



**MINISTRY OF THE INTERIOR OF THE REPUBLIC OF LATVIA**

Čiekurkalna 1 līnija 1, k – 2 Rīga, LV - 1026, fax 67829686, e-mail: [kanceleja@iem.gov.lv](mailto:kanceleja@iem.gov.lv), tel. 7219263

Rīga

03 December 2008 No. 7/2-21/5080

Mrs. Muriel GUIN  
Unit B/4 – Financial solidarity for  
asylum, immigration and borders  
DG Justice, Freedom and Security,  
European Commission

**Subject: Solidarity and Management of Migration flows; European Return Fund multi-annual programme and annual programme 2008**

Please find attached a multi-annual programme of the Republic of Latvia for the European Return Fund for the years 2008 – 2013 and annual programme for the year 2008.

Annex:

1. Multi-annual programme of the Republic of Latvia for the European Return Fund for the years 2008 – 2013 on 32 pages;
2. Annual programme of the Republic of Latvia for the European Return Fund for the year 2008 on 18 pages.

Yours sincerely,

Head of Responsible Authority  
State secretary

A. Straume

Iekšlietu ministrijas  
Eiropas lietu un starptautiskās  
sadarbības departamenta  
direktore *Tija Rinmane*

*T. Rinmane*  
02.12.08

*Inese Čodare*  
02.12.2008.

Inese Čodare  
Eiropas lietu un starptautiskās  
sadarbības departamenta  
direktora vietniece

02-12-2008

*A. Saare*  
1 A. Saarepina  
02.12.2008.

## NEOFICIĀLAIS TULKOJUMS:

Eiropas Komisijas  
Tieslietas, Brīvība un Drošība  
Ģenerāldirektorāta  
B/4 – Finansiālā solidaritāte  
integrācijas, migrācijas,  
un robežu jautājumos  
– vienības vadītājai  
**Muriel GUIN kundzei**

Par Solidaritātes un migrācijas plūsmu pārvaldības  
pamatprogrammu; Latvijas Republikas daudzgadu programma un  
2008. gada programma Eiropas Atgriešanās fonda ietvaros

Nosūtām Jums Latvijas Republikas daudzgadu programmu 2008 – 2013  
gadam, kā arī 2008. gada programmu Eiropas Atgriešanās fonda ietvaros.

Pielikumā:

1. Latvijas Republikas daudzgadu programma 2008 – 2013 gadam  
Eiropas Atgriešanās fonda ietvaros uz 32 lapas;
2. Latvijas Republikas 2008. gada programma Eiropas Atgriešanās fonda  
ietvaros uz 18 lapām.

Ar cieņu,

Vadošās iestādes atbildīgā amatpersona  
Valsts sekretārs



A. Straume

Inese Čodare  
Eiropas Tieslietu, Brīvības un Drošības Ģenerāldirektorāta  
direktora vietniece

07-12-2008

*A. Šaripina*  
07.12.2008.

## MULTI-ANNUAL PROGRAMME

MEMBER STATE:	The Republic of Latvia
FUND:	European Return Fund
RESPONSIBLE AUTHORITY:	Ministry of the Interior, Čiekurkalna 1 <sup>st</sup> line 1, k - 2, Riga, LV 1026
PERIOD COVERED:	year 2008 - 2013

### 1. SITUATION IN THE MEMBER STATE

Conclusions listed in this chapter are mostly based on the following research and planning documents.

First of all further statements within development of the European Return Fund's multi-annual programme in many aspects are made on basis of the results of European migration network research: Return that was completed in the year 2006. The aim of mentioned research is to evaluate return policy in Latvia by analyzing its positive and negative aspects as well as make contribution to sensitive and debatable issue on return policy of European Union member states. In preparation of this research there are used quantified information, normative and legislative acts, literature on return policy as well as information provided by competent state authorities involved in return management sphere.

Besides above mentioned research in the development of the European Return Fund's multi-annual programme there were also used materials presented in document "Strategy of State Border Guard activity for 2009 – 2011" that is developed by State Border Guard of Latvia in the year 2008. Mentioned document is medium-term planning document that is developed in accordance with requirements of Regulation of Cabinet of Ministers No.111 "Rules of order of Cabinet of Ministers", dated 12<sup>th</sup> March 2002. The Aim of development of this document is to define further development direction as well as improve planning process considering political planning documents. Mentioned strategic document includes questions connected to fulfillment of current functions as well as realization of new functions beyond Latvia's territory, within borderland and at the sea. Taking into account presented summarized statistics, in this document there are made conclusions on which are based plans for future actions within appropriate spheres.

#### *1.1. The national situation and the migratory flows affecting it*

##### *1.1.1. Description of Migration Flows*

When analysing the situation in Latvia concerning migration issues, it is important to acknowledge the processes that influence directions and development of migration flows. Among the most significant ones are: steady economic development of European countries, Eastern Europe in particular, increase of social well-being, labour market development and the shifting directions of migration flows. Thus, the current trend is for Scandinavian countries and Germany to become the most popular destinations for migrants, while the Russian Federation, Belarus and other Commonwealth of Independent States (hereafter CIS) states act as transit countries.

The most significant factor to be mentioned that directly influences migration range development in Latvia is Latvia's membership in the European Union and integration into the Schengen zone. Therefore, a risk factor to consider is the fact that there will be an increase in the number of persons who wish to obtain residence permit in the Republic of Latvia in order

## Annex 1

to later obtain rights to move freely in the whole European Union. According to information from agencies in Russian Federation and the Republic of Belarus, these countries host up to a million potential illegal immigrants whose goal destinations are Western European or Scandinavian countries. Analysis of recent years' tendency shows that migration trends in the Republic of Latvia are the following:

- persons who enter with valid visas and remain in the Republic of Latvia illegally (exceeding the visa period of validity). The persons of this group usually also take illegal employment;
- citizens of CIS countries who try to enter Latvia both with forged or invalid travel documents through border control points or by avoiding them, crossing the *green border* in order to illegally reside and work in Latvia;
- persons who try to use Latvia as a transit state on their way from CIS countries (that is where also illegal immigrants from Asian and African countries arrive before their way to Western Europe). Immigrants of this group usually are apprehended at border both when entering and leaving a state. Immigrants of this group usually enter Latvia with valid travel documents of their respective state (mostly CIS citizens), but later try to purchase forged Latvian documents in Latvia or use already prepared forged travel documents in order to go to Western Europe or Scandinavian countries.

The most actual trend that requires attention and has serious impact on controlling of migration flows is the last one from the trends mentioned above. Its existence can be explained by comparatively unfavorable economical situation in Latvia. That is why comparatively high percentage of illegal immigrants prefers rather not to stay in Latvia, but use it as transit on their way to countries with more developed and favorable economic conditions.

Statistics shows that the greatest flow of illegal immigrants is on the Latvian-Belarusian border. For immigrants from CIS countries Latvia is not a final destination, but rather a transit territory from where to proceed to Western European states. A great number of illegal immigrants are trying to travel to Sweden and Germany by using maritime traffic from Latvian seaports in Riga and Liepaja. However, usually United Kingdom, Sweden, Denmark and Ireland are chosen as the final destination traveling there through Latvia. This situation is predicted to remain unchanged, since Belarus is used as a transit state mainly by illegal immigrants from Ukraine and the Republic of Moldova. Due to its geographical location Belarus is in the same condition as Latvia regarding transit country status for immigration and is used by illegal immigrants from Ukraine and the Republic of Moldova who try to use as transit country first of all Belarus and afterwards Latvia (as both countries are neighbor countries) on their way to United Kingdom, Sweden, Denmark and Ireland. Among zones of risk still will remain the Latvian-Belarusian border, as well as *Riga* airport. Also due to the cancellation of border control on scheduled sea routes inside EU, it is reasonable in the future to expect the increase of illegal immigration pressure via sea ferry lines.

On the 21<sup>st</sup> of December 2007, Latvia joined the Schengen zone, and it is vital to play a part in securing common freedom, security and creating the rule of law in the European Union by enabling people to travel freely and guaranteeing a high level of security. Thus, Latvian services responsible for border control must provide the required level of border security for the sake of all European Union member states

As migration flows towards Latvia or their transit increases, the role of State Police and State Border Guard will grow substantially in order to prevent and exclude growth of number of crimes. To organise a migration policy that corresponds to Latvian national interests in this context, tasks of migration services will be changed, a far greater priority will be given to preventive measures and cooperation with illegal immigrants' origination and transit countries.

## Annex 1

Currently Latvia is not a final destination of migration flows, however, its use as a transit state for illegal (economically-motivated in particular) immigration is on the rise. Large groups of illegal immigrants have not been recorded in recent years, yet there are several hundred illegal immigrants apprehended at the Latvian border and inside the state each year.

### *1.1.2. Groups of Returnees*

According to existing legislation of the Republic of Latvia, returnees can be divided into following groups:

- Foreigners residing in Latvia that have breached order of entry or residence of the Republic of Latvia for foreigners stated in the official laws and regulations. Mostly, these are persons who have entered the state legally and have not left the state after their permission for legal residence has expired, and continue to reside in the Republic of Latvia illegally.
- Foreigners whose residence permit's period of validity has expired or residence permit is cancelled and who did not leave Latvia as stated in the official laws and regulations stipulated term – 45 days
- Foreigners who have illegally crossed the state border of the Republic of Latvia or breached order of entry or residence of the Republic of Latvia for foreigners stated in the official laws and regulations in some other way, and this is discovered in borderland or at the place of border crossing.
- Foreigners who have not left the Republic of Latvia within seven days after the receipt of return decision and has not appealed against the return decision within seven days after its receipt to the head of the Office of Citizenship and Migration Affairs.
- Persons who have been denied refugee or alternative status, if refugee or alternative status application was considered at the border control point (upon arrival of person from foreign state to the Republic of Latvia), or whose applications have been considered in the shortened procedure (while person is staying in the Republic of Latvia).
- Foreigner who has served his sentence in detention facility of the Republic of Latvia and who has no legal right to reside in the Republic of Latvia after serving the sentence for crimes committed in the Republic of Latvia.

As a separate person group there must be placed emphasis on those foreigners, who move permanently to the Russian Federation according to the agreement between the Government of the Republic of Latvia and the Government of the Russian Federation on regulation of migration processes and protection of migrants' rights<sup>1</sup>. This agreement concerns persons who voluntarily move for permanent living from the Republic of Latvia to the Russian Federation.

