

Learning to welcome: Integration of immigrants in Latvia

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Introduction

The integration of immigrants in Latvia is a politically sensitive issue. On the one hand, it is due to the negative emotions arising from the experience when Latvia was part of the USSR. On the other hand, the little known and the foreign in Latvian society creates anxiety about its future existence. In the public and political space, immigrants are rarely discussed and politicians avoid recognizing the increasing importance of immigrants. In turn, the mass media perceives immigrants as guest workers, indicating that these people have arrived just to work for a short period of time and will leave afterwards.

The political undesirability of the term “immigrants” is directly influenced by the immigration experienced during Latvia’s Soviet history, when people from the other republics of the USSR came to work and live in Latvia. Soviet immigration was a tool to expand the space of the Russian language and this had a severe effect on the ethnic composition of Latvia. In 1989 just 52% of the population were ethnic Latvians, while before the occupation, Latvians accounted for more than 75% of the population¹. Hence after independence was regained, the “large number of aliens in Latvia was the reason for implementing a tough immigration policy with the goal of safeguarding the national identity from alien influences and to create a feeling of security in society”². Likewise, the nation’s sense of national security was strengthened by adopting a strict Citizenship Law, which made naturalization impossible for immigrants during the first years of independence. Within this context, the negative connotation of the term “immigrant” evolved.

At the same time, the independence of Latvia, its integration into the international community and a free market economy require the country to accept the free flow of people. People from other countries arrive in Latvia day by day. As

¹ Vēbers, E. (Ed.) (1994). *Etnosituācija Latvijā: fakti un komentāri* [The ethnic situation in Latvia: facts and comments]. Rīga: Latvijas Zinātņu akadēmijas Filozofijas un socioloģijas institūts.

² Pabriks, A. (2007). *Migration: Time to Change the Political Course*. A. Pabriks (Ed.). *Effect of migration on European political thought and decision-making process*. Valmiera: Vidzeme University College.

a result, today in Latvia there are two terms defining foreigners³. One refers to the “old immigrants” or those who had arrived during the Soviet times, the other refers to the new arrivals or “new immigrants”. In 2007, 3201 foreigner received a permit to stay in Latvia temporarily for the first time. During the last four years, these statistics have been steadily going up from 1896 people in 2003.⁴

The aim of this research is to begin a discussion of the issue of immigrant integration policy in Latvia. It analyzes how the period of residency and the life of immigrants in Latvia is judicially governed. The current state of immigrant integration is discussed based on interviews with representatives of state and non-governmental organizations. The report also makes recommendations about the areas of Latvia’s immigrant integration policy that require particular attention. The paper first presents the conditions of residency permits and family reunification, which is followed by an examination of labour market access for immigrants. The issues of language teaching and education, as well as access to health care and housing are presented separately. This paper gives particular attention to immigrant political participation and policies to prevent discrimination. The conclusion considers how cooperation between the state and local governments should be planned in order to facilitate the successful integration of newcomers to Latvia.

1. Residence permit and family reunification regulations

Situation description: Residence permit

Receiving a residence permit is one of the forms the first impressions of the Latvian state for immigrants, as well as marking the beginning of their integration into Latvian society. There are two state institutions involved in issuing residence permits (the Office of Citizenship and Migration Affairs (OCMA) and the State Employment Agency (SEA)). The first one issues residence and work permits, the second approves work invitations.

Immigrants are eligible to stay in Latvia if they hold one of the following three residence permits – a temporary residence permit, a permanent residence permit and long-term resident status of the European Community in Latvia.⁵ When initially arriving in Latvia, an immigrant receives a temporary residence permit.

³ Akule, D. (2007). The effects of fear of immigrants on the decision making in Latvia: a boost or an obstacle to development? A. Pabriks (ed.). Effect of migration on European political thought and decision-making process. Valmiera: Vidzeme University College.

⁴ Unpublished statistics from the Office of Migration and Citizenship Affairs about foreigners who have received temporary residence permits for the first time (not prolonged temporary residence permits).

⁵ The Immigration Law, in force since 01.05.2003 with the amendments by 20.12.2007 (paragraphs 23–24); The Law “Long-term resident status of the European Community in Latvia”, enacted on 21.07.2006, without amendments.

If he/she arrives in Latvia as a self-employed person, the permit is issued for a time period that does not exceed one year. However, if a person arrives on the basis of an employment contract or a work-performance contract, or other third-party contract (including the member of an executive body or commercial enterprise administration), a temporary residence permit is issued for five years.⁶ If the permit is issued on the basis of family reunion, then it is valid for the same time period as their sponsor. If the purpose of arrival is employment, a temporary residence permit is only issued together with a work permit.⁷

Having lived in Latvia for five years with a temporary residence permit, an immigrant is eligible to receive either a permanent residence permit or long-term resident status of the European Community in Latvia. A third country national, who has received long-term resident status of the European Community in Latvia is able to work freely for any employer after working in any other EU country for one year. However, it is more convenient for the immigrant to receive a permanent residence permit if they want to reside in Latvia. In this case, if a person wants to work in another EU member state, they are only able to work for an employer who has invited them.⁸ An immigrant is eligible to apply for naturalization and receive Latvian citizenship after residing in Latvia with any one of these residency permits after a five year period.⁹

The rights ensured for an immigrant depend on their residence permit. The most vulnerable are those third country nationals who reside in Latvia on the basis of a temporary residence permit. These immigrants are not eligible to receive state provisions such as health care, social aid and unemployment benefits. However, legally employed third country nationals, holding a temporary residence permit pay the same amount of income tax and national insurance as local residents. The immigrant holding a temporary residence permit and his children also don't have access to state funded education.¹⁰ These immigrants cannot receive state funded legal aid either.¹¹ The reason for this is that state immigration policy was

⁶ The Immigration Law, in force since 01.05.2003 with the amendments by 20.12.2007.

⁷ A work permit is needed in order to have a legal employment relationship (employment contract, work-performance contract, self-employed person, other third party contract) at the time an immigrant holds a temporary residence permit. The Immigration Law, in force since 01.05.2003 with the amendments by 20.12.2007 (paragraph 9).

⁸ The Office of Citizenship and Migration affairs information. http://www.pmlp.gov.lv/?p=894&menu_id=178 Viewed on 25.05.2008.

⁹ The Citizenship Law, in force since 25.08.1994 amended 22.06.1998 (paragraph 12).

¹⁰ Immigrants holding a temporary residence permit and their children are not provided with state guaranteed health care, education, social services and social aid. According to The Medical Law in force since 01.10.1997 with amendments prior to 08.11.2007 (paragraph 18); The Law of Education, in force since 01.06.1999 with amendments prior to 19.12.2006 (paragraph 3); The Law on Social Services and Social Aid, in force since 01.01.2003 with amendments prior to 20.12.2007 (1st part of paragraph 3); The Law on the Social Benefits of the State, in force since 01.01.2003 with amendments prior to 08.11.2007 (2nd part of paragraph 4).

¹¹ Interview with the Office of the Ombudsman legal adviser Ieva Liepiņa, April 2008.

designed so that temporary residents will not be a burden for the social support system.¹²

The situation changes once an immigrant is eligible for a permanent residency permit or for long-term resident status of the European Community in Latvia. Then a person is given the same rights as Latvian non-citizens.¹³ They can receive state provided health care services and unemployment benefits. For example, they can become job seekers in Latvia and attend state provided re-qualification courses. Their children can also receive free education. In order to receive unemployment benefits, payments into the national insurance system must have been paid for at least one year during the previous eighteen months.¹⁴ If this condition is met, the spouse of the permanent resident or the long-term resident status of the European Community in Latvia can receive the unemployment benefit as well.

Situation description: Family reunion regulations

Third country nationals are allowed to reunify with their families in Latvia.¹⁵ The family of an immigrant, their spouse, minor children (also children in custody) and other people in the custody of the immigrant can request their residence permit in Latvia as soon as the sponsor has received their residency permit. Thus, as soon as a foreigner has received a residence permit in Latvia, they can also complete the application documents for family members and the family can arrive in the country together. If a sponsor has a temporary residence permit, the spouse, minor children and the people in the custody of the immigrant also receive a temporary residence permit.¹⁶ In turn, the spouse of a permanent residence permit holder initially can receive a temporary residence permit, but a minor child immediately can receive the permanent residence permit.¹⁷ This

¹² The temporary residence permit is issued on the condition that foreigner will not claim material benefit from the Latvian state. According to The Immigration Law, in force since 01.05.2003 with amendments prior to 20.12. 2007 (2nd part of paragraph 30).

¹³ See the laws in the footnote no. 10; Interview with the OCMA Migration Policy Department head Ilze Briede, April 2008.

¹⁴ Information provided by the Social Insurance Department of the Ministry of Welfare, April 2008; The Law on Support of Unemployed Persons and Persons Seeking Employment, in force since 01.07.2002 with amendments prior to 21.06.2007; The Law On State Social Insurance, in force since 01.01.1998 with amendments prior to 08.11.2007.

¹⁵ There are certain restrictions for family reunion. Such family members as adult children and married children, living in separate household, cannot apply for the residence permit for the same period of time as sponsor. Third country national is not eligible to receive his parents for a long-term stay. The Immigration Law, in force since 01.05.2003 with amendments prior to 20.12.2007.

¹⁶ The Immigration Law, in force since 01.05.2003 with amendments prior to 20.12.2007 (paragraph 23).

¹⁷ The Immigration Law, in force since 01.05.2003 with amendments prior to 20.12.2007 (paragraph 26).

means that after a definite period of time, the residency permit needs to be renewed. When applying for a residency permit for the first time, the spouse of the permanent residence permit holder initially can receive a temporary residence permit that is good for one year. When submitting the application a second time, a spouse can receive a temporary residence permit for four years. A spouse can receive a permanent residence permit only after submitting a third application. This procedure is necessary for the OCMA to control for people attempting to receive a residency permit in Latvia on the basis of a fictive marriage. As a result of this condition a fictive marriage is made to be expensive and inconvenient.¹⁸

Problems and recommendations: Difficult application procedure and insufficient access to information

The current residency permit issuing procedure is complicated, as two state institutions (OCMA and SEA) are involved in the procedure and the documents must be submitted to each of them separately.

The Office of the Ombudsman has reported cases where the OCMA had refused to give advice to an immigrant or their representative by telephone or e-mail. This also has occurred when an immigrant (or his representative) has contacted the OCMA to learn how far their case has proceeded. The OCMA chooses to primarily communicate by written correspondence sent by mail, which prolongs or delays the information receiving process, on occasion the addressee is not even reached.¹⁹ It has been observed that sometimes the OCMA follows bureaucratic rules, without particularizing the case of an immigrant based on its merits. Due to this, inappropriate information on how to act has been given to the immigrant.²⁰ Likewise, there have been cases that desk officers working for the OCMA provide different information.²¹ It implies that the residence permit procedure is not sufficiently coordinated and harmonized amongst the officers.

It is also difficult to access information on one's status change in Latvia, for instance, when the immigrant moves from temporary residence to permanent residence status.²² For example, it is not completely explained that the immigrant has

¹⁸ Fictitious marriage is found out in 3% of all the cases. Interview with the OCMA Migration Policy Department head Ilze Briede, May 2008; The Immigration Law, enacted on 01.05.2003 with amendments prior to 20.12.2007 (paragraph 26).

¹⁹ The cook invited from Asia by one enterprise could not arrive in Latvia due to the administrative obstacles. The documentation explaining the case to the client has been sent to the wrong address, by OCMA. As a result, employer and invited foreigner took losses while waiting the information from OCMA. The interview with the Office of the Ombudsman legal adviser Ieva Liepiņa, April 2008.

²⁰ Ibid.

²¹ Interview with the Arabic Culture Centre chairman Dr. Hosams Abu Meri, April 2008.

²² Interview with the Arabic Culture Centre chairman Dr. Hosams Abu Meri un the Afro-Latvian association vice-chairman George Steele, April 2008.

to pass a language test to apply for a permanent residence permit. Immigrants are not informed about available Latvian language courses, consultations on their rights and status in Latvia, as well as other information that could help an immigrant to integrate in the local society.²³

Currently, if the OCMA refuses to issue a residence permit for an immigrant, there is very little chance to appeal. An immigrant or sponsor can appeal the refusal to the Head of the OCMA within 30 days. If the decision turns out to be negative, it can be appealed in court.²⁴ However, considering that the OCMA is considered to be an expert authority on immigration issues by governmental institutions, there are cases where during the examination of an appeal the court simply follows the OCMA decision. When secondary appeals are heard in appellate court, the Regional Court in the Latvian judicial system, the verdict rarely tends to follow the OCMA decision.²⁵

Importantly, after the temporary residency permit has expired, a third country national needs to reapply for a new temporary residence permit. However, he/she has to go through the same bureaucratically complicated residence permit issue procedure, requiring the same amount of time and expenses as the first time. It is important to note that the procedure to receive a residence permit in Latvia is more expensive when compared to the costs in Lithuania and Estonia. In Latvia, up until July 1, 2008, the fee for a residence permit and a work permit (for the first year of a stay in the receiving country) was LVL 533, in Lithuania – LVL 93.25, in Estonia – 67.35.²⁶

The only exception is when a temporary residence permit extension is renewed in the case of spouses. They don't need to resubmit the letter of indemnity from their country of origin.²⁷ Yet in general the residency permit renewal procedure for spouses who have arrived in Latvia due to family reunion for an immigrant sponsor that holds a permanent residence permit is bureaucratically complicated. It is necessary to renew it three times in order to approve the fact of living together.

