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Republic of Latvia

Cabinet

Regulation No. 974

Adopted 24 September 2013

Procedures for Registering a Person as a Latvian Citizen

*Issued pursuant to
Section 2, Paragraph four and Section 8.¹, Paragraph four of the Citizenship Law*

I. General Provisions

1. The Regulation prescribes the responsible authority and the procedures by which it shall examine applications and register a person as a Latvian citizen in accordance with the conditions of Section 2 of the Citizenship Law, as well as the procedures by which a certification of the person referred to in Section 8.¹, Paragraph one and two of the Citizenship Law shall be accepted and examined and such person shall be registered as Latvian citizen.

2. An application for registering a person as a Latvian citizen (hereinafter – application) and the documents appended thereto shall be examined by the Office of Citizenship and Migration Affairs (hereinafter – Office).

3. A person or his or her legal representative shall submit an application and the documents to be appended thereto, by presenting a personal identification document, to the territorial division of the Office or a diplomatic or consular representation of Latvia in person or send to the Office by post, appending a copy of a personal identification document, or submit to the Office electronically in accordance with the procedures laid down in laws and regulations.

4. The Office is entitled to request information free of charge from other State administrative institutions, if it is necessary to ascertain the compliance of the person with the conditions of Section 2 and Section 8.¹ of the Citizenship Law for registering the person as a Latvian citizen.

5. The following shall be indicated in the application:

5.1. the given name and surname of the person in accordance with the requirements laid down in laws and regulations as regards spelling and use of the given name and surname in the Latvian language (the Office may request an opinion of the Latvian Language Agency on the spelling of person's name in the Latvian language);

5.2. the ethnicity;

5.3. the place of residence;

5.4. telephone number (if any);

5.5. e-mail address (if any).

6. If the relevant information regarding the person is not included in the Population Register, in addition to the documents referred to in Paragraphs 10, 12, 13, 14, 15, 17 and 21 of this Regulation the person shall present:

6.1. his or her birth certificate and birth certificate of his or her children (if any) or an extract from the Birth Register;

6.2. a marriage certificate, a dissolution of marriage certificate or an extract from the registers of entering into or dissolution of marriage (if marriage has been entered into or dissolved).

7. A decision to register a person or to refuse to register a person as a Latvian citizen shall be taken by the head of the Office or his or her authorised official.

8. The head of the Office or his or her authorised official shall take a decision to refuse to register a person as a Latvian citizen, if there are no legal grounds for recognising the person as a Latvian citizen.

9. The given name and surname of the person in the decision referred to in Paragraph 7 of this Regulation shall be spelled in accordance with the requirements laid down in the laws and regulations as regards spelling and use of a given name and surname in the Latvian language.

II. Registering a Person as a Latvian Citizen in Accordance with Section 2 of the Citizenship Law

10. In order to register a person as a Latvian citizen in accordance with Section 2, Paragraph one, Clause 1 of the Citizenship Law, he or she shall submit an application and present:

10.1. a document confirming the belonging of the person to the aggregate of Latvian citizens on 17 June 1940;

10.2. a document confirming kinship with a person who was a Latvian citizen on 17 June 1940, if Latvian citizenship is registered by his or her descendant;

10.3. a document issued by the foreign competent authority determined by the Office, confirming that the person is not a citizen of the relevant state, or a documentary certification that it is not possible to obtain such document.

11. In determining the authority referred to in Sub-paragraph 10.3 of this Regulation, the Office shall take into account the legal links of a person to the relevant state:

11.1. the state in which the person was born;

11.2. the state in which the place of residence of the person is located;

11.3. the state the citizen (national) of which the relevant person could be.

12. In order to register a person as a Latvian citizen in accordance with Section 2, Paragraph one, Clause 2 of the Citizenship Law, he or she shall submit an application.

13. In order to register a Latvian or a Liv as a Latvian citizen in accordance with Section 2, Paragraph one, Clause 3 of the Citizenship Law, he or she shall submit an application and present:

13.1. a document confirming that his or her ancestor permanently resided in the territory of Latvia in 1881 or later, as it existed until 17 June 1940;

13.2. a document confirming the kinship with the person referred to in Sub-paragraph 13.1 of this Regulation;

13.3. the document determined in Section 21, Paragraph two of the Citizenship Law or laws and regulations for acquisition of citizenship through naturalisation procedures, which certifies fluency in the Latvian language, or a document confirming relief from testing the fluency in the Latvian language or the right to an alleviated testing of the fluency in the Latvian language.