Besides, in Latvia there still are such persons who keep residing in state illegally since the times when Latvia was a part of USSR, they reside with invalid identification document – USSR domestic passport, but cannot be returned yet. This group also includes persons who have been imprisoned before 1990, but have gone at large already in independent republic.

Providing documents for foreigners who have breached residence rules in the Republic of Latvia and who do not have valid travel documents to return to their home state requires some time. Until the receipt of return documents, the person, regardless of the place where he or she has been apprehended, are transferred to State Border Guard Riga Department Illegal Immigrants Accommodation Centre For purposes of simplifying tasks, the Immigration

---

<sup>1</sup> Agreement between the Government of the Republic of Latvia and the Government of the Russian Federation on regulation of migration processes and protection of migrants' rights, Moscow, 02.06 1993.

## Annex 1

Service of Riga Department of State Border Guard takes over all cases of foreigners apprehended on the territory of Latvia.

### *1.1.3. Voluntary Return*

Except for the voluntary return programme managed by Office of Citizenship and Migration Affairs in collaboration with the migration service of the Russian Federation, there are no other such programmes to encourage return of immigrants to their home countries or previous countries of stay. It is partially explained by the insufficient funding for creation of such programmes. Yet, the other reason might be the relatively small amount of apprehended and potential illegal immigrants in the state. The current situation might be changed, if resources intended for forced return of illegal immigrants would be directed towards the creation of voluntary return programme. Doing so would eliminate the chances that persons who illegally reside in neighbouring countries would flow to Latvia to receive material assistance for return to their previous state of stay or origin state.

As regards the voluntary return programme that is realised by Office of Citizenship and Migration Affairs in collaboration with migration service of the Russian Federation, on January 1, 2006 there came into force the Regulation of Cabinet of Ministers No. 738 dated October 18, 2005 "Procedure of payment of emigration allowance to retired Russian military personnel and their family members". This regulation concerns migrants who have permanent residence permit in Republic of Latvia or who have been refused the status of non-citizen<sup>2</sup> of Latvia and obtained citizenship of another state, if they permanently emigrate to live outside the Republic of Latvia. The group described in this paragraph is not addressed as a target group for implementation of the European Return Fund. However this information is placed in this chapter, because the chapter should present information in general on voluntary return sphere at the given moment in Latvia.

No more activities were carried out in Latvia in the voluntary return sphere. However, the principle of voluntary return in Latvia is applied to the following groups:

- Citizens of third countries who legally reside in Latvia and who have decided to leave the state and voluntarily return to their citizenship state or state of ethnic origin;
- Citizens of third countries whose residence permits expire or are cancelled.

According to legislation, such persons must leave the state within 45 days. Thus far, there have been also no information campaigns about voluntary return.

### *1.1.4. Forced Return*

#### **Roles of the Institutions Involved**

The institutions involved in control of illegal migration in Latvia are the Office of Citizenship and Migration Affairs, State Border Guard, Consular department of the Ministry of Foreign Affairs, consular and diplomatic representations of the Republic of Latvia, and also regional (city) courts. These mentioned institutions act according to the Asylum law passed on September 1, 2002, and relevant Regulations of Cabinet of Ministers, and according to

---

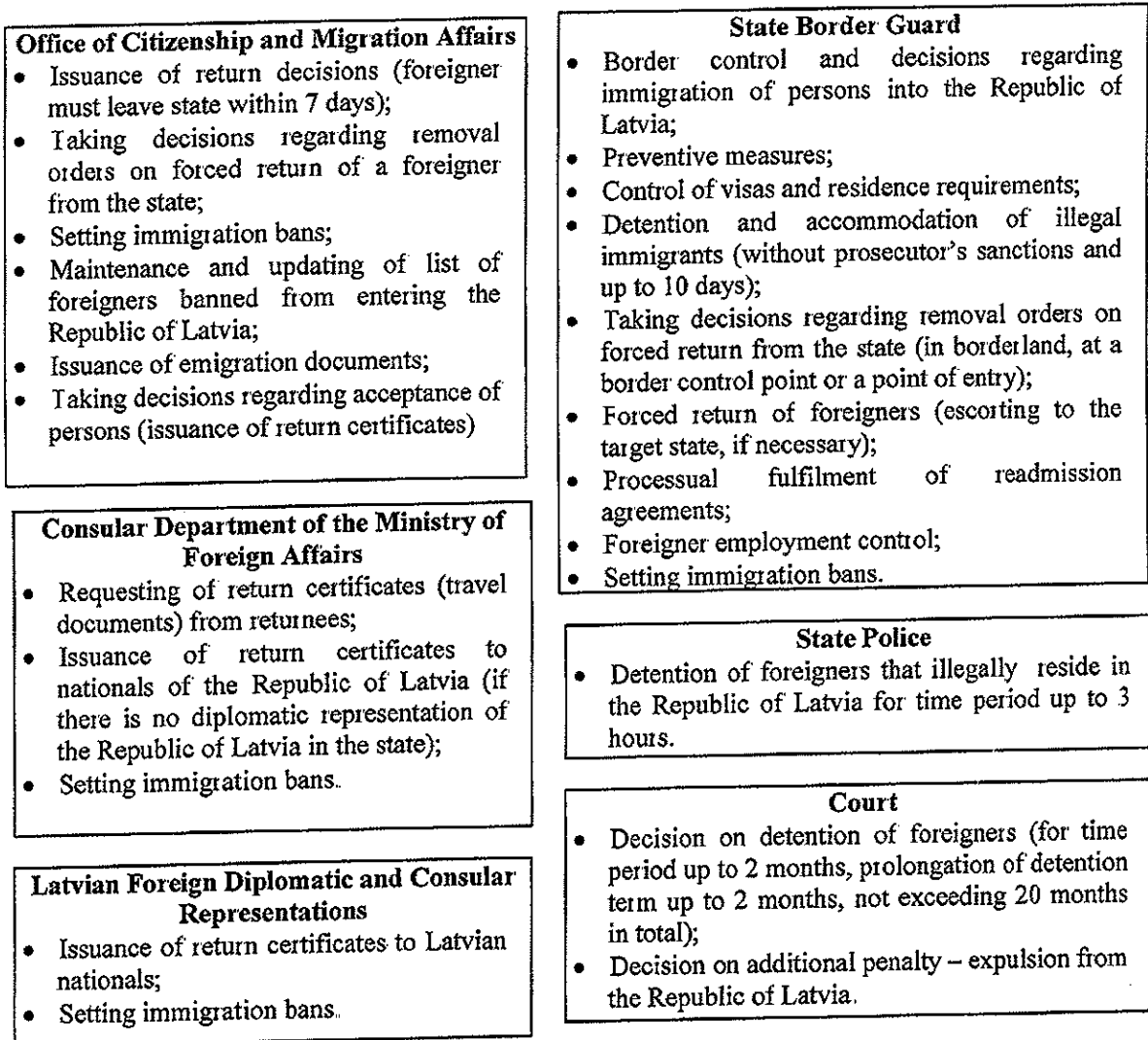
<sup>2</sup> Non-citizens are inhabitants of the Republic of Latvia, that belong to special category and whose status is prescribed by special law "On the Status of Former USSR Citizens Who are not Citizens of Latvia or Any Other State". Non-citizens are former USSR citizens, who's last registered place of residence on July 1, 1992 was Latvia, if they did not obtain citizenship of another state. Non-citizens as well as citizens are under protection of the Republic of Latvia, they are provided with traveling document (non-citizen's passport) that is issued by authority of the Republic of Latvia and it is forbidden to deport them from Latvia. The most essential difference between status of citizen and non-citizen is within the framework of political rights, because non-citizens do not have right to take part in elections and to be a candidate within one, as well as to hold definite offices. Non-citizens have right to obtain citizenship of Latvia by naturalization, as well as to refuse from status of non-citizen by obtaining citizenship of another state. If a person was not divested a non-citizen's status, former non-citizen after obtaining of citizenship of another state has right to get permanent residence permit and reside in the Republic of Latvia.

## Annex 1

Immigration law of the Republic of Latvia passed on May 1, 2003, and its subsequent legislation.

The chart below shows information about roles of state institutions involved in control of illegal immigration.

Figure 1



Since December 21, 2007, when Latvia joined Schengen treaty member state zone, new functions have been added to competencies of institutions involved in migration process control:

- 1) when approving invitations, issuing visas or residence permits, checking the legality of a person's residence in the Republic of Latvia, it is compulsory to check person data in the Schengen information system;
- 2) creating of reports in Schengen information system according to provisions of Schengen convention;
- 3) providing of consultations in cases when a person has been recognised in Schengen information system;
- 4) sending of personal documents to Latvian office of SIRENE, in cases when there are taken decisions to include a person in the Schengen information system

Due to joining the Schengen zone, the Office of Citizenship and Migration Affairs, by December 21, 2007, performed selection in the *National* immigration ban register and a check of selected persons' cases in order to inform the relevant authorities that had made decision on imposing of a national immigration ban, and, when necessary, to be able to decide on

## Annex 1

including in Schengen information system of reports on persons who had received a national immigration ban before December 21, 2007 and immigration of whom may also be unwanted within territory of Schengen member states.

After the abolishment of internal border control, the previously employed workforce in sphere of internal border control was transferred to Immigration divisions of the State Border Guard. The number of divisions increased to 44 units, and the number of staff grew from 172 to 496 border guards. Currently, the State Border Guard College provides month-long training courses for border guards who were transferred to Immigration service. Training also includes acquirement of conveying and forced return procedure skills.

Taking into consideration facts that the Eastern border of the Republic of Latvia (Latvian-Russian, Latvian-Belarusian) is being constantly upgraded, that the number of employees of State Border Guard Immigration units on the whole state territory is being optimised, and that staff training is ongoing constantly, the State Border Guard currently is capable of effectively combating illegal immigrants both at the state border, and inside the state by performing identification of illegal immigrants.

### **Forced Return Procedures**

In the field of foreigner return in Latvia mainly are performed procedures of forced return of person. These procedures are realised by the State Border Guard and Office of Citizenship and Migration Affairs.

Latvia implements a two-stage return system— first, foreigner is issued a return decision according to which the foreigner is obliged to leave the state within seven days. If the foreigner has not left the state in the prescribed time voluntarily and has not appealed the return decision, a decision is taken on issuance of a removal order. Immigration law also provides for exceptions, when removal order can be issued without issuing a return decision.

