

UNHCR Regional Representative's to Northern Europe visit to the Ombudsman's Office of the Republic of Latvia

Riga, 10 May 2018

Current situation in protection of human rights of asylum seekers, refugees and persons with subsidiary protection

Between 1998 and 2017, 2513 asylum seekers have asked for international protection in Latvia. Refugee status has been granted to 157 persons in total, whereas the status of subsidiary protection – to 514 persons. Currently almost all persons are relocated to Latvia under the redistribution programme of the European Union from Greece and Italy. According to the statistics, the main countries of origin of the asylum seekers are mainly from Syria, Vietnam, Russia, Eritrea.

Regarding situation with refugees and people eligible to subsidiary protection in Latvia, it should be noted that research of the actual problems among the individuals who have obtained the status is jeopardized by the fact that majority of the refugees leave the country for Sweden, Finland, France or Germany. The difficulties identified among persons who have remained in the country are related to finding a residence and low amount of social benefits to satisfy their basic needs. Three years ago, the ombudsman was optimistic about introduction of mentor services; however, now a conflict has arisen between the Social Integration Fund and society "Patvērums Droša māja" (Refuge Safehouse) and it is not clear who will proceed with providing mentoring service and whether this initiative has any prospects for the future. The ombudsman emphasized the role of mentors in negotiations with the Ministry of Interior and the Ministry of Welfare and received a response that after approbation period it will be evaluated whether at all and how, in which law to corroborate the status and duties of mentors.

Since 2007, when the first ombudsman of the Republic of Latvia was approved, and the Ombudsman's Office started work, until 2018 the number of applications from the asylum seekers and persons who have received international protection (refugees and persons who have the subsidiary protection granted) was insignificant, amounting to 70 applications in total.

Nevertheless, the low number does not mean that everything is in perfect order considering rights of the asylum seekers and persons who have the international protection granted, and, having reviewed these complaints, the ombudsman did not identify any systemic problems.

The reason why the total number of applications from the asylum seekers is so low is, firstly, related to the fact that the overall number of the asylum seekers, who have asked to grant the status of a refugee or an asylum seeker in Latvia and received a positive answer has been low. Secondly, the low number of applications is related to passivity of the asylum seekers, persons who have received the refugee and subsidiary protection or lack of information to seek help at the Ombudsman's Office.

The ombudsman can identify problems associated with protection of human rights of persons who have asked for international protection in the country, besides the applications, primarily, with monitoring visits to the centres of the asylum seekers and centres of detention of the asylum seekers. Secondly – development of cooperation with nongovernmental organizations (NGOs), which deal with asylum seekers and refugees, as well as collaboration with such international organizations as IOM, the National Association of the International Red Cross and Red Crescent and society "Patvērums Droša māja".

To briefly characterize complaints received by the Ombudsman's Office from the asylum seekers, refugees and persons enjoying the subsidiary protection according to topics, majority of the complaints are about refusal to grant the asylum, followed by complaints about living conditions in the accommodation and detention centres, access to social support and social insurance system, then there are issues with healthcare and access to labour market, and finally – protection of children's rights, and discrimination.

Latvia's position on developments on the international stage at either European Union level, including operation of the Common European Asylum System, or globally, especially related to discussions concerning the UN Global Compact on Refugees

Global situation is volatile and rises concerns about possible escalation of armed conflicts. Ratification of the EU relocation quotas was met with controversial sentiment in Latvia where individual political parties objected to both accommodation of a higher number of asylum seekers and the amount of support. If Latvia had to accommodate yet a higher number of asylum seekers ombudsman presumes that it would create higher tensions in the society.

Especially painful is the issue of small benefits for persons under international protection, which cannot cover all their basic needs. The ombudsman inferred the above fact in the research of 2011, and the situation has not improved as to yet.

Possibilities how to improve collaboration between Latvia and UNHCR Regional Representation for Northern Europe

One of the latest matters that has come to our attention was related to possibility to change citizenship for refugees and persons eligible to subsidiary protection. We have established that refugees from certain countries encounter difficulties to renounce the citizenship in the countries of origin, which renders change of citizenship impossible. It is possible that this issue might have to be discussed on a higher level about how to resolve the issues if the countries of origin refuse or impede renouncement of citizenship by the persons under international protection.

The ombudsman always appreciates trainings organized by the UNHCR Regional Representation; therefore, it would be worthwhile to identify the range of issues where the training is needed. The ombudsman would recommend training on the change of citizenship, first, and then we see that it would be feasible to organize a training for representatives of custody courts and potential foster families regarding the best practices (challenges and solutions) accommodating unaccompanied minors under international protection in Latvia.