14. If information regarding the person referred to in Paragraph 13 of this Regulation is not included in the Population Register, in addition to the documents referred to in Paragraphs 6 and 13 of this Regulation the person shall present:

14.1. one of the following documents confirming his or her belonging to the constituent nation or autochthon population:

14.1.1. a personal identification document;

14.1.2. a civil status registration document;

14.1.3. a statement issued from the archives regarding the results of national census;

14.1.4. a court judgment, by which the fact regarding belonging of the person to the constituent nation or autochthon population is established;

14.2. one of the following documents confirming that at least one of his or her parents or grandparents belongs to the constituent nation or autochthon population (if the person cannot present the document referred to in Sub-paragraph 14.1 of this Regulation):

14.2.1. a personal identification document;

14.2.2. a civil status registration document;

14.2.3. a statement issued from the archives regarding the results of national census;

14.2.4. a court judgment, by which the fact regarding belonging of the person to the constituent nation or autochthon population is established;

14.3. a document confirming the kinship with the person referred to in Sub-paragraph 14.2 of this Regulation.

15. If a Latvian or a Liv cannot submit the document referred to in Sub-paragraph 14.1 or 14.2 of this Regulation, he or she shall submit:

15.1. an explanation why it is not possible to submit the document referred to in Sub-paragraph 14.1 or 14.2 of this Regulation;

15.2. a documentary certification to his or her belonging to the Latvian community in his or her place of residence outside Latvia or another documentary certification to his or her belonging to the constituent nation or autochthon population.

16. If a Latvian or a Liv does not submit the document referred to in Sub-paragraph 13.3 of this Regulation, which certifies the right of the person to relief from testing the fluency in the Latvian language, the person shall be sent to the test of fluency in the Latvian language, which is provided for in the laws and regulations for acquisition of citizenship through naturalisation procedures.

17. In order to register a person as a Latvian citizen in accordance with Section 2, Paragraph one, Clause 4 of the Citizenship Law, he or she shall submit an application and present:

17.1. a document confirming that the person had lost Latvian nationality in accordance with Section 7 of the Law On Nationality of the Republic of Latvia of 23 August 1919;

17.2. one of the following documents confirming the permanent place of residence of the person in Latvia:

17.2.1. a statement from the employer regarding employment;

17.2.2. a document regarding receipt of a benefit;

17.2.3. a statement from an educational institution;

17.2.4. a certification of an official of a local government that the person resides in the administrative territory of the relevant local government;

17.2.5. documents proving that the person has performed economic or financial activities in the territory of Latvia in the particular period of time;

17.2.6. another document confirming the permanent place of residence of the person in Latvia;

17.3. documents confirming kinship with the person referred to in Sub-paragraph 17.1 of this Regulation, if his or her descendant is registering as a Latvian citizen.

18. If the person of legal age referred to in Paragraphs 12 and 17 of this Regulation has citizenship of another state, which is not referred to in Section 9, Paragraph two of the Citizenship Law, he or she shall present a notification on renunciation of his or her previous citizenship and an expatriation authorisation or a document confirming loss of citizenship, or an authorisation of the Cabinet.

19. If the person of legal age referred to in Paragraphs 12 and 17 of this Regulation has legal link with a state not referred to in Section 9, Paragraph one, Clauses 1, 2, 3 and 4 of the Citizenship Law, the person shall present a document issued by the foreign competent authority determined by the Office confirming that the person is not a citizen of the relevant state, or a documentary evidence that it is not possible to obtain such document.

20. In order to register a child as a Latvian citizen in accordance with Section 2, Paragraph one, Clause 5 or 6 of the Citizenship Law, he or she or his or her legal representative shall submit an application and present a document confirming the right of the person to register as a Latvian citizen, if the necessary information is not included in the Population Register.

III. Registering a Person as a Latvian Citizen in Accordance with Section 8.¹ of the Citizenship Law

21. In order to register the person referred to in Section 8.¹, Paragraphs one and two of the Citizenship Law as a Latvian citizen, he or she shall submit an application and present:

21.1. a written certification that the person or his or her descendant during the time period from 17 June 1940 to 4 May 1990 had left Latvia fleeing the occupation regime of the U.S.S.R. or Germany, or was deported (indicating the place where he or she went or where he or she was deported, and the duration) and therefore had not returned to Latvia until 4 May 1990 for permanent residence;

21.2. a document confirming that the person who during the time period from 17 June 1940 to 4 May 1990 had left Latvia fleeing the occupation regime of the U.S.S.R. or Germany or was deported and therefore had not returned to Latvia until 4 May 1990 for permanent residence, was a Latvian citizen on 17 June 1940;

21.3. documents confirming kinship with the person referred to in Sub-paragraph 21.1 of this Regulation, if his or her descendant is registering as a Latvian citizen, or the person referred to in Section 8.¹, Paragraph two of the Citizenship Law.

IV. Closing Provision

22. This Regulation shall come into force on 1 October 2013.

Prime Minister

Valdis Dombrovskis

Minister for the Interior

Rihards Kozlovskis