An official of Office of Citizenship and Migration Affairs takes decision on issuance to foreigner return decision, setting an immigration ban term for time period up to three years and requests to leave the Republic of Latvia within seven days, if the foreigner, while staying in Latvia, has breached the order of entry or residence of the Republic of Latvia for foreigners stated in the official laws and regulations.

The decision on removal order is taken by the head of the State Border Guard or an official acting on his behalf, if a foreigner has illegally crossed the Latvian state border or in some other way breached order of entry or residence for foreigners in borderland of the Republic of Latvia or at border crossing point. The decision may include immigration ban from three up to five years.

Meanwhile, an official of the Office of Citizenship and Migration Affairs makes a decision on removal order, if:

- a foreigner has not left the Republic of Latvia within seven days from the receipt of an return decision and has not appealed return decision to the head of Office of Citizenship and Migration Affairs, or such appeal has been rejected;
- an official of the State Border Guard has apprehended a foreigner inside the territory of the Republic of Latvia.

Forced return is also applied in cases when, after serving sentence for crimes committed in Latvia, foreigner has no more legal basis to stay in the Republic of Latvia. The Criminal law also foresees forced return from the state as one of additional penalties for crimes committed in Latvia.

Immigration law in particular prescribes procedures of apprehension and keeping under arrest and cases when it can be decided to include a foreigner in the list of persons who are barred from entering the Republic of Latvia.

If the returnee does not possess a valid travel document and it is impossible to obtain such a document through consular services, the returnee is issued an emigration document. The form of emigration document is developed on the basis of November 30, 1994 European

## Annex 1

Union Council recommendation about implementation of standard travel documents for forced return of citizens of third countries.

If a person is issued a return decision or removal order, the foreigner is not entitled to the option to return to his or her homeland using voluntary return principles. In most cases, one person receives only one type of aforementioned expulsion decisions. There are usually not more than five cases per year, when one person receives both types of expulsion decisions.

An issued return decision or removal order can be cancelled or suspended:

- for humanitarian reasons – the foreigner submits documents that prove that it is necessary for him or her to reside in the Republic of Latvia and he or she has no possibilities to return and reside in his or her state of citizenship or homeland; responding on international rights or on the interests of Latvia – the foreigner submits an application from a direct regulatory authority certifying the necessity of the foreigner's presence in the Republic of Latvia.

If return decision or removal order is cancelled, the person is issued decision indicating further actions to legalise his or her presence in Latvia.

By 2006, the main problem connected with forced return of foreigners from Latvia was the fact that returnees, after receipt of removal order of the Office of Citizenship and Migration Affairs and when apprehension term was not extended, used to avoid forced return and continued to reside in Latvia illegally.

The main reasons why a foreigner issued with a voluntary return decision does not leave the state are the following:

- the person has no money for emigration;
- the person has lost connection with the homeland while residing in Latvia (no relatives, no place to live);
- poor economic situation in the person's homeland;
- relatives in Latvia.

However, the situation improved rapidly in late 2005 with amendments of Immigration law, which established criteria for court decision about extension of illegal immigrant's apprehension term or refusal of such extension. When deciding whether to extend apprehension term or not, the judge has to point out the established facts, conclusions and arguments which support the relevant taken decision.

### **Costs of Forced Return**

The cost of forced return depends on the target state where foreigner is being returned. The largest expense is the airplane ticket price. Usually returnees are escorted by two State Border Guard employees. Forced return costs consist of:

- travel costs for the returnee;
- travel costs for the escort;
- escort business trip related expenses.

The table below shows forced return expenses for previous years and planned forced return expenses for 2008.

## Forced Return and Conveying Costs

Table 1

Expense Type	2005		2006		2007		2008	
	Number Of Persons	Actual Costs, Ls	Number Of Persons	Actual Costs, Ls	Number Of Persons	Actual Costs, Ls	Number Of Persons	Planned Costs, Ls
Number of returnees	190	-	139	-	151	-	240*	-
Travel expenses (for 1 returnee and 2 conveying persons)	570	20 577	417	15 054	453	16 353	720	25 992
Visas (for 1 returnee and 2 conveying persons)	570	5 700	417	4 170	453	4 530	720	7 200
Per diem (for 2 conveying persons)	380	8 028	278	5 874	302	6 380	480	12 540
<b>TOTAL:</b>	-	34 305	-	25 098	-	27 263	-	45 732

\* planned number for 2008 is 240

### Apprehension and Keeping under Arrest

An official of State Border Guard is entitled to detain a foreigner:

- if the latter has illegally crossed the border of the Republic of Latvia or breached the order of entry or residence of the Republic of Latvia for foreigners stated in the official laws and regulations in some other way;
- if competent state authorities, including State Border Guard, have reasons to suspect that the foreigner represents a threat to national security or public order and security;
- in order to implement removal order on forced return of the foreigner from the Republic of Latvia

A State Border Guard official is entitled to detain a foreigner for up to 10 days. A State Border Guard official is entitled to detain a foreigner for more than 10 days only by decision of regional (city) court judge.

A State Border Guard official may submit repeated applications to extend the apprehension term, however, the total apprehension term may not exceed 20 months.

Keeping of foreigner under arrest may not be substituted by an alternative apprehension method. A judge takes the decision to apprehend or to release the foreigner on the basis of an application by a State Border Guard official. When taking a decision, the judge must present arguments why the decision to apprehend or to release has been taken.

If the State Border Guard apprehends for illegal residence in the state a foreigner who has relatives in Latvia, the judge often releases such persons in order to procure necessary emigration documents while staying with relatives. However, such decisions are in certain contradiction to Immigration law, because the judge allows the foreigner to freely reside in state without documents (mostly without money and means of support as well) and without entitlement to work.

The most frequent reasons for foreigner apprehension are breaches of entry, residence and visa regulations or working without work permit.

### Transportation and Forced Return Measures

Forced return of foreigners is carried out by officials of the State Border Guard service (division). Before forced return of a foreigner, the Immigration officials evaluate the returnee's personal characteristics, the number of returnees, the travel document in possession of the returnee, requirements of return agreements, so called readmission agreements, other circumstances (escorting distance, optimal available transport, time allowed for forced return) in order to be able to determine escort staff and route. Foreigners may be escorted as far as the

## Annex 1

border of the Republic of Latvia, however, if Immigration officials decide that escorting as far as the Latvian border does not guarantee foreigner's forced return or there is a risk of illegal re-immigration, the head of State border guard, on the basis of a written report by Immigration officials, may direct the escort to:

- neighbouring state rail or airport border control point;
- forced return target state border control point;
- forced return route transit state border control point.

If foreigner's forced return is impossible due to objective reasons, or the returnee is returned, or the returnee illegally re-enters Latvia after forced return, immigration official decides on:

- immediate repeated forced return from the same border control point, upon agreement of neighbour state border guard or other border control point;
- placement of foreigner in a room specifically designed for arrested and apprehended immigrants, until necessary documents are prepared or other formalities settled;
- transfer of foreigner to the territorial border guard department that has organised forced return or placement in Illegal immigrant accommodation centre.

Currently, the State Border Guard conveys persons as far as the state border, transit state or place of residence in the homeland. Situation of every returnee is different. Success is both in quantity and quality. An important issue is the cost of forced return.

So far, there have been no cases of returnees' collective resistance against forced return.

The State Border Guard staff involved in forced return tasks are specially trained to work with returnees. During forced return procedures, the officials of State Border Guard Immigration divisions also observe internal regulations of State Border Guard.

As to practical organization of forced return foreigners are most often returned via land routes (busses, trains). For forced return via air routes, scheduled flights are used. Such practice is the cheapest and most convenient at the moment. Latvia has no practical experience in forced return by air with purpose-organised chartered flights. Such flights are very expensive and usually used for forced return of persons who resist forced return in every possible way and normal forced return is impossible. So far, there have been no such persons in Latvia, and forced return by scheduled flights is not very frequent either.

However, on November 25, 2003, European Union accepted Council directive 2003/110/EC regarding assistance in transit cases to perform forced return by air, which regulates forced return transit through airports of other member states. If necessary to ensure forced return of illegal immigrants transiting them through other states, the State Border Guard must address relevant state authority, which is responsible for immigration control, and this authority has to provide support in securing transit. Forced return of this type may take place to states in remote regions (for example, Chad, Senegal, Bolivia, etc.). This procedure is effective in terms of saving money and time and preserving labour resources.

It is important that persons with "unknown" destination are not returned from Latvia. According to legislation, in order to return someone, it is necessary to find out this person's identity, which includes the state this person has arrived from. For the respective state to issue a return document, it must be proven that the particular person is a national of the given state. It signifies of legislative alignment and adherence to it, as well as democratic attitude. Meanwhile, adoption of European Council directives and decisions regarding return indicates successful work of authorities involved in migration process control.

### **Sustainability of Forced Return**

If a ban to enter the Republic of Latvia is issued simultaneously with a return decision or removal order, information on the foreigner is included in an electronic information system – Immigration ban register. If a foreigner is issued with a return decision, he or she can be banned from entering Latvia for a period up to three years. If a decision is made in favour of a

Annex 1

removal order, the immigration ban can range from three to five years. In cases connected with threats to national security, public security and order, foreigners can be issued an unlimited or limited time immigration ban.

At a request of the foreigner, immigration ban terms can be changed or the ban can be cancelled, if legal or factual circumstances of the case have changed.

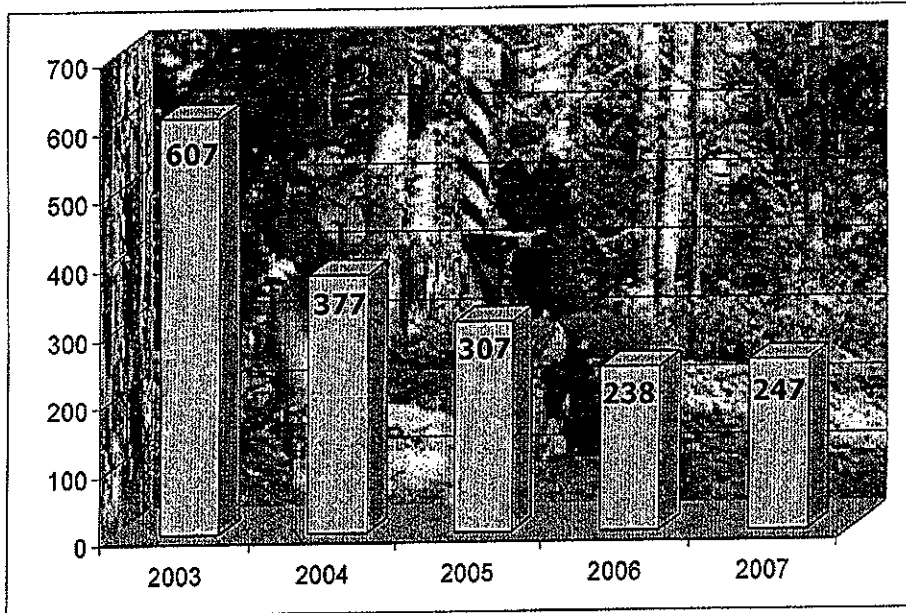
Upon apprehension a person who is banned from entering the Republic of Latvia, circumstances of immigration are clarified. If it has happened repeatedly during one year, a criminal case is instigated. After serving the sentence, the person is returned from the state.