Another problem is that these family members are not eligible for employment after their arrival in Latvia because a residence permit issued on the basis of family reunion does not give the right to work. If the family member decides to work, they need to receive a work permit and a new residence permit. However,

²³ Interview with the Arabic Culture Centre chairman Dr. Hosams Abu Meri and the Afro-Latvian Association vice-chairman George Steele, April 2008.

²⁴ OCMA information. http://www.pmlp.gov.lv/?p=112&menu_id=12 Viewed on 25.05.2008.

²⁵ Interview with the Office of the Ombudsman legal adviser Ieva Liepiņa, April 2008.

²⁶ Ministry of the Interior (29.04.2008). Informatīvs ziņojums par ekonomisko migrāciju Baltijas valstīs [Informative report on the Economic Migration in the Baltic States]. <http://polsis.mk.gov.lv/view.do?id=2571> Viewed on 25.05.2008.

²⁷ Interview with the OCMA Migration Policy Department head Ilze Briede, April 2008.

they can apply for it while residing in Latvia.²⁸ The situation is unclear in the case when a family member is not employed anymore, in this case it is unclear whether they need to again apply for a residence permit issued on the basis of family reunion. In order to solve this situation the family member would have to be given the right to work right after they arrive in the country. But currently this is not possible because to employ a foreigner, even if they are presently residing in Latvia, the employer needs to register a vacant position at the local employment office for one month and it can be offered to a foreigner only if there is no local employee for the position.²⁹

Planned improvements: Improving the circulation of information and the simplification of procedure

The government has planned to ease the residency permit procedure for guest workers in Latvia by developing a “one stop agency”, where future employers or immigrants themselves will need to submit documents just at one state institution in order to receive a residence permit, the OCMA. There are also plans to shorten the time of the temporary residence permit procedure from 86 to 28 days. However, this shortened procedure will be available to some immigrant groups. For example, if in certain professions serious labour shortages are recognized or if a project of national importance must be completed.³⁰ Starting on July 1, 2008, payment for the issuing of a residence permit and work permit has been decreased from 533 LVL to 148 LVL per year, changing the amount an employer must pay for a guest worker’s work permit from 35 LVL per month to 35 LVL per year.

There are plans to implement activities improving the residence permit issue procedure to be in place by the year 2013. The quality of immigration and integration policies in Latvia will be analyzed in the context of EU regulations and labour market requirements. Informative material about Latvia and what it offers in the field of immigrant integration (civic education courses, language courses and so on) will also be developed. This information will be available to immigrants in their country of origin as well as in Latvia. Also envisioned are state funded mediation and translation services for third country nationals. Currently

²⁸ Interview with the OCMA Migration Policy Department head Ilze Briede, April 2008. OCMA (2007). *Ģimenes atkalapvienošanās Latvijas Republikā, 2002–2006* [Family Reunion in the Republic of Latvia, 2002–2006]. Rīga: PLMP, 22 p.

http://www.pmlp.gov.lv/?p=955&menu_id=164 Viewed on 25.05.2008.

²⁹ Interview with the OCMA Migration Policy Department head Ilze Briede, April 2008.

³⁰ Ministry of Economics (29.04.2008). *Uzņēmējdarbības vides uzlabošanas pasākumu plāns 2008. gadam* [The plan for improving the environment for entrepreneurship for 2008]. <http://www.mk.gov.lv/lv/mk/tap/?pid=30329465&mode=mk&date=2008-04-29> Viewed on 25.05.2008.

Ministry of the Interior (29.04.2008). *Informatīvais ziņojums par ekonomisko migrāciju Baltijas valstīs* [Informative Report on the Economic Migration in the Baltic countries]. <http://polsis.mk.gov.lv/view.do?id=2571> Viewed on 25.05.2008.

there are no such services being provided. Likewise, state administration officers will be trained on how to work with immigrants from various cultures.³¹ This training is also necessary for offices of internal affairs, education and culture, as well as for the staff of the health care and social care system.³²

Problems and recommendations: Complicated residence permit conditions for students

When applying for a permanent residence permit, the years spent in Latvia under a student visa are not counted.³³ For example, a highly skilled professional such as a doctor still needs to reside in Latvia five years with a temporary residence permit and five years with a permanent residence permit after finishing study in Latvia, in order to apply for naturalization and Latvian citizenship.³⁴ In other words, this person needs to live 10 years in Latvia after completing their studies to become a Latvian citizen. The Immigration Law does not clearly define if the period of study is counted under the residence period when issuing a permanent residence permit. According to OCMA interpretation, the study period is not counted, because the status of a student is considered to be transient. Yet, it is admitted that the study period could be counted if, for instance, the student finds a job one year after finishing their studies.³⁵ However, as the Immigration Law is not clear whether the study period in an accredited educational institution is counted for the application of a permanent residence permit, in the practice this time period is not applied. But EU directive allows half of the period of residence for study purposes or vocational training to be considered for the application of a permanent residence permit.³⁶ The exception is feasible, if

³¹ Currently Special Assignment Minister for Social Integration (SAMSI) drafts the one year and long-term programme for third country nationals' integration. It considers how to improve receiving of immigrants. This "The Integration Fund for Third Country Nationals" has been developed in cooperation with European Commission. According to the 2007/435/EC Council Decision of 25 June 2007 the European Fund for the Integration of third-country nationals for the period 2007 to 2013 as part of the General programme Solidarity and Management of Migration Flows was established. General purpose of the programme and Fund is to ensure fair attitude towards third country nationals, residing in the EU territory legally, and the necessity to develop strong immigration policies that give equal rights and duties as to the EU citizens. The source of information: Special Assignment Minister for Social Integration (2008): The Fund for the Integration of Third-Country Nationals, 2007 Annual Programme.

³² Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks and the Free Trade Union Confederation of Latvia president Pēteris Krīgers, April 2008.

³³ Interview with the Arabic Culture Centre chairman Dr. Hosams Abu Meri and the Afro-Latvian Association vice-chairman George Steele, April 2008.

³⁴ Interview with the Arabic Culture Centre chairman Dr. Hosams Abu Meri, April 2008.

³⁵ Interview with the OCMA Migration Policy Department head Ilze Briede, April 2008.

³⁶ Council directive 2003/109/EC (25.11.2003) concerning the status of third-country nationals who are long-term residents (paragraph 4). <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:016:0044:0053:EN:PDF> Viewed on 25.05.2008.

instead of a permanent residence permit, an immigrant chooses to receive long-term residence status of the European Community in Latvia. In this situation, the law is clear and says that when calculating the period of residence, half of the period of residence for study purposes in an accredited educational institution must be taken into account.³⁷

The following reason could explain this situation. Unlike in many other European countries, in Latvia it has been accepted that foreign students come to Latvia just for the purpose of studies and afterwards will leave. As a result, their linkage to the Latvian state has not been strengthened by lightening the conditions for naturalization. For instance, the Finnish government has lightened the naturalization process and conditions for foreign students, as it could help to attract highly skilled professionals and intelligent people to live and work in the country.³⁸

Problems and recommendations: The lack of access to social, health care and education services

An immigrant holding a temporary residency permit is socially vulnerable. These people are not eligible to state guaranteed health care, social aid, as well as unemployment benefits. A third country national, who has arrived on the basis of an employment contract, from the first day is subject to the same income tax and national insurance taxes as local employed inhabitants. However, all the health care, social and legal services must be paid by immigrants themselves. In order to receive a temporary residence permit, an immigrant needs to present a valid individual health insurance policy, which covers all health services.

Likewise, they are not eligible to state guaranteed legal aid.³⁹ Particularly vulnerable are those third country nationals who have arrived on the basis of an employment contract or a work-performance contract.⁴⁰ With the exception of the State Labor Inspectorate, there is no other state institution that has even limited responsibility over the social well-being of immigrants holding a temporary residence permit.⁴¹

Socially vulnerable is also the family of a sponsor holding a temporary residence permit. These families need to cover health, social and education services from their incomes, due to the fact that the minor children of immigrants don't

³⁷ The Law "Long-term resident status of the European Community in Latvia", enacted on 21.07.2006, without amendments (paragraph 3).

³⁸ Interview with the Naturalization Board deputy Solvita Vība, April 2008.

³⁹ Interview with the Office of the Ombudsman legal adviser Ieva Liepiņa, April 2008.

⁴⁰ For more details see the chapter on the access to labour market. The source of information with the Office of the Ombudsman legal adviser Ieva Liepiņa, April 2008.

⁴¹ Interview with the Office of the Ombudsman legal adviser Ieva Liepiņa, April 2008.

receive such state guaranteed provisions as health care, education and social aid.⁴² If the common income of a family does not allow covering these services there is a risk for social exclusion. In this situation, the group most at risk is children as the lack of income negatively influences their social development and well-being. This is contradictory to the law for the protection of children's rights in Latvia, which requires the state to guarantee all the rights and freedoms to all children irrespective of their, or their parents, guardians or family members' race, nationality, ethnic or social origin, place of residence in the country, property status, state of health, conditions of birth and other conditions.⁴³

It should be noted that it is very difficult to access information on third country nationals' household conditions, as data is not collected of their consumption of social and health services in Latvia. Likewise little is known about what happens with the spouses who arrive in Latvia on the basis of family reunion, what happens with immigrant children and thus what their needs really are.⁴⁴

Situation description: Housing for immigrants

One important facet of immigrant integration is access to housing. In 1996 the Cabinet of Ministers adopted a draft housing policy. One of its purposes is "to enable every human being to participate in the creation and selection of their housing, according to the existing life and housing standards in Latvia. Simultaneously the state builds up social (social aid) flats for disadvantaged and socially vulnerable families (persons)".⁴⁵ However, in housing policy documents, immigrants are not mentioned as a special target group.

Currently, the availability of immigrant housing depends on market circumstances and employer support, instead of being a part of state household policy. The Employers Confederation of Latvia (ECL) even does not dare to trigger housing policy development for immigrants and their families, taking into account the current harsh general situation of housing in Latvia.⁴⁶ However, the experience

⁴² Immigrants and their children holding the temporary residence permit are not eligible to state guaranteed education, social services and medical services. According to The Medical Law in force since 01.10.1997 with amendments prior to 08.11.2007 (paragraph 18); The Law of Education, in force since 01.06.1999 with amendments prior to 19.12. 2006 (paragraph 3); The Law on Social Services and Social Aid, in force since 01.01.2003 with amendments prior to 20.12. 2007 (1st part of paragraph 3); The Law on the Social Benefits of the State, in force since 01.01.2003 with amendments prior to 08.11.2007 (2nd part of paragraph 4).

⁴³ Children's Rights Protection Law, in force since 22.07.1998 with amendments prior to 08.03.2007 (2nd part of paragraph 3).

⁴⁴ Interview with the OCMA Migration Policy Department head Ilze Briede, April 2008.

⁴⁵ The Ministry of Regional Development and Local Government (30.07.1996). Mājokļu politikas koncepcija [The Conception of Household policy]. http://www.raplm.gov.lv/lat/majokli/politikas_dokumenti/ Viewed on 25.05.2008.

⁴⁶ Interview with the Employers' Confederation of Latvia adviser of Education and Employment Affairs Ilona Kiukucāne, April 2008.

of other countries demonstrates that the integration of immigrants into the local society is ill served by the creation of ghetto blocks, a situation that can be directly linked with the provisions for access to housing for immigrants.

The information about the living conditions of third country nationals and their families is not collected. Partial information on this can be found only in mass media reports that reveal the conditions of guest workers as being isolated from the local society.⁴⁷ This can be explained by the position of employers that immigrants can reside within the territory of their employer and can live without contact with the local people because guest workers will leave, thus making it unnecessary to facilitate their inclusion into Latvian society.⁴⁸ The Employers Confederation of Latvia (ECL) supports circular migration – when guest workers from the third countries arrive in Latvia for a particular work period and then leave. The government of Latvia also supports circular migration.

But research done in Austria and Switzerland, indicates that circular migration does not occur in practice.⁴⁹ This was true in the German case where guest workers who arrived in 1970's initially planned to stay on a temporary basis, but became permanent inhabitants.⁵⁰ This experience reveals that circular migration is rather a convenient myth, applied in the space of public policy, in order to avoid solving the issue of immigrant integration (including the issue of immigrant housing).

Latvian state institutions currently do not consider how to avoid the segregation of guest workers from society. Instead, it is suggested that limiting access to the local labour market for guest workers under the idea that “having a strict immigration policy helps to avoid segregation tendencies or the development of so-called ghetto blocks. Blocks, or areas, with a high concentration of low-skilled professionals, unemployment and crime.”⁵¹ At the moment, none of Latvia's policy documents consider how a policy on immigrant housing should be developed.

