 23(5).

¹³⁸ 2011 Qualification Directive, Article 2(j).

¹³⁹ Republic of Latvia, *Asylum Law*, Article 38(1).

are unmarried and are dependent on one or both parents, or are adopted. The father, mother or another adult, who exercises responsibility for the refugee in line with relevant normative acts of the Republic of Latvia in the area of protection of the rights of the child, is also included provided that the refugee is a minor and is not married, under the condition that these family ties have existed in the country of origin. According to Article 38(1) of the Latvian Asylum Law, requirements concerning the period of residence before the claim is filed are not imposed upon 1951 Convention refugees, whereas persons with alternative status can benefit from the right to family reunification only after having resided in Latvia for at least two years. Family members of 1951 Convention refugees are granted permanent residence permits, whereas persons with alternative status receive temporary residence permits for the same duration as the beneficiaries of alternative status, in line with Article 38(3). Article 38(5) stipulates that residence permits issued to family members of refugees are annulled in line with the Law on Immigration of the Republic of Latvia, if the refugee or alternative status ceases to apply or is revoked. Finally, Article 38(2) of the Latvian Asylum Law sets forth that a 1951 Convention refugee, who is an unaccompanied minor and unmarried, has the right to family reunification with only his or her mother and father, thereby adopting the lowest common denominator standard espoused by the 2003 Directive on Family Reunification. Minors with alternative status do not benefit from this entitlement in line with the Latvian Asylum Law currently in force; however, the current text of the draft new Latvian Asylum Law, pending consideration, proposes to extend the right to family reunification to unaccompanied minors with alternative status. Further details about the family reunification procedure are contained in the Regulations by the Cabinet of Ministers No. 74 of 26 January 2010 on Family reunification of refugees and persons with alternative or temporary protection.

According to Latvian legislation, family reunification can take place if the family unit existed in the country of origin of the refugee, thereby taking a restrictive approach to Article 2 of 2003 Directive on Family Reunification.¹⁴⁰ In order to apply for family reunification, the refugee is required to file a claim with OCMA, present a personal identity document and pay a fee of 7.11 EUR to which a further 2.85 EUR is added for each person older than six years and 1.42 EUR for each child under six years, who are included in the claim.¹⁴¹ These rules apply, irrespective of how long after the granting of the status the application is made. In addition, persons with alternative protection are required to provide proof of accommodation and their right to reside there (such as a rental agreement or a certificate on property rights) as well as evidence of stable and regular resources, sufficient to sustain themselves and their family members without resorting to dependence on social benefits. The claim is submitted by a legal representative appointed by the Orphans' Court, where it concerns the family reunification of an unaccompanied refugee minor, provided the Orphans' Court has issued a positive decision confirming that family reunification is indeed in the best interests of the child.¹⁴²

In line with relevant procedures, family members of refugees, including the father and mother of an unaccompanied minor, are required to submit the following documentation for family reunification at a diplomatic or consular representation of the Republic of

¹⁴⁰ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 74 on Family Reunification of refugees, persons with alternative status and beneficiaries of temporary protection*, 26 January 2010, Article 2.

¹⁴¹ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1034 on State fees for the consideration of the necessary documentation for requesting a visa, a residence permit or the status of a permanent resident of the European Union in the Republic of Latvia and related services*, 1 October 2013, Article 3.

¹⁴² *Ibid.*, Articles 4, 5 and 6.

Latvia abroad: (i) a completed questionnaire requesting a permit for family reunification in line with relevant normative acts regulating residence permits,¹⁴³ (ii) copy of a valid travel or relocation document (presenting the original), recognized by the Republic of Latvia (a copy of a relocation document is required for family members currently resident in the territory of the EU and who have been granted temporary protection under the EU Temporary Protection Directive), (iii) copies of documents (presenting the originals), which confirm family ties with the refugee, (iv) a photo (35 x 45 mm, the person's face clearly visible, and head uncovered), and (v) proof of payment of fee for the consideration of documentation supplied.¹⁴⁴

Diplomatic or consular representations of the Republic of Latvia may, however, exempt family members of refugees, including the father and mother of an unaccompanied 1951 Convention refugee minor, from the requirement to provide documents certifying family ties. Such exemption is granted on the basis of a written explanation outlining substantiated grounds for why the documents cannot be supplied.¹⁴⁵ OCMA is entitled to issue residence permits for family reunification without these documents, if the above preconditions are fulfilled.¹⁴⁶

The procedure for family reunification prescribes that within one month after submission, the diplomatic or consular representation of the Republic of Latvia transfers the set of documentation presented to OCMA.¹⁴⁷ Within another month, OCMA is obliged to issue a decision on the case, and to inform both the diplomatic or consular representation and the refugee requesting family reunification about it.¹⁴⁸ Where the decision is positive, the representation issues a single-entry visa valid for 30 days to family members of the refugee.¹⁴⁹ The visa costs 61.18 EUR for each person older than 16 years.¹⁵⁰ To receive residence permits, family members of refugees are required to present themselves to the branch of OCMA indicated in the decision, within seven days of their arrival to Latvia. Refugees, their spouses and the father and mother of an unaccompanied refugee minor, have the right to appeal the decision of OCMA by submitting an application to the Head of OCMA within one month after the decision is adopted.

7.5 Access to housing

With regard to housing, Article 13 of the 1951 Refugee Convention states that the Contracting States "(...) shall accord to a refugee treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the acquisition of movable and immovable property and other rights pertaining thereto, and to leases and other contracts relating to movable and

¹⁴³ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 564 on Residence permits*, 21 June 2010.

¹⁴⁴ *Ibid.*, Article 7.

¹⁴⁵ *Ibid.*, Article 9.

¹⁴⁶ *Ibid.*, Article 12.

¹⁴⁷ *Ibid.*, Article 10.

¹⁴⁸ *Ibid.*, Article 13.

¹⁴⁹ *Ibid.*, Article 15.

¹⁵⁰ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1034 on State fees for the consideration of the necessary documentation for requesting a visa, a residence permit or the status of a permanent resident of the European Union in the Republic of Latvia and related services*, 1 October 2013, Article 2.

immovable property". Article 29 on fiscal charges in the 1951 Convention also protects refugees from any "duties, charges or taxes, of any description whatsoever [including those relating to property], [which] are other or higher than those which are or may be levied on their nationals in similar situations."

At EU level, the recast Qualification Directive stipulates that, EU Member States "(...) shall ensure that beneficiaries of inter-national protection have access to accommodation under equivalent conditions as other Third-Country Nationals legally resident in their territories".¹⁵¹

In Latvian legislation, provisions concerning access to housing are spelled out in both constitutional and municipal law. The Constitution of the Republic of Latvia grants everyone the right to property.¹⁵² In line with Latvia's reservation to Article 26 in the 1951 Refugee Convention, the Law on the 1951 Convention Relating to the Status of Refugees and 1967 Protocol gives Latvia the right to designate place of residence for certain groups of refugees, if justified by public interest.¹⁵³ Currently, this limitation is not enforced. Consequently, refugees have the right to purchase or rent real estate without additional restrictions than those imposed in relation to farming and forest land, border and protected areas.

Regardless of whether refugees own or rent accommodation, they are required to declare their place of residence at the municipality concerned, within one month of settling in. Registration at the local government is a precondition to access services provided by municipalities, including assistance with regard to housing, which is provided to unaccompanied or orphaned minors and to refugees holding permanent residence permits under the same conditions as other residents of the particular administrative territory. Additional details are laid down in binding rules adopted at municipal level.

In Riga Municipality, social assistance with regard to housing is calculated on a case-by-case basis, taking into account the financial situation of the individual or family concerned. In Ropaži Municipality, this benefit is set at 45 EUR per month for single persons, whereas families receive 57 EUR per month during the heating season. Persons with alternative status, as holders of temporary residence permits, are not eligible for this allowance.¹⁵⁴ Unaccompanied or orphaned minors, irrespective of status, are entitled to either receive social housing from the municipality, or to have housing costs covered when they reach 18 years of age and are no longer placed in social care. In addition, they have the right to receive two one-off allowances – 130 EUR to start an independent life and 250 EUR for the purchase of household goods and soft inventory.¹⁵⁵

The right to rent social flats from municipalities is regulated through the Law on Social Flats and Social Houses of the Republic of Latvia, adopted in 1997 and last amended in

¹⁵¹ 2011 Qualification Directive, Article 32.

¹⁵² Republic of Latvia, *Constitution*, Article 105.

¹⁵³ Republic of Latvia, *Law on the 1951 Convention Relating to the Status of Refugees and 1967 Protocol of the Republic of Latvia*, Article 7.

¹⁵⁴ Information provided by Ropaži and Riga Municipalities.

¹⁵⁵ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 857 on Social Guarantees to Orphans and Unaccompanied Minors during out of family care as well as after it*, 15 November 2005, Articles 26 - 31.

2010.¹⁵⁶ The Law stipulates that persons or families, who are recognized as indigent or socially unprotected, have the right to rent social flats from municipalities if they fulfil one of the following three conditions: (i) they have been evicted from their apartments in line with relevant legislative acts, (ii) they are renting accommodation, which belongs to the municipality, or (iii) they are an orphan and do not have access to housing.¹⁵⁷ This applies to refugees as holders of permanent residence permits and does not apply to persons with alternative status, who have temporary residence permits. The availability of social housing in Latvia is, however, generally insufficient. As a result, while refugees, who have permanent residence permits and qualify as indigent or socially unprotected, may be eligible for social accommodation, they are likely to encounter difficulty gaining access to it due to a lack of free flats.

Refugees and their family members also benefit from the right to night shelter and shelter, should they have no access to other housing. Night shelters provide accommodation for the night, whereas shelters are available for the entire day, provided the individual has objective grounds to remain there during the day, for example due to his or her health situation. Food, bed linens, a shower, the possibility to do laundry, as well as access to social workers is provided at both night shelters and shelters. To gain access to night shelters and shelters, individuals are not required to provide personal identity documents. They are, however, required to be at least 18 years old, as night shelters and shelters are designated for adults only. Where unaccompanied children or families with children find themselves in such circumstances, they are transferred to crisis centres.¹⁵⁸

7.6 Access to labour market, including recognition of diplomas and qualifications

With regard to access to the labour market, Article 17 of the 1951 Refugee Convention states that, with respect to the right to engage in wage-earning employment, the Contracting States shall provide refugees lawfully staying in their territory the most favourable treatment accorded to nationals of a foreign country in the same circumstances. Furthermore, they shall not apply restrictive measures imposed on aliens or the employment of aliens for the protection of the national labour market to a refugee who was already exempt from them at the date of entry into force of this Convention for the Contracting State concerned, or who fulfils criteria specified in Article 17. In addition, Article 17 of the 1951 Refugee Convention provides that the Contracting States shall sympathetically consider assimilation of the rights of all refugees with regard to wage-earning employment to those of nationals, and in particular where refugees have entered their territory pursuant to programmes of labour recruitment or under immigration schemes. As mentioned in Chapter 6.1 above, Latvia has made a reservation to Article 17 (1) and (2), and considers these provisions recommendations and not legal obligations. In its reservation, Latvia declares that in all cases where the Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country, this provision

¹⁵⁶ Republic of Latvia, *Law on Social flats and Social Houses*, 12 June 1997 (as last amended on 28 January 2010, 15 (4207)).

¹⁵⁷ *Ibid.*, Article 5(1).

¹⁵⁸ Information provided by Riga Municipality.

shall not be interpreted by Latvia as necessarily involving the regime accorded to nationals of countries with which the country has concluded regional customs, economic, political or social security agreements.

Further, Article 18 of the 1951 Refugee Convention stipulates that the “Contracting States shall accord to a refugee lawfully in their territory treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, as regards the right to engage on his own account in agriculture, industry, handicrafts and commerce and to establish commercial and industrial companies”. Article 19 requires that the Contracting States accord treatment as favourable as possible and, in any event, not less favourable than that accorded to aliens generally in the same circumstances, to refugees lawfully staying in their territory who hold diplomas recognized by the competent authorities of that State, and who are desirous of practicing a liberal profession. Concerning the recognition of diplomas, Article 25 of the 1951 Convention sets forth that the Contracting States shall extend the assistance of their authorities or an international authority to refugees where the exercise of a right by a refugee would normally require the assistance of authorities of a foreign country to whom he or she cannot have recourse. This includes delivery of documents or certifications as would normally be delivered to aliens by or through their national authorities. The UNHCR ExCom Conclusion No. 104 on Local Integration also *encourages* States, wherever possible, to recognize the equivalency of academic, professional and vocational diplomas, certificates and degrees acquired by refugees prior to entry into the host country.