**Statistics of Apprehended and Returned Foreigners**

The figure and tables below schematically depict the situation connected to persons who have attempted to cross the state border illegally in recent years and data about issued return decisions and removal orders during time period from 2003 to 2007.

**Number of Apprehended Foreigners (3 305 persons in total)**

*Figure 2.*



**Number of Return Decisions Issued (462 decisions in total)**

*Table 2*

	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	number					% from total number				
<b>Total</b>	243	41	24	70	81	100%	100%	100%	100%	100%
Russian citizens	19	14	10	15	20	8%	34%	37%	21%	25%
Lithuanian citizens	167	10	0	0	0	69%	24%	0%	0%	0%
Ukrainian citizens	16	5	2	24	32	7%	12%	7%	34%	40%
Belarusian citizens	6	4	2	5	4	2%	10%	7%	7%	5%
Georgian citizens	3	0	0	2	0	1%	0%	0%	3%	0%
Estonian citizens	8	0	0	0	0	3%	0%	0%	0%	0%
Armenian citizens	0	1	2	15	10	0%	2%	7%	21%	12%
Others	24	7	8	9	15	10%	17%	30%	13%	19%

## Number of Removal Orders Issued (966 orders in total)

Table 3

	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	number					% from total number				
<b>Total</b>	<b>337</b>	<b>194</b>	<b>149</b>	<b>129</b>	<b>154</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Russian citizens	77	61	49	37	28	23%	31%	33%	29%	18%
Lithuanian citizens	127	37	0	0	0	38%	19%	0%	0%	0%
Ukrainian citizens	20	38	33	18	19	6%	20%	22%	14%	12%
Belarusian citizens	27	19	6	4	7	8%	10%	4%	3%	5%
Georgian citizens	10	6	1	4	10	3%	3%	1%	3%	6%
Estonian citizens	22	5	0	0	0	7%	3%	0%	0%	0%
citizens from Rep of Moldova	0	4	18	35	53	0%	2%	12%	27%	34%
Armenian citizens	7	3	6	3	6	2%	2%	4%	2%	4%
Others	47	21	36	28	31	14%	11%	24%	22%	20%

Commenting on the given data, it is important to say that the number of apprehended foreigners is significantly greater than the total number of return decisions and removal orders, because during apprehended person's case processing it can be turn out that there is no ground for apprehension, and the foreigner is released. Another factor influencing such a difference is the fact that forced return measures do not always take place within one year. Expansion of the European Union after May 1, 2004 has also impacted migration policy in Latvia. The number of issued return decisions and removal orders has decreased. The majority of returnees before 2004 were citizens of those states that Latvia has common border with – Lithuanian, Russian and Belarusian citizens.

## Number of Forced Returned Persons (1094 returnees in total)

Table 4

	2003	2004	2005	2006	2007	2003	2004	2005	2006	2007
	number					% from total number				
<b>Total</b>	<b>366</b>	<b>244</b>	<b>166</b>	<b>133</b>	<b>153</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Russian citizens	82	81	59	39	34	22%	33%	36%	29%	22%
Lithuanian citizens	121	56	0	0	0	33%	23%	0%	0%	0%
Ukrainian citizens	47	44	37	20	20	13%	18%	22%	15%	13%
Belarusian citizens	27	19	9	6	11	7%	8%	5%	5%	7%
Georgian citizens	7	7	5	3	12	2%	3%	3%	2%	8%
Estonian citizens	26	6	0	0	0	7%	2%	0%	0%	0%
citizens from Rep. of Moldova	5	7	20	42	52	1%	3%	12%	32%	34%
Armenian citizens	6	6	6	3	6	2%	2%	4%	2%	4%
Azerbaijani citizens	6	3	5	5	1	2%	1%	3%	4%	1%
Uzbekistani citizens	3	2	4	2	2	1%	1%	2%	2%	1%
Israeli citizens	3	2	4	1	3	1%	1%	2%	1%	2%
Kazakhstani citizens	2	0	0	3	3	1%	0%	0%	2%	2%
Others	31	11	17	9	9	8%	5%	10%	7%	6%

Analysis of statistical data of recent years regarding numbers and nationalities of returnees (see Tables 2, 3 and 4) shows that this group is filled mainly by nationals of the former USSR republics. The reasons for this are, for example, Russian language skills, information about region, possible contacts with compatriots in the Baltic region countries, etc.

*1.1.5. Return Assistance*

Emigrants and their family members, who move from Latvia to permanently live in Russia under governmental agreement of the Republic of Latvia and Russian Federation about

## Annex 1

emigration process regulation and emigrant right protection, receive free information about emigration regulations, rights and duties to observe when moving to permanently reside in the Russian Federation, as well as information about rules of paid employment, education possibilities, professional qualification, re-qualification, professional orientation and other issues (nature and climate, accommodation and household, social issues, culture, etc.) in the state they have chosen as their permanent residence. Providing such information is the responsibility of Russian Federation Migration Department in Latvia.

Apprehended immigrants, in their turn, are entitled to contact the consular department of their respective state and receive legal assistance, and to gain access to materials of their apprehension either personally or through a representative. Providing legal assistance is the responsibility of the State Border Guard.

Besides that, State-provided legal assistance law prescribes offering free legal assistance to asylum seekers, refugees, or persons who have been granted alternative status, and to foreigners who are entitled to such assistance under mutual agreements between Latvia and other states, and citizens of non-EU member states if they are in Latvia legally and have received residence permit. Providing legal assistance is the responsibility of the Legal assistance administration; the Legal assistance administration is a direct regulatory authority under the Ministry of Justice.

### *1.1.6. Recognition and Obtaining of Travel Documents*

In order to obtain travel documents required for forced return, the Office of Citizenship and Migration Affairs sends documents it has received from the State Border Guard to Consular Department of Ministry of Foreign affairs, so that the latter one can apply to consular or diplomatic representation of the relevant state with the request for travel document. After the Consular Department of Ministry of Foreign affairs has received the travel document, it sends it to the State Border Guard.

From analysing foreigner forced return and related documents' preparation process, it is possible to tell that the current procedure of document preparation and forwarding delays the forced return process. That, in turn, increases foreigner accommodation expenses. Furthermore, the experience of State Border Guard shows that it is possible to obtain travel documents sooner if the State Border Guard itself turns to diplomatic or consular representation of the relevant state, however, it requires additional financing for payment of document preparation fee, which is not included in State Border Guard budget.

So far, cooperation with diplomatic and consular representations of returnees' states in relation to organisation of travel documents is considered to be good. In order to validate best practice in preparation of travel documents there are being prepared amendments of relevant laws and regulations.

Cooperation with recipient countries of the returnees is also considered to be good, if personal travel documents are in order. As already mentioned, most foreigners are returned through Russia. Persons from more remote states are transited through Moscow airports. Meanwhile, forced return of citizens from Ukraine and the Republic of Moldova takes place by road through Belarus.

If it is impossible to obtain travel document for a foreigner issued removal order, an emigration document is issued. The form of emigration document is developed on the basis of November 30, 1994 European Union Council recommendation about implementation of standard travel documents for forced return of citizens of third countries. Thus far, the Office of Citizenship and Migration Affairs has issued emigration documents to 59 persons. These persons had been unable to obtain return documents and also, according to applicable legislation, they could not be granted lawful legal status in the Republic of Latvia.

### 1.1.7. Bilateral and Multilateral Cooperation

In the management of the return sphere an important part is played by readmission agreements with third countries. The State Border Guard is responsible for execution of readmission agreements signed by the Republic of Latvia and European Union. Readmission agreements prescribe that one member state of the European Union, upon request of the other member state of the European Union, without delay and unnecessary formalities accepts a person, who does not meet the criteria to enter or reside in the territory of the other state, if it has been proven, or there is substantial basis to believe, that this person is a citizen of the recipient state. In the same way readmission agreements regulate the procedure of accepting foreigners who have breached immigration or residence rules of the other state, if it has been proven, or there is substantial basis to believe, that the foreigners have entered from the territory of the other state in particular, or they have a valid residence permit or visa of the first state. Execution of readmission agreements is mandatory and they facilitate the forced return process.

By now, Latvia had signed readmission agreements with 27 countries (Armenia, Austria, Lithuania, Estonia, Benelux, Bulgaria, Denmark, France, Greece, Georgia, Croatia, Iceland, Italy, Liechtenstein, Norway, Poland, Portugal, Rumania, Slovenia, Finland, Spain, Switzerland, Ukraine, Hungary, Uzbekistan, Germany and Sweden). Latvia has signed readmission agreements with almost all the oldest member states of the European Union, because it was one of preconditions for these states to sign visa-free travel agreement with Latvia. Out of the old member states, Latvia has not signed readmission agreements with the United Kingdom and Ireland.

The situation is different in respect to the new member states. Latvia has signed only a few readmission agreements – there is a trilateral readmission agreement between Baltic states, which is outdated, but new text cannot be agreed upon because of different opinions of the states; there are agreements with Hungary, Slovenia and Poland. The European Union, in its turn, has signed bilateral readmission agreements on behalf of all its member states with the following countries: Democratic Socialist Republic of Sri Lanka, Republic of Albania, Macau, Hong Kong – China, the Russian Federation, the Republic of Moldova, Montenegro, Serbia, Macedonia, Bosnia and Herzegovina, Ukraine.

In the time period between 2003 and 2007 on the basis of concluded readmission agreements there has been the forced return of 539 persons. This amount makes up approximately 49 % of the total number of forced returned persons between 2003 and 2007. In the table below there is presented more specific information on persons returned on grounds of readmission agreements.