⁴⁷ Interview with the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, April 2008.

⁴⁸ Sigita Zankovska-Odiņa: “There have been reports about a situation in Liepāja where Mongolian workers live in the territory of company, and they are allowed to get out [of the territory] once a week to go to the shop, and the management of this company considers this being normal.”

⁴⁹ AK Europa (2007). Circular migration – Issues paper on circular migration, p. 4. http://www.no-fortress-europe.eu/uploadFortress/Austrian_Chamber_of_Commerce.pdf Viewed on 20.06.2008.

⁵⁰ Fargues, P. (2008). Circular migration: Is it relevant for the South and East of the Mediterranean? Florence: Robert Schuman Centre for Advanced Studies. <http://www.eui.eu/> Viewed on 20.06.2008.

⁵¹ Ministry of the Interior (19.06.2007). Konceptija par migrācijas politiku nodarbinātības kontekstā [A Conception on Migration Policy in the Context of Labour Market]. 21 p. Not approved in the Cabinet of Ministers. http://www.pmlp.gov.lv/?p=70&news_id=1111&news_pos=0&menu_id=20 Viewed on 25.05.2008.

Problems and recommendations: Developing a housing policy for immigrants

Considering the steadily increasing number of third country nationals residing in Latvia, it is important to pay attention to housing policy. In order to prevent the development of immigrant ghetto blocks, it is essential to develop a housing policy that is coordinated between state and the local governments.⁵² Yet, it is said that the provision of immigrant housing cannot be better than housing provided for local inhabitants, as it can divide society and create anti-immigrant sentiment amongst the local inhabitants.⁵³ However, establishing housing policy for immigrants is crucial for the integration of immigrants. The lack of appropriate support for immigrants in obtaining adequate housing can facilitate negative social consequences.⁵⁴ In order to prevent tension between local inhabitants and immigrants this support should be organized in a way that also directly benefits local inhabitants. One example is a Soros Foundation funded Latvian language course for local inhabitants in the village Mucenieki, in order for them to feel a sense of personal benefit from the asylum seekers reception centre located in the village.⁵⁵

2. Access to the labour market

Situation description: Work permit

Migration policy in Latvia aims to protect the local labour market.⁵⁶ Access of third country nationals to Latvia's labour market is restricted as policy favours the employment of local and EU residents. A third country national can be hired only after an advertised position has been vacant for one month, and if no qualified candidate who is a Latvian citizen, non-citizen, or EU citizen has applied. At the same time, formal conditions for access to the Latvian labor market varies for immigrants from third countries based on the type of their residence permit, profession, as well as the length of their time in the country.

The spouses of foreigners holding temporary and permanent residence permits in Latvia enjoy relatively open access to the local labour market. A spouse, who

⁵² Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

⁵³ Interview with the Free Trade Union Confederation of Latvia president Pēteris Krīgers, April 2008.

⁵⁴ Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

⁵⁵ Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

⁵⁶ Ministry of the Interior (19.06.2007). Konceptija par migrācijas politiku nodarbinātības kontekstā [A Conception on migration policy in the context of labour market]. http://www.pmlp.gov.lv/?p=70&news_id=1111&news_pos=0&menu_id=20 Viewed on 25.05.2008.

is a temporary resident in Latvia, may receive a work permit to work for any employer as long as the particular position has been locally advertised and vacant for one month.⁵⁷

Third country nationals who have obtained long-term resident status of the European Community (EC) in Latvia, are able to access the local labour market without any restrictions. These individuals are free to move from one employer and position to the next according to their own preferences and abilities. However, exception is given when a person holds a long-term resident status of the EC from some other EU country. In this instance, in order to be employed in Latvia during the first year of residence, the foreigner needs to have a work permit and meet all the same conditions that apply to those with a temporary residence permit.

Access to the local labour market is restricted for immigrants with a temporary residence permit in Latvia. These individuals are linked to one employer and a certain position with no options to freely change employers or their employment position within the company. If the immigrant with a temporary residence permit loses their job, he or she needs to leave Latvia.⁵⁸ In practice, this can also occur if an immigrant changes his employer because, in this case, needs a new work permit. But in order to receive a new work permit for a third country national, the potential employer needs to meet all the procedural requirements, including the month long vacancy advertising and obtaining of a new invitation for the guest worker to Latvia.⁵⁹ It takes approximately 2 months to complete the procedure, but a third country national is allowed to stay in the country for only 45 days after the cancellation of his first work permit. This means that, as the immigrant loses his job with his first employer, he may need to leave the country while waiting for the new permit to work for another employer in Latvia. Leaving the country may not be necessary if the procedure to get the new work permit with a new employer is initiated while the immigrant is still employed by his first employer in Latvia. In instances when the employer is able to ensure stable employment, a temporary residence permit of up to five years on the basis of a job contract can be requested for the third country national.

Third country nationals can also gain access to Latvia's labour market by being self-employed business people. An application for a temporary residence permit can be filed either with Latvian authorities abroad or after entering Latvia with

⁵⁷ The Cabinet of Ministers' regulations No. 116 "Ārvalstnieku un bezvalstnieku nodarbināšanas kārtība Latvijā" [Procedure for employing foreigners and stateless persons in Latvia], in effect since 01.04.2000 with amendments prior to 07.08.2001. For more information on the requirements for obtaining work permit for spouses of foreigners see the section on residence permits.

⁵⁸ The Immigration Law, in effect since 01.05.2003 with amendments prior to 20.12.2007.

⁵⁹ The Cabinet of Ministers' regulations No. 44 "Noteikumi par darba atļaujām ārzemniekiem" [Regulations on work permits for foreigners], in effect since 24.01.2004 with amendments prior to 05.06.2007.

a tourist visa. In these instances no invitation for the guest worker is required.⁶⁰ If a foreigner is self-employed, he or she may receive a temporary residence permit of up to one year, which is based on a business plan that is verified by a qualified auditor, proof of sufficient financial means for the designated period of time, and other criteria. If the foreigner wishes to extend their status of being self-employed in Latvia after the first year, he or she needs to file a new request and meet all the administrative requirements again.⁶¹

If the third country national wishes to temporarily reside in Latvia as a businessperson, receiving a permit for up to five years, he or she needs to be registered in the commercial register. In order to receive a temporary residence permit, the foreigner needs to submit multiple documents like a business plan verified by a qualified auditor, a proof of sufficient financial means to implement the project, etc.⁶²

If the foreigner is employed at more than one business or holds multiple positions at the same company, a separate work permit is necessary for each of these activities.⁶³ Such requirement was introduced after authorities discovered multiple cases when foreigners had received temporary residence permits as board members at various businesses while in reality working as construction workers.⁶⁴ Employers had used such an arrangement in order to avoid filing the guest worker invitations, vacancy test for one month, as well as the fee for a guest worker's work permit in the amount of 35 LVL monthly.

The law in Latvia stipulates that everyone has equal rights to work, the right to fair and safe working conditions, and a just wage.⁶⁵ In order to ensure that guest workers in Latvia receive sufficient means for food and housing, the law requires employers to pay their guest workers a monthly wage in an amount not less than the average monthly salary for the last six months as calculated by the Census.⁶⁶ In April 2008, this minimum amount was 398 LVL a month.⁶⁷

⁶⁰ The Immigration Law stipulates a range of exceptions when a work permit is issued together with a temporary residence permit and without a special invitation from the employer. It concerns student exchange, internships, scientific activities, etc. Immigration Law, in effect since 01.05.2003 with amendments prior to 20.12.2007 (paragraph 9).

⁶¹ The Cabinet of Ministers' regulations No. 813 "Uzturēšanās atļauju noteikumi" [Regulations on residence permit], in effect since 03.10.2006 with amendments prior to 12.12.2006.

⁶² Ibid.

⁶³ The Cabinet of Ministers' regulations No. 44 "Noteikumi par darba atļaujām ārzemniekiem" [Regulations on work permits for foreigners], in effect since 24.01.2004 with amendments prior to 05.06.2007.

⁶⁴ Interview with Ilze Briede, the head of the OCMA Migration Policy Department, April 2008.

⁶⁵ The Labour Law, in effect since 01.06.2002 with amendments prior to 11.10.2006.

⁶⁶ The Cabinet of Ministers' regulations No. 515 "Noteikumi par ārzemniekiem nepieciešamo finanšu līdzekļu apmēru un finanšu līdzekļu esības konstatēšanas kārtību" [Regulations on the financial means foreigners should possess and the procedure of verifying the existence of financial means], in effect since 01.08.2005, no amendments.

⁶⁷ Interview with Vija Račinska, the deputy chair for Employment Policy Issues, The State Employment Agency, April 2008.

Shortcomings and recommendations: Insufficient safety of status in Latvia

Guest workers with a temporary residence permit in Latvia are tied to one employer which makes them very dependent on the actions of that employer. If work conditions change or the guest worker loses their job, their temporary residence and work permit becomes invalid and the guest worker has to leave the country. This condition applies even if the temporary residence permit has not expired yet.

Applications for temporary residence and work permits are filed not by the guest worker himself but by the employer. Due to this, it is possible for the employer to deceive a guest worker about his status and employ him illegally without processing the proper paperwork with the authorities. Even though it is the guest worker who becomes a victim due to the employer's unlawful action, it is the guest worker who faces the sanctions. The consequences can be severe, as a guest worker found in violation due to employer's negligence can be deported with a possible prohibition to enter the Schengen zone for the duration of five years.⁶⁸

At the moment, there is no mechanism for how a guest worker may protect oneself if the employer has acted unlawfully by not processing the proper paperwork. Also, guest workers have little possibilities to act against an unjust firing from their job due to only 20 days given to appeal against the employer's decision. This period of time is too short for the guest worker to be able to defend their rights by finding the legal assistance necessary and filing a case against the employer in court.⁶⁹ It is worth mentioning here that individuals with a temporary residence permit in Latvia are not eligible to receive the same legal assistance granted to others by the state. The same ineligibility for governmentally sponsored judicial assistance applies to individuals who reside in the country illegally, as would be the case after the guest workers in Latvia lose their job.⁷⁰ Although there is no detailed data about the reasons that third country nationals have been deported from Latvia, and whether it has had anything to do with the employers' unlawful conduct, there is statistical data available on extraditions in general. According to the Office of Citizenship and Migration Affairs, between the years of 2003 and 2007 there were 252 extraditions to Russia, 128 to Ukraine,

⁶⁸ Akule, D., Lulle, A. (2008). The challenges facing migrants from Belarus, Moldova and Ukraine on labour markets and in societies of the new EU member states: Country field research on Latvia commissioned by the Soderkopung process secretariat. International Organization for Migration. (Unpublished)

⁶⁹ Interview with Ieva Liepiņa, legal adviser at the Office of the Ombudsman, April 2008.

⁷⁰ The concept of free legal assistance in Latvia does not consider providing free legal assistance for third country nationals who reside in Latvia illegally. The law on state ensured legal assistance defines that free legal assistance must be provided for asylum seekers, refugees and people holding alternative protection status. Free legal assistance applies also to foreigners governed by bilateral agreements between Latvia and other countries and who are considered for this type of provision. According to the Immigration Law, paragraph 56, a detained foreigner has the right to contact the consulate or embassy of his country and receive legal assistance from their country. Source: Research "Return", OCMA, European Migration Network, 2006.

106 to Moldova, 63 to Belarus, 31 to Georgia, 15 to Armenia, 9 to Azerbaijan, and in 8 cases to Uzbekistan.⁷¹

Both representatives of the government and employers acknowledge that the procedure for processing work permits is expensive and time consuming.⁷² Prior to July 1, 2008, the government's fee for issuing one work permit for the period of one year per guest worker was 533 LVL, which is almost six times higher than in neighboring Lithuania and almost eight times that of Estonia.⁷³ Therefore employers use the opportunity to bring guest workers and register them in Lithuania and after that employ them in Latvia, arranging it as a business trip.⁷⁴ Such a situation enhances the risk of illegal employment of immigrants in Latvia, how often this occurs is difficult to quantify due to the lack of reliable data.⁷⁵ It has to be noted that starting July, 2008 the costs for employers to invite and employ third country nationals in Latvia have been reduced to 148 LVL per year.⁷⁶ Also, the application procedure for inviting a guest worker will be simplified by creating a "one stop agency" (for more detailed description see section 1).

Situation description: Latvian language requirements and qualification to work in Latvia

Accessibility to the Latvian labour market is closely related to knowledge of the Latvian language as for many occupations a certain language level is required by law. Namely, the person cannot work in certain positions if the language requirements are not met. This policy is in line with the governmental agenda to strengthen the status of Latvian language in Latvia.⁷⁷

⁷¹ Ministry of the Interior (04.03.2008). Informatīvais ziņojums par Vienotās patvēruma un migrācijas vadības sistēmas attīstības programmas 2006.–2009. gadam īstenošanu 2007. gadā [Informative report on the Unitary asylum and migration management development programme 2006–2009, implementation in 2007]. <http://polsis.mk.gov.lv/view.do?id=1890> Viewed on 25.05.2008.