In regard to unemployment benefits, some States provide these from the national social security scheme, while in others, they are dispensed from the public relief scheme. While some argue that unemployment benefits fall more directly under Article 24 on social security in the 1951 Refugee Convention, it is generally assumed that Article 23 covers the situation of unemployment as part of its relief mandate in those cases where unemployment benefits are not covered by insurance.¹⁵⁹ Moreover, the Convention precludes any possible difficulty in delimiting between public relief and social security by providing for the same treatment (equal to that of nationals) in both cases, subject to the limitations contained in article 24(1)(b)(i) and (ii).¹⁶⁰

At EU level, Article 26 of the recast Qualification Directive obliges EU Member States to authorize refugees, immediately after protection has been granted, to engage in employed or self-employed activities subject to rules generally applicable to the profession and to the public service. It also stipulates that measures such as employment-related education opportunities for adults, vocational training, including training courses for upgrading skills, practical workplace experience and counselling services afforded by employment offices, are offered to refugees under the same conditions as nationals, and that their full access to these activities shall be facilitated. In addition, Article 26 of the recast Qualification Directive sets forth that the laws in force applicable to remuneration, access to social security systems relating to employed or self-employed activities and other conditions of employment shall apply. Finally, it obliges EU Member States to ensure equal treatment between refugees and nationals in the context of the

¹⁵⁹ UN High Commissioner for Refugees (UNHCR), *Rights of Refugees in the Context of Integration: Legal Standards and Recommendations*, June 2006, POLAS/2006/02, p. 96, available at: <http://www.refworld.org/docid/44bb9b684.html>

¹⁶⁰ *Ibid.*

existing recognition procedures for foreign diplomas, certificates and other evidence of formal qualifications, including facilitating full access to appropriate schemes for the assessment, validation and accreditation of their prior learning for those refugees, who cannot provide documentary evidence of their qualifications.

Pursuant to the Immigration Law of the Republic of Latvia, refugees and their family members are granted the right to employment without restrictions.¹⁶¹ This absolves them from the requirement to receive work permits before engaging in wage-earning activities. Regulations by the Cabinet of Ministers No. 55 of 28 January 2014 on Rules of employment of foreigners, are also applicable to refugees. Furthermore, the Law on Employment of the Republic of Latvia stipulates that everyone has equal rights to work, fair, safe and healthy working conditions, as well as a fair wage. Any direct or indirect discrimination on the basis of race, skin colour, gender, age, invalidity, religious, political or other opinion, national or ethnic origin, financial or civil status, sexual orientation or other circumstances is prohibited.¹⁶²

Latvian legislation also provides refugees and their family members with the right to receive the support extended within the framework of the Law on Support to the Unemployed and to Persons in Search of a Job of the Republic of Latvia, including Latvian language training, on a non-discriminatory basis.¹⁶³ According to the State Employment Agency, as of 30 September 2014, out of the eight refugees or their family members who have registered with the State Employment Agency, six have benefited from support measures. These include increasing their competitiveness in the labour market (three persons), language training (four persons studying Latvian and one person learning German), career counselling (one person) and paid temporary work (one person).¹⁶⁴ PDM has also organized professional training and assistance in job search to refugees, such as obtaining a driver's license, and attending courses in hairdressing and manicure. According to information at the disposal of PDM, the refugee who attended the latter training, is currently employed in this profession. PDM has also developed an information bulletin in English on job search in Latvia, including advice on finding information on job openings, tips for the interview and data to be included in the employment contract.¹⁶⁵

In Latvia, recognition of diplomas and qualifications obtained abroad varies, depending on whether the objective is to pursue further academic studies or to seek employment in either un-regulated or regulated professions. The Law on Education of the Republic of Latvia stipulates that documents certifying educational attainment gained abroad are assessed by the Academic Education Centre for authenticity and conformity with national educational standards, based on the original diploma and grading record supplied. This service is free of charge and must be completed within a maximum of four months from the moment the documents are submitted. Based on the conclusions drawn and depending on the objective of the applicant, recognition of the diploma is granted by (i) an institution of higher learning, if the aim is to continue university-level education, (ii) the employer, where the aim is to work in one of the unregulated professions, (iii) an

¹⁶¹ Republic of Latvia, *Immigration Law*, Articles 9(5)(1) and 9(5)(6).

¹⁶² Republic of Latvia, *Law on Employment*, Article 7.

¹⁶³ Republic of Latvia, *Law on Support to the Unemployed and to Persons in Search of a Job*, Article 2(2).

¹⁶⁴ Information provided by Egils Vidžups, Head of Development Unit and Deputy Director of Finance and Development Department, State Employment Agency.

¹⁶⁵ Interview with "Patvērums "Drošā māja" ".

institution with competence in one of the regulated occupations, if the objective is to work in such a profession, or (iv) the MoE, if the aim is to pursue secondary or high school education. Special provisions or exemptions for refugees do not apply.¹⁶⁶

Recognition of professional qualifications for regulated professions appears to be the most challenging of the four. The Law on Regulated Professions and Recognition of Professional Qualifications of the Republic of Latvia, adopted in 2001 and last amended in 2013,¹⁶⁷ confirms the applicability of this Law to refugees concerning recognition of professional qualifications.¹⁶⁸ It stipulates that the right to work in one of the regulated professions, such as an architect, doctor, dentist, aviation pilot and others, are granted to persons who have completed corresponding training through an accredited educational programme or who have obtained professional qualifications, certified by documentary evidence, recognized in Latvia in line with this Law and applicable international treaties, approved by the Parliament of Latvia.¹⁶⁹ Additional requirements, including an adequate knowledge of the Latvian language, may apply.¹⁷⁰

In Latvia, the issuing of certificates on recognition of professional qualifications obtained abroad in regulated professions is de-centralized. In order to apply for recognition of professional qualifications, an individual must submit an application supported by documentary evidence, which must demonstrate that the applicant has acquired adequate education, professional qualifications and experience, and has the right to engage in professional activity in a regulated profession. These documents must be submitted in Latvian or in the original language with a certified translation to Latvian, and, depending on the profession concerned, only originals and/or copies certified by a competent institution in the home country are accepted. Finally, an application fee applies. Again, special provisions or exemptions for refugees in Latvia are not introduced.¹⁷¹ Given that refugees often have neither the documentation with them, nor have recourse to the authorities of their countries of origin to obtain documentary evidence, recognition of professional qualifications may effectively prove rather challenging.

In line with the Law on Support to the Unemployed and to Persons in Search of a Job,¹⁷² adopted in 2002 and last amended in 2013,¹⁷³ and the Law on Insurance Against Unemployment of the Republic of Latvia, adopted in 1999 and last amended in 2013, refugees have the right to receive the unemployment benefit under the same conditions as nationals if they fulfil the criteria set forth in these Laws. See Chapter 7.1 for further details.

¹⁶⁶ Republic of Latvia, *Law on Education*, Article 11.1.

¹⁶⁷ Republic of Latvia, *Law on Regulated Professions and recognition of professional qualifications*, 20 June 2001 (as last amended on 20 December 2013, 250 (5056)).

¹⁶⁸ *Ibid.*, Article 2(5).

¹⁶⁹ *Ibid.*, Article 3(2).

¹⁷⁰ *Ibid.*, Article 3(5).

¹⁷¹ Republic of Latvia, *Regulations by the Cabinet of Ministers No. 886 on Institutions, charged with the issue of certificates on recognition of professional qualifications obtained abroad in regulated professions*, 31 October 2006.

¹⁷² Republic of Latvia, *Law on Support to the Unemployed and to Persons in Search of a Job*, 9 May 2002 (as last amended on 4 July 2013, 128 (4934)).

¹⁷³ Republic of Latvia, *Law on Insurance Against Unemployment*, 25 November 1999 (as last amended on 4 October 2013, 194 (5000)).

7.7 Social integration, including participation in public/communal life, issues related to discrimination and xenophobia.

The 1951 Convention contains numerous provisions of particularly relevance for refugees' ability to socially and culturally integrate, such as the non-discrimination clause (Art. 2), freedom of religion (Art. 4), the right of association (Art. 15), and the right to education (Art. 22). UNHCR's ExCom Conclusion No. 104 refers to an interactive socio-cultural process whereby refugees acclimatize and local communities accommodate refugees to enable them to live amongst or alongside the receiving population without discrimination or exploitation. Hence, while refugees are responsible for abiding by the laws of the host society and should make efforts to learn about and respect its culture and social norms, host governments and relevant institutions should also promote the principles of mutual respect, cultural diversity and tolerance for differences, and support opportunities for cultural exchange and education.

Another layer of standards of relevance to social integration and non-discrimination is provided by the ECHR, to which Latvia is a party. Article 9 of the ECHR guarantees everybody's right to freedom of thought, conscience and religion, Article 10 sets forth the right to freedom of expression, and Article 11 stipulates the right to freedom of assembly and association. Article 14 of the ECHR prohibits discrimination on any grounds such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status, in the enjoyment of the rights and freedoms set forth in this Convention. The provisions of the 2000 Charter of the Fundamental Rights of the European Union with regard to non-discrimination and social integration, also applicable to Latvia, mirror those of the ECHR.

Further, Article 34 of the recast Qualification Directive stipulates that EU Member States shall ensure access to integration programmes, considered appropriate, taking into account the specific needs of beneficiaries of international protection, or create pre-conditions, which guarantee access to such programmes. Article 17 of the Preamble of this Directive also states that the EU Member States are bound by obligations under instruments of international law to which they are party, including in particular those that prohibit discrimination with regard to the treatment of beneficiaries of international protection.

A broad range of rights pertaining to the social integration and non-discrimination of beneficiaries of international protection are set forth in the Constitution of the Republic of Latvia. Article 91 of the Constitution states that human rights shall be applicable to all without any discrimination, Article 99 stipulates that everyone has the right to freedom of thought, conscience and religion and Article 100 guarantees the right to freedom of expression, including the free acquisition, keeping and distribution of information. Article 102 of the Constitution also stipulates that everyone has the right to join unions, political parties and other social organizations, whereas Article 103 guarantees the right to freedom of peaceful assembly and demonstration. Finally, Article 114 of the Constitution provides members of minority nations with the right to maintain and develop their language as well as ethnic and cultural heritage. The Latvian Asylum Law and other secondary legislation,

including the Law on Taxes and fees of the Republic of Latvia,¹⁷⁴ do not provide grounds for discrimination of refugees, as far as legal norms are concerned.

In regard to the political participation of refugees, the Law on Elections of the Parliament of the Republic of Latvia¹⁷⁵ and the Law on Elections of Local Governments of Cities and Regions of the Republic of Latvia,¹⁷⁶ limit the right to vote and stand in national elections only to Latvian citizens, while both citizens of Latvia and the EU have the right to cast ballots and stand in municipal elections. In addition, refugees are not afforded the right to found and join political parties in line with the Law on Political Parties of the Republic of Latvia, which limits this right to citizens of Latvia only.¹⁷⁷ Although such restrictions are not, in principle, in breach of Latvia's international legal obligations in this area, there is increasing support for and recognition of the benefits of granting greater rights in this field, at least at the local level and after a reasonable period of residence. For example, the Parliamentary Assembly of the Council of Europe has encouraged Member States to grant the right to vote and to stand in local elections to all migrants legally established for at least three years, irrespective of their origin.¹⁷⁸

The right to found and join trade unions is granted to refugees, in line with the Law on Trade Unions of the Republic of Latvia.¹⁷⁹ Concerning the right to peaceful assemblies and demonstrations, Article 3 of the Law on Assemblies, Processions and Pickets of the Republic of Latvia,¹⁸⁰ grants everyone the right to take part in peaceful assemblies, processions and pickets; however, in line with Article 4 of this Law, the right to organize these is granted only to citizens and non-citizens of Latvia, as well as persons with permanent residence permits. Thereby, 1951 Convention refugees are entitled to organize and take part in peaceful demonstrations and other events as provided for within the framework of this Law, whereas persons with alternative status, who hold temporary residence permits, are only allowed to take part in them.

Further, the Law on Associations and Foundations of the Republic of Latvia provides everyone, including refugees, the right to found and join associations and foundations or, in other words, NGOs.¹⁸¹ To promote the participation of Third-Country Nationals in the non-governmental sector of Latvia, the Society Integration Foundation (SIF) has established a website comprising useful information on opportunities in this area as well as a register of the already established NGOs.¹⁸² A few refugees, such as Dr Bashar Butros Youssef, who has been granted alternative status in Latvia, have exercised the right to found an NGO. The Syrian Association of European Union, which Dr Youssef started in 2013, was originally established with the aim to unite refugees of Syrian origin

¹⁷⁴ Republic of Latvia, *Law on Taxes and fees*, 2 February 1995 (as last amended on 5 November 2014, 220 (5820)).

¹⁷⁵ Republic of Latvia, *Law on Elections of the Parliament of the Republic of Latvia*, Article 1.

¹⁷⁶ Republic of Latvia, *Law on Elections of local governments of cities and regions of the Republic of Latvia*, Article 5.

¹⁷⁷ Republic of Latvia, *Law on Political Parties*, Articles 12(1) and 26(1).

¹⁷⁸ Parliamentary Assembly Recommendation No. 1500 (2001).

¹⁷⁹ Republic of Latvia, *Law on Trade Unions*, Article 4.

¹⁸⁰ Republic of Latvia, *Law on Assemblies, Processions and Pickets*, Articles 3 and 4.

¹⁸¹ Republic of Latvia, *Law on Associations and Foundations*, Articles 23 and 86.