Number of Persons Returned on Grounds of Readmission Agreements

Table 5

State	Date of Signing of Readmission agreement	2003	2004	2005	2006	2007	Total Number of Returnees
Lithuania	01.07.1995.	121	56	12	3	-	192
Estonia	01.07.1995.	26	6	12	3	2	49
Armenia	09.04.1997.	6	6	6	3	6	27
Ukraine	27.07.1997.	47	44	37	20	20	168
Russia	25.05.2006.	-	-	-	39	34	73
Other states	-	7	6	5	4	8	30
<b>Total:</b>	-	<b>207</b>	<b>118</b>	<b>72</b>	<b>72</b>	<b>70</b>	<b>539</b>

Considering all the information presented, it can be concluded that currently Latvia is not affected by serious illegal immigration problems, which are topical in other European Union member states, however, with joining the Schengen zone, the risk that illegal migrants will try

to use Latvia as a transit state for entering Schengen zone increases. Latvia is accessible enough to immigrants because of the liberal migration policy in Latvia.

### ***1.2. The measures undertaken by the Member State so far***

Unified asylum and migration management system development programme for 2006-2009 was developed within the framework of 2001 PHARE national programme: Asylum and Migration Management System, and approved in 2006. This programme is an important strategic document for Latvia, because it looks upon short- and long-term legal migration, illegal migration, asylum, identification documents and foreigner integration issues, and analyses of tasks in spheres of legislation, institutional and technical coverage. Among other issues, the programme includes activities with regard to combating illegal migration and forced return of illegal immigrants. Initially it was planned to develop programmes for ensuring voluntary return to homeland (motivation programmes, financial support, etc.), but this action has not received government budget support so far.

The accomplishment of tasks set forth by the programme is the responsibility of the following institutions: Ministry of Transport, Ministry of Foreign Affairs, State Border Guard, Secretariat of the Special Assignments Minister for Social Integration Affairs, Ministry of Economics, Ministry of Justice, Ministry of Welfare, Security Police and State Police.

A report is prepared each year and it contains information about achievement of tasks set forth by the programme. In 2006, the following tasks were accomplished in combating illegal immigration, with regard to the return sphere:

- 1) signing of illegal immigrants' readmission agreements;
- 2) evaluation and setting of criteria for inclusion of foreigners in Schengen Black List
- 3) amendments of Immigration law and regulations of Cabinet of Ministers, issuance of internal regulations;
- 4) staff training.

In 2007, the following programme tasks were accomplished in combating illegal immigration:

- 1) signing of illegal immigrants' readmission agreements;
- 2) staff training;
- 3) issuance of internal regulations.

#### ***1.2.1. Voluntary Return***

From 1998 to 2002, the Riga office of the International Organisation of Migration has successfully carried out several voluntary return projects and has helped 219 persons to return to their homeland. These persons mostly went to Russia – 21%, Armenia – 17%, Azerbaijan – 10%. However, after 2002 the Riga office of the International Organisation of Migration has been unable to attract funding for continuation of such programmes. Currently, the Riga office of the International Organisation of Migration has not established voluntary return assistance programmes in Latvia. This is explained by insufficiency of funding and human resources.

Within the framework of European Refugee Fund II Latvian multi-annual programme for 2005-2007 there was brought forward an action "Development of a system of voluntary return, as well as system for monitoring and follow-up after voluntary return". Approximately 5% of European Refugee Fund financing allocated to Latvia was intended for each year of this action (approx. 22 000 EUR). However, voluntary return actions were not carried out in that period, because there were no project applications received in the framework of calls of proposals that would solve the question.

## Annex 1

### 1.2.2. *Forced Return*

#### **Infrastructure**

Currently, the only foreigner accommodation centre is located in Olaine.

Reconstruction of Liepaja Board Seaport border control point, Immigration service and Administrative corpus in Liepaja was finished in September, 2007. The construction of complex was financed from Schengen Facility allocated funds. The complex consists of short-term detention isolation ward and asylum seekers' accommodation point. The short-term detention isolation ward can house 8 apprehended persons, and the asylum seekers' accommodation point can house two families of six persons and three persons with special needs.

#### **Information Systems**

A technical project of unified Register of Persons was developed within the framework of PHARE 2001 National programme's project "Asylum and Migration Management System", which enables rapid information exchange, thus securing required preconditions for successful migration process control and coordinated activity of involved institutions, and also enables data processing in accordance with international standards of automated processing of data of physical persons. The Register of persons must include management of the following citizenship and migration processes:

1. Personal status determination and documentation process;
2. ID issuance process;
3. Visa issuance process;
4. Residence permit and work permit issuance process;
5. Asylum seeker application processing and refugee or alternative status granting process;
6. Illegal immigration;
7. Legal migration and emigration, including from/to European Union states;
8. Foreigner forced return process.

However, legislation base and system of Register of persons has not been developed due to lack of funding.

#### **Training**

In November of 2005, officials of State Border Guard Main Board Immigration Board and State Border Guard Riga Board Immigration Service attended the theoretical part of EU-financed ARGO programme training project "Training on forced return measure by airlifting" organized by Netherlands. The practical part of the training took place in December 2005, when there was carried out practical organization of forced return of illegal immigrants and their forced return to Cameroon and Nigeria by using a joint chartered flight. The training gave practical knowledge of organisation of removal actions and experience of communication with authorities of target countries, as well important information for direct work with illegal immigrants uncommon for Latvia.

In 2006, four officials of State Border Guard Riga Board Illegal Immigrant Accommodation Centre took part in a training programme at the Ministry of Justice Prison Administration Education Centre, which corresponds to the profession of senior supervisor. This training also included subjects on convoying (escorting) skills. Besides that, close combat training is scheduled in education programmes of the State Border Guard College.

#### **Cooperation Promotion**

Besides legally prescribed standards in the forced return policy area, special attention should be paid to the initiative of State Border Guard immigration units' staff to contact diplomatic or consular representations of relevant countries to identify the nationality of

## Annex 1

illegal immigrants and to submit all required information to obtain return document. Experience has shown that this process accelerates the removal of illegal immigrants.

With regard to cooperation with other Member States it is important to mention that by now the State Border Guard of the Republic of Latvia has set into motion participation in operations on forced return of illegal immigrants organized by FRONTEX. In future this cooperation should be continued in order to achieve excellence in return management sphere.

### 1.3. The total national resources allocated

The table below shows information about investments in the return sphere in Latvia, and the source and amount of funding.

Table 6

<i>Investment Area</i>	<i>Source of Funding</i>	<i>2005</i>	<i>2006</i>	<i>2007</i>	<i>TOTAL, EUR</i>
Forced return expenses of the State Border Guard	National Budget	48 812	35 711	38 792	123 315
Training on forced return measure by airlifting	ARGO Programme	10 000	—	—	10 000
	State Border Guard Co-Financing	5 000	—	—	5 000
Reconstruction expenses of Liepaja Board Seaport border control point	Schengen Facility	2 178 592			2 178 592
Expenses of Liepaja short-term detention isolation ward and asylum seekers' accommodation point	Schengen Facility	434 926			434 926
Funding for implementation of: Unified Asylum and Migration Management System Development Programme for 2006-2009, including realization of return actions:					
State Police	National Budget	—	135 608	—	135 608
Ministry of Foreign Affairs	National Budget	—	102 000	570 614	672 614
Office of Citizenship and Migration Affairs	National Budget	—	—	12 708 039	12 708 039
<b>Total</b>		<b>63 812</b>	<b>273 319</b>	<b>13 317 445</b>	<b>16 268 094</b>

## 2. ANALYSIS OF REQUIREMENTS IN THE MEMBER STATE

### 2.1. The requirements in the Member State in relation to the baseline situation

After joining the European Union and Schengen Agreement, Latvia has fully embraced legislation, liberties and security, a basic principle of which is free movement of persons, which, in turn, is directly connected with immigration. It sets new tasks also to authorities involved in national migration process and border security control, to enable Latvia to act as a valuable partner in development of European Union migration policy and migration control.

Due to Latvia joining the Schengen Agreement and abolishment of border control on internal European Union borders, it is expected that there will be an increase in illegal immigration and cross-border crime from the European Union, because immigration from Schengen countries across internal borders will not be subjected to careful control. After Latvia has joined the Schengen agreement, illegal immigrants located in the southern region

## Annex 1

of the European Union will be able to enter Latvia without significant obstructions, and Latvia, due to joining the European Union and the gradual improvement of the standard of living, is becoming more and more attractive to illegal immigrants. All these mentioned facts imply an increased illegal immigration pressure on Latvia. Therefore, the State Border Guard will have to increase immigration control inside the state, which will lead to increase in number of apprehended illegal immigrants (from third countries).

To protect the Republic of Latvia and all European Union member states from influx of illegal immigrants, it is necessary to be already prepared for the predicted situation beforehand by developing an integrated return management system plan. The given plan should include support to voluntary return programmes, improvement of forced return procedures, as well as development of reintegration actions by collaboration with international organisations, such as International Organisation of Migration, the Red Cross, and also the non-governmental sector. The joint integrated plan would improve return management in all its aspects, concurrently exploring ways of strengthening relevant institutions. The plan would be based on the principle of integrated return management and would support fair and effective joint return standards, as prescribed in the legislation of the Community. It is important that the plan would cover the sphere of voluntary return, regarding which Latvia has not carried out any actions so far. As a result of such actions, persons receive the chance to return to their homeland and, in most cases, also receive financial support and significantly improve their future prospects.

### **2.1.1. *Voluntary Return***

To promote return of illegal immigrants to their homeland, it is important to pay attention to voluntary return issues and provide various programmes, including financial support to persons who have expressed the wish to return to their homeland voluntarily. Introduction and implementation of such programmes requires additional funding, yet it should be noted that a person's voluntary return to his or her homeland is financially more convenient than keeping in custody and forced return. Thus, it is possible to create an effective tool for removal of illegal immigrants, if criteria and system for application of this mechanism is developed in order to prevent abuse of this system. In order to improve situation in this sphere it is necessary to carry out staff training and to improve cooperation with involved authorities.

Even though the number of illegal immigrants and asylum seekers in Latvia is rather small in comparison with other European Union member states, joining the Schengen zone brings a risk that the number of illegal immigrants and asylum seekers in Latvia might increase, and the problem becomes topical.