⁷² Interviews with Ilze Briede, the head of the OCMA Migration Policy Department, and Ilona Kiukucāne, adviser on Education and Employment Affairs at the Employers' Confederation of Latvia, April 2008.

⁷³ Ministry of the Interior (29.04.2008). Informatīvais ziņojums par ekonomisko migrāciju Baltijas valstīs [A report on economic migration in Baltic countries]. <http://polsis.mk.gov.lv/view.do?id=2571> Viewed on 25.05.2008.

⁷⁴ Interview with Ilona Kiukucāne, adviser on Education and Employment Affairs at the Employers' Confederation of Latvia, April 2008.

⁷⁵ Šumilo, Ē., et al (2007). Neregistrētās nodarbinātības novērtējums [Estimation of illegal employment]. Rīga: Latvijas Universitāte, p. 53.

⁷⁶ Ministry of Economics (29.04.2008). Uzņēmējdarbības vides uzlabošanas pasākumu plāns 2008. gadam [The plan for improving the environment for entrepreneurship for 2008]. <http://www.mk.gov.lv/lv/mk/tap/?pid=30329465&mode=mk&date=2008-04-29> Viewed on 25.05.2008.

⁷⁷ Ministry of Education and Science (04.10.2006). Valsts valodas politikas programma 2006.–2010. gadam: Informatīvā daļa [The state language policy programme 2006–2010: Informative report]. <http://polsis.mk.gov.lv/view.do?id=2057> Viewed on 25.05.2008.

The requirements of the state language knowledge for immigrants depend on the sector of their employment – private or public, and their profession – if it is a regulated profession or not.⁷⁸ For occupations that are regulated, language requirements are set by the government, for all other occupations, the employer determines the level of the state language needed. The government stipulates the list of regulated professions in the areas that have greatest concern to public interests such as public safety, health, virtue, and so on.⁷⁹

Shortcomings and recommendations:

1. Lack of public support for Latvian language acquisition

The practice of state authorities indicate a contradictory interpretation of Latvian language knowledge requirements allowing or banning the third country nationals' entrance into the Latvian labour market. In one particular instance, a work permit for employment in the private sector was issued, yet a temporary residence permit was declined based on the argument of insufficient Latvian language knowledge.⁸⁰

Currently there are no governmentally sponsored Latvian language classes, study materials, or other tools for language learning for immigrants available.⁸¹ There is no collaboration either between the government and employers with the purpose to facilitate Latvian language acquisition among guest workers. Current governmental policy seems to use punishment rather than the provision of opportunity as means to enhance Latvian language acquisition among guest workers. Data on the use of the Latvian language is still being collected.⁸² In order to develop a language acquisition program for immigrants, the Latvian Language Agency intends to survey guest workers about their language use in

⁷⁸ The Cabinet of Ministers' regulations Nr. 44 "Noteikumi par darba atļaujām ārzemniekiem" [Regulations on work permits for foreigners], in effect since 24.01.2004 with amendments prior to 05.06.2007; The Cabinet of Ministers' regulations No. 296 "Noteikumi par profesionālo un amata pienākumu veikšanai nepieciešamo valsts valodas zināšanu apjomu un valodas prasmes pārbaudes kārtību" [Regulations on the state language requirements and the procedure of verifying the level of the language knowledge for practicing professionals], in effect since 01.09.2000 with amendments prior to 19.12.2006; The Law on Regulated Professions and Recognition of Professional Qualifications, in effect since 20.07.2001 with amendments prior to 13.12. 2007.

⁷⁹ For more information on the recognition of regulated professions see: Rauhvagers, A. (2002). Recognition of foreign qualifications: Guide for recognition specialists. Rīga: Akadēmiskās informācijas centrs.

⁸⁰ Interview with Ieva Liepiņa, legal adviser at the Office of the Ombudsman, April 2008.

⁸¹ Interviews with Ilona Kiukucāne, adviser on Education and Employment Affairs at the Employers' Confederation of Latvia, and Daiga Joma, the chair of Sociolinguistics Department at Latvian Language Agency, April 2008.

⁸² Interview with Daiga Joma, the chair of Sociolinguistics Department at Latvian Language Agency, April 2008.

Latvia, their views about the necessity to learn the Latvian language, and their intentions regarding their life and work in the country.⁸³

The experience of teaching Latvian as a second language in Latvia began in 1995. At the same time, the technique of teaching Latvian as a foreign language is still in the development phase and there are very little study materials available for this purpose.⁸⁴ All the same, there is no governmental policy to ensure that immigrants study Latvian history and customs along with the language. Governmental support for acquiring this content is offered only as part of the naturalization exam after ten years of life in Latvia.

Another crucial question that has not been on the agenda pertains to the lack of governmental and municipal collaboration in regard to immigrant integration. There have been only some separate municipal initiatives attempting to address the issue locally. One to be mentioned as a positive example is the EQUAL partnership project “Step by Step”, where one of the activities was developing techniques for teaching Latvian as a foreign language.⁸⁵

2. Government policy for Latvian language acquisition

Representatives of governmental and non-governmental sectors agree that immigrant integration should take place on the basis of the Latvian language as it serves as a medium for mutual communication between people of different ethnicities.⁸⁶ Representatives of the immigrant community in Latvia approve that learning Latvian facilitates newcomers’ integration into the local society.⁸⁷ Knowledge of the Latvian language is essential for following local events and happenings, interacting with other members of society, and the like as it all has an impact on the quality of one’s life. Therefore the government should support Latvian language acquisition among immigrants soon after they have arrived. Currently government support for learning the state language is available only to local residents whose children are enrolled in the general education system.⁸⁸

⁸³ Interview with Daiga Joma, the chair of Sociolinguistics Department at Latvian Language Agency, April 2008.

⁸⁴ Laiveniece, D. (2007). Iespējas skolotāju sagatavošanai darbam ar latviešu valodas kā svešvalodas apguvējiem [Opportunities for training Latvian as foreign language teachers]. Konferences “Imigrantu integrācijas aspekti Latvijas sociāli ekonomiskajā vidē” rakstu krājums [Conference proceedings “Aspects of immigrant integration into Latvia’s socioeconomic environment”]. Liepāja: Soli pa solim, pp. 60–66.

⁸⁵ (2007). Konferences “Imigrantu integrācijas aspekti Latvijas sociāli ekonomiskajā vidē” rakstu krājums [Conference proceedings “Aspects of immigrant integration into Latvia’s socioeconomic environment”]. Liepāja: Soli pa solim.

⁸⁶ Interviews with Daiga Joma, the chair of Sociolinguistics Department at the Latvian Language Agency; Evita Kirilova, a deputy chair at the Secretariat of the Special Assignment Minister for Social Integration; and Pēteris Krīgers, the president of the Free Trade Union Confederation of Latvia, April 2008.

⁸⁷ Interviews with Dr. Hosams Abu Meri, the chairman of the Arabic Culture Centre, and George Steele, the vice-chairman of the Afro-Latvian Association, April 2008.

⁸⁸ The National Agency for Latvian Language Training. <http://izm.izm.gov.lv/nozares-politika/valsts-valoda/LVAVA.html> Viewed on 20.06.2008.

There are plans to develop methods of Latvian language teaching which would target immigrants of various professions.⁸⁹ Government support for language acquisition among the guest workers would assist employers in complying with the language law.⁹⁰ It would be advisable for the government to collaborate with employers when developing the content of Latvian language programmes as well as the mechanisms for funding the implementation of such classes. The experience acquired from non-citizen integration in Latvia shows that employers can facilitate this process substantially. In the past, there have been collaboration initiatives between the Naturalization Board and companies such as “Aldaris” and “Liepājas metalurģs”, with the purpose to ensure Latvian language acquisition among employees in these companies that would in turn facilitate their naturalization. These companies viewed such support as an investment in their human resources development.⁹¹ All the same, it needs to be pointed out that any collaboration between the private sector and the government will not be possible unless the government amends its restrictive position on immigration and reduces bureaucratic barriers to immigrant employment in Latvia, grounding migration policy on the insistence that only circular migration will happen in Latvia, therefore there is no need to think about immigrant integration and language policy in this situation.⁹²

3. An integrated approach for studying Latvian language and history

A considerable experience of language teaching has been acquired at the National Agency for Latvian Language Training, which hitherto has ensured Latvian language acquisition opportunities for non-Latvians. At the same time, common EU principles advise organizing language courses simultaneously with providing education about the local society, its history and culture. In order to achieve such an arrangement, there needs to be a consensus about the content of this curriculum nationally.⁹³

Various ethnic associations and NGOs are regarded as natural centers for assisting immigrant integration in Latvia.⁹⁴ The government has provided a small amount of funding to the Romanian-Moldovan association in order to facilitate their efforts in assisting guest workers from their respective countries to better

⁸⁹ Interview with Daiga Joma, the chair of Sociolinguistics Department at Latvian Language Agency, April 2008.

⁹⁰ Interview with Ilona Kiukučāne, adviser on Education and Employment Affairs at the Employers' Confederation of Latvia, April 2008.

⁹¹ Interview with Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008.

⁹² Interview with Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008.

⁹³ Interview with Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008.

⁹⁴ Interviews with Solvita Vība, the deputy chair of the Naturalization Board, and Sigita Zankovska-Odiņa, policy analyst at the Latvian Centre for Human Rights, April 2008.

understand their rights in Latvia. However, teaching of language and local customs is not covered by this support.⁹⁵

3. Education for immigrant children

Situation description: Integration in the national school system

The state does not ensure access to education for all children in Latvia on an equal basis, even though preschool education (5–6 year old children) and primary education (until the age of 18) in Latvia is compulsory.⁹⁶ Among the newcomers, state guaranteed education is provided only for immigrants and their children, who hold a permanent residence permit or, if they are the EU citizens, who hold a temporary residence permit issued in Latvia. State guaranteed education is not provided for the children of those third country nationals, whose parents hold a temporary residence permit.

State and local governments provide education in the Latvian language. However, there are minority programmes where, according to the law, 40% of the educational content can be taught in Russian, Polish, Ukrainian or another minority language. The immigrant children, whose parents hold a temporary residence permit, must make a contract with the school in order to attend a state or the local government education institution. The contract also defines the tuition fee.⁹⁷ The tuition fee can differ, depending on the local government. Likewise, immigrant children can receive their education in private education institutions – there the state language must be mastered at the same level required to receive a diploma for primary and secondary education.

Problems and recommendations: The gap to integrate immigrant children in the national school system

Although general education is primarily taught in the Latvian language, there are no programmes for children, coming from other cultures, education systems and language space, to integrate themselves into the Latvian education system.⁹⁸ Formulation of special programmes for how children from other cultural environments can adapt to Latvian schooling is still in the planning process.⁹⁹

⁹⁵ Interview with Evita Kirilova, a deputy chair at the Secretariat of the Special Assignment Minister for Social Integration, April 2008.

⁹⁶ The Education Law, in force since 01.06.1999 with amendments prior to 19.12.2006.

⁹⁷ Interview with the Ministry of Education of Science General Education department Education development department deputy Valdis Bogdanovs, April and May 2008.

⁹⁸ Interview with the Ministry of Education of Science General Education department Education development department deputy Valdis Bogdanovs, and the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, April and May 2008.

⁹⁹ Interview with the Ministry of Education of Science General Education department Education development department deputy Valdis Bogdanovs, May 2008.

There is no data collected on immigrant students, interns nor of their numbers and specific academic performance. However, this type of data is necessary to analyze how immigrant children compare to local children.¹⁰⁰ The lack of data on immigrant children's integration into the general education system makes it difficult to determine if the problem exists in theory or in reality. The only information that the Ministry of Education and Science could offer was data on three refugee children from Somalia who are students at Rāmuļu Primary school in Cēsu district. In this case, the Education authority of Cēsu district provides additional Latvian language classes for these students, but the Ministry of Education and Science funds their school aid.¹⁰¹

One problem is the training level of teachers as it pertains to teaching students from various cultures. Cross-cultural education courses organized by the Education Development center are available for teachers. The attendance of the courses is not compulsory, and, according to survey data, teachers from the schools providing education in the Latvian language have not shown an interest in these courses.¹⁰² Also, research on teacher tolerance indicates the necessity for cross-cultural skill development among teachers. The results showed that there is a lack of understanding on the definition of tolerance, as well as respect towards diversity being of peripheral importance.¹⁰³ Teachers themselves admit their ignorance of how to act in a situation of working with an increased number of students from different cultures and traditions.¹⁰⁴

4. Immigrants' political participation

Situation description: Political rights

All third country nationals in Latvia have minimal political rights. They do not have the right to vote in parliamentary and local elections.¹⁰⁵ Likewise they cannot involve themselves in political parties and form political associations.¹⁰⁶ However, *de jure* third country nationals (if they have received a residence and work permit) are ensured with opportunities to political participation, as they

¹⁰⁰Interview with the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, April 2008.

¹⁰¹Interviews with the Ministry of Education of Science General Education department Education development department deputy Valdis Bogdanovs, and the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, April and May 2008.

¹⁰²Golubeva, M. (2006). *The Case for Diversity Mainstreaming in the National School System*. Riga: Centre for Public Policy Providus, p. 39.