¹⁸² <http://www.ngolatvia.lv/lv>

in the Baltic region. Currently however, it focuses mainly on attempts to collect means to help Syrian refugee children, including through submission of project proposals to SIF. Dr Youssef reports that the process of founding the NGO was relatively simple, though he had to summon private help to arrange the necessary documentation in Latvian. According to Dr Youssef, the NGO is facing a lack of understanding, interest and cooperation from both the governmental and non-governmental sectors in Latvia, except for the church, which was instrumental in the organization of a charity concert in February 2014.¹⁸³

In terms of policy direction, *The Guidelines on National Identity, Civil Society and Integration Policy of the Republic of Latvia for the period from 2012 to 2018*, define social integration as the inclusion of all residents of Latvia in the society, regardless of their national belonging and self-identification. Integration is conceived as based on the Latvian language, a sense of belonging to the Latvian state and its democratic values, respect towards its unique culture, and development of a collective social memory. The Guidelines state that social integration facilitates democratic and rational solutions to societal problems; it strengthens reciprocal cooperation and trust among the individuals. At the same time, it acknowledges that integration also denotes openness and respect towards minority nations and their rights to retain their identities. Finally, the document declares that the objective of integration is to promote inclusion of immigrants through motivating measures and by introducing them to the concept of a cohesive society.¹⁸⁴

As noted earlier, within the framework of these Guidelines, refugees are largely subsumed under the broader group of Third-Country Nationals. Accordingly, facilitation of integration of Third-Country Nationals in Latvia is the objective of the Consultative Board, established and chaired by MoC. Although the Statute of the Consultative Board¹⁸⁵ foresees the inclusion of representatives of Third-Country Nationals and their non-governmental organizations in the development of policy with regard to social integration in Latvia, its membership currently does not comprise either individual refugees or associations founded by them, or other Third-Country Nationals.

7.8 Access to health care

Article 23 of the 1951 Convention seeks to ensure that refugees lawfully staying in the host country are entitled to benefit from the national social assistance and welfare schemes enjoyed by nationals, even if they do not meet any of the conditions of local residence or affiliation which may be required of nationals.¹⁸⁶ The article must be given a broad interpretation, and includes, *inter alia*, relief and assistance to persons in need due to illness, age, physical or mental impairment, or other circumstances, as well as

¹⁸³ Information provided by Dr Bashar Butros Youssef, Chairman of Board, Syrian Association of European Union.

¹⁸⁴ Republic of Latvia, *Guidelines on National Identity, Civil Society and Integration Policy of the Republic of Latvia for the period from 2012 to 2018*, p. 6.

¹⁸⁵ Republic of Latvia, *Statute of the Consultative Board for the Integration of Third-Country Nationals*, No. 5.1.-4-3, 16 January 2013, Article 1.3., available at <http://goo.gl/vMjkhD>

¹⁸⁶ UN High Commissioner for Refugees (UNHCR), *Rights of Refugees in the Context of Integration: Legal Standards and Recommendations*, June 2006, POLAS/2006/02, p. 96, available at: <http://www.refworld.org/docid/44bb9b684.html>

medical care. Thus, refugees without sufficient resources are equally entitled to social and medical assistance on the same conditions as nationals.¹⁸⁷

Article 30 of the recast Qualification Directive stipulates that EU Member States shall provide refugees with access to health care under the same eligibility conditions as nationals of the Member State that has granted such protection. It also obliges EU Member States to ensure that refugees receive adequate health care, including treatment of mental disorders, when needed, and that treatment is provided to refugees with special needs, including “pregnant women, disabled people, persons who have undergone torture, rape or other serious forms of psychological, physical or sexual violence or minors who have been victims of any form of abuse, neglect, exploitation, torture, cruel, inhuman and degrading treatment or who have suffered from armed conflict”, under the same eligibility conditions as nationals of the EU Member State that has granted such protection.

Access to health care is regulated by the Law on Medical Services of the Republic of Latvia,¹⁸⁸ adopted in 1997 and last amended in 2014, which provides that everyone is entitled to receive emergency medical care.¹⁸⁹ In line with Article 16 of this Law, refugees are entitled to receive emergency medical assistance. The Law also states that refugees are eligible to receive medical services financed from the state budget and co-financed by the patient, as determined by the Cabinet of Ministers. Access to this medical assistance is provided under the same conditions as nationals of Latvia and a number of other groups of persons, such as citizens of other EU Member States and the European Economic Area, and foreigners holding permanent residence permits.¹⁹⁰ In addition, Article 17(5) of this Law guarantees the same rights to refugees and persons with alternative status alike in terms of access to health care services, which are financed by the state and co-financed by the patients, under the same conditions as citizens of Latvia. Children of refugees are entitled to receive the same medical services free of charge.¹⁹¹ Further details in this area are provided by the Regulations by the Cabinet of Ministers No. 1529 of 17 December 2013 on the Order of organization and financing of health care.

Psychotherapy and psychological counselling, which may be warranted for persons who have suffered torture, rape or other serious forms of psychological, physical or sexual violence, or for minors who have, for example, been victims of abuse, neglect or exploitation, or who have experienced armed conflict, is generally not financed by the state. Exceptions, however, apply to specific cases, such as where psychiatric medical assistance is provided at a psychiatric hospital, or when it is necessary in the provision of ambulatory psychiatric or palliative care to children. Home visits by psychiatrists are included in the scope of medical services financed by the state budget and co-financed by the patient, where the patient, who has a psychiatric disorder, cannot visit medical facilities on account of his or her health. Medical rehabilitation is financed by the state

¹⁸⁷ *Ibid.*, and UN High Commissioner for Refugees (UNHCR), *Commentary of the Refugee Convention 1951 (Articles 2-11, 13-37)*, October 1997, p. 89, available at: <http://www.refworld.org/docid/4785ee9d2.html>. This broad interpretation of the provision is confirmed by the discussions of the Ad Hoc Committee responsible for drafting the 1951 Convention. It should also be noted that the channels of distribution for these benefits may differ for refugees, so long as they receive the same benefits as nationals.

¹⁸⁸ Republic of Latvia, *Law on Medical Services*, 22 July 1994 (as last amended on 1 October 2014, 194 (5254)).

¹⁸⁹ *Ibid.*, Article 16.

¹⁹⁰ *Ibid.*, Article 17(1)(5).

¹⁹¹ *Ibid.*, Article 17(4).

budget and co-financed by the patient, where it has been prescribed by a general practitioner or another healthcare specialist.¹⁹² In general, in order to benefit from medical services financed by the state budget and co-financed by the patient, other than emergency medical assistance, refugees must receive a referral from a qualified specialist and queue for planned secondary healthcare services, under the same conditions as nationals of Latvia.

While refugees are not relieved from paying patient fees on account of their refugee or alternative status, they may benefit from free medical assistance if they fall under one of the categories of persons, such as children, pregnant women and women in the post-delivery period of up to 42 days, persons who have been politically repressed, persons with psychiatric disorders, persons receiving emergency medical care, persons receiving assistance at long-term social care and social rehabilitation institutions, persons with indigent status and a few others.¹⁹³

7.9 Access to information and knowledge of rights

With regard to access to information, Article 22 of the recast Qualification Directive obliges EU Member States to “(...) provide beneficiaries of international protection, as soon as possible after refugee status or subsidiary protection status has been granted, with access to information, in a language that they understand or are reasonably supposed to understand, on the rights and obligations relating to that status.”

In line with the requirements of recast Qualification Directive, Article 34 of the Latvian Asylum Law stipulates that, upon status recognition, refugees and persons with alternative status must be informed by OCMA on their rights and obligations in a language that they can be expected to understand and in which they are able to communicate. Accordingly, OCMA provides refugees with information at RC “Mucenieki” and at its territorial units, and has also developed information bulletins in various languages. OCMA reports that solutions to language barriers are always found.¹⁹⁴

Information and consultations concerning social issues in Riga Municipality are provided through information phone lines as well as at the offices of social services. While in line with relevant normative acts, such information must be available in Latvian only, social workers can usually also speak Russian and, in general, try to find solutions to the language barrier, where it exists.¹⁹⁵ Advice to Third-County Nationals in Latvian, Russian and English on issues related to health care, housing, social insurance, residence permits, education and other matters relevant to integration is also available on the website of NIC¹⁹⁶ as well as at an information webpage www.dzivotlatvija.lv (translated as “live in Latvia”), established to facilitate access to information. While these efforts are commendable, they may not be particularly well suited to meet the needs of refugees. Firstly, not all refugees may

¹⁹² Republic of Latvia, *Regulations by the Cabinet of Ministers No. 1529 on the Order of organization and financing of healthcare*, 17 December 2013, Article 11.

¹⁹³ *Ibid.*, Article 23.

¹⁹⁴ Information provided by OCMA.

¹⁹⁵ Information provided by Riga Municipality.

¹⁹⁶ Website of NIC, available at <http://www.integration.lv/en/education-information>

know about the existence of such websites, be literate in any of the languages offered, or have access to a computer or the internet. Secondly, as noted by the Office of the Ombudsman, instead, information is often spread through the so-called “sarafan radio” or informal ties with family and friends.¹⁹⁷

7.10 Access to justice

With regard to access to justice, Article 16 of the 1951 Convention states that refugees shall have free access to the courts of law on the territory of all Contracting States and that they shall benefit from the same treatment as nationals in matters pertaining to access to the Courts. This includes legal assistance and exemption from *cautio judicatum solvi* in the Contracting State in which they habitually reside.

Provisions of the ECHR relating to access to justice lay down further details. Article 6 stipulates that everyone has the right to a fair trial and that “In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law”. It also states that everyone charged with a criminal offence has the right to information, adequate time and facilities for the preparation of his defence, the right to defend themselves and to receive free legal aid, subject to conditions, as well as to have the free assistance of an interpreter if they cannot understand or speak the language of the court. Further, Article 13 of the ECHR guarantees everyone the right to an effective remedy before a national authority, if the rights and freedoms set forth in the Convention are violated, including in instances where the violation has been committed by persons acting in an official capacity.

These provisions are echoed in Article 47(1) of the Charter of Fundamental Rights of the European Union, which stipulates that all persons, whose rights and freedoms guaranteed by the law of the Union are violated, have the right to an effective remedy before a tribunal in compliance with the conditions laid down in the Charter. In addition, Article 47(2) grants everyone the right to a fair and public hearing by an independent and impartial tribunal previously established by law within a reasonable time and to have the possibility of being advised, defended and represented. Finally, Article 47(3) of the Charter of Fundamental Rights of the European Union states that persons who lack sufficient resources to secure legal aid shall be provided with such aid to ensure effective access to justice.

Provisions concerning refugees’ access to justice are laid down in both constitutional and municipal law. Firstly, the Constitution of the Republic of Latvia sets forth that everyone is entitled to protect their rights and legal interests in a fair trial.¹⁹⁸ Secondly, the Law on the Power of the Courts of the Republic of Latvia, adopted in 1992 and last amended in 2014, provides that everyone has the right to be protected by the court against threats to their life, health, personal freedom, honour, dignity and property, as well as equal rights to have their rights and obligations, as well as merits of the indictment, established at a

¹⁹⁷ Interview with Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombudsman.

¹⁹⁸ Republic of Latvia, *Constitution*, Article 92.

fair and impartial trial, in line with all the requirements for justice.¹⁹⁹ It also stipulates that all persons are equal before the law and the court, and justice is accorded irrespective of an individual's origins, social and financial situation, race and nationality, gender, education, language, attitude towards religion, occupation, place of living, and political or other views.²⁰⁰

Thirdly, the right to state-provided legal aid is regulated in the Law on State-provided legal aid of the Republic of Latvia, adopted in 2005 and last amended in 2012.²⁰¹ Article 3(5) of this Law guarantees the right to state-provided legal aid to refugees in Latvia, provided they fulfil one of the two conditions outlined in Article 3(2) of this Law.²⁰² These are either (i) having been granted indigent status, or (ii) finding themselves in a situation and financial circumstances, which prevent them from being able to protect their rights, or when persons are under full state or municipal care.

In line with the Law on State-provided legal aid of the Republic of Latvia, applicants for legal aid must fill in and submit a template for requesting legal aid, as well as supply supporting documents, where applicable, at the Administration of Legal Aid under the Ministry of Justice.²⁰³ According to the Administration of Legal Aid, no refugees have requested state-provided legal aid in the period from 1998, when the asylum procedure was established, to 1 November 2014.²⁰⁴ The following executive legislative acts provide more detailed provisions in this area: Regulations by the Cabinet of Ministers No. 641 of 25 September 2012 on Templates for applications for legal aid; Regulations by the Cabinet of Ministers No. 1493 of 22 December 2009 on the Amount of legal aid, payment, reimbursable costs and order of reimbursement; Regulations by the Cabinet of Ministers No. 1484 of 15 December 2012 on Criteria concerning an individual's financial situation to qualify for state-provided legal aid; and Regulations by the Cabinet of Ministers No. 895 of 21 June 2009 on the Template for application for state-provided legal aid.

¹⁹⁹ Republic of Latvia, *Law on the Power of the Courts*, 15 December 1992 (as last amended on 15 November 2014, 228 (5288)).

²⁰⁰ *Ibid.*, Articles 3 and 4.

²⁰¹ Republic of Latvia, *Law on State-provided Legal Aid of the Republic of Latvia*, 17 March 2005 (as last amended on 16 May 2012, 75 (4678)).

²⁰² *Ibid.*, Article 3(1)(5).

²⁰³ *Ibid.*, Article 22(1).

²⁰⁴ Information provided by the Administration of Legal Aid, Ministry of Justice.

8. Opportunities and challenges identified based on the desk-research, observations of integration stakeholders and experiences of the refugees

This chapter summarizes the findings of the desk research, the stakeholder consultations, and the PAs with the refugees in relation to the respective themes, and proposes recommendation for consideration by the integration stakeholders. The recommendations have been formulated against the background of international or European legal standards where such exist, as well as on refugee integration experiences, lessons learned and good practices from other European countries, in particular in Northern Europe.