### **2.1.2. *Forced Return***

#### **Legislation**

With regard to the current situation regarding return sphere, it is intended to introduce amendments of Immigration law, prescribing that apprehended persons and persons in custody are accommodated for not more than 10 days in centres that are structure units of the State Border Guard. At the same time, it is necessary to provide settlement and equipment requirements for such centres, as well as to determine the amount of expenses for foreigner accommodation, covering procedure of such expenses and accommodation regulations, which are determined by the Cabinet of Ministers.

#### **Infrastructure**

At the moment State Border Guard Immigration Service is partially equipped with working facilities appropriate to specifics of work. The only centre for accommodation of

## Annex I

apprehended illegal immigrants "Olaine Illegal Immigrants Accommodation Centre" is located in Olaine and it has to be renovated. To be prepared for future challenges, it is necessary to have improvements that ensure appropriate conditions and capacity for reception of apprehended persons and illegal immigrants. Therefore in the nearest future it is planned to create illegal immigrants and asylum seekers centres of State Border Guard Daugavpils Board and Vilaka Board. That is a task of strategic importance, because currently the only accommodation centre for apprehended persons is located in Olaine, but it is important to have foreigner accommodation centres located near the external border.

It is necessary to improve border control infrastructure with the purpose of creating appropriate working conditions for the immigration service and to ensure the compliance of working environment to health and safety regulations.

Development of infrastructure mentioned in this chapter is important for improvement of return sphere in Latvia, but as such actions are not eligible under European Return Fund, there will be no actions implemented that are ineligible according to the legal basis provided in Decision No. 575/2007/EC of the European Parliament and of the Council of 23<sup>d</sup> May 2007.

### **Information systems**

To facilitate migration process control and to coordinate actions of involved institutions, as well as to ensure compliance of data processing with international standards for automated processing of personal data of physical persons, it is important to develop legislation basis for Register of persons and to create the register itself.

### **Training**

Another important precondition for successful development of the return sphere is the improvement of professional qualification of employees of institutions involved in this sphere. That includes training in terms of working with illegal immigrants of different origins and cultures, and increasing employees' knowledge about legal and practical aspects of return activities.

It is necessary to improve employees' language skills, which are rather poor at the moment, especially skills of those languages required for communication with returnees. English language skills should be improved, because it is one of international language and it allows to communicate with nationals of many countries, as well as Spanish, French and, perhaps, Arabic language skills, because the number of illegal immigrants speaking those languages is increasing. Current language training is insufficient due to limited financial and administrative resources.

With improving of quality of forged documents, it is necessary to train employees on a regular basis, so that they are able to discover such documents, and they must be presented with modern technical resources at every stage of migration process control.

European Union agency FRONTEX organises and coordinates joint forced return flights to distant countries (such as Nigeria, Cameroon, Kosovo, the Congo, etc.). In such case two or more member states agree on organising a charter flight to a state that cannot be reached by scheduled air services and to which a group of illegal immigrants must be returned. This option can also be used in Latvia in the future. Exchange of information about the situation on European Union borders via ICONET system has been initiated within the framework of FRONTEX activities. Use of ICONET improves the productivity of return operations. FRONTEX has planned organised education visits to member states to inform ICONET users about possible applications of this information system in performance of joint forced return operations. Latvian participation in this training would be beneficial in context of integrated return policy.

### **Promotion of Cooperation and Experience Exchange**

In order to ensure excellence in the return sphere and effective work of employees of institutions involved in this sphere, it is very important to improve the cooperation of competent authorities with consular departments and immigration services of third countries, to promote information interchange and strategic cooperation.

To fully implement the return sphere, Latvia should participate in best practice seminars organized by other European Union member states in order to gain experience in the management of return sphere and after that use it effectively in activities of competent authorities.

In collaboration with return sphere colleagues from other European Union member states, it is actual and useful for Latvia to optimise knowledge with researches in migration field in order to gain experience and follow the trends of migration flows of citizens of third countries.

#### **2.1.3. Bilateral and Multilateral Cooperation**

It is important for Latvia to make improvements in the readmission agreement sphere, because many of the concluded agreements do not provide for actions in cases when both countries have issued residence permits or visas. In general, readmission agreements signed by Latvia correspond to requirements of EU recommendation, however, there are some deficiencies to be corrected. Besides, the agreements are very unclear and inaccurate, and, therefore, difficult to carry out. Therefore, it is required to ensure that readmission agreement legal base corresponds to the European Union requirements.

Now Latvia has to decide with which countries from those that European Union has initiated talks about conclusion of readmission agreement it would be useful for Latvia to conclude a protocol on fulfillment of agreement.

#### **2.2. The operational objectives of the Member State designed to meet its requirements**

Due to the situation described in Chapter 1 of the multi-annual programme, necessary starting point situation improvements mentioned in Chapter 2.1, and in the light of predicted influx of illegal immigrants, as well as previous investments into the return sphere, it becomes clear that Latvia requires investments in several other areas.

There are the following objectives set in Latvia regarding return management:

1. to create a strategic approach in Latvia in unified return management, including development of integrated return plan;
2. to bring necessary amendments to Latvian legislation regulating return conditions and procedures;
3. to improve and support sphere of illegal immigrants' forced return;
4. to support development and implementation of voluntary return and reintegration activities;
5. to promote cooperation in return management sphere of authorities involved in the return sphere;
6. to acquire the best practice in return management of other European Union member states;
7. to improve the professional qualification of employees of authorities involved in the return sphere;
8. to create a Register of persons;
9. to improve the readmission agreement sphere;
10. to renovate accommodation centres for apprehended persons and illegal immigrants;

## Annex 1

11. to obtain the latest information about flow trends of citizens of third countries through European Union researches.

Achievement of the mentioned tasks is necessary for improved Latvian integrated return system to be in accordance with Community return standards that are stated in *Directive of the European Parliament and of the Council on common standards and procedures in member states for returning illegally staying third- country nationals*, because this directive prescribes rights and guarantees of immigrants, apprehension terms and conditions, and other return sphere rules.

### 3. STRATEGY TO ACHIEVE THE OBJECTIVES

After evaluation of objectives set by Latvia in the return sphere and the priorities brought forward in strategic guidelines for European Return Fund, Latvia has decided to implement actions within framework of three priorities, namely Priority 1, Priority 2 and Priority 4. The most importance will be given to Priority 1, because evaluation of current situation needs shows that it is crucial for Latvia to create strategic approach to return management, including development of integrated return plans, support for voluntary return and reintegration activities. Priorities 2 and 4 will be given attention almost in similar proportion, as both promotion of cooperation as well as acquirement of best practice and improvement of professional qualification in return management sphere are important for Latvia in achieving excellence in return management sphere.

**PRIORITY NO.1:** Support for the development of a strategic approach to return management by Member States  
Within the 1<sup>st</sup> priority, Latvia plans to partially achieve 3 of its set objectives.

**Objective No.1** *to create strategic approach of Latvia to unified return management, including development of integrated return plan*

In order for Latvia to enact fair and effective joint standards of return, first of all, it has to develop a joint integrated plan about development of return system. In that way Latvia will be able to manage all return aspects. Within this priority, it is planned to make research on the current situation, compare it to experience of other European Union states, and to develop the most suitable model for Latvia.

**Objective No. 3** *to improve and support sphere of illegal immigrants' forced return*

In order to achieve this objective, it is necessary to provide support for organization and improvement of the sphere of forced return actions that in turn will facilitate development of return policy in Latvia that will satisfy European Union standards.

It is necessary to provide support for returnees and their escorts by covering costs of their temporary accommodation and travel costs to their countries of origin when organizing return operation in order to ensure conditions considering principles of humanism and personal dignity.

Also due to the current situation it is important for Latvia to participate in operations organized by FRONTEX agency that are aimed at improvement of forced return sphere. Within this objective it is necessary to provide solutions for efforts that are connected to arrangement of travel and return documentation. In order to hasten procedures of forced return it is essential to implement definite standards and international requirements within the sphere of return management.

**Objective No. 4** to support development and implementation of voluntary return and reintegration activities.

Due to the insignificant number of illegal immigrants and asylum seekers, Latvia does not carry out systematic voluntary return activities and has not developed system of voluntary return, as well as system for monitoring and follow-up after voluntary return. Since Latvia has no experience in organisation of such activities, first of all, it is necessary to evaluate possibilities and experience of other countries in voluntary return and reintegration matters, and then to develop and implement voluntary return and reintegration programmes. This is necessary in order to have prepared systems which are ready to work when the necessity arises. Voluntary return and reintegration deserve support, because they ensure sustainable return.

Development and implementation of voluntary return programme and reintegration activities will be an innovative solution for Latvia, and will be applied in long-term perspective

**PRIORITY NO.2:** Support for the co-operation between Member States in return management

Within the 2<sup>nd</sup> priority, Latvia plans to partially achieve its set objective No.1

**Objective No.5** to promote cooperation in the return management sphere of authorities involved in the return sphere.

Latvia needs to get involved in removal activities and operations organised by FRONTEX to improve cooperation and properly carry out return procedures, because the Republic of Latvia has not yet taken part in a joint removal operation organised in collaboration with organisation of such scale. Participation in joint return operations will reduce administrative and financial burden in return management sphere. It is also necessary to strengthen cooperation of employees of competent state institutions with consular departments and immigration services of third countries, because it will ensure accelerated and successful removal. Within the framework of this priority, it is necessary to organise visits of employees of the competent state institutions to consular departments or immigration services of third countries, to share experience and information obtained from risk analysis, with the aim to combat illegal immigration from the respective third countries. To facilitate and accelerate return procedures and processes, it is necessary to cooperate in collecting information about the homeland state or previous state of residence.

**PRIORITY NO.4:** Support for Community standards and best practices on return management

Within the fourth priority, Latvia plans to partially achieve its set objective No 1.

**Objective No.6** to acquire the best practice in return management of other European Union member states.

Considering the predicted increase of illegal immigration pressure, it is worth to be prepared for potential future developments by looking upon experience of other countries in the field of integrated return management. For this reason, it is necessary to organize seminars on best practice for employees of institutions involved in the return management sphere.

**Objective No. 7** to improve the professional qualification of employees of authorities involved in the return sphere

It is necessary to improve the qualification of employees involved in the return sphere, in order for them to be prepared for work with legal and practical aspects of return procedures. For this purpose, it is necessary to organise training courses, seminars and

## Annex 1

experience exchange visits. Language skills of employees of competent state institutions are also relatively poor (except for Russian), which is verified by Schengen evaluation reports that indicate poor knowledge of foreign languages. Insufficient language skills are also demonstrated in everyday situations, while working with illegal immigrants or asylum seekers, or cooperating with foreign colleagues. Hence, the current situation proves that foreign language skills of competent state officials must be improved in order to effectively cooperate on international scale in immigration spheres.