¹⁰³Austers, I., Golubeva, M., un Strode, I. (2007). *Skolotāju tolerances barometrs [A Barometer of Teachers' Tolerance]*. Riga: Centre for Public Policy Providus, p. 19.

¹⁰⁴Ibid.

¹⁰⁵The Law "On the Election of City, County and Rural Councils", in force since 25.01.1994 with amendments prior to 16.03.2008 (paragraph 5).

¹⁰⁶The Law on Political Parties, in force since 01.01.2007, without amendments (1st part of paragraph 26).

can take part in the activities of non-governmental organizations, society associations and trade unions.

In Latvia, a non-governmental organization can be established by, and its members can come from, every adult person in the Population Registry.¹⁰⁷ Thus, if a person has received a legal residency permit and has declared their place of residence, they then have the right to take part in a non-governmental organization. A society association can be formed by any individual in the registry.¹⁰⁸ In turn, every inhabitant of Latvia, who is an immigrant working and studying in Latvia, can take part in a trade union.¹⁰⁹ The Labour Law regulates that every employee, in order to stand for one's rights to work, as well as for fair, safe work conditions and a fair wage, can take part in or can form trade unions without any legal or non-legal discrimination.¹¹⁰

Problems and recommendations:

1. Weak immigrant organization and involvement in the process of policy formation

Even though immigrants are allowed to self-organize, there currently are very few groups or organizations which directly represent the interests of immigrants and stand for their social, economic and political rights. There are some minority organizations, which beside their primary task to popularize and save their culture in Latvia, also engage in consultative political discussions, which indirectly affect the issues of immigration.¹¹¹ However, overall self-organization of the non-governmental organizations, dealing with the immigration issues, is very weak and their political and social participation is not noticeable.¹¹²

The representatives of immigrant associations point out that just during the last year and half they have been involved in consultative policy discussions, but at the same time they reveal that their view is not always considered and sometimes their participation was seen as just a formality.¹¹³ In addition, immigrant organizations are not consulted on issues that directly effect immigration and

¹⁰⁷The Law "On nongovernmental organizations and their associations", in force since 29.12.1992 with amendments prior to 31.03.2004 (paragraphs 5, 6 and 8).

¹⁰⁸Society Association Foundation Law, in force since 01.04.2004 with amendments prior to 02.11.2006 (2nd part of paragraph 23 and paragraph 25).

¹⁰⁹The Law "On Trade Unions", in force since 02.01.1991 with amendments prior to 09.06.2005; Interview with the Office of the Ombudsman legal adviser Ieva Liepiņa, May 2008.

¹¹⁰The Labour Law, in force since 01.06.2002 with amendments prior to 11.10.2006 (paragraph 8).

¹¹¹For instance, the Arabic Culture Centre and the Afro-Latvian Association.

¹¹²Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

¹¹³Interview with the Arabic Culture Centre chairman Dr. Hosams Abu Meri and the Afro-Latvian Association vice-chairman George Steele, April 2008.

immigrant integration issues, but more on tolerance and acceptance policy developments in Latvia.¹¹⁴

The one reason is that the mechanisms of consultative policy in Latvia are still weak and generally lack any formal formulations. There is no clear criteria on how to select various representatives to form a consultative board. As a result, the representatives selected often tend to conform to currently accepted political norms.¹¹⁵ The second reason that immigrants are not represented in consultative policy, is that in the national policy structure they in general do not even appear as a category. Thus, their rights and opportunities are not considered.¹¹⁶ Because of this, the interests of immigrants are not represented in the laws and regulations of various state administered institutions.¹¹⁷

The Special Assignment Minister for Social Integration (SAMSI) has drafted a long-term policy planning document, "The basic principles of social integration for 2008–2018". The project plans to improve political participation opportunities so that all groups of the society will have equal rights to participate in policy planning.¹¹⁸ SAMSI has also established a consultative board which will deal with the issue of immigrant integration. However, the board has not yet been convened, because, at the moment, the one year and long-term integration program of immigrants is being coordinated together with the European Commission.¹¹⁹ SAMSI has not yet defined who will be the participants of its consultative body.¹²⁰ It is planned that these will be NGOs, representing immigrant interests, as well as the direct view of immigrants being obtained through research whose data comes from direct responses gathered from the immigrant community.¹²¹

In this case, it is necessary to underline that political participation of immigrants must take place early in the policy planning processes for policies relating to various immigration issues. This would ensure that the view of immigrants is considered during the phase of policy planning.

¹¹⁴Interview with the Afro-Latvian Association vice-chairman George Steele, April 2008.

¹¹⁵Interview with the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, and the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

¹¹⁶Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

¹¹⁷Ibid.

¹¹⁸SAMSI (2007). The basic principles of the society integration for 2008–2018: projects. Riga: ĪUMSILS, pp. 8–9.

¹¹⁹At the moment SAMSI is developing a one year and long-term integration programme for third country nationals. It also considers improving how third country nationals are received in their host countries. Until now the "Third country national integration fund" has been coordinated by the European Commission.

¹²⁰Interview with SAMSI Society Integration Department deputy Ruta Klimkāne, April 2008.

¹²¹Ibid.

2. Exclusion of immigrants from trade unions

The involvement of immigrants in trade unions could facilitate the inclusion of immigrants into political and social processes, because trade unions are eligible to participate in economic and social development programs and the development of laws and regulations dealing with social insurance, health care and other work and social development issues.¹²² However, at the moment immigrants are not engaged in the trade unions in Latvia.¹²³ The interpretation of the law on trade unions by the Free Trade Union Confederation of Latvia (FTUCL) differs from other experts involved in the research, who point out that immigrants have the right to have a membership in a trade union. FTUCL does not represent immigrants, as it holds the view that the law allows for trade unions to only represent the permanent residents of Latvia.¹²⁴ Yet, it can not be considered an obligation for the FTUCL to represent immigrants because as a non-governmental organization it has the right to define its members on its own.

3. Expansion of political rights for immigrants

In order to facilitate immigrants' political and civic belonging, in accordance with the Common Basic Principles for Immigrants integration policy in the EU, it is necessary to make it possible for immigrants, to participate in democratic processes. This can be achieved if immigrants have an opportunity to vote in local elections, to participate in political parties and to ensure that they have representation in a consultative policy when dealing with immigration. Third country nationals, who have received permanent residency permits, have the rights to vote in local elections in many EU Member states, like Belgium, the Czech Republic, Finland, Hungary, Ireland, Lithuania, Luxembourg, Portugal, Slovakia, Slovenia, Sweden, Spain, and Greece. In turn, Portugal, Denmark, Spain and France have formed consultative boards, both representing immigrants and dealing with immigrant integration issues.¹²⁵ In Ireland, where at the moment a lot of Latvian citizens are employed, immigrants have the opportunity to participate in political parties. Even more, it is planned that in 2009 for the local elections some parties will nominate immigrants.¹²⁶

Likewise, political theories indicate the necessity for states to adopt the politics of inclusion, meaning that in a democratic country every inhabitant has oppor-

¹²² The Law "On Trade Unions", in force since 02.01.1991 with amendments prior to 09.06.2005 (paragraph 7); interview with the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, April 2008.

¹²³ Ibid.

¹²⁴ Interview with the Free Trade Union Confederation of Latvia president Pēteris Krīgers, April 2008.

¹²⁵ European Commission. (2007). Third annual report on migration and integration. Brussels: European Commission. http://ec.europa.eu/justice_home/fsj/immigration/docs/com_2007_512_en.pdf Viewed on 25.05.2008.

¹²⁶ Funning, B. et al. (2007). Irish political parties, immigration and integration in 2007. Dublin: University College Dublin. <http://www.ucd.ie/mcrl/Political%20Parties,%20Immigration%20and%20Integration.pdf> Viewed on 25.05.2008.

tunities to political participation. This is the very basis of how to show to an immigrant that they belong to their country of residence. It is necessary to remark that many of these immigrants already confirm their belonging to the country of residence, as they are employed and pay taxes there. In the long run, excluding immigrants from the participation in democratic processes in their country of residence can provoke the development of political movements, causing the conditions for social and political unrest.¹²⁷

Thus, it would be recommended that Latvia as a member of the EU gives the right to vote in the local elections and participate in political parties to immigrants. However, political parties and government must support the political participation of immigrants, which is not done at the moment. For instance, in order to mobilize immigrants to participate in politics, the programmes and documents of political parties must be accessible to various immigrant groups.¹²⁸

Immigrant political participation can be also facilitated by including them in state and the local government consultative policy. Even though currently some consultative structures provide immigrant representation, it must become a required practice. Their political participation should be regulated by laws and regulations, particularly in the areas dealing with immigration issues.¹²⁹

Likewise an opportunity for immigrants should be facilitated, to become members of trade unions.¹³⁰ Participation in trade unions would empower immigrants to stand up for their social and economic rights and help to support and strengthen their political participation. It is important that information about political participation opportunities for immigrants is easily accessible.

Political alienation of immigrants can develop a similar situation to what has occurred in the integration of Latvian non-citizens, when people in the society do not feel as if they belong to the state, they cannot influence political decisions and their human potential is not put to use.¹³¹ This can have a social and political price and can negatively influence the society as a whole.

¹²⁷Castles, S., Davidson, A. (2000). *Citizenship and migration: Globalization and the politics of belonging*. New York, NY: Routledge.

¹²⁸Castles, S., Davidson, A. (2000). *Citizenship and migration: Globalization and the politics of belonging*. New York, NY: Routledge.

¹²⁹Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

¹³⁰Interview with the Latvian Centre for Human Rights policy analyst Sigita Zankovska-Odiņa, April 2008.

¹³¹Interview with the University of Latvia Social and Political Research Centre director Nils Muižnieks, April 2008.

5. Anti-discrimination norms in the context of immigration

Description of the situation: Prohibition of discrimination in Latvia

Anti-discriminatory norms of the EU and international laws are partially integrated into law in Latvia.¹³² As a result, legislation contains contradictions which in some cases can be applied in a discriminatory manner against third country nationals in Latvia.

There are two directives by the European Commission that are binding for Latvia – the “Race Directive” and “Employment Equality Directive”. While there is no special separate anti-discrimination law in Latvia, the norms of both directives are introduced into different laws pertaining to the issues covered by the respective EC directives.¹³³ Currently anti-discrimination is well regulated in the labour and social sphere.¹³⁴ “The Latvian Administrative Violations Code” and “The Criminal Law” both contain provisions to prevent discriminatory assault and the incitement of ethnic hatred. A law that still needs to be amended to include anti-discrimination provisions is the “Law on Consumer Rights Protection”. It has to include provisions that would prohibit the unequal treatment of different societal groups when publicly providing goods and services.¹³⁵ Overall, general anti-discrimination provisions have been introduced into a range of other laws in Latvia.¹³⁶

In some instances, legislation in Latvia permits the unequal treatment of third country nationals with a temporary residence permit, and their families, as compared to local nationals, foreigners with a permanent residence permit in Latvia, and those with long-term resident status of the European Community (EC) in Latvia.

Especially unfavourable in this situation are the conditions for the children of third country nationals with a temporary residence permit in Latvia as they are not eligible to even receive publicly funded education. This is detrimental to child welfare and development. While at the same time, EU citizens and their children with a temporary residence permit in Latvia have the same rights to education as Latvian citizens and non-citizens.¹³⁷ The condition of educational access for the children of third country nationals with a temporary residence permit contradicts the law on the “Protection of the Rights of the Child”, which stipulates that “the State shall ensure the rights and freedoms of all children without any

¹³² Interview with Līga Biksiniece, legal adviser at the Office of the Ombudsman, May 2008.

¹³³ Pūce, I. (2005). Diskriminācijas novēršanas likums Latvijā. Capacity building of civil society dealing with anti-discrimination: Training manual. Brussels: Human European Consultancy in Partnership with the Migration Policy Group, p. 33. http://ec.europa.eu/employment_social/fundamental_rights/pdf/civil/trainman_lv.pdf Viewed on 25.05.2008.

¹³⁴ Ibid.

¹³⁵ Ibid.

¹³⁶ Djačkova, S. (2007). Latvijas situācija diskriminācijas novēršanā [Situation in Latvia on preventing discrimination]. Rīga: Latvijas Cilvēktiesību centrs. www.humanrights.org.lv/upload_file/djackova.ppt Viewed on 25.05.2008.

¹³⁷ Education Law, in force since 01.06.1999 with amendments prior to 19.12.2006.

discrimination – irrespective of race, nationality, gender, language, political party alliance, political or religious convictions, national, ethnic or social origin, place of residence in the State, property or health status, birth or other circumstances of the child, or of his or her parents, guardians, or family members.¹³⁸ The situation of children with a temporary residence permit in Latvia also runs contrary to international norms which state that all children have to have free access to a basic education. The same can be said with respect to health care as all children should be granted access to health care services.¹³⁹

It should be mentioned that by definition foreigners with temporary residence permits enjoy a smaller amount of privileges than other residents. Nevertheless, the restrictions of these privileges should be objectively grounded and especially so in the case of children.¹⁴⁰ Some restrictions on these privileges can be viewed as discrimination.¹⁴¹

Overall there are few complaints filed about discrimination on the bases of race, language, religion, and ethnicity.¹⁴² However, this does not reflect the actual situation. The small number of official complaints rather demonstrates that discrimination victims do not have complete information about their rights and therefore do not know how to seek protection using the state authorities.¹⁴³

In order to prevent discrimination, the government has passed a national programme for promoting tolerance. The content of the programme for the period of 2009 to 2013 is still being politically debated.¹⁴⁴ The new draft programme is

¹³⁸Protection of the Rights of the Child Law, in effect since 22.07.1998 with amendments prior to 08.03.2007.

