

EMN Ad-Hoc Query



Ad-Hoc Query on Aliens' Passports issued by Latvia

Requested by CY EMN NCP on [05/10/2010]

Compilation -updated version- produced by CY EMN NCP on [16/11/2010]

Responses from Belgium, Estonia, Finland, Italy, Lithuania, Malta, Netherlands, Portugal, Sweden, United Kingdom (10 in Total)

Disclaimer: The following responses have been provided primarily for the purpose of information exchange among EMN NCPs in the framework of the EMN. The contributing EMN NCPs have provided, to the best of their knowledge, information that is up-to-date, objective and reliable. Note, however, that the information provided does not necessarily represent the official policy of an EMN NCPs' Member State.

1. Background Information

What is the policy MS follow regarding residence and work permit rights of citizens who are holders of alien's passports issued by Latvia? Are they considered to be EU citizens or third-country nationals?

2. Responses¹

		Wider Dissemination? ²	
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¹ If possible at time of making the request, the Requesting EMN NCP should add their response(s) to the query. Otherwise, this should be done at the time of making the compilation.

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	Belgium	Yes	These persons are not considered to be Latvian or EU-nationals, however they can benefit from the protection of the Latvian Consulate. Their statute is comparable to the statute of stateless persons but with more privileges. According to the Latvian consul in Belgium these people are allowed to travel in Europe without visa, but they must apply for a labour card.
	Cyprus	Yes	N/A
	Estonia	Yes	Estonia considers these persons as third-country nationals.
	Finland	Yes	Holders of the above mentioned alien's passport are considered neither Latvian nor Russian citizens.
	Italy	Yes	In Italy, those exhibiting this document are considered non-EU citizens.
	Lithuania	Yes	According to the Aliens law, an EU citizen is someone who possesses a citizenship of an EU Member State. The Latvian non-citizens do not have a citizenship of Latvia, therefore they are considered to be third-country nationals.
	Malta	Yes	Persons, who are not EU Nationals, and who are in possession of an alien's passport issued by the Latvian authorities are considered as third country nationals for the purpose of work and residence. This does not apply if they are family members of Latvian nationals.
	Netherlands	Yes	These persons will be considered as third country nationals and not as EU nationals, because they have the Russian nationality. A national of Russia is treated as a third country national and needs to fulfill the national conditions for stay. These conditions depend on the purpose of the stay. Before coming to the Netherlands the Russian national needs to pass the civic integration examination abroad or demonstrate that he is exempt from taking this examination. Furthermore the Russian needs to apply for a provisional residence permit at the Dutch embassy or consulate in either their country of origin or the country of continuous residence.
	Portugal	Yes	The recognition of the national status of an aliens passport holder is done according to its own citizenship and not but by the nationality of the State who issued this travel document. Therefore, nationals of non EU MS have a TC nationals status, besides havening a travel document issued by a MS.
	Sweden	Yes	They are considered to be third-country nationals.
	United Kingdom	Yes	All passengers travelling to the UK must be in possession of a national valid passport (travel document) or identity card that satisfactorily establishes nationality and identity. In the case of third country passport holders, they need to be in possession of a valid visa for each journey to the UK. Those holding Latvian alien's passports will still need to fulfil entry requirements meaning they would have to obtain the appropriate visa to come to live or work in the UK. Only those holding full Latvian passports / ID cards that confirm nationality and identity will be eligible to travel visa free.

² A default "Yes" is given for your response to be circulated further (e.g. to other EMN NCPs and their national network members). A "No" should be added here if you do not wish your response to be disseminated beyond other EMN NCPs. In case of "No" and wider dissemination beyond other EMN NCPs, then for the Compilation for Wider Dissemination the response should be removed and the following statement should be added in the relevant response box: "This EMN NCP has provided a response to the requesting EMN NCP. However, they have requested that it is not disseminated further."