The table below shows the main actions to be introduced, their division according to the determined priorities with regard to current information on available financing within the Fund and the progress indicators of these actions. During the development of annual programmes and evaluating actions to be included in the annual programmes, consideration will be given to the amount of financial means available within the particular programming year. And, in case the available financing amount increases within any of the programming years, the possibility will be appraised to include an additional action among the already approved actions for receiving co-financing from the Fund.

Cross-reference to basic act and connection to the national operational objective	Action (Key possible actions)	Indicators		Annual programme(s)	
		Output	Outcomes		Impact
<b>PRIORITY NO. 1 Support for the development of a strategic approach to return management by Member States</b>					
<p><u>Article 3(2)(a) of the Decision of the European Parliament and of the Council:</u>            Integrated return management shall include, in particular, the development and implementation, by the competent authorities of the Member States, of integrated return plans which:</p> <p>(a) are based on a comprehensive assessment of the situation in the Member State with respect to the targeted population or a targeted specific issue concerning return and the challenges with respect to the operations envisaged (such as those related to obtaining travel documents and other practical obstacles to return), taking into account, where appropriate, the relevant caseload.</p> <p>Connection to the national operational objective: Objective No.1: to create strategic approach of Latvia to unified return management, including development of integrated return plan.</p>	<p>1.1. Development of unified integrated plan about creation of return system.</p>	<ul style="list-style-type: none"> <li>▪ There is completed research of current situation in return management sphere;</li> <li>▪ There is formed a working group for creation of integrated return plan;</li> <li>▪ Number of developed integrated management models best suited for Latvian circumstances;</li> <li>▪ Number and type (state institutions, NGO, International organisations) of institutions taking part in creation of integrated return plan.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There are researched and studied actual situation (strengths and weaknesses) in return management in Latvia, which will contribute to development and improvement in this sphere in Latvia;</li> <li>▪ Effective and better-coordinated return policy in the state;</li> <li>▪ Improved reliability and integrity of return policy.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Latvia has been successfully integrated into the common European Union return sphere;</li> <li>▪ An integrated approach to return management is ensured.</li> </ul>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008 and 2009.</p>

<p><u>Article 3(2)(b) of the Decision of the European Parliament and of the Council:</u></p> <p>aim to achieve a wide set of measures encouraging voluntary return schemes of third-country nationals, in particular for those who do not or no longer fulfil the conditions for entry and stay on its territories and, where necessary, implementing enforced return operations with respect to such persons, in full compliance with humanitarian principles and respect for their dignity.</p> <p><b>Connection to the national operational objective: Objective No.3:</b></p> <p>to improve and support sphere of illegal immigrants' forced return.</p>	<p>1.2. Support for development, organisation and improvement of forced return activities, including those in collaboration with FRONTEX agency.</p>	<ul style="list-style-type: none"> <li>▪ Number of apprehended illegal immigrants;</li> <li>▪ Number of successfully expelled returnees;</li> <li>▪ Number of issued return decisions;</li> <li>▪ Number of removal orders;</li> <li>▪ Number and type of operations organised in collaboration with FRONTEX agency;</li> <li>▪ Type of acquired skills and knowledge;</li> <li>▪ Regularity of training programmes.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Forced return activities are successfully carried out in Latvia, while respecting the principles of humanism and personal dignity of the returnees;</li> <li>▪ Latvia has improved return sphere coordination and effectiveness in context of EU return policy.</li> </ul>	<p>Effective integrated return management is successfully carried out in Latvia.</p>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2009, 2010, 2011, 2012 and 2013.</p>
<p><u>Article 3(2)(b) of the Decision of the European Parliament and of the Council:</u></p> <p>aim to achieve a wide set of measures encouraging voluntary return schemes of third-country nationals, in particular for those who do not or no longer fulfil the conditions for entry and stay on its territories and, where necessary, implementing enforced return operations with respect to such persons, in full compliance with humanitarian principles and respect for their dignity.</p> <p><b>Connection to the national operational objective: Objective No.4:</b></p> <p>to support development and enactment of voluntary return and reintegration activities and partially Objective No.1:</p> <p>to create strategic approach of Latvia to unified return management, including development of integrated return plan</p>	<p>1.3. Support for development and implementation of voluntary return programmes.</p>	<ul style="list-style-type: none"> <li>▪ Research of current situation and necessary improvements;</li> <li>▪ Number of developed models of voluntary return programme;</li> <li>▪ Implementation of the most successful model;</li> <li>▪ Number of persons benefiting from voluntary return programme.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Voluntary return programmes are initiated successfully carried out in Latvia;</li> <li>▪ Increase in number of voluntary return cases;</li> <li>▪ Decrease in number of forced return activities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Sustainable integrated return management is being carried out in Latvia;</li> <li>▪ Promotion of respectful return policy.</li> </ul>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>

<p><u>Article 3(1)(b) of the Decision of the European Parliament and of the Council:</u> the enhancement of the cooperation between Member States within the framework of integrated return management and its implementation.</p> <p>Connection to the national operational objective: Objective No.4: to support development and enactment of voluntary return and reintegration activities and partially Objective No.1: to create strategic approach of Latvia to unified return management, including development of integrated return plan</p>	<p>1.4. Support for development and implementation of reintegration activities.</p>	<ul style="list-style-type: none"> <li>▪ Research on requirements of Latvia in respect to reintegration activities;</li> <li>▪ Number of developed models of reintegration activities;</li> <li>▪ Implementation of model most appropriate for requirements of Latvia;</li> <li>▪ Number of persons taking part in reintegration activities.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Reintegration activities are successfully carried out in Latvia;</li> <li>▪ Support is provided to returnees before their return to homeland (information, material support);</li> <li>▪ Increased number of professional trainings obtained by returnees before reintegration.</li> </ul>	<p>Sustainable integrated return management is ensured in Latvia.</p>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>
<p><b>PRIORITY NO. 2: Support for the co-operation between Member States in return management</b></p>					
<p><u>Article 3(1)(b) of the Decision of the European Parliament and of the Council:</u> the enhancement of the cooperation between Member States within the framework of integrated return management and its implementation.</p> <p>Connection to the national operational objective: Objective No.5: to promote cooperation in the return management sphere of authorities involved in the return sphere and partially Objective No.1: to create strategic approach of Latvia to unified return management, including development of integrated return plan</p>	<p>2.1. Participation of employees of state institutions involved in the return sphere in forced return activities and operation organised by FRONTEX.</p>	<ul style="list-style-type: none"> <li>▪ Number and type of visited FRONTEX events;</li> <li>▪ Number of returnees;</li> <li>▪ Number of employees sent to forced return activities organised by FRONTEX.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Ensured successful involvement of competent institutions in activities of European Union and FRONTEX;</li> <li>▪ Improved cooperation with law enforcement institutions of other EU member states.</li> </ul>	<p>Latvia puts into effect common return standards, as provided for in Community legislation regarding return.</p>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>

	<p>2.2. Consolidation of cooperation of employees involved in the return sphere with consular institutions and immigration services of third countries.</p>	<ul style="list-style-type: none"> <li>▪ Number of organised experience visits/seminars;</li> <li>▪ Number of consular institutions and immigration services with newly established communication channels and work relationships;</li> <li>▪ Number of consular institutions and immigration services with consolidated or improved cooperation;</li> <li>▪ Number of employees of competent state institutions who took part in visits/seminars.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Improved cooperation of institutions and authorities of third countries in respect to combating illegal immigration and return sphere;</li> <li>▪ Consolidated contacts with officials of third countries for successful cooperation in crisis situations;</li> <li>▪ Improved information obtaining process and accelerated return procedures.</li> </ul>	<p>Consolidated cooperation of Latvia in the sphere of integrated return management and implementation.</p>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>
<p><b>PRIORITY NO. 4: Support for Community standards and best practices on return management</b></p>					
<p><u>Article 3(1)(b) of the Decision of the European Parliament and of the Council:</u> the enhancement of the cooperation between Member States within the framework of integrated return management and its implementation.  Connection to the national operational objective: Objective No.6: to acquire the best practice in return management of other European Union member states and partially Objective No.1 to create strategic approach of Latvia to unified return management, including development of integrated return plan</p>	<p>4.1. Organisation of seminars/visits for employees of competent institutions regarding best practice in the sphere of return management.</p>	<ul style="list-style-type: none"> <li>▪ Number and type of organised seminars/visits;</li> <li>▪ Number of subjects covered in seminars/visits;</li> <li>▪ Number of attendees.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Obtained knowledge and other valuable information about the best practice of other countries in the sphere of integrated return management.</li> </ul>	<p>Best integrated return system models of EU member states are successfully practiced in Latvia.</p>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>

<p><u>Article 3(1)(c) of the Decision of the European Parliament and of the Council:</u>  the promotion of an effective and uniform application of common standards on return in line with policy developments in this field.</p> <p><b>Connection to the national operational objective: Objective No.7:</b>  to improve the professional qualification of employees of authorities involved in the return sphere and partially Objective No.1 to create strategic approach of Latvia to unified return management, including development of integrated return plan</p>	<p>4.2. Seminars, education and training of employees of state institutions involved in return process, regarding legal and practical aspects of return activities.</p>	<ul style="list-style-type: none"> <li>▪ Number of organised trainings and/or seminars;</li> <li>▪ Number of subjects covered in trainings and/or seminars;</li> <li>▪ Number of employees who took part in organised education events.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Facilitation of work and improvement of effectiveness of competent staff.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Improved administrative capacity of competent state institutions;</li> <li>▪ Ensured integrated approach to EU returns management policy.</li> </ul>	<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>
<p>4.3. Language courses for employees of state institutions involved in the return sphere (English, French and Spanish, perhaps, also Arabic).</p>	<ul style="list-style-type: none"> <li>▪ Number of organised foreign language training courses;</li> <li>▪ Foreign languages covered (English, French and Spanish, perhaps, also Arabic)</li> <li>▪ Number of employees of state institutions involved in the return sphere who have successfully completed the course.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Securing faster of obtaining information about the illegal travellers;</li> <li>▪ Improved efficiency in work with foreign institutions.</li> </ul>		<p>Projects within the action will be implemented within the framework of annual programmes for years 2008, 2009, 2010, 2011, 2012 and 2013.</p>	

## 4. COMPATIBILITY WITH OTHER INSTRUMENTS

### 4.1. General principles

In order to avoid any possibility for overlapping or double financing, there are following mechanisms established in Latvia that are being applied in the different stages of management of the Funds.