¹³⁹UN Declaration of the Rights of the Child (1959). Principle 7 and 4. http://www.tiesibsargs.lv/lat/tiesibu_akti/ano_dokumenti/?doc=96 Viewed on 18.06.2008.

¹⁴⁰Interview with Līga Biksiniece, legal adviser at the Office of the Ombudsman, May 2008.

¹⁴¹Ibid.

¹⁴²In 2006, there were 9 written complaints submitted and 40 verbal consultations provided related to discrimination on the basis of race or nationality. There were 14 written complaints submitted and 14 verbal consultations provided related to discrimination on the basis of language. Information source: Interview with Ieva Liepiņa, legal adviser at the Office of the Ombudsman, April 2008; European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 15.

¹⁴³European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 15.

¹⁴⁴The new programme is being criticized as ineffective and declaratory because it does not name the groups in society who face intolerance. It limits possibilities to fight against intolerance in the future as some societal groups can be ignored. Shrinking financing for the implementation of the programme also indicates that matters of reducing intolerance are not political priorities. Denial that there are and there will be immigrants in Latvia, makes it difficult to tackle issues of racism and discrimination. Sources of information: Interviews with Līga Biksiniece, legal adviser at the Office of the Ombudsman, May 2008; Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008; Evita Kirilova, a deputy chair at the Secretariat of the Special Assignment Minister for Social, April 2008; Zankovska-Odiņa, S. (2008). *Plastilīna iecietība [Plasticine tolerance]*. <http://www.politika.lv/index.php?id=15486> Viewed on 25.05.2008.

being criticized as declaratory and ineffective because it fails to name those groups in society who are the most at risk of experiencing prejudice. That limits possibilities for future actions to prevent bigotry which can take places as discrimination, verbal or even physical abuse against one specific social group.¹⁴⁵ That means there is a window for ignoring the rights of one or another group in the society.¹⁴⁶

Shortcomings and recommendations:

1. Preventing discrimination of immigrants

Latvia still needs to perfect its anti-discrimination norms based on EU and international documents. According to the recommendations of the European Commission against Racism and Intolerance (ECRI), Latvia needs to integrate into its rules the provisions of “The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families”, “The European Convention on Nationality”, and “The European Convention on the Legal Status of Migrant Workers”.¹⁴⁷ These documents are important as they regulate the rights of immigrants to have social and economic security as well as political rights and possibilities of political participation in the host country.¹⁴⁸

As previously mentioned, restrictions of rights that apply to third country nationals with temporary residence permits should be objectively grounded especially in the case of children.¹⁴⁹ There are concerns about how objective the current restrictions applying to immigrant children are as they are in contradiction with Latvian and international laws as well as common EU principles on immigrant integration. According to these laws, the state has to ensure access to publicly funded education and health care for these children, in order to ensure their well being and development.

Provisions of “The Latvian Administrative Violations Code” and “The Criminal Law” in the area of discrimination are not being applied effectively as it is common for the police to investigate racist assaults as hooliganism and not as racial violence. That is one of the reasons why there are relatively few cases of dis-

¹⁴⁵ Interview with Līga Biksiniece, legal adviser at the Office of the Ombudsman, May 2008.

¹⁴⁶ Zankovska-Odiņa, S. (2008). *Plastilīna iecietība* [Plasticine tolerance]. <http://www.politika.lv/index.php?id=15486> Viewed on 25.05.2008.

¹⁴⁷ European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 7.

¹⁴⁸ “The International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families” stipulates that working migrants in the aspects such as hours of work, overtime, paid vacation, safety, health case, etc., should have the same rights and privileges as local workers. The convention on foreigners’ participation in the social life requires that foreign residents gradually obtain civic and political rights. Source: European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI.

¹⁴⁹ Interview with Līga Biksiniece, legal adviser at the Office of the Ombudsman, May 2008.

crimination registered.¹⁵⁰ In order to assure that racial assaults are investigated and punished properly, more training should be provided to judges, prosecutors and police staff in order to develop a better understanding on the issues of racism and race discrimination.¹⁵¹ At the moment, in a situation of growing migration, the police are not prepared to fight discrimination effectively.¹⁵²

2. Expression of discriminatory attitudes

When examined against ECRI recommendations, discrimination in Latvia is manifested in daily communication especially towards representatives of a different race, religion, nationality, and ethnicity.¹⁵³ There are discriminatory expressions appearing in mass media, most commonly in the press and by politicians.¹⁵⁴ It is necessary that governmental institutions such as the Ministry of Interior, the Ministry of Justice, and the Ministry of Education and Science engage more actively in developing a better understanding about tolerance and the necessity to prevent discrimination.¹⁵⁵ For instance, it is common that the police fail to be tolerant in dealing with representatives of a different race. Similarly, educational policy-makers often avoid treating issues of tolerance in educational policy documents.¹⁵⁶

Discrimination is encountered also in the educational system. There are cases when schools have refused admitting children with dark skin.¹⁵⁷ In some universities individual professors have discriminated against students because of their

¹⁵⁰In 2005, there were 13 cases in the court on the violation of ethnic or racial equality. Mostly these cases concern racist expressions, although there are also cases dealing with physical violence. Majority of the cases initiated in 2005 and 2006, are still under investigation, while several of them have been re-qualified as hooliganism or closed due to insufficient evidence, or some other reason. In 2007, 12 cases were initiated. Only a minority of these cases have gone to court or resulted in a trial of the perpetrator. Source of information: European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 11.

¹⁵¹European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 12.

¹⁵²Ibid.

¹⁵³European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 26.

¹⁵⁴Golubeva, M., Kažoka, I., Rožukalne, A. (2007). Shrinking citizenship. Analytical report on the monitoring of printed media, parliamentary debates and legislative initiative concerning civic participation in Latvia. Rīga: Centre for Public Policy Providus; European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 27.

¹⁵⁵European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 23.

¹⁵⁶Austers, I., Golubeva, M., Strode, I. (2007). Skolotāju tolerances barometrs [Barometer of teachers' tolerance]. Rīga: Centre for Public Policy Providus.

¹⁵⁷Interview with Dr. Hosams Abu Meri, the chairman of the Arabic Culture Centre, April 2008.

race, ethnicity or religious affiliation.¹⁵⁸ In separate instances, professors have insulted students by reiterating prejudice, for example, calling an Arab student a terrorist.¹⁵⁹ Mostly these cases are left without filing official complaints because people feel intimidated and do not want to cause trouble, a behavior which indicates that they do not believe the Latvian government will defend their right for non-discrimination.¹⁶⁰

There are cases when international students who look different than locals have been physically abused.¹⁶¹ A study in 2004 focusing on the experiences of racially and ethnically visually different foreigners living in Latvia revealed that almost every respondent interviewed for the study had experienced physical abuse while in the country.¹⁶² At the same time, respondents and researchers were acknowledging that it is hard to tell whether in all instances violence was racially motivated.

3. Creating an environment beneficial for immigrant integration

Societal integration is a mutual process where newcomers need to put forth an effort to integrate into the local society, while the local society should also support this effort. Thus, immigrant integration will depend on the attitude of the local people. In order to diminish negative attitudes toward immigrants, there should be a greater focus on advancing the understanding among local people that each member of the society, also guest workers, contribute to the Latvian economy and has the right to have a good standard of living.¹⁶³ Therefore it is necessary to acknowledge both the economic and human value of immigrants. Responsibility for shaping public opinion on immigration rests on politicians and the mass media.¹⁶⁴

Instead of providing sensational information, mass media should do more to provide objective and explanatory reports about the reasons for why people

¹⁵⁸ Interviews with Dr. Hosams Abu Meri, the chairman of the Arabic Culture Centre, and George Steele, the vice-chairman of the Afro-Latvian Association, April 2008.

¹⁵⁹ Interview with Dr. Hosams Abu Meri, the chairman of the Arabic Culture Centre, April 2008.

¹⁶⁰ Interviews with Dr. Hosams Abu Meri, the chairman of the Arabic Culture Centre, and George Steele, the vice-chairman of the Afro-Latvian Association, April 2008.

¹⁶¹ Interview with George Steele, the vice-chairman of the Afro-Latvian Association, April 2008.

¹⁶² Šūpule, I., Krastiņa, L., Peņķe, I., Krišāne, J. (2004). Etniskā tolerance un Latvijas sabiedrības integrācija [Ethnic Tolerance and Integration of the Latvian Society]. Rīga: Baltic Institute of Social Science, pp. 30–44.

¹⁶³ Interview with Evija Meiere, the head of the Social Inclusion Policy Department at the Ministry of Welfare, April 2008.

¹⁶⁴ ECRI report recommends that Latvia passes *ad hoc* rules to restrict racist expressions by representatives of political parties. Source: European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 29.

arrive to Latvia and how it benefits the country.¹⁶⁵ Also the editors of printed press should pay more attention to the information on discrimination and its prevention, hate speech and its consequences, as well as European policy for promoting tolerance.¹⁶⁶ Professional journalist associations should also be more actively engaged in discussing and condemning acts of violating the ethics of journalism.¹⁶⁷

It would be possible to promote mutual understanding in society by creating circumstances that promote the interaction between the newcomers and the local population while trying to achieve some common purpose. For instance, that could be the organization of professional qualification classes or cultural events for groups which would include immigrants as well as the locals. Also there is a need for tolerance in mutual interaction in the context of the use of the Latvian language use in order to encourage that people speak in Latvian even if it is with mistakes.¹⁶⁸

With the purpose to lessen prejudice against diversity in Latvian society and to promote cross-cultural dialogue, the government provides support to associations of ethnic minorities for promoting their culture. For example, at the end of 2007, the Arab Cultural Association held a series of presentations about Arab culture, entitled "Let's Talk about Civilization, Love, and Peace" in regional centres of Latvia such as Ventspils, Valmiera, Jelgava, Rēzekne, and Daugavpils.¹⁶⁹ The government has also supported NGO projects aiming to defend the interests of particular societal groups. Such an example is a project carried out by the Romanian-Moldovan Association "Doina", where the goal was to establish a consultation and information center along with some other "inclusive mechanisms" for guest workers from the two respective countries, so that they could enjoy social, cultural and economic rights without facing discrimination.¹⁷⁰ There is a need to improve the understanding of diversity in all spheres of public life,

¹⁶⁵Interviews with Ilona Kiukucāne, adviser on Education and Employment Affairs at the Employers' Confederation of Latvia, and Evita Kirilova, a deputy chair at the Secretariat of the Special Assignment Minister for Social, April 2008.

¹⁶⁶Golubeva, M., Rožukalne, A., Kažoka, I. (2007). Izaicinājums pilsoniskajai līdzdalībai. Analītisks ziņojums par Saeimas un mediju monitoringu [Challenge to civic participation: Analytical report on the Parliament and mass media monitoring]. Rīga: Centre for Public Policy Providus, p. 74. http://www.providus.lv/upload_file/Publikācijas/monitoringa_zinojums_17012008.pdf Viewed on 25.05.2008.

¹⁶⁷Ibid.

¹⁶⁸Interview with Daiga Joma, the chair of Sociolinguistics Department at Latvian Language Agency, April 2008.

¹⁶⁹Interview with Dr. Hosams Abu Meri, the chairman of the Arabic Culture Centre, April 2008.

¹⁷⁰Ministry of the Interior (04.03.2008). Informatīvais ziņojums par Vienotās patvēruma un migrācijas vadības sistēmas attīstības programmas 2006.–2009. gadam īstenošanu 2007. gadā. [Informative report on the Unitary asylum and migration management development programme 2006–2009, implementation in 2007]. <http://polsis.mk.gov.lv/view.do?id=1890> Viewed on 25.05.2008.

including among professionals working in mass media industry and politicians. All institutions in the country should obey the norms of prohibiting discrimination.

4. Learning about the needs of immigrants

In order to fight immigrant discrimination successfully, studies on the extent and types of immigrant discrimination are needed. Considering the small number of officially registered discrimination cases, it is necessary to inform immigrants about their rights and the institutions, such as the Office of the Ombudsman, where they can seek help and protection if they experience discrimination while a resident in Latvia.¹⁷¹

In order to prevent excluding immigrants from the oversight of governmental institutions, data on the socioeconomic situation of immigrants and their families should be collected. It is needed in order to grow an understanding about the needs of immigrants as often those needs may be different than the ones of the local population.¹⁷² If the government is to work on developing an inclusive policy for immigrants, data on this part of population is needed.

