The *Saeima*1 has adopted and

the President has proclaimed the following law:

**On the Status of a Participant of World War II**

**Section 1.** Being aware that the Republic of Latvia does not bear legal responsibility for the offences committed by occupying powers in the territory of the Republic of Latvia during the period of its occupation and that, being an occupied country, it did not participate in the warfare of World War II, the purpose of this Law is to determine the status of a participant of World War II for citizens of Latvia who, during this war, participated in an armed fight against the military formations of the Union of Soviet Socialist Republics (hereinafter – the USSR), Nazi Germany or its allies in the composition of regular military units of other countries, and also to promote uniform understanding of the society of World War II and equal treatment of its participants.

**Section 2.** Such current citizens of Latvia who were citizens of Latvia also on 17 June 1940, such current citizens of Latvia who had legally entered Latvia and were its permanent residents as on 17 June 1940, and such persons who are current citizens of Latvia and who could apply for citizenship of Latvia on 17 June 1940 on the basis of the wording of the law On Nationality which was in force on 17 June 1940 shall be recognised as participants of World War II, provided that the relevant citizens, permanent residents, and relevant persons participated in an armed fight against the military formations of the USSR, Nazi Germany or its allies in the composition of regular military units of other countries in the time period from 17 June 1940 to 2 September 1945 unless the restrictions referred to in Section 3 of this Law exist.

**Section 3.** A person shall not be recognised as a participant of World War II in any of the following cases if he or she:

1) has been a member of the National Socialist German Workers’ Party of Nazi Germany or its paramilitary structure [SS *(Schutzstaffel)*];

2) has been an employee of the secret police of Nazi Germany [Gestapo *(Geheime Staatspolizei)*], an employee of the security service [SD *(Sicherheitsdienst des Reichsführers SS)*], or a participant of its ancillary units;

3) has been an employee of the Committee for State Security (hereinafter – the CSS) of the USSR or the Latvian Soviet Socialist Republic (hereinafter – the LSSR) or its predecessors (People’s Commissariat for Internal Affairs, People’s Commissariat for State Security, Ministry of State Security, Security Department of the Ministry of Internal Affairs) or a fighter of the destruction battalions of the CSS or its predecessors, except for a person who has been an employee only of the planning and financial, and also administrative and economic units of the USSR or LSSR CSS;

4) has been convicted for crimes against humanity, peace, for war crimes, genocide, regardless of extinguishing or setting aside of the criminal record;

5) has been convicted and has not been exonerated for the criminal offences committed during World War II which, on the day when the person has submitted the submission referred to in Section 4 of this Law, qualify as intentional serious or especially serious criminal offences within the meaning of the Criminal Law, regardless of extinguishing or setting aside of the criminal record;

6) has entered Latvia according to the Soviet–Latvian Mutual Assistance Treaty of 5 October 1939 and its confidential protocol and, as a result of the abovementioned Treaty, a person who has been in the composition of military units of the USSR armed forces, in the composition of the auxiliary staff of military units of the USSR armed forces, his or her spouse, minor children, and other persons under his or her guardianship.

**Section 4.** (1) A person shall submit a submission to the Office of Citizenship and Migration Affairs for granting the status of a participant of World War II, adding a description of his or her conformity with the provisions indicated in Section 2 of this Law, and also the conformity with the documents issued by the National Archives of Latvia, archives of other countries, or State institutions certifying conformity with the provisions of Section 2 of this Law. The status of a participant of the Great Patriotic War in itself granted to the person shall not form grounds for granting the status of a participant of World War II. The person shall certify in the submission for granting the status of a participant of World War II that the restrictions specified in Section 3 of this Law do not apply to him or her.

(2) The Office of the Prosecutor of the Republic of Latvia, the Supreme Court, the Centre for Documentation of the Consequences of Totalitarianism of the Constitution Protection Bureau, and the Information Centre of the Ministry of the Interior shall, upon request of the Office of Citizenship and Migration Affairs and within a month, give an opinion as to whether the restrictions specified in Section 3 of this Law have been established in relation to the person. The National Archives of Latvia shall, within a month, provide a statement to the Office of Citizenship and Migration Affairs free of charge in relation to the person regarding the information at the disposal of the former in relation to the restrictions specified in Section 3 of this Law.

(3) The Office of Citizenship and Migration Affairs is entitled to request information in writing from bodies of public entities and from private individuals, including from foreign archives if it is necessary to ascertain the conformity of the person with the conditions of Sections 2 and 3 of this Law.

(4) If special knowledge is necessary for ascertaining facts of significance in the case, the Office of Citizenship and Migration Affairs may invite experts.

(5) The decision in the case of determining the status of a participant of World War II shall be taken by an official of the Office of Citizenship and Migration Affairs within four months from the day of receipt of the submission.

(6) The status of a participant of World War II shall be revoked by an official of the Office of Citizenship and Migration Affairs if the restrictions specified in Section 3 of this Law are established or the person does not conform to the range of subjects of this Law.

(7) The decision of the official of the Office of Citizenship and Migration Affairs referred to in Paragraphs five and six of this Section may be contested to the head of the Office. The decision of the head of the Office of Citizenship and Migration Affairs may be appealed in accordance with the procedures laid down in the Administrative Procedure Law. The Administrative Court shall examine the case on a priority basis.

**Section 5.** Participants of World War II are issued with a certificate and a commemorative lapel badge of specific sample. The Cabinet shall determine the sample of the certificate and of the lapel badge and the procedures for the issuing, recording, and use thereof.

**Section 6.** A local government is entitled to provide for social guarantees in its binding regulations to the persons who have been granted the status of a participant of World War II, allocating benefits and reliefs to them within the scope of the local government budget for the payment of local government fees or receipt of services.

**Transitional Provisions**

1. The Cabinet shall, by 1 May 2018, issue the regulations provided for in Section 5 of this Law.

2. In order to ensure the implementation of this Law, the necessary additional expenditures for the Ministry of the Interior (Office of Citizenship and Migration Affairs) in 2018 are covered from the programme 02.00.00 “Funds for Unforeseen Events” of the budget unit 74 “Financing to be Reallocated during the Implementation Process of the Annual State Budget”.

The Law shall come into force on 1 February 2018.

The Law has been adopted by the *Saeima* on 21 December 2017.

President R. Vējonis

Rīga, 4 January 2018