#### Planning stage:

In the process of uptaking of appropriations of EU funds usually the collegiate institutions (Management or Steering Committees) are being established in Latvia which are composed of the experts from connected fields of the respective fund. Such Management Committees have been also established for all four Funds under General programme "Solidarity and Management of Migration Flows". These Committees take part in the elaboration of planning documents of the Funds by submitting the proposals on the action to be supported under the Fund taking into account the requirements of respective field and also compatibility of these actions with other actions are being implemented in this field from other source of financing.

As Ministry of Interior of the Republic of Latvia is the Responsible Authority for three Funds, within framework of General programme "Solidarity and Management of Migration Flows", namely European Return Fund, External Borders Fund and the European Refugee Fund, in order to ensure the mutual coordination between the three Funds, a single person is designated as a Head of Management Committees of these Funds.

#### Project's selection stage:

When preparing the project application, the project applicant is obliged to fill in the information on the project that have already been implemented, are being implemented or are planned in this or connected field and also he should identify the source of financing of these projects. When submitting the project application to the Responsible Authority, the project applicant should confirm that he has not received/does not intend to receive the financing from the other EU funds for the activities foreseen in the this project application.

In order to check absence of overlap with similar projects carried out before/currently and ongoing/planned, Ministry of Interior has created internal database for EU financed projects which contains data on:

- Projects administrated by Ministry of Interior as a Responsible Authority or Intermediate Body and realised by institutions of Ministry of Interior and other institutions;
- Projects realised by the institutions of Ministry of Interior under the EU funds administrated by other ministries.

The mentioned database is being updated every quarter, so Responsible Authority possesses information on projects carried out before/currently and ongoing/planned in the respective field and compares it with the received projects applications.

In the project application evaluation process one of the stages is evaluation by Management Committee of the Fund and one of the criteria that will be checked absence of overlap with similar projects carried out before/currently and ongoing/planned. Therefore members of the Management Committee will be responsible for giving the assurance to the Responsible Authority that respective actions and projects that will be approved for receiving financing from the Fund will not duplicate with other projects and actions financed by other financial instruments.

#### Project's implementation controlling stage:

There is a requirement for the Final beneficiaries to maintain analytical accounts and visibility of EU funding for the EU financed projects. During the on-the-spot verifications the Responsible Authority will check whether the respective expenditures are correctly registered and whether there is not double financing.

#### **4.2. Specific issues of the fund**

The national budget of the Republic of Latvia provides funds for direct functioning of institutions involved in asylum matters, however, it does not provide funds for development and improvement of these functions. The Fund investment is intended to be used for improvement of the return sphere in particular.

In other words within funding of the European Return Fund there will be supported national operative objectives:

**No.1:** To create a strategic approach in Latvia in unified return management, including development of integrated return plan;

**No.3:** To improve and support sphere of illegal immigrants' forced return;

**No.4:** To support development and enactment of voluntary return and reintegration activities;

**No.5:** To promote cooperation in return management sphere of authorities involved in the return sphere;

**No.6:** To acquire the best practice in return management of other European Union member states;

**No.7:** To improve the professional qualification of employees of authorities involved in the return sphere;

As to objective 8 "To create a Register of persons" set in the list of operational objectives in chapter 2.2. of the Multi-annual programme for the European Return Fund, in late 2007, Transition Facility project "Improvement of Immigration Register Documents' Circulation, Processing and Safekeeping" was initiated. It includes preliminary tasks contributing to development of Register of persons. At the current moment financial funds are looked for purpose of continuation of this project, but this objective will not be supported within the Fund

As to objective 10 "To renovate accommodation centres for apprehended persons and illegal immigrants" set in the list of operational objectives in chapter 2.2. of the Multi-annual programme for the European Return Fund, Latvia plans to fund the renovation of Olaine illegal immigrants' accommodation centre and creation of Daugavpils and Vilaka illegal immigrants' and asylum seekers' centres from the national budget until the end of 2011.

In its turn national operational objectives listed in chapter 2.2. No.2 "To bring necessary amendments to Latvian legislation regulating return conditions and procedures", No.9 "To improve the readmission agreement sphere" and No.11 "To obtain the latest information about flow trends of citizens of third countries through European Union researches" are not supported by now.

Allocated national budget funding will continue to be used in realisation of 2006-2009 activities of the Latvian Unified asylum and migration management system development programme as far as they do not overlap with actions supported from the Fund.

It is planned to allocate from state budget national co-financing for implementation of approved actions, as well as for maintenance of established or purchased objects. Fund financing will not overlap with financing of state budget or other programme of the European Union, but only replenish it.

## **5. FRAMEWORK FOR IMPLEMENTATION OF THE STRATEGY**

### ***5.1. The publication of the programme***

The Latvian multi-annual programme of the Fund will be published on the official home page of the Responsible Authority including information about the aims, priorities and actions to be supported by the Fund. The information about the announced competitions and the approved projects, as well as the information about the progress Latvia has achieved in the

## Annex 1

implementation of the multi-annual programme of the Fund will be also published in this home page.

In order to achieve the wider dissemination of information Responsible Authority will organize annual publicity measures, such as seminars and informative announcements in the mass media with the aim to provide information to society about acquiring the financing of the Fund.

The address of the official home page of the Responsible Authority is [www.iem.gov.lv](http://www.iem.gov.lv). This homepage is already functioning, but at the moment all aforementioned information is provided in national language, in Latvian.

### **5.2. The approach chosen to implement the principle of partnership**

In order to guarantee the observance of the partnership principle, a management committee of the European Return Fund is created, which is a collegiate institution, which participates in development of the programming documents – multi-annual and annual programmes, by setting Latvian objectives for implementation of the Fund, actions to be supported within the Fund, and monitors the execution of the actions financed by the Fund and achievement of the objectives defined in the multi-annual programme. Also the participants with the rights to vote in the management committee take part in evaluation of the submitted project applications from the political point of view of the particular field.

Head of the management committee is the representative from the responsible authority and management committee itself is composed of the representatives of those institutions which are competent in the fields related to European Return Fund. In the meetings of the management committee take part members with rights to vote from the following institutions: State Border Guard, Office of Citizenship and Migration Affairs, Ministry of Foreign Affairs and Ministry of Justice. As social partner there is invited representative of the Riga office of the International Organisation of Migration who takes part in the meetings of the management committee with deliberative voice. On the management committee are representatives with deliberative voices from Certifying and Audit Authorities (they have right to vote only regarding questions of technical assistance).

## **6. INDICATIVE FINANCING PLAN**

### **6.1. Community Contribution**

#### **6.1.1. Table**

<b>Multi-annual Programme - Draft Financial Plan</b>								
<b>Table 1: Community Contribution</b>								
Member state: [the Republic of Latvia]								
Fund: [European Return Fund]								
(in 000' euros - current prices)	2007	2008	2009	2010	2011	2012	2013	TOTAL
Priority 1	—	252	254	258	276	289	297	1 626
Priority 2	—	105	106	108	115	121	124	679
Priority 4	—	101	101	103	110	116	119	650
Technical Assistance	—	67	67	68	52	53	54	361
<b>TOTAL</b>	<b>—</b>	<b>525</b>	<b>528</b>	<b>537</b>	<b>553</b>	<b>579</b>	<b>594</b>	<b>3 316</b>

## Annex 1

### 6.1.2. Comments on the figures/trends

The distribution of the financing, indicated in Table 1, by programming years slightly exceeds the amount of allocations available to Republic of Latvia, due to the fact, that data indicated here are approximated to thousands. But actual distribution of the financing falls within the amount of allocations available to Republic of Latvia.

Priority financing is shared approximately as follows: 55% for Priority 1, 23% - Priority 2, 22% - Priority 4. This distribution of financing is provisional for the time period from 2008 till 2013 and is based on current situation needs. However percentage proportion of financing in different annual programmes can vary depending on changes in needs depending on the situation in the year concerned.

Currently for each annual programme the maximum technical assistance financing available to Republic of Latvia is planned in line with the provisions of the basic act according the current needs. In the very beginning of the implementation of the Fund there are needs for expenditures related to establishing the whole management and control system, developing the planning documents and selection of projects. In the later stage there is need to the cover expenditures concerning the control of implementation of projects and then to preparation of necessary reports to the European Commission. This all requires to attract the necessary human resources within the designated authorities and cover other related expenditures. Taking into account that designated authorities within the Fund are different institutions financing of technical assistance is distributed among them (approximately 60% - to the Responsible Authority (including Delegated Authority's part, if appropriate); 20% - to the Certification Authority and 20% - to the Audit Authority). If during the development of Annual programmes for later programming years the amount of financial means for implementation of the technical assistance projects will decrease, Latvia will decrease planned financing for technical assistance, by revising Multi-annual programme, and use the respective share of financing for the implementation of the actions.

## 6.2. Overall financing plan

### 6.2.1. Table

Multi-annual Programme - Draft Financial Plan								
Table 2: Overall Financing Plan								
Member state: [the Republic of Latvia]								
Fund: [European Return Fund]								
(in 000' euros - current prices)	2007	2008	2009	2010	2011	2012	2013	TOTAL
Community Contribution	—	525	528	537	553	579	594	3 316
Public co-financing	—	153	154	156	167	175	180	985
Private co-financing	—	—	—	—	—	—	—	—
TOTAL	—	678	682	693	720	754	774	4 301
% Community Contribution	75%	75%	75%	75%	75%	75%	75%	75%

### 6.2.2. Comments on the figures/trends

The distribution of the financing, indicated in Table 2, by programming years slightly exceeds the amount of allocations available to Republic of Latvia, due to the fact, that data indicated here are approximated to thousands. But actual distribution of the financing falls within the amount of allocations available to Republic of Latvia.

In this table the % Community contribution is calculated without the technical assistance. When including technical assistance Community Contribution exceeds 75%, because technical assistance is financed by the Fund at 100%. The increase of percentage of Community contribution depends on allocated amount of technical assistance within each

Annex 1

programming year. The precise percentage of Community Contribution within each year is reflected in chapter 5 "Draft Financing Plan" of each annual program.

Head of Responsible Authority  
State Secretary of Ministry of Interior

A handwritten signature in black ink, appearing to be 'A. Straume', written in a cursive style.

A. Straume