Conclusion

Imperative for acknowledging the need for immigrant integration

Due to the prevailing negative public opinion towards immigrants, acknowledgment of the arrival of new immigrants in Latvia and the need for their integration into the local society would be “political suicide”.¹⁷³ At the same time, insufficient local labour supply, which is related to the aging and an outward migrating local population, indicates there will be need for newcomers in this country.¹⁷⁴ In this context, the government avoids addressing the issue of immigrant integration while permitting the possibility of a circular immigration which dictates that people would arrive to Latvia for a specific purpose in the labour market and

¹⁷¹ European Commission against Racism and Intolerance (29.06.2007). The third report on Latvia. Strasbourg: ECRI, p. 15.

¹⁷² Interview with Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008.

¹⁷³ Interview with Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008.

¹⁷⁴ Starting in 2008, the overall demand for labour force will start exceeding the overall supply, a situation escalating with every year up to 2030. Source: Frolova, L. et al. (2007). Darba tirgus pieprasījuma ilgtermiņa prognozēšanas sistēmas izpēte un pilnveidošanas iespēju analīze [Labour market demand: System for long-term modeling and exploring improvement opportunities]. Rīga: Labklājības ministrija.

would then leave after completing the task.¹⁷⁵ At the moment, there are only a few immigrants in Latvia, and the negative experiences that these people face here are not publicly discussed due to a non-existent policy for immigrant integration. Reports in the mass media about the lives and experiences of immigrants in Latvia are few. These people wage their lives in isolation from the local society, living at the premises of the factories where they work. Due to their short-term stay and the insecurity of their status in Latvia, immigrants neither organize nor engage in nongovernmental organizations.¹⁷⁶ The lack of governmental policy hinders immigrant integration into the local society in Latvia.

As the population of newcomers in Latvia increases,¹⁷⁷ the local society will start experiencing the negative consequences of lacking an integration policy and the consequent social marginalization of immigrants. In order to avoid this situation, it is imperative to officially acknowledge the existence of immigration, and that many of these people may choose to settle in Latvia for life, which serves as the basis for a policy of immigrant integration.

The implementation of a coordinated immigrant integration policy will require collaboration between various ministries, governmental agencies and municipalities. Currently, each governmental body has its own perspective when it comes to the integration of immigrants.¹⁷⁸ However, contradictory messages by different governmental agencies are diminishing the efficiency of each and every agency in addressing the issue.¹⁷⁹ For instance, although the official declared position is that Latvian language forms the base for societal integration in Latvia's overarching strategy for immigrant integration, the development and implementation of this is hindered by the absence of an effective Latvian language acquisition policy. The Latvian Language Agency, the institution responsible for strengthening the status of the Latvian language, is trying to develop a language acquisition policy within the context of immigration. However, it is not able to take well defined steps in this respect as there is no long-term governmental vision for immigrant integration policy.¹⁸⁰

¹⁷⁵(2008). Deklarācija par Ivara Godmaņa vadītā Ministru kabineta iecerēto darbību [The Declaration on the Action Plan by the Prime Minister's Ivars Godmanis Government]. <http://www.mk.gov.lv/lv/mk/darbibu-reglamentejosie-dokumenti/deklaracija/> Viewed on 25.05.2008.

¹⁷⁶Akule, D., Lulle, A. (2008). The challenges facing migrants from Belarus, Moldova and Ukraine on labour markets and in societies of the new EU member states: Country field research on Latvia commissioned by the Soderkoping process secretariat. International Organization for Migration. (Unpublished)

¹⁷⁷In 2006, 2400 third country nationals arrived in Latvia to work; the number has increased to 4040 in 2007. Source: The State Employment Agency.

¹⁷⁸Interview with Pēteris Krīgers, the president of the Free Trade Union Confederation of Latvia, April 2008.

¹⁷⁹Interview with Nils Muižnieks, the director of the Social and Political Research Centre at University of Latvia, April 2008.

¹⁸⁰Interview with Daiga Joma, the chair of Sociolinguistics Department at Latvian Language Agency, April 2008.

The quality of policy coordination between the government and municipalities will also determine the success of immigrant integration. Municipalities will not be able to tackle the issue alone. In order to ensure that all the municipalities are committed and financially able to provide the necessary state language acquisition and civic education classes to immigrants, overarching governmental policy and sufficient allocations from the central budget for this purpose are required.¹⁸¹

Programmes financed by the European Commission advance getting issues of the situation of immigrants and their integration on the agenda in Latvia.¹⁸² In the scope of these programmes, EU member states are required to provide detailed information on the socioeconomic situation of third country nationals, an issue that governments would not pay attention to otherwise. The experiences of the older countries of the European Union have shown that no group in the society can be marginalized and ignored. It leads to cleavages in society which brings negative socioeconomic consequences to society as a whole. Considering this experience, the European Commission implements a policy that requires EU members, Latvia included, to assume responsibility for the well-being and right of all people on their soil.

Conclusions in summary

- Governmental institutions do not consider the issues of immigrant integration sufficiently. There is no data on the access to health care, education, and other social services for immigrants and their families. There are no studies available examining the socioeconomic situation of immigrant families or monitoring discrimination against immigrants. Due to the lack of attention paid to the immigrant population, a conclusion about indirect institutional immigrant discrimination can be drawn.¹⁸³
- Information about possibilities and procedures to obtain a residence permit in Latvia is not easily accessible (both before and after the arrival to the country). Therefore, there are cases when immigrants have received inaccurate information about the steps that they should take. All the same, possibilities to

¹⁸¹ Interview with Sigita Zankovska-Odiņa, a policy analyst at the Latvian Centre for Human Rights, April 2008.

¹⁸² Interview with Evija Meiere, the head of the Social Inclusion Policy Department at the Ministry of Welfare, April 2008.

¹⁸³ Indirect discrimination means that a procedure, some practice or a decision that has led to *de facto* situation where members of some group are subject to inadequate attitude or condition, is enough to assume that discrimination has taken place. This discrimination can be reversed only by eliminating it. Institutional discrimination in a company, some other organization or in society in general is related to generally accepted practice and procedures, which are created in a certain way in order to achieve a discriminating effect. Institutional discrimination often is indirect. Source: Makkonen, T. (2004). Is multiculturalism bad for the fight against discrimination? M. Scheinin and R. Toivanen (Ed.). Rethinking non-discrimination and minority rights. Turku: The Institute for Human Rights at Åbo Akademi University.

appeal against an unfavorable decision by the state authorities are few. There is no unified point of information for the immigrant to turn to for receiving information about his or her rights and integration options in Latvia.

- Third country nationals who are students in Latvia and would like to settle in Latvia permanently are not eligible to preferential conditions to apply for a permanent residence permit and citizenship. Such a situation contradicts political statements about attracting a highly qualified labour force to Latvia as it does not facilitate people with a higher education to stay in Latvia.
- Immigrant family members, who have arrived on the grounds of family reunion, are not able to enter the labour market soon after the arrival to the country due to complicated conditions set by the residence permit. If the family member decides to work, it is necessary to obtain a work permit as well as a new residence permit, which is issued on the basis of employment. It is rather unclear what happens when a family member leaves a job; it is not clear whether an application for a new residence permit on the basis of family reunion should be filed.
- The status of a guest worker who has received a temporary residence permit is not secure. The work permit can become invalid requiring the guest worker to leave Latvia within 45 days after the cancellation of his first work permit in the case of various changes in his or her employment (employer, the profile of professional tasks, etc.). This period of time may not be sufficient to organize new work and residence permits without leaving Latvia.
- Third country nationals with temporary residence permits are entirely dependent on their employer who processes the paperwork of their employment. The guest worker does not have many chances to defend oneself against unlawful behavior by their employer such as deception and the failure to process the guest worker's paperwork while employing him illegally. It is difficult for the guest worker with a temporary residence permit in Latvia to appeal against an unjustified layoff because the term allowed for the appeal is too short to find legal assistance and submit the case to the court. A guest worker with a temporary residence permit is also not eligible to receive governmentally sponsored legal assistance. But individuals who reside in the country illegally – as would be the case after the guest worker in Latvia loses their job – also are not eligible to governmentally sponsored judicial assistance.
- The procedure of employing guest workers in Latvia is administratively complicated and expensive, when compared to its other Baltic neighbours. It is almost six times more expensive than in Lithuania, and almost eight times than in Estonia. Applications for work and residence permits need to be filed with two different governmental institutions. Such a situation creates incentives for employers to evade state requirements while still employing immigrant workers, the outcome is illegal employment. The governmental decision to establish a “one stop agency” and starting July 2008 to reduce fees for employing third country nationals should help decrease the incentive for businesses to employ immigrants illegally in Latvia.

- Immigrants who reside in Latvia with a temporary residence permit are in an unfavourable situation as compared to those who have a permanent residence permit in Latvia or those with long-term resident status of the European Community in Latvia. Immigrants with a temporary residence permit, and their children, cannot access publicly funded health care, education, social and legal services. Such families are at risk of socioeconomic hardship and exclusion.
- The situation of children with temporary residence permits in Latvia contradicts international norms as well as local legislation, which require that all children should have free access to compulsory education at least on some basic level. The same applies to the access to health care services. Children should have access to the publicly funded health care system. These services for children with temporary residence permits in Latvia are not available free of charge. Thus, there is a concern about whether the restrictions in Latvia are objectively justified.
- Immigrants with a temporary residence permit are not eligible to receive publicly funded health care, social assistance, unemployment benefits, or publicly funded legal advice regardless of the fact that via their legal employment they pay income and social taxes equivalent to those of the local workers.
- Experiences of the countries of western Europe indicate that there is a need to address the issue of immigrant housing as it forms one of the pillars of immigrant integration. There should be a housing policy in place which would stimulate the integration of immigrants contrary to their isolation from the local society. Thus far this issue has not been addressed in Latvia.
- There are no publicly supported Latvian language courses available for immigrants. The individuals themselves and their employers have the responsibility to comply with the state language law. Obedience to the law is controlled via measures of punishment rather than offering positive motivation in the form of language courses. The lack of support for Latvian language acquisition has a negative impact on an immigrant's integration into the labour market and society in general. The lack of Latvian language knowledge hinders an individual's ability to follow the news in Latvian, protect one's own rights and to achieve a better standard of living. There is also no governmentally sponsored education program where immigrants could learn about Latvia's history and customs.
- There is no governmental policy on how to facilitate the integration of children from diverse cultural backgrounds into the educational system in Latvia, where the majority of the curriculum is in Latvian. Children from other cultural and linguistic backgrounds may suffer academically, due to the lack of a system for their gradual inclusion.
- There are concerns about how prepared the professionals of the law enforcement, social care, health care, education and culture are for working with a culturally diverse population. A national policy is needed aiming to develop better cross-cultural communications skills among professionals in the above mentioned fields.

- Although many EU and international anti-discrimination norms are integrated into Latvia’s legislation, in reality the prevention of discrimination is still insufficiently effective. The small number of officially registered discrimination cases is an indicator of this.
- There is a risk of immigrant political alienation as immigrants do not have the right to vote in municipal elections and, overall, have very limited options for political participation. This can lead to a similar situation as with the integration of Latvia’s post-Soviet non-citizens resulting in another group of people who do not feel they belong in this country, who cannot influence decisions, and whose human potential is not being used.
- There is little information about the life and experiences of immigrants in Latvia as shown and discussed in the public space. Information currently provided by the mass media tends to be sensational and does not promote a mutual understanding between the newcomers and the local society. Responsibility for this situation rests on the politicians and the mass media.