8.1 Financial assistance and bank accounts

Stakeholders' views on the financial assistance granted to refugees in Latvia differ. Some, such as OCMA and PDM consider that the subsistence allowance is insufficient, because it does not allow refugees to cover rental expenses as well as the costs of other basic necessities. OCMA also notes that currently, the subsistence allowance is not differentiated for various groups of refugees, including particularly vulnerable persons, except for provisions for minors, who are eligible to 30 per cent of the amount paid to adults. The MoW states, however, that the social assistance provided to refugees is commensurate with that available to the general population as well as with the overall economic situation in Latvia. As noted by LCHR, the view that refugees should not be better off than some of the particularly vulnerable groups the receiving society, such as pensioners or families with children, is commonly held.

Although it can be concluded from the desk research that the Latvian legislation provides refugees with the right to unemployment assistance, the Guaranteed Minimum Income benefit and parental and sickness support on the same level as nationals, as well as to subsistence allowance under the Latvian Asylum Law, stakeholders noted that, in practice, refugees may find it particularly challenging to benefit from the social assistance available to the unemployed. In addition, the subsistence allowance to which refugees are entitled under the Latvian Asylum Law is only provided for a relatively short period of time (12 months for 1951 Convention refugees and nine months for beneficiaries of alternative status). Considering that it takes time for a refugee to learn the language to a sufficient degree to be able to obtain work, and is often faced with other obstacles in regard to finding employment, 12 or nine months, respectively, is a relatively short period. Furthermore, refugees who have newly arrived to Latvia normally do not have the family and social network that unemployed or destitute Latvians have, which puts them in a particularly vulnerable situation. Therefore, refugees in the Nordic countries generally benefit from financial integration support during the first two to three years, while they focus on learning the language, settling in to their new communities and exploring job opportunities.

The refugees who took part in the PAs felt from experience that the financial assistance provided, both during the reception phase and after being granted a residence permit, was very low. As a rule, families with children had difficulties covering regular expenses for rent, food, clothes, medical care and other necessities. Some refugees mentioned, for example, that medical or dental care had to wait, as they could not afford it. Expenses caused by special needs due to disabilities were also very difficult or impossible to cover. To compensate for the insufficient assistance received from the state, many felt obliged to turn to PDM, or rely on family members and friends abroad. Others admitted that adult children would, upon receiving residence permit, immediately be sent abroad to seek employment so they could financially support the family.

PROPOSED RECOMMENDATION:

- It is recommended that the Latvian authorities undertake a review of the financial support available to refugees during the post-recognition integration period in light of the expenses that the allowance is expected to cover and the particular situation and needs of refugees, to ensure that the level of financial support provides for at least a basic standard of living as comparable to nationals. In this connection, it is recommended to review whether the financial support that refugees in practice are able to access during the integration period is on par with that accessible to nationals in need of social assistance, in order to ensure non-discrimination. It is also recommended to review whether the duration of the financial support provided to refugees pursuant to the Latvian Asylum Law is sufficient, and assess if the mainstream social welfare system adequately caters to the specific needs and rights of refugees.

After recognition, opening a bank account and informing OCMA of the details of the account is the responsibility of the refugee and a necessity in order to receive the subsistence allowance. In Latvia, this seemingly simple step was reported by stakeholders to be problem-ridden. Firstly, banks take time to review the applications, thereby indirectly delaying receipt of the subsistence allowance. Secondly, the Office of the Ombudsman and PDM cite numerous occasions, where refugees and persons with alternative status

in particular, have had to approach a number of banks before one of them agreed to open an account in their name. In this respect, identity cards, which display the status of a person as a refugee seemed to constitute a barrier and cause negative attitudes on the part of bank employees. As stated by the Office of the Ombudsman, in Latvia, the banking sector is privately owned and therefore, according to the Financial and Capital Market Commission, not under the obligation to serve everyone. Interviews with stakeholders revealed that, as a result, refugees are not only exposed to considerable psychological distress due to discrimination; the payment of the subsistence allowance they are often completely dependent upon is sometimes delayed by as long as a month.²⁰⁵

The Office of the Ombudsman and PDM stated that the mere presence of their staff, when refugees visit the bank, facilitates the opening of an account. In general, once this hurdle is overcome, difficulties receiving the subsistence allowance from OCMA are not reported.²⁰⁶ As a result, PDM proposed that mentors be assigned to assist refugees with a range of practical issues.

PROPOSED RECOMMENDATIONS:

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- It is recommended that the Latvian authorities take steps to inform the private banking sector of the situation of refugees in Latvia and their need to be promptly assisted with the opening of a bank account in order to receive their much needed subsistence allowance.
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- It is recommended that refugees be advised about the requirements for opening of a bank account, and individually assisted if needed, as part of a post-recognition integration support program.

8.2 Access to education and Latvian language courses

As described in Chapter 7.2 above, adult refugees are granted access to education and refugee children have the right to attend free pre-school, secondary and high school. However, refugees are requested to pay a fee to attend universities, whereas such studies are free of charge for Latvian citizens and non-citizens of Latvia. No major remarks were made by the integration stakeholders interviewed in relation to the theme of education. However, this topic was discussed at some length during the PAs.

The majority of refugees taking part in the PA reported that that their children were invited to attend Russian-speaking schools when they resided in RC "Mucenieki" and that they therefore had continued to do so when leaving the Centre. The parents were, however, not very clear on the rationale behind this proposed option and told the MFT that they were now unhappy with this choice, because the children did not learn Latvian well enough and were likely to be disadvantaged with regard to accessing higher education and finding employment. This topic was discussed at some length because

²⁰⁵ Interviews with Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombudsman, and "Patvērums "Drošā māja" ".

²⁰⁶ *Ibid.*

it was a source of great concern in relation to the future of their children, as education was considered an important aspect of integration. Some parents, for whom this choice had initially seemed practical and reasonable because they knew Russian, had later understood that there were significant disadvantages associated with it. Parents also felt disappointed that the Russian-speaking schools did not deliver education of the same quality as Latvian schools, and that there were social problems, issues with discipline and low levels of achievement.

One refugee, who regretted the decision to place his child in a Russian-speaking school, had asked to move his child to a Latvian-speaking school. In reply, he was told that they should first listen to Latvian TV in order to reach an acceptable level of understanding of the language. He therefore concluded the following:

“ Latvian schools do not want to accept refugees because our kids do not speak good Latvian ”

PROPOSED RECOMMENDATIONS:

- It is recommended that a strategy for the education of refugee children in Latvia, which integrates the objectives of education and of social integration into the society, be developed. In this regard, experiences from other countries in the Northern Europe region may usefully be drawn upon.
- It is recommended that clear, comprehensive and objective information about the Latvian education system be developed for refugee parents and their children, to facilitate their ability to select schools in an informed manner.
- It is recommended to undertake a review of the extent to which teachers in Latvia are aware about the situation and needs of refugees and the availability of relevant teachers' training material, in order to assess the potential need for strengthening the capacity of teachers to adequately meet the needs of refugee children and create a welcoming, sensitive learning environment in schools for pupils of diverse backgrounds.
- It is recommended to regularly follow up and evaluate the outcomes of education of refugee children in different language settings, including through collected evidence and participatory methods.

Concerning access to Latvian language courses, no centralized training is provided, and refugees must independently identify suitable courses and enrol in them. In addition, the ceiling for the reimbursable tuition fee is set below the market price for such courses. OCMA is in the position to supply refugees with some information on service providers; however it does not have a complete and updated list on available courses at its disposal. Adult refugees, who have declared residence in Riga, are eligible to attend training provided by Riga Municipality unless they are unemployed. PDM also provides basic language classes, as well as a conversational Latvian club, on a project basis. These classes take place in small groups and are tailored towards the specific needs of refugees; however, they are dependent upon external financing and are therefore not consistently

available. PDM reports that the majority of refugees who approach them for support with language learning have not received any Latvian language training before, due to the absence of centrally organized courses for refugees coupled with the difficulties in finding private providers at the reimbursable cost.

MoC acknowledges that the current support provided to refugees in terms of learning Latvian is insufficient, and they have reportedly proposed different solutions to MoI for the future. Likewise, OCMA and PDM state that the decentralized system of Latvian language instruction is generally inefficient. To improve the situation, OCMA and the Office of the Ombudsman propose the establishment of a language training centre, where all Third-Country Nationals residing in Latvia, including refugees, could learn Latvian. Nearly all stakeholders interviewed for the purpose of this report agree that the language barrier remains one of the most significant obstacles to the successful integration of refugees in Latvia.

During the PA, adult refugees generally reported that it was very difficult to learn Latvian. This was particularly the case for illiterate persons, or persons with low levels of education. However, the participants in the PA stated that it was a challenge even for refugees with some degree of education. A first obstacle cited was the insufficient information from the authorities on where to find language courses, how to enroll in them, and the financial allowances available, which delayed refugees' enrollment in language training.

Secondly, the courses that are available, including those provided by PDM, appear not to help the refugees advance effectively in their studies. Several reasons for this were mentioned. For example, as a result of the scarcity of resources and the limited 'supply' of courses, refugees with varying levels of pre-existing knowledge of Latvian would be grouped together. The arrival of new refugees would require a frequent return to the basics, taking into consideration the lower levels of proficiency of newly arrived students. In addition, in many cases the premises used would not be suitable for teaching, or not conducive to effective learning, which impacted on the quality of the instruction. The refugees expressed disappointment with the fact that programs only provide level A1 – A2 courses, with no possibility to advance to the next level. It was also noted that many language teachers did not speak English, which created another obstacle for refugees who do not know Russian. The inadequate support for advancing to higher levels of language fluency was cited as an obstacle in relation to many other areas, in particular, access to employment and obtaining Latvian citizenship. With regard to the latter, the language courses available simply do not have the requisite length and quality to allow refugees to attain the necessary level to pass the exam required to naturalize.

The refugees also stated that it was difficult to concentrate while in class due to the many challenges faced, and their attempts to adjust to life in new circumstances. One refugee phrased the problem as follows:

“ *How can they learn the language, with so many problems in their lives?”*

Women also mentioned that finding day care for the children was another obstacle in attending classes.

PROPOSED RECOMMENDATIONS:

- It is recommended that the Latvian language tuition available to refugees be reviewed, in order to assess how the accessibility, quality and effectiveness of language classes can be strengthened to meet the individual needs and capacities of the diverse refugee population. The proposal made by some stakeholders, to establish a centralized language learning centre or program for all Third-Country Nationals, including refugees, could be considered, and experiences in this area from the Nordic countries drawn upon. In this context, it is also recommended to consider the possibility of introducing combined language and job training programs and activities, drawing as relevant on positive experiences from the Nordic countries.

- It is recommended that the information provided to refugees on the availability of language classes, how to enroll in them, and how to finance the studies, be improved and that practical support to facilitate access to the courses be provided.

- It is recommended that the possibility of arranging child care for refugee parents be considered, to facilitate their equal access to Latvian language courses.

8.3 Legal status, types of residence permits, freedom of movement and access to naturalization

The desk research concluded that Article 36(2) of the Latvian Asylum Law, which provides that the residence permits issued to beneficiaries of the alternative status can only be extended by one year at a time, does not fully comply with the related provision in Article 24(2) of the recast Qualification Directive. Article 24(2) stipulates that EU Member States shall issue to beneficiaries of subsidiary protection status and their family members a renewable residence permit which must be valid for at least one year and, in case of renewal, for at least two years, unless compelling reasons of national security or public order otherwise require.

As mentioned in Chapter 7.3.1, the rights and entitlements attached to the different statuses afforded to refugees in Latvia differ in a number of aspects. One of these is the type of residence permit issued, which confer unequal rights in other areas relevant to integration, such as eligibility for social benefits and assistance, financial assistance, family reunification, social integration as well as access to naturalization. PDM notes that, as a result, persons with alternative status suffer from long-term uncertainty and insecurity and concludes that this inequality impacts negatively on the post-recognition integration. The desk research indicated that beneficiaries of the alternative status in Latvia experience significant and chronic income, housing and employment insecurity; these findings were confirmed by the PA. UNHCR's view is that there is no reason to expect the protection needs of beneficiaries of subsidiary protection to be of shorter duration than the need for protection under the 1951 Convention and that therefore access for beneficiaries of

subsidiary protection to similar rights as those of refugees would be a significant element in facilitating their early participation and contribution to the host community.²⁰⁷

The issue was extensively discussed by the refugees during the PAs. Beneficiaries of alternative status described that the legal status received had a negative impact on certain key areas of integration. It appeared from the comments made by the participating refugees that there was a high degree of confusion in relation to the differences between the temporary residence permit granted to persons with alternative status, the permanent residence permit and citizenship, as well as the requirements to receive the respective different statuses and permits. Many refugees reported difficulties in relation to finding employment and housing in particular, which PDM attributed to their legal status. As reported below in relation to the specific themes, such as access to housing and employment, holders of alternative status experience particular obstacles.

The fees, which accompany the application for extension of residence permits, identification documents and passports, were also the cause of lively discussion. It was reported that for a family with children, this financial burden could be very heavy and difficult to bear, in particular, if the refugees were unemployed. In addition, the frequent need to re-apply for extensions was cited as a psychological burden particularly for beneficiaries of alternative status who have to renew permits each year. In relation to both extension of residence permit and naturalization, the participants reported that they had received very little information about the eligibility criteria and how to apply, and that staff responsible for receiving the applications were themselves often confused. As a result, many visits to OCMA to initiate applications for prolonged residence permits were undertaken in vain. Altogether, the many difficulties exacerbated feelings of not being welcome in Latvia. The differences in rights and entitlements between 1951 Convention refugees and holders of alternative status was hence understood to be a significant factor feeding into the overall 'malaise' conveyed by the refugees in relation to their reception and integration in Latvia, resulting in aspirations to move to other EU Member States.