	THE TYPES OF LONG-TERM RESIDENCE PERMITS		
	Temporary residence permit	Permanent residence permit	A long-term resident status of the European Community in Latvia
Receiving residence permit	May receive in the country of residence or in Latvia after entering with a visa	May receive after at least five years of residence in Latvia with a temporary residence permit	May receive after at least five years of residence in Latvia with a temporary residence permit
Duration of the residence permit	Issued for a maximum of five years. After expiration there is an option of extension. Exceptions: Self-employed individuals are eligible for a residence permit for a maximum of one year. In the case of the family reunion, family members receive residence permits for the duration of the permit issued to their sponsor	Issued for five years. After it expires, there is an option of extension or naturalization	Issued for five years. After it expires, there is an option of extension or naturalization

	THE TYPES OF LONG-TERM RESIDENCE PERMITS		
	Temporary residence permit	Permanent residence permit	A long-term resident status of the European Community in Latvia
Governmental institutions involved in issuing residence permits	Office of Citizenship and Migration Affairs (OCMA) which issues work and residence permits, and the State Employment Agency which approves the invitation after verifying the vacancy	OCMA	OCMA
Latvian language test	No	Yes	Yes
Access to labour market	Work permit needed	Free – no work permit needed	Free – no work permit needed
Mobility in the labour market	Tied to one employer	No restrictions	No restrictions in Latvia or no restrictions in some other EU country after working for one year there
Access to publicly funded social support and health care	No	Yes	Yes
Access to publicly funded education	No	Yes	Yes
Support for housing	No	No	No

References

- Akule, D. (2007). The effects of fear of immigrants on the decision making in Latvia: a boost or an obstacle to development? A. Pabriks (Ed.). *Effect of migration on European political thought and decision-making process*. Valmiera: Vidzeme University College.
- Akule, D., Lulle, A. (2008). *The challenges facing migrants from Belarus, Moldova and Ukraine on labour markets and in societies of the new EU member states: Country field research on Latvia commissioned by the Soderkoping process secretariat*. International Organization of Migration. (Unpublished)
- AK Europa (2007). *Circular migration – Issues paper on circular migration*, p. 4. http://www.no-fortress-europe.eu/uploadFortress/Austrian_Chamber_of_Commerce.pdf Viewed on 20.06.2008.
- Austers, I., Golubeva, M., Strode, I. (2007). *Skolotāju tolerances barometrs* [Teachers' tolerance barometer]. Riga: Centre for Public Policy Providus.
- Castles, S., Davidson, A. (2000). *Citizenship and migration: Globalization and the politics of belonging*. New York, NY: Routledge.
- Djačkova, S. (2007). *Latvijas situācija diskriminācijas novēršanā* [Situation in preventing discrimination in Latvia]. Riga: Latvian Centre for Human Rights. http://www.humanrights.org.lv/upload_file/djackova.ppt Viewed on 25.05.2008.
- European Commission against Racism and Intolerance (29.06.2007). *The third report on Latvia*. Strasbourg: ECRI. http://www.coe.int/t/e/human_rights/ecri/1-ecri/2-country-by-country_approach/latvia/ Viewed on 25.05.2008.
- Fargues, P. (2008). *Circular migration: Is it relevant for the South and East of the Mediterranean?* Florence: Robert Schuman Centre for Advanced Studies. <http://www.eui.eu/> Viewed on 20.06.2008.
- Frolova, L. et al. (2007). *Darba tirgus pieprasījuma ilgtermiņa prognozēšanas sistēmas izpēte un pilnveidošanas iespēju analīze* [Labour market demand: System for long-term modeling and exploring improvement opportunities]. Riga: Ministry of Welfare.
- Funning, B. et al. (2007). *Irish political parties, immigration and integration in 2007*. Dublin: University College Dublin. <http://www.ucd.ie/mcrist/Political%20Parties,%20Immigration%20and%20Integration.pdf> Viewed on 25.05.2008.
- Golubeva, M., Rožukalne, A., Kažoka, I. (2007). *Izaicinājums pilsoniskajai līdzdalībai. Analītisks ziņojums par Saeimas un mediju monitoringu* [Challenge to civic participation: Analytical report on the Parliament and mass media monitoring]. Riga: Centre for Public Policy Providus.
- Golubeva, M. (2006). *Dažādības integrācija valsts vispārējās izglītības sistēmā* [Diversity in general education system in Latvia]. Riga: Centre for Public Policy Providus.
- Laiveniece, D. (2007). Iespējas skolotāju sagatavošanai darbam ar latviešu valodas kā svešvalodas apguvējiem [Opportunities for training Latvian as foreign language teachers]. *Konferences "Imigrantu integrācijas aspekti Latvijas sociāli ekonomiskajā vidē" rakstu krājums* [Conference proceedings "Aspects of immigrant integration into Latvia's socioeconomic environment"]. Liepāja: Soli pa solim, pp. 60–66.

- Makkonen, T. (2004). Is multiculturalism bad for the fight against discrimination? M. Scheinin and R. Toivanen (Ed.). *Rethinking non-discrimination and minority rights*. Turku: The Institute for Human Rights at Åbo Akademi University.
- Pabriks, A. (2007). Migration: Time to Change the Political Course. A. Pabriks (Ed.). *Effect of migration on European political thought and decision-making process*. Valmiera: Vidzeme University College.
- Pilsonības un migrācijas lietu pārvalde (2007). *Ģimenes atkalapvienošanās Latvijas Republikā, 2002–2006* [Family reunion in Latvia: 2002–2006]. Riga: Office of Citizenship and Migration Affairs. http://www.pmlp.gov.lv/?p=955&menu_id=164 Viewed on 25.05.2008.
- Pūce, I. (2005). Diskriminācijas novēršanas likums Latvijā [Anti discrimination Law in Latvia]. *Capacity building of civil society dealing with anti-discrimination: Training manual*. Brussels: Human European Consultancy in Partnership with the Migration Policy Group. http://ec.europa.eu/employment_social/fundamental_rights/pdf/civil/trainman_lv.pdf Viewed on 25.05.2008.
- Rauhvagers, A. (2002). *Recognition of foreign qualifications: Guide for recognition specialists*. Riga: Academic Information Centre.
- Šumilo, Ē. et al (2007). *Neregistrētās nodarbinātības novērtējums* [Evaluation of illegal employment]. Riga: University of Latvia.
- Šūpule, I., Krastiņa, L., Peņķe, I., Krišāne, J. (2004). *Etniskā tolerance un Latvijas sabiedrības integrācija* [Ethnic tolerance and societal integration in Latvia]. Riga: Baltic Institute of Social Sciences.
- Vēbers, E. (Ed.) (1994). *Etnosituācija Latvijā: fakti un komentāri* [Ethnic situation in Latvia: Facts and comments]. Riga: Latvian Academy of Sciences, Institute of Philosophy and Sociology.
- Zankovska-Odiņa, S. (2008). Plastilīna iecietība [Plasticine tolerance]. <http://www.politika.lv/index.php?id=15486> Viewed on 25.05.2008.

Latvian policy documents

- Ministry of Economy (29.04.2008). *Uzņēmējdarbības vides uzlabošanas pasākumu plāns 2008. gadam* [The plan for improving the environment for entrepreneurship for 2008]. <http://www.mk.gov.lv/lv/mk/tap/?pid=30329465&mode=mk&date=2008-04-29> Viewed on 25.05.2008.
- Ministry of the Interior (29.04.2008). *Informatīvs ziņojums par ekonomisko migrāciju Baltijas valstīs* [Informative report on the Economic Migration in the Baltic States]. <http://polsis.mk.gov.lv/view.do?id=2571> Viewed on 25.05.2008.
- Ministry of the Interior (04.03.2008). *Informatīvais ziņojums par Vienotās patvēruma un migrācijas vadības sistēmas attīstības programmas 2006.–2009. gadam īstenošanu 2007. gadā* [Informative report on the Unitary asylum and migration management development programme 2006–2009, implementation in 2007]. <http://polsis.mk.gov.lv/view.do?id=1890> Viewed on 25.05.2008.
- Ministry of the Interior (19.06.2007). *Koncepcija par migrācijas politiku nodarbinātības kontekstā* [A Conception on Migration Policy in the Context of Labour Market]. 21.p. Not approved in the Cabinet of Ministers. http://www.pmlp.gov.lv/?p=70&news_id=1111&news_pos=0&menu_id=20 Viewed on 25.05.2008.
- Ministry of Education and Science (04.10.2006). *Valsts valodas politikas programma 2006.–2010. gadam: Informatīvā daļa* [The state language policy programme 2006.–2010. gadam: Informative part]

- 2006–2010: Informative report]. <http://polsis.mk.gov.lv/view.do?id=2057> Viewed on 25.05.2008.
- SAMSI (2007). *The basic principles of the society integration for 2008–2018: projects*. Riga: Special Assignment Minister for Social Integration.
- The Ministry of Regional Development and Local Government (30.07.1996). *Mājokļu politikas koncepcija* [The Conception of Household policy]. http://www.rapl.m.gov.lv/lat/majokli/politikas_dokumenti/ Viewed on 25.05.2008.
- (2008). *Deklarācija par Ivara Godmaņa vadītā Ministru kabineta iecerēto darbību* [The Declaration on the Action Plan by the Prime Minister's Ivars Godmanis Government]. <http://www.mk.gov.lv/lv/mk/darbibu-reglamentejosie-dokumenti/deklaracija/> Viewed on 25.05.2008.

EU directives and UN declarations

- UN Declaration of the Rights of the Child (1959). Principle 7 and 4. http://www.tiesibsargs.lv/lat/tiesibu_akti/ano_dokumenti/?doc=96 Viewed on 18.06.2008.
- Council directive 2004/114/EC (13.12.2004) on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service (paragraph 12). <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0114:LV:HTML> Viewed on 25.05.2008.
- Council directive 2003/109/EC (25.11.2003) concerning the status of third-country nationals who are long-term residents (paragraph 4). <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:016:0044:0053:EN:PDF> Viewed on 25.05.2008.

LR legislation

- The Medical Law, in force since 01.10.1997 with amendments prior to 08.11.2007.
- Protection of the Rights of the Child Law, in effect since 22.07.1998 with amendments prior to 08.03.2007.
- The Law on Support of Unemployed Persons and Persons Seeking Employment, in force since 01.07.2002 with amendments prior to 21.06.2007.
- Society Association Foundation Law, in force since 01.04.2004 with amendments prior to 02.11.2006.
- The Labour Law, in effect since 01.06.2002 with amendments prior to 11.10.2006.
- Immigration Law, in effect since 01.05.2003 with amendments prior to 20.12.2007.
- The Education Law, in force since 01.06.1999 with amendments prior to 19.12.2006.
- The Law “On Trade Unions”, in force since 02.01.1991 with amendments prior to 09.06.2005.
- The Law “Long-term resident status of the European Community in Latvia”, enacted on 21.07.2006, without amendments.
- The Law on Regulated Professions and Recognition of Professional Qualifications, in effect since 20.07.2001 with amendments prior to 13.12.2007.

The Law “On nongovernmental organizations and their associations”, in force since 29.12.1992 with amendments prior to 31.03.2004.

The Law “On State Social Insurance”, in force since 01.01.1998 with amendments prior to 08.11.2007.

The Law “On the Election of City, County and Rural Councils”, in force since 25.01.1994 with amendments prior to 16.03.2008.

The Citizenship Law, in force since 25.08.1994 amended 22.06.1998.

The Law on Political Parties, in force since 01.01.2007, without amendments.

The Law on Social Services and Social Aid, in force since 01.01.2003 with amendments prior to 20.12.2007.

The Law on the Social Benefits of the State, in force since 01.01.2003 with amendments prior to 08.11.2007.

Government regulations

The Cabinet of Ministers’ regulations No. 116 “Ārvalstnieku un bezvalstnieku nodarbināšanas kārtība Latvijā” [Procedure for employing foreigners and stateless persons in Latvia], in effect since 01.04.2000, with amendments prior to 07.08.2001.

The Cabinet of Ministers’ regulations No. 296 “Noteikumi par profesionālo un amata pienākumu veikšanai nepieciešamo valsts valodas zināšanu apjomu un valodas prasmes pārbaudes kārtību” [Regulations on the state language requirements and the procedure of verifying the level of the language knowledge for practicing professionals], in effect since 01.09.2000, with amendments prior to 19.12.2006.

The Cabinet of Ministers’ regulations No. 44 “Noteikumi par darba atļaujām ārzemniekiem” [Regulations on work permits for foreigners], in effect since 24.01.2004 with amendments prior to 05.06.2007.

The Cabinet of Ministers’ regulations No. 44 “Noteikumi par darba atļaujām ārzemniekiem” [Regulations on work permits for foreigners], in effect since 24.01.2004 with amendments prior to 05.06.2007.

The Cabinet of Ministers’ regulations No. 813 “Uzturēšanās atļauju noteikumi” [Regulations on residence permit], in effect since 03.10.2006 with amendments prior to 12.12.2006.

Appendix 1

Interviews with experts during April–May, 2008

State Institutions

- Ministry of Economy, head of the labour market forecast advisory board Jānis Ušpelis.
- Ministry of Education and Science, general education department, education development department deputy Valdis Bogdanovs.

- SAMSI, deputy chair Evita Kirilova.
- SAMSI, society integration department deputy Ruta Klimkāne.
- Naturalization Board, deputy Solvita Vība.
- State Employment Agency, deputy chair for Employment Policy Issues, Vija Račinska.
- OCMA, migration policy department head Ilze Briede.
- Ministry of Welfare, head of the social inclusion policy department Evija Meiere.
- Ministry of Welfare, head of the labour market development department Linda Dimante.
- Office of the Ombudsman, legal adviser Līga Biksiniece.
- Office of the Ombudsman, legal adviser Ieva Liepiņa.
- Sociolinguistics Department at Latvian Language Agency, chair Daiga Joma.

Non-governmental organizations

- Arabic Culture Centre, chairman Dr. Hosams Abu Meri.
- Afro-Latvian Association, vice-chairman George Steele.
- Latvian Centre for Human Rights, policy analyst Sigita Zankovska-Odiņa.
- Free Trade Union Confederation of Latvia, president Pēteris Krīgers.
- Employers' Confederation of Latvia, adviser on Education and Employment Affairs Ilona Kiukucāne.
- University of Latvia Social and Political Research Centre, director Nils Muižnieks.

Appendix 2

Abbreviations used in the text

EC	– European Commission
EC	– European Community
ECL	– The Employers' Confederation of Latvia
EU	– European Union
FTUCL	– Free Trade Union Confederation of Latvia
NGO	– Nongovernmental Organization
OCMA	– Office of Citizenship and Migration Affairs
SAMSI	– Special Assignment Minister for Social Integration
SEA	– State Employment Agency