The topic of freedom of movement was not discussed during the PAs, as refugees in practice enjoy this right despite Latvia's reservation to Article 26 in the 1951 Refugee Convention.

While the topic of naturalization was not discussed during the PAs, the desk researched concluded that refugees need to fulfil all of the standard requirements for naturalization, with the exception of the requirement to relinquish their former citizenship; 1951 Convention refugees are exempted from this requirement, while beneficiaries of alternative status are not. Otherwise, naturalization is not facilitated for refugees in line with Article 34 of the 1951 Refugee Convention.

²⁰⁷ UNHCR, *UNHCR comments on the European Commission's proposal for a Directive of the European Parliament and of the Council on minimum standards for the qualification and status of third country nationals or stateless persons as beneficiaries of international protection and the content of the protection granted* (COM(2009)551, 21 October 2009), available at <http://www.unhcr.org/4c5037f99.pdf>

PROPOSED RECOMMENDATIONS:

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- It is recommended that Article 36(2) in the Latvian Asylum Law be brought in line with Article 24(2) of the recast Qualification Directive, to provide that, in case of renewal, residence permits issued to beneficiaries of alternative status/subsidiary protection and their family members must be valid for at least two years, unless compelling reasons of national security or public order otherwise require.
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- It is recommended that the current legislation be reviewed with the aim of aligning the residence permit and rights granted to beneficiaries of alternative status to those of 1951 Convention refugees, in order to facilitate their ability to integrate. In this context, Latvia is generally recommended to have in place a regime of rights which accords refugees the same rights as permanent residents or nationals, as this, from experience, has been shown to contribute to refugees' ability to become self-sufficient and speedily integrate.
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- It is recommended that the information provided to refugees on the criteria, and application and renewal procedures and requirements for the granting of different statuses and residence permits, and their corresponding rights and entitlements, be improved.
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- It is recommended that fees for the issuance and extension of residence permits to refugees be waived or reduced.
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- It is recommended that Latvia withdraws its reservation to Article 26 on freedom of movement in the 1951 Refugee Convention.
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- It is recommended that Latvia withdraws its reservation to Article 34 in the 1951 Refugee Convention and reviews the current criteria for naturalization and the impact they have on refugees' ability to naturalize, with a view to waiving or reducing relevant ones of these and thereby facilitating the naturalization of refugees.

8.4 Family reunification

The desk research of the national legislation shows that, while it largely conforms to the standards set out in the 2003 Directive on Family Reunification, it takes a restrictive approach. For example, it is regrettable that the facultative, more favourable clauses, are not implemented, particularly where refugee minors are affected. A 1951 Convention refugee, who is an unaccompanied minor and unmarried, has the right to family reunification with only his or her mother and father; at the same time, minors with alternative status do not benefit from this entitlement at all. Beneficiaries of the alternative status are only allowed to initiate family reunification after having resided in Latvia for two years, and are eligible for reunification subject to proof of accommodation and evidence of regular resources. In addition, costs for applications and visas are reportedly high. OCMA noted that it is likely that the latter underpins the low number of cases of family reunification of refugees.²⁰⁸

²⁰⁸ Information provided by OCMA.

Although the MFT invited the refugees to talk about family reunification when presenting the list of possible topics for the PAs, this subject was not discussed at length, compared to the other subjects. The reason for this is probably that the majority of refugees who participated in the PAs either arrived to Latvia as single adults, or had their close family members with them at the time of the PA. Aware of the fact that adult parents would normally not qualify for reunification, hopes in this respect seemed rather low among the refugees, although some admitted having applied for older parents to join the family. However, support from parents or extended family members, for example in taking care of minor children while at work, was cited as a missed opportunity, and an additional coping mechanism which they would have appreciated, noting that many families in Latvia rely on such support in their daily lives.

A few refugees noted the stress created as a result of having left minor children behind, on the difficulties related to initiating their applications for family reunification, and on the difficulties in organizing the exit from the country of origin once their permits were granted. These refugees conveyed to the MFT that the separation from their children had a significant impact on their ability to cope with the day to day challenges in their new home. This confirms the finding in the research on refugee integration in Sweden, conducted within the RICE project,²⁰⁹ namely, that the separation from family members significantly hampers refugees' ability to focus on integration, as their minds and hearts are with their loved ones. One man, who had been granted alternative status, and who was thus not entitled to family reunification, described the fact that he could not reunite with his child as very difficult to overcome. He had previously faced a range of challenges since his arrival in Latvia, for example in relation to learning Latvian, finding housing and accessing employment, and the MFT concluded that this additional adverse experience was not facilitating his integration in Latvia.

PROPOSED RECOMMENDATIONS:

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- It is recommended that beneficiaries of the alternative status/subsidiary protection be provided with access to family reunification under the same favourable conditions as those applicable to 1951 Convention refugees, including the right to initiate family reunification immediately upon recognition.
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- It is recommended that unaccompanied minor children, who have been granted either the Convention refugee status or the alternative status in Latvia, be given an equal right to reunify with parents or guardians as well as with siblings.
-
- It is recommended that the fees refugees need to pay in order to initiate the family reunification procedure and application for visas be reviewed, and consider lowering or waiving them, in order to remove some of the obstacles preventing refugees from exercising their right to family unity.

²⁰⁹ UNHCR RRNE, *A New Beginning: Refugee Integration in Sweden*, September 2013, p. 25, available at: <http://goo.gl/vgH1Pg>

8.5 Access to housing

Apart from permission to extend their stay at RC "Mucenieki" for a limited period of time after the granting of the protection status, and some assistance with regard to housing extended by the municipalities, the state does not provide refugees with accommodation. Refugees have the right to purchase or rent real estate without additional restrictions than those imposed in relation to farming and forest land, border and protected areas. As the majority of refugees do not possess the financial means to acquire property, they resort to renting. The subsistence allowance of 256.12 EUR per person/month that Convention refugees are entitled to for the first 12 months after status recognition, and persons with alternative status for the first nine months, is meant to cover rent as well as other costs. OCMA, PDM and the Office of the Ombudsman agree that this is insufficient to cover basic expenses, especially in Riga, where the costs of living and rent, in particular, are rather high.²¹⁰ Although relatively low, the subsistence allowance does, however, provide steady financial support to refugees during these months. When it ceases to be applicable, they are often faced with a desperate situation, as most of them struggle to find employment. Refugees can benefit from social assistance from municipalities with regard to housing, whereas persons with alternative status, who hold temporary residence permits, are not eligible to such support.

Riga and Ropaži Municipalities, OCMA, LCHR, PDM, and the Office of the Ombudsman note that finding accommodation, and covering rental and utility costs, are some of the most challenging issues refugees experience in practice in Latvia. While in principle, upon recognition of status, they should leave RC "Mucenieki" without delay, few do and it is not uncommon that the search for suitable accommodation takes months. During this process, refugees are generally allowed to remain at RC "Mucenieki"; in exceptional cases, they also benefit from the assistance of its staff in finding accommodation.²¹¹ Such assistance is also provided by PDM.²¹² OCMA also notes that access to employment and access to housing are interlinked – it is difficult to obtain one without the other. PDM also cites ineligibility of persons with alternative status to housing assistance from municipalities as a serious matter of concern.

Challenges with regard to access to housing are generally underpinned by two factors – firstly, as noted above, the subsistence allowance is not sufficient to cover expenses related to rental of accommodation, particularly in Riga. Secondly, discrimination against beneficiaries of international protection in the real estate market prevails. The Office of the Ombudsman, PDM and LCHR report of instances where flat owners have refused to rent out their properties for no apparent reason other than the "otherness" of the refugee, in terms of skin colour, country of origin or status in Latvia.²¹³ In order to address these problems, several of the integration stakeholders interviewed saw a need for a post-recognition integration centre where refugees could go for information, advice and practical support in finding housing; possibly, a limited number of places for temporary accommodation could also be available at such a centre, to prevent refugees from having to sleep on the streets.

²¹⁰ Interviews with Līga Vijupe, Head of Asylum Affairs Department, OCMA, Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombudsman, and "Patvērums "Drošā māja" " .

²¹¹ Interview with Edīte Pavlova, Head of Asylum seekers' Reception Centre „Mucenieki”, OCMA.

²¹² Interview with "Patvērums "Drošā māja" " .

²¹³ Interviews with Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombudsman, "Patvērums "Drošā māja" " and Svetlana Djačkova, Researcher, Latvian Centre for Human Rights.

Such a one-stop integration support centre would go a long way in rectifying the current challenges faced by refugees in this area, according to the stakeholders.

From the perspective of the refugees, the general lack of integration support is felt immediately when their stay in RC “Mucenieki” comes to an end. A crucial moment, described during the PA as particularly painful, was when it was time to leave the RC and find a place to live. The refugees conveyed that they did not receive any practical assistance to find an apartment, let alone information where to go to search for a place to live when they had to move out of RC “Mucenieki”. In this regard, the PAs confirmed the findings of the desk research. It was clear through the examples provided that the lack of practical assistance, the insufficient information, and the limited financial means at their disposal, including the lack of special allowances for housing, as well as insufficient language skills often resulted in families being compelled to stay with fellow refugees for an initial period of time, or even become homeless. In critical cases, it would be possible to prolong their stay in RC “Mucenieki” for a limited period in order to find an apartment, according to the refugees with whom the MFT spoke. This privilege would, however, be accompanied by the requirement to pay for the accommodation. The refugees mentioned that the fee was quite high.

“When we left RC “Mucenieki”, we were crying, we did not know where to go”.

One refugee, who had already lived in Latvia for a few years, explained that he had welcomed a family of fellow refugees to his home until they found a flat of their own. Otherwise, they would have been on the street.

Many refugees also reported living in crowded conditions in small flats because they could not afford to rent more suitable accommodation. For example, one refugee family with two children explained that they lived in a 40 m² apartment. Because of their low income, they could not afford to buy beds and instead had to sleep on mattresses on the floor. The crowded living conditions had an impact on family life and the children’s capacity to study. In addition, the owners of the flats did not want to officially declare refugees as tenants, due to taxation rules, which impacted the refugees’ ability to receive social benefits because they were not registered at a municipality, which is a pre-condition for receiving social assistance dispensed by local governments. Sometimes, refugees resorted to registration in a shelter for homeless people so that they could access the rights attached to the registration at a municipality. The refugees also said that the challenges they faced in registering in a municipality, and in affording the rent, forced many to frequently move, which consequently compelled their children to continuously change schools.

PROPOSED RECOMMENDATION:

- It is recommended that the support provided to refugees be increased, including beneficiaries of alternative status holding temporary residence permits, in helping them find accommodation and conclude lease agreements. Different ways of strengthening the support could be explored, for example by introducing a system whereby a state agency or NGO is assigned the responsibility for supporting refugees in finding affordable housing and for facilitating the signing of the rental contract. Through the RICE study in Sweden UNHCR learned that an inadequate housing situation can impact negatively in particular on refugees' health and studies.

8.6 Access to labour market, including recognition of diplomas and qualifications

Refugees and their family members are granted the right to employment without restrictions. This absolves them from the requirement to receive work permits before engaging in wage-earning activities. The Law on Employment of the Republic of Latvia stipulates that everyone has equal right to work, fair, safe and healthy working conditions, as well as a fair wage. Any direct or indirect discrimination on the basis of race, skin color, gender, age, invalidity, religious, political or other opinion, national or ethnic origin, financial or civil status, sexual orientation or other circumstances is prohibited. Latvia has, however, made a reservation to Article 17 (1) and (2) in the 1951 Refugee Convention and considers these recommendations rather than legal obligations. Specifically, Latvia has declared in its reservation, that in all cases where the Convention grants to refugees the most favourable treatment accorded to nationals of a foreign country, this provision shall not be interpreted by Latvia as necessarily involving the regime accorded to nationals of countries with which the country has concluded regional customs, economic, political or social security agreements.

Although the legal norms are favourable, the Office of the Ombudsman, PDM, LCHR, and Ropaži and Riga Municipalities confirm that, in practice, access to the labour market and/or recognition of diplomas constitute some of the biggest challenges refugees face in the post-recognition integration phase in Latvia. While refugees have the legal right to work, it is extremely difficult for them to exercise this right in the rather limited and complex local job market, due to lack of sufficient knowledge of Latvian, negative attitudes towards foreigners, as well as difficulties in having educational and professional qualifications gained abroad recognized. PDM reveals that, due to fear, refugees avoid contact with their countries of origin and sometimes even choose to sit exams to obtain, for example, a new driving license instead of attempting to recover the existing one. In addition, the temporary residence permits issued to beneficiaries of the alternative status further reduce their chances to find work, as employers are reluctant to employ someone who only has a residence permit for a year. LCHR states that, as a result of these challenges, refugees often work illegally and at very low wages, which barely cover rent and food. Also, many eventually feel compelled to leave Latvia to try to find work and a livelihood abroad.²¹⁴

The absence of structured and predictable support in understanding the Latvian labour market, and in searching for and finding employment was mentioned by the refugees as particularly difficult to overcome. The refugees who participated in the PA described many of the difficulties they had encountered in their attempts to find a job and become self-sufficient and able to care for their families without dependence on social support. Employers were described as uninterested in hiring refugees, in particular if they have temporary residence permits, which was the case for the majority of the refugees who participated in the PA. The refugees stated that it was difficult to make use of their prior education in order to enter the labor market, particularly for refugees with university diplomas. According to the refugees, those who had been granted alternative status

²¹⁴ Interviews with Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombudsman, "Patvērums "Drošā māja"" and Svetlana Djačkova, Researcher, Latvian Centre for Human Rights.

found it particularly difficult to start a business. For many jobs, it was believed that three languages would be needed to have a chance to be employed. Refugees from Russian-speaking countries seemed to be in a comparatively more advantageous position than other refugees, because of the relatively large availability of businesses run by the Russian-speaking segment of the population in Latvia. However, according to the refugees, good knowledge of English and Latvian is needed as well.

“ *Sometimes we do not know in what country we live: I speak Latvian, but this is not sufficient in order to get a job, as all employers ask if I also speak English and Russian”.*

Some of the refugees had heard about internship schemes for refugees in other countries and compared the situation to Latvia. They concluded that it would be very hard to overcome the barriers, including for refugees with higher education, as there weren't many opportunities in relation to language training, internships or on-the-job training. In one of

“ *Everybody here (in this PA group) has academic education. Sometimes people leave for other countries, because nobody hears them here”.*

the PA groups, the refugees who participated had higher education and had arrived to Latvia 5-6 years ago. In spite of this, they were still unemployed, or surviving on jobs that had no connection with their studies and education, and described their situation as disappointing with few prospects of succeeding in finding a job of their choice. They perceived their future in Latvia as very bleak. Some of the refugees in this group concluded that it would be better to leave Latvia.

PROPOSED RECOMMENDATIONS:

➤ It is recommended to consider withdrawing the reservation to Article 17 in the 1951 Refugee Convention.

➤ It is recommended that a review of how a structural system for guiding and individually assisting refugees in their efforts to find employment in Latvia could be established be undertaken. In this respect, the practice in some of the Nordic countries with developing personal integration plans, which takes each individual's educational and professional background, capacities and aspirations into account, could usefully be drawn upon. It is recommended that the review considers how refugees could be integrated into national employment policies and schemes, while at the same time benefit from needed targeted support.

➤ It is recommended that training and exchange opportunities be facilitated for the staff of the State Employment Agency, to strengthen their capacity and experience in coaching refugees to find employment and in developing empowering and effective individual plans for obtaining employment.

➤ It is recommended that a mapping of the obstacles refugees face in starting private businesses and projects be undertaken, including in relation to the information that is available to refugees on the requirements and procedures. Such a mapping could include inspirational examples of refugees, who have successfully started their own business.

➤ It is recommended that the possibilities of combining work opportunities and language training be explored, to complement the basic Latvian language courses and facilitate a quicker entry into the Latvian labour market.

➤ It is recommended that an analysis of the opportunities and needs in the Latvian labour market be undertaken, and to create possibilities special incentives for employers to recruit immigrants and refugees. In this context, it is recommended that a dialogue be initiated with potential public and private sector employers on the recruitment of refugees, to raise awareness about the skills and capacities that refugees can bring to a work place, specific issues for consideration when hiring a refugee (e.g. in regard to hiring a beneficiary of alternative status/subsidiary protection with a short-term residence permit) and to combat negative attitudes and stereotypes.

➤ It is recommended that the system and methodology for the validation of academic, professional and vocational diplomas, certificates and degrees be reviewed, using good practice and experience from European countries, and take measures to ensure that refugees receive information about the requirements for the validation and recognition of diplomas.

8.7 Social integration, including participation in public/communal life, issues related to discrimination and xenophobia

In relation to refugees' interaction with the Latvian community, some assistance is provided by PDM in organizing cultural events, however, due to dependence on external funding, this support is project-based and, as described already, falls short of a sustainable and continuous social integration programme.

The stakeholders consulted generally confirmed the findings in the previous studies referred to in Chapter 4 above, and in public opinion polls and surveys, namely that there in general is a negative and intolerant attitude towards refugees and immigrants in Latvia. Nearly all stakeholders noted that the Latvian society harbours rather negative attitudes towards immigrants in general, which are likely underpinned by the collective memory of the history of Latvia, and rudimentary knowledge on migration processes and the particular challenges refugees face.²¹⁵ These negative, and at times racist and xenophobic attitudes hamper refugees' economic and socio-cultural integration into the society.

With regard to discrimination and xenophobia, instances of unfair treatment of beneficiaries of international protection were reported by the Office of the Ombudsman, LCHR and PDM. These pertain to nearly every area of post-recognition integration in Latvia, including the opening of a bank account, renting an apartment, access to healthcare and employment, as well as the general discrepancy in the rights and entitlements granted to refugees vis-à-vis persons with alternative status. The Office of the Ombudsman stated that young, single and Russian-speaking refugees find it somewhat easier to overcome obstacles to integration, whereas older persons, families and those who visually differ from the local population face a much more challenging situation.

During the PAs, the refugees said that they thought many Latvians believed that the refugees had come to Latvia to improve their economic situation, and did not understand the protection reasons behind their flight. The refugees had experienced negative attitudes within the population, including among service providers such as bank employees and medical staff, which affected their access to services and assistance. The refugees also reported that some school teachers did not always have a friendly or understanding attitude towards them and their children, and did not intervene to help and protect the children in case of negative comments or bullying.

"The classmates were teasing my children because of their poor clothing. We received no help from the teachers {to explain why}".

At the same time, the refugees said that they had met many sympathetic Latvians during their time in the country, and felt that some of those who had been less understanding

²¹⁵ Interviews with Santa Tivaņenkova and Ilze Tralmaka, Legal Advisers, Office of the Ombud, "Patvērumš "Drošā māja" " and Svetlana Djačkova, Researcher, Latvian Centre for Human Rights.

may have had misperceptions about why refugees come to Latvia. The refugees who took part in the PAs affirmed that they had come to Latvia to seek protection and security, and that they wanted to work and contribute to the society and pay taxes.

From the feedback received during the PAs, the MFT concluded that, in general, Christian refugees who visit the church seem to interact more with Latvians. They also described their social situation in more positive terms than Muslim refugees. This was also true for the children. One Afghan boy who participated in the session with children told the MFT that he had no friends and that he was beaten at school.

PROPOSED RECOMMENDATIONS:

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- It is recommended that activities aimed at raising the host communities' awareness about the backgrounds, needs and capacities of refugees be undertaken both at a national level and in municipalities. This could be done, for example, through information campaigns conveying the personal stories of refugees; seminars for parliamentarians, government officials and civil servants; projects targeting the youth and children in schools; projects and events aimed at facilitating contacts and interaction between refugees and the host community and civil society, such as through a host-family system; and by supporting refugees in their daily life with information about Latvian society and culture. It is recommended to explore the use of EU funding from the AMIF program for such awareness raising, sensitization and social integration projects, and to develop these with the participation of refugees.

 - It is recommended that training be organized on empowering working methods for personnel providing services and/or information to refugees, to enhance their capacity to help the refugees achieve their full potential.

 - It is recommended that efforts be undertaken to enhance the knowledge and understanding of the Latvian media about global refugee issues and the situation of refugees in Latvia, to ensure accurate and objective reporting and the avoidance of stereotyping.

8.8 Access to health care

Interviews with institutional stakeholders reveal that access to and the quality of health care is one of the main concerns of refugees in Latvia. Although discrimination does not exist at a legislative and normative level, refugees' actual access to health care is reportedly hampered by the language barrier as well as instances of intolerant attitudes, exhibited for example by medical personnel. In particular, PDM informed of instances where refugees had been verbally abused at a health care facility and managed to receive medical care only because a representative of PDM was present.²¹⁶

It should also be noted that psychotherapy and psychological counselling, which may be warranted for refugees who have been subjected to torture, rape or other serious forms

²¹⁶ Interview with "Patvērums "Drošā māja" ".

of violence, or refugee children who have been victims of abuse, neglect or exploitation, or experienced armed conflict, is not financed by the state, except in specific cases.

During the PAs, the refugees explained that even basic services, theoretically in place for both asylum-seekers and refugees, are sometimes difficult to access without the robust backing of PDM. Communication problems were cited as one reason. However, a refugee woman also gave the example of a time when she was pregnant and went to the hospital to receive medical services. She explained that she had first been denied assistance and could not register for maternal health service without resorting to the support of a PDM lawyer. The MFT understood that the reasons behind the medical personnel's unwillingness to assist were probably disinterest, lack of knowledge and xenophobic attitudes. This example reflects the findings of the stakeholder interviews in the area of access to health services.

PROPOSED RECOMMENDATIONS:

- It is recommended that a review of how the awareness of medical personnel about the rights, needs and backgrounds of refugees could be raised be undertaken, to ensure that both refugees living in the reception centre "Mucenieki" and in municipalities have equal and non-discriminatory access to medical services. In this regard, it is recommended that training be provided to medical staff, to increase their awareness about refugees' rights and to combat the existence of negative attitudes and stereotyping among them.
- It is recommended that the provision of information to refugees about their right to health care in Latvia, and how to access services be enhanced.
- It is recommended that ways of strengthening refugees' access to psychotherapy and psychological counselling be explored.
- It is recommended that interpretation be made available free of charge to refugees who need such assistance in order to communicate effectively with the medical services, at the reception centre "Mucenieki" and at health care facilities in municipalities.

8.9 Access to information and knowledge of rights

The majority of the stakeholders interviewed considered that asylum-seekers and refugees in Latvia do not have sufficient access to information and knowledge about their rights, thereby affirming the findings in the *Study on access to social assistance and services by persons with alternative status*²¹⁷ by the Office of the Ombudsman. As noted above in Chapter 4, this study concluded that Latvia does not fully comply with its obligation to provide refugees with access to information pursuant to Article 22 of the recast Qualification Directive. It appears that the information provided by OCMA does not cover all issues relevant to integration in the receiving society, and that there

²¹⁷ Office of the Ombudsman, *Study on access to social assistance and services by persons with alternative status*, 2012.

is a continuous need for additional advice as refugees try to forge an independent life outside the premises of the reception centre "Mucenieki". The MoC acknowledges that it has not taken steps to facilitate the access of refugees in particular to information on their rights, entitlements and obligations.²¹⁸

While the topic of information had not been specifically mentioned in the list of issues presented to the refugees in advance of the PA, the dialogue with the refugees confirmed the aforementioned observation, that refugees generally lack sufficient information about their rights and how to access these in Latvia. In particular, many of the refugees who took part on the PAs said that they lacked the information and knowledge that would help them tackle certain key challenges in the transition from asylum-seeker to refugee, and succeed in integrating. The lack of sufficient information was particularly felt in relation to finding housing and Latvian language courses. As noted in Chapter 8.3, the PAs also revealed that many refugees had an unclear understanding about the criteria for extension of residence permits and naturalization.

As a consequence, many of the refugees in Latvia approach PDM, as well as the LCHR, for information. PDM explained how it has sought to address the information gap, by developing a few information leaflets on issues such as access to education, job searching and housing.

The PAs, and the consultations with stakeholders like MoC, OCMA, PDM, Ropāži Municipality and the Office of the Ombudsman, concerning refugees' access to information thus revealed the same need for a central authority or one-stop-shop, to which refugees could be directed, and turn to when needed, for up-to-date information about their rights and how to access services, and be provided with individual guidance. While such a one-stop-shop would not necessarily need to possess detailed knowledge about all of the key integration areas (housing, employment, language tuition etc), it should at least have the capacity to provide refugees with basic information and guidance, and be able to advise where to turn for further advice (e.g. to specific State or municipal institutions with specialized competence).

PROPOSED RECOMMENDATION:

➤ It is recommended that the form and manner in which information about refugees' rights, obligations and access to services and among other things, the employment and housing market is provided be reviewed, to ensure that refugees have a clear understanding about relevant procedures and the roles and responsibilities of the institutions and NGOs that provide integration related support including financial assistance. In this respect, the role of a one-stop-shop or integration centre compared to the role of specialized authorities or organizations, should be considered.

²¹⁸ Interview with Anita Kleinberga, Head of Social Integration and Civil Society Development Unit, Ministry of Culture.

8.10 Impact of reception conditions and time spent in the asylum procedure on integration

Reception conditions were not included in the desk based research and mapping of this study, and the topic was not discussed at length during the PAs. An exception to this was the PA with a group of refugees of whom the majority had sought asylum in Latvia some 5-6 years ago, before the adoption of amendments to the Asylum Law that provide clearer grounds for the use of detention, and alternatives to detention. In this group, the refugees described with anger and frustration that they had been detained for a significant amount of time upon arrival, in conditions they experienced as humiliating and lacking medical assistance, when the only reason for coming to Latvia was their wish to exercise the right to seek asylum.

“ We ran from Iran because we did not want to go to prison and were sent to prison, placed in the same cell as criminals. I was sick and advised to go to the toilet”.

It was clear to the MFT that this negative experience had left the refugees with strong feelings of not being welcome in Latvia, which were further aggravated by the weak support provided, both in terms of financial allowances and other services during the reception phase. For example, it was mentioned that the money received for subsistence, clothing and medical care was in reality insufficient to cover even the costs for transportation from RC “Mucenieki”

into more urban areas. As a result of the insufficient financial support, the refugees literally had difficulties surviving, and they also explained that the lack of money led to isolation from the community. The MFT understood that the refugees’ motivation to integrate deteriorated as a result of these experiences.

“ In Iran, we were afraid of being killed. Here they kill us [metaphorically] every day.”

Through its protection work in Latvia, UNHCR is aware that the development of an effective and protection-sensitive entry system has not yet been finalized in Latvia, even though the Asylum Law amended in 2013 introduced positive changes relating to the freedom of movement of asylum-seekers. UNHCR has also identified that detained asylum-seekers have unequal access to the state provided health care services compared with other detained or arrested foreigners.

PROPOSED RECOMMENDATIONS:

- It is recommended that the national legislation and practice in regard to the use of detention and alternatives to detention is fully aligned with international and European standards, to ensure that asylum-seekers are only detained as a last resort and for the shortest possible period of time.

- It is recommended that ways of making the time spent in reception, pending the the outcome of the asylum application, more meaningful for asylum-seekers be explored; for example by providing access to language learning and vocational and skills training. Experience shows that meaningful reception facilitates future integration, or sustainable reintegration of those found not to be in need of international protection.

8.11 Legal, policy, procedural and institutional framework for the facilitation of refugee integration

The mapping of the Latvian legal framework, as it impacts on the integration of refugees, reveals that it is largely in line with international and European standards. However, there are some notable exceptions, including the reservations Latvia has made to a number of articles in the 1951 Refugee Convention, in particular Article 34 which is generally understood as relevant to the broader concept of the integration of refugees, not only with respect to naturalization. The special situation of refugees makes it particularly important that specific measures be taken to facilitate their integration into the host society. As refugees often lack support networks and other resources to start a new life completely on their own, they need to both have equal access to mainstream services and benefit from targeted assistance. Article 34 of the 1951 Refugee Convention underlines the need to accord refugees rights and support beyond those normally granted to other aliens, in order to meet their particular needs and provide an environment conducive for integration.

Against this background, a key recommendation of the current study would be to lift the reservations made to the 1951 Convention, including the reservation to Article 26, which, according to the findings of the research, is not implemented in practice. Withdrawal of the reservations would send an important signal on the part of the government in relation to their commitment to improve the integration of refugees in Latvia.

In terms of policy guidance, the desk research concludes that refugees are currently included in the general category of immigrants or Third-Country Nationals, which comprises groups of individuals with significantly divergent needs, rights and integration challenges. In this respect, *The Guidelines on National Identity, Civil Society and Integration Policy of the Republic of Latvia for the period from 2012 to 2018* do not sufficiently address the particular needs of refugees.

As outlined above, once the reception phase is complete and a protection status is granted, the responsibility for integration of refugees in Latvia falls on the MoC. To date,

however, the practical involvement of the MoC in the integration of refugees appears to be limited. In the interview with the national consultant, MoC concedes that a comprehensive and effective programme for the integration of refugees does not exist. Aside from the support provided to refugees in terms of financial assistance and language learning support during the first nine or 12 months after status recognition, a comprehensive and targeted state-administered integration programme, which facilitates refugee integration in the Latvian society, is lacking.

The MoC moreover acknowledges that the responsibility it currently exercises in this area is limited to the social domain of integration, excluding either its legal or economic aspects. Within the limits of its current capacity, MoC attempts to follow developments in the area of refugee integration, but it neither has the capacity to implement targeted integration projects, nor to collect and analyse data on the situation of refugees in Latvia.²¹⁹ The provision of hands-on post-recognition integration support thus appears to be largely left to the NGO sector, which strives to bridge gaps in state policies and programs. PDM notes that, while the delegation of some functions to the non-governmental sector is acceptable practice, the state should assume the overall responsibility for the integration of refugees.²²⁰ Moreover, the dependency of non-governmental actors on external financing, mainly from the EU funding mechanisms, means that support is provided only for the duration of a particular project, and often does not encompass the entire target group. This results in interruptions in the provision of integration assistance, which lead to reduced programmatic continuity and effectiveness.

Hence, according to the integration stakeholders and in particular the MoC, increased administrative and financial resources are needed in order to meet Latvia's obligations under Article 34 of the 1951 Refugee Convention and Article 34 of the recast Qualification Directive.

In the stakeholder consultations, OCMA, PDM and LCHR also expressed the view that a clearer distribution of institutional roles and responsibilities is needed. The same stakeholders recommended the development of a comprehensive integration policy for refugees. In addition, MoC, OCMA, PDM, Ropaži Municipality and the Office of the Ombudsman referred to the need for a one-stop-shop or a coordinating entity, which would be in charge of all issues pertaining to the integration of refugees in Latvia. The Office of the Ombudsman, PDM and OCMA also suggested that a post-recognition transition or preparatory phase, which would include mentoring assistance, be introduced. To support this, both OCMA and the Office of the Ombudsman recommend that the one-stop-shop concept encompass an integration centre, which would provide temporary accommodation and a range of integration-related services, such as language and professional skills training.

Another view expressed by some stakeholders, such as the Office of the Ombudsman, LCHR and Ropaži Municipality, is that the responsibilities given to municipalities with regard to the integration of refugees are not matched with additional funding from the state budget. Moreover, the MoW acknowledged that municipalities are not provided with specific training either in foreign languages or in working with refugees. As a result

²¹⁹ Interview with Anita Kleinberga, Head of Social Integration and Civil Society Development Unit, Ministry of Culture.

²²⁰ Interview with "Patvērums "Drošā māja"".

of these gaps, several of the stakeholders, such as OCMA, LCHR, and Riga Municipality considered that the current involvement of local governments in the integration of refugees is too rudimentary, and expressed a need to build up the administrative and financial capacity of the municipalities in this area, including language training to reduce barriers to communication. According to the Office of the Ombudsman, this in particular concerns smaller municipalities, which may lack any prior experience in working with refugees.

The overarching message conveyed by all of the refugees who took part in the PAs, is that it is very difficult to start a new life in Latvia after being granted international protection. The feedback received in this respect was particularly strong on the part of persons who had been granted alternative status: summarized simply, they stated “there is no government support available to facilitate our integration in Latvia”. They also conveyed a clear disappointment in this respect.

“Who accepted us as refugees in Latvia? The government? Where is the government? Why are they not here, not asking how we are? There is nothing here”.

Some of the refugees who took part in the PAs mentioned that they had been returned to Latvia under the Dublin Regulation, after having applied for asylum in Sweden, Norway or Germany. Others had left Latvia after struggling for some time, and tried their luck in the Netherlands or in other EU Member State, but had eventually been returned to Latvia as their first country of asylum. Consequently, they were able to make some comparisons between their situation in Latvia and their experiences from refugee reception in the countries concerned.

The refugees explained that they felt abandoned by the authorities and had only one place to rely on when it came to assistance. Irrespective of the nature of their need, be it financial, informational, or practical, they turned for support to the NGO PDM. Against this background, and obviously unaware of the fact that PDM implements some of its activities thanks to financial support from the government, all refugees expressed gratitude to PDM for the help received, but added that it was still difficult to tackle the many problems they faced. In their view, without PDM, it would simply not be possible to survive in Latvia.

*“As of the first day in Latvia, as asylum-seekers, we knew about PDM because they visited Mucenieki”.
“They are like mom and dad, and we ran there like blind, for advice”.*

Out of personal pride, and awareness that the resources of PDM are limited, the refugees conveyed that it was not possible to turn to PDM for every single need and each time there was a problem to solve. PDM’s limited

resources, coupled with insufficient government support, results in a situation where refugees feel they are largely left without help. The perceived absence of government engagement in their integration was particularly disappointing for the refugees, and interpreted as disinterest in whether they succeeded to integrate in Latvia or not. Having come to Latvia to find protection, and with the expectations that they would be able to contribute to the society and take care of their families, the perceived lack of engagement left the refugees with a strong sense of disappointment, and the feeling of being in a

vacuum; the emotional strain and stress this had on the refugees affected their overall well-being and, gradually, their motivation to integrate in Latvia. This was particularly true for those who had arrived in Latvia a few years ago, but also with regard to newly arrived individuals, as they were confronted with the conclusions made by fellow refugees that “it is better to leave Latvia as integration is easier in other EU Member States”, and hence tended to adopt this statement as truth.

As described in the sub-chapters above, the refugees experience challenges in many areas, but particularly in relation to finding housing and employment, and with respect to learning the Latvian language. They stated that the financial allowances provided by the authorities, in particular during the asylum procedure, were insufficient and that the levels of financial support left them in poverty. The distribution of food packages for holders of alternative status only alleviated this marginally. The refugees expressed that the challenges they faced were so paramount, that, over time, they had concluded that their opportunities to build new lives would increase considerably if they could move to another EU Member State. For vulnerable refugees, the lack of support in some key areas of life and the “cumulative challenges” this leads to, seemed particularly difficult. The MFT was able to hear the testimony of an especially striking case, that of a young woman who had concluded that it would be better to return to her war-torn country of origin rather than continue to struggle alone in a battle that she felt impossible to win.

PROPOSED RECOMMENDATIONS:

➤ It is recommended that Latvia lifts its reservations to the 1951 Convention, in particular to Article 34, which has a related provision in Article 34 of the recast Qualification Directive.

➤ It is recommended that the Latvian government reviews the roles and responsibilities of the competent institutions and non-governmental actors to better define their involvement and accountabilities in the various areas of refugee integration, and ensures that their respective responsibilities and programs are matched with adequate administrative and financial resources from the state budget. In this context, it is also recommended to consider the proposal of introducing a one-stop-shop for information and individual support to refugees who have been granted international protection in Latvia and who need guidance on how to find accommodation, seek employment, enroll in Latvian language classes, open a bank account and apply for social assistance, and other matters.

➤ It is recommended that trainings and other capacity development for staff in the municipalities who have responsibilities for guiding and supporting refugees in the various areas of integration be organised.

➤ It is recommended that the Latvian government formulates and implements a holistic national refugee integration strategy and program, which recognizes the interrelatedness of the areas of particular importance for refugees' ability to legally, economically and socially integrate, and which is aimed at facilitating refugees' equal access to mainstream services, while providing targeted integration support based on the specific needs of refugees of different ages, gender and backgrounds. In this respect, the recommendation put forward by both institutional and non-governmental stakeholders, to introduce a post-recognition transition or preparatory phase, which would be aimed at facilitating, *inter alia*, refugees' access to language training, employment, social assistance and housing should be considered. The proposal to establish a network of local curators or mentors, who can provide individual guidance to refugees during the transition phase can also be usefully considered.

➤ It is recommended that the introduction of individual plans within the framework of a post-recognition integration program be considered; such plans would be built on the individual refugee's educational and professional background, capacities and aspirations. The practice with individual integration plans or contracts which exist in several Nordic countries could usefully be drawn upon. It is also recommended that the plans be complemented with opportunities for dialogue between the service provider and the individual refugee around the goals, modalities and content of the integration support, with a view to enhancing the empowering nature of the integration program.

➤ It is recommended that ways of institutionalizing participatory approaches and the systematic participation of refugees in the identification of capacities and needs, and in the development of responses be considered.

➤ It is recommended that a civic and cultural orientation program for newly recognized refugees be developed, in order to enhance refugees' understanding of their rights, obligations and the Latvian society. Such a program could be implemented by the one-stop-shop for integration support ('integration centre'), proposed by several of the stakeholders, or by an organization vested with this responsibility.

9. Integration models, barriers and facilitators of integration of refugees

Denmark, Finland, Norway and Sweden have developed holistic integration models that encompass legislation, funding and institutional structures where immigrants and refugees have access to mainstream services, social support and education after recognition and can access help as any other citizen. In addition to this, refugees receive targeted post-recognition integration support during a transition period, which helps them access the mainstream services and rights in practice, as this will prove difficult directly upon arrival without possessing the native language and with limited knowledge about the society.

The post recognition targeted support encompasses, at a minimum, language tuition, civic orientation and on-the-job training, and lasts from two to three years. In addition to the services mentioned, refugees receive assistance to find housing. The state compensates the municipalities that bear the costs for reception of refugees and for the provision of the targeted transition support. During the transition period, the refugees receive financial allowances to cover their costs of living, including rent.

The aim of these policies is to ensure social cohesion and equality of rights, inclusion and participation.

Through the RICE project recently carried out by UNHCR in Europe, and findings from the literature studies, interviews with refugees and integration stakeholders in Austria, Ireland, France and Sweden,²²¹ UNHCR has strengthened its understanding of what factors frequently impact the integration trajectories of refugees. Some key points have emerged that can help clarify the feedback in the current mapping of opportunities and challenges faced by refugees attempting to integrate in Latvia.

Through the RICE studies, it has been confirmed that the quality and efficiency of the asylum procedure and reception conditions have a direct impact on the well-being of refugees. Measures aimed at shortening the process and ensuring a dignified treatment of asylum-seekers in the process are worth investing in, with a view to reducing both the financial costs for the state and the humanitarian costs for the asylum-seekers. The study, in particular in Sweden, confirms the view that humane and efficient asylum procedures have a positive impact on subsequent integration. In the context of Sweden, it is widely acknowledged among integration stakeholders that integration is a process that takes time, and therefore, early interventions and integration support are beneficial to the integration process.²²² Integration stakeholders are of the view that the first months of reception in the asylum process are pivotal for the continued process. It is therefore argued that much is gained if integration support, such as language training, can begin

²²¹ UN High Commissioner for Refugees (UNHCR), *A New Beginning: Refugee Integration in Europe*, September 2013, available at: <http://www.refworld.org/docid/522980604.html>

²²² UN High Commissioner for Refugees (UNHCR), *A New Beginning: Refugee Integration in Sweden - It's about time!*, September 2013, available at: <http://www.refworld.org/docid/5295a60e4.html>

during the asylum period. Similarly, studies on integration find that asylum processes often contain numerous challenges to overcome. For example, the length of time spent in the asylum process and the lack of rights, entitlements and/or meaningful activities provided during this period often leads to boredom, depression and loss of self-esteem. Literature on integration describes the impact of the asylum process, including the time spent in the procedure, on refugees' health and refers to the damaging effects on refugees' well-being.²²³

The findings gathered through the exchanges and discussions with integration stakeholders and refugees in the RICE study also show that there is a close interdependence between different integration policy areas and that employment is a key factor for successful integration. Many other areas, or indicators of integration, in fact relate back or depend on employment integration. At the same time factors such as language skills, education and training, health and accommodation will impact on refugees' possibilities to access employment and reach early economic independence.

There is wide acceptance among the countries studied, and in the literature on integration, that employment constitutes the biggest issue of concern for refugees. In Austria and in Sweden, the integration of refugees into the labour market is a top priority. Also, employment is viewed as a key indicator of integration and a central component of measuring integration in many of the EU countries. Another important element which came out strongly from the RICE study in Sweden is the fact that refugees cannot be treated as a homogenous group, even when they come from the same country. Although refugees who arrive in a new country will face common structural obstacles, it should be kept in mind that individual backgrounds, personality, psycho-social and educational resources, professional skills, history of flight, trauma and a variety of other factors will impact on the preparedness to face the challenge of meeting a new culture, learning a new language and starting a new life in a new county. Integration programs therefore need to take into consideration the individuality of the clients.

For the integration process to work well, it is important to acknowledge that refugees bring with them different human capital and resources, through education and personal and professional experiences. Against this background, an important aspect of the Nordic countries' integration policies is the development of individually tailored integration plans, which outline the introductory support to be provided during the integration transition period. These plans are discussed and agreed with the client, thereby constituting an empowering tool and placing a shared personal responsibility on the refugee to identify the integration support that will help him/her achieve the agreed goals. One of the lessons learned in this respect is that in order to achieve efficient employment integration, it is necessary to work not only with the clients, but also to undertake training of Employment Office staff to strengthen their capacity and experience to coach refugees in relation to the development of the individual plan, and to review the availability and efficiency of vocational training based on actual employment market opportunities and needs. It is also important to work with employers and businesses to enhance the recruitment of refugees, by changing attitudes and fostering a better understanding of the opportunities created by employing refugees and immigrants.

²²³ UN High Commissioner for Refugees (UNHCR), *A New Beginning: Refugee Integration in Europe*, available at <http://www.refworld.org/docid/522980604.html>

10. Concluding remarks regarding refugee integration opportunities and challenges in Latvia

The integration of refugees entails challenges for governments and authorities, including in countries that have longstanding experience and that regularly review policies to promote the inclusion of immigrants and refugees in society. In many countries in Europe, despite government measures to improve the results of integration programs, many refugees and migrants continue to face difficulties in gaining a full economic and social foothold. Consequently, evaluating the impact of, and adapting the focus and content of integration programs and support to meet the real needs and capacities of the refugees, needs to be an ongoing activity.

As an overarching goal, integration policies should empower and support refugees to become economically productive and self-reliant residents, who feel confident to interact with the local community and participate in the social and cultural life of the receiving society.

Through the Participatory Assessments with refugees granted international protection in Latvia, the members of the Multi-Functional Team were assured that the refugees in Latvia wanted to contribute to the Latvian society and economy, and learn the language and become self-sufficient and socially integrated as soon as possible. While the rights accorded to refugees under the national legislation are generally in line with international and European standards, the experience of the refugees and integration stakeholders show that the lack of a holistic, well-coordinated and state-financed integration support program, which facilitates refugees' access to these rights, significantly hampers their ability to integrate in practice. UNHCR therefore recommends that the Latvian government develops and implements a holistic refugee integration strategy and program, which recognizes the interrelatedness of the various areas that have – based on experience – been recognized as particularly important for refugees' ability to integrate into new societies. This would be an important step towards Latvia's implementation of Article 34 in the recast Qualification Directive, which states that "In order to facilitate the integration

of beneficiaries of international protection into society, Member States shall ensure access to integration programmes which they consider to be appropriate so as to take into account the specific needs of beneficiaries of refugee status or of subsidiary protection status, or create pre-conditions which guarantee access to such programmes.” In this context, UNHCR also recommends Latvia to withdraw its reservation to Article 34 in the 1951 Refugee Convention; such a move would send a positive signal of the government’s commitment to international solidarity and burden sharing in Europe and to supporting the ability of refugees to integrate and find a new home in Latvia.

The research, and in particular the interviews with integration stakeholders also showed that the current distribution of responsibilities for providing integration assistance to refugees is unclear and ineffective. While the Ministry of Culture carries the overall responsibility for the integration of refugees, the financial assistance provided to refugees pursuant to the Latvian Asylum Law is administered by OCMA under the Ministry of Interior. The OCMA is also responsible for the reception of asylum-seekers, which has an impact on their future integration, and the Mol has been in charge of the allocation of funds for integration projects under the European Refugee Fund. In practice, most of the integration support provided has been delivered by the NGO PDM, based on ERF-projects. Hence, the negative impact of the lack of a holistic national refugee integration strategy and program has been further exacerbated by the lack of government institutions and NGOs which have been financially and administratively capacitated to implement predictable and sustainable integration support projects. In this regard, the limited, but much needed and appreciated support that is available in practice – mainly through PDM – has not been as effective in facilitating the integration of refugees as one would have hoped. The situation is particularly critical at this point in time, as financing under the European Refugee Fund will cease in June 2015, and funds from the new Asylum, Migration and Integration Fund are only expected to become available at the beginning of 2016. If this gap in funding is not closed, the NGOs who provide almost all of the limited integration support available today will face serious difficulties in providing any assistance to refugees, including the most vulnerable, in the coming period.

Several of the key integration stakeholders consulted in this process also highlighted the need for a coordinating entity - a “one-stop-shop” – to which refugees could turn for general information about rights and services in Latvia, civil and cultural orientation, and where individual guidance and coaching could be provided. In UNHCR’s experience from other countries, it is useful to have one designated authority responsible for the overall policy direction and coordination of integration issues, while the implementation of more specific activities and support in the areas of, for example, housing, employment and language learning is normally the responsibility of state and municipal/local authorities or organizations specialized in these particular areas. However, an overall coordinating body can, amongst other things, help to collect and analyze data and monitor the impact of the national integration program (against set indicators) and assess that measures undertaken to facilitate the integration in one area (like language learning) understand the impact they may have on another area (like employment), and promote policies and programs that recognize the interrelatedness of the various areas to support maximum collective effectiveness of the human and financial resources invested.

On a more practical, day to day level, it would also be helpful for refugees to have one place to turn to for at least initial information and individual guidance on the various areas of integration, including how to open bank accounts, enroll in Latvian language

classes, sign lease agreements and search for a job. The Participatory Assessments with refugees and the stakeholder consultations clearly showed that refugees today struggle to receive sufficiently clear and detailed information about their rights and entitlements in Latvia, and the various procedures and services available to access these, and other practical advice on how to start a new life in Latvia.

UNHCR would finally like to underline the value and importance of a continued participatory approach in the processes of monitoring, evaluating and implementing policies relating to the reception and integration of refugees in Latvia. As mentioned in this report, it is UNHCR's belief that participatory methods of assessment will empower the refugees and enhance their sense of responsibility and motivation as well as the ownership of the processes, and improve the grounds based on which decisions are made.

UNHCR stands ready to work with the government of Latvia in addressing the detailed findings outlined in Chapter 8 of this report, and the more general conclusions set out above. The Latvian government and institutions have extensive knowledge and experience from developing legal frameworks and establishing functioning procedures in the area of asylum. UNHCR RRNE has access to expertise and a network of integration actors in the Northern Europe region from which cross-fertilization of experience, good practices and knowhow can be retrieved. The refugees who have been granted international protection in Latvia have skills, capacities and the willingness to integrate and contribute to the Latvian society as productive residents. Through our combined efforts and participatory approaches, UNHCR believes that it is possible to develop and implement a holistic national integration strategy and program that facilitates refugees' integration into the Latvian society and which maximizes the beneficial impact of the valuable human and financial resources invested.

Annex 1: List of interviewed integration stakeholders

Ambassador Baiba Braže, Head of Directorate for Security Policy and International Organizations Ministry of Foreign Affairs

Ms Līga Vijupe, Head of Asylum Affairs Department, Office for Citizenship and Migration Affairs

Ms Edīte Pavlova, Head of Asylum Seekers' Reception Centre "Mucenieki", Office for Citizenship and Migration Affairs

Ms Anita Kleinberga, Head of Social Integration and Civil Society Development Unit, Ministry of Culture

Ms Santa Tivaņenkova and **Ms Ilze Tralmaka**, Legal Advisers, the Office of the Ombudsman of the Republic of Latvia

Ms Svetlana Djačkova, Researcher, Latvian Centre for Human Rights

Ms Sandra Zalcmāne, Head of NGO Patvērums "Drošā Māja" and her team

Ms Olīta Arkle, Expert, Ministry of Education and Science

Ms Sarmīte Cibulskā, Head of Social Services, Ropaži Municipality

Ms Anda Masejeva, Senior Expert, Social Services Department, Ministry of Welfare

Ms Ilona Stalīdzāne, Head of Projects and Social Integration Unit, Riga Municipality

Ms Ruta Klimkāne, Head of Employment Unit, Riga Municipality

Mr Aldis Strapcāns, Senior Expert, Department of Welfare, Riga Municipality

Mr Einārs Miķelsons, Head of Humanitarian Affairs Unit, Ministry of Foreign Affairs

Mr Egīls Vidžups, Head of Development Unit and Deputy Director of Finance and Development Department, State Employment Agency

Mr Uldis Līkops, General Secretary, Latvian Red Cross

Dr Bashar Butros Youssef, Chairman, Board of NGO "Syrian Association of European Union"

Annex 2: Information Note to refugees invited to the Participatory Assessment



Mapping the legal standards, policies, institutional roles and responsibilities and practice pertaining to the integration of beneficiaries of international protection in Latvia

To gain an improved understanding of the current situation with regard to integration of beneficiaries of international protection in Latvia, including those granted refugee status and subsidiary protection, UNHCR Regional Representation for Northern Europe (RRNE) has launched a project in co-operation with the Ministry of Culture of the Republic of Latvia and Droša Māja titled *“Mapping the legal standards, policies, institutional roles and responsibilities and practice pertaining to the integration of beneficiaries of international protection in Latvia”*.

The objective of the project is to map relevant legal frameworks, policies and strategies, institutional roles and responsibilities and practice, as well as to hear from a broad range of stakeholders from both the state and NGO sectors (conducted by an external consultant) and directly from persons of concern through a Participatory Assessment (PA).

This methodology entails holding discussions, or interviews with refugee men, women boys and girls of different ages and backgrounds to gather information on the specific situation they face to understand their capacities and to hear their proposed solutions where there are concerns. The PAs will be undertaken by a so called multi-functional team, comprising of UNHCR RRNE as well as a representative of the Ministry of Culture and Droša Māja.

The finding from the PAs will serve as an evidence-based guide for future advocacy efforts aimed at further improving the integration environment for refugees in Latvia.

We would hence like to hear from you – what has been good with your stay in Latvia, what has been difficult, and your recommendations for improvements. We would like to gather information on the topics of accommodation, work, language, support and benefits, health, social integration, residence permits and family reunification. If there are issues related to the asylum-process these can also be brought forward.

Interpretation will be arranged to facilitate the communication during the meetings. Snacks and drinks will be provided to those who participate in the meetings.

The meetings will be held at Droša Māja.

Some of the meetings will be held in the morning, some later in the afternoon, in order to ensure participation including of refugees who are employed. Droša Māja will contact refugees and beneficiaries of subsidiary protection in Riga and other places and invite for a specific meeting at a specific time.

If you have any questions about this project and/or not yet contacted or invited by Droša Māja to a meeting and would like to participate, please call

Thank you very much for your participation! Your opinion is important!

Annex 3: Questionnaire shared with the participants of the Participatory Assessment

Integration Participatory Assessment – Project

“Mapping the legal standards, policies, institutional roles and responsibilities and practice pertaining to integration of beneficiaries of international protection in Latvia”.

Participant Questionnaire

Location and date:

Name and surname of participant:.....

Sex: Man Woman

Age:

Nationality:

Education: Primary Secondary University level

Year of arrival in Latvia:.....

Legal status in Latvia: Refugee status Alternative status

Where you returned to Latvia from another EU or European country under “Dublin” ?

Yes No

Current residence: Mucenieki Municipality

Do you have family members (wife/husband and children)? Yes No

Which family member/s?

Are they in Latvia? Yes No

Are they in your home country? Yes No

Are they in a third country? Yes No

You can use the back of the questionnaire to make any additional comments concerning your current situation in Latvia and what has been particularly good or difficult when it comes to your stay so far. Thank you!

