Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

12 June 1997 [shall come into force on 4 June 1997];

17 June 1998 [shall come into force on 21 July 1998];

11 March 1999 [shall come into force on 13 April 1999];

13 June 2001 [shall come into force on 6 July 2001];

11 March 2004 [shall come into force on 7 April 2004];

31 March 2011 [shall come into force on 1 July 2011].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**On the Determination of the Status of a Politically Repressed Person for Victims of the Communist and Nazi Regime**

**Chapter 1**

**General Provisions**

**Section 1.** The Communist and Nazi ideology, the Communist and Nazi totalitarian regime and political repression directed by these regimes against Latvian citizens and permanent residents for their political beliefs or political activities, for their resistance to totalitarian regimes, for religious beliefs, for race or nationality, for membership of a particular class of society or social status, for working in a particular profession or for occupation which was not in contradiction with the laws of the Republic of Latvia, for marriage or kinship with a politically repressed person, for assistance to politically persecuted or repressed persons, shall be recognised as crimes.

[*11 March 2004*]

**Chapter 2**

**Determination of the Status of a Politically Repressed Person for Victims of the Communist Regime**

**Section 2.** (1) Current and former citizens of Latvia, Estonia, Lithuania, Finland, and Poland and inhabitants who have legally entered Latvia and permanently resided in Latvia until 17 June 1940, and also descendants of such persons (except for persons who entered Latvia in accordance with the Mutual Assistance Pact of Latvia and the USSR of 5 October 1939), Latvians and Livonians (Livs) who were repressed in or outside the territory of Latvia, and also permanent residents of Latvia who were repressed in the territory of Latvia after 8 May 1945 shall be recognised as politically repressed persons of the Communist regime if they for the reasons referred to in Section 1 of this Law during the period until 21 August 1991:

1) were killed or died as a result of repression;

2) were arrested, incarcerated in prisons, concentration, USSR filtration (inspection), and labour camps or forcibly placed in institutions where coercive measures of a medical nature were applied to them;

3) were exiled, deported, or moved from the permanent place of residence (except for the persons who were evacuated or moved from the combat zones or areas threatened by acts of war, refugees, and adults exposed to the labour service during the war), born in exile or forced displacement – if one of the parents or both parents had been exiled or in forced displacement – after removal of the parents from the register of special command until the date of receipt of the permit to return to Latvia, but not later than one year from the date on which parents were removed from the register of special command.

(2) The provisions of Paragraph one of this Section shall not apply to the persons who have participated in the political repression of the Communist or Nazi regime.

[*12 June 1997; 11 March 1999; 13 June 2001 /* *See Transitional Provisions*]

**Section 3.** (1) An identity card of a politically repressed person shall be issued to politically repressed persons if their conformity with the status of a politically repressed person has been attested by documents.

(2) The identity card of a politically repressed person shall be issued on the basis of:

1) a rehabilitation certificate issued in accordance with the law of the Republic of Latvia of 3 August 1990, On Rehabilitation of Unlawfully Repressed Citizens, the decree of the Presidium of the Supreme Council of the Latvian SSR of 8 June 1989, On Rehabilitation of Citizens who have been Exiled from the Territory of the Latvian SSR in the Forties and Fifties, and the decision of the Council of Ministers of Latvian SSR No. 350 of 2 November 1988, On Unjustified Administrative Deportations of Citizens from the Latvian SSR in 1949;

2) a document issued by the Ministry of the Interior regarding the administrative deportation of a person from the territory of Latvia or his or her birth in captivity, exile, or forced displacement outside the territory of Latvia;

3) a document issued by the State Archives of Latvia or the archives of other countries regarding the presence of a person in a filtration (inspection) or labour camp of the USSR;

4) a document issued by the Office of the Prosecutor regarding the death of a person as a result of political repression;

5) a judgment of a court of the Republic of Latvia on the establishment of the fact of political repression and rehabilitation in cases where documents regarding the fact of political repression have not been retained in the State Archives of Latvia or in the archives of other countries or have been completely lost.

[*11 March 2004; 31 March 2011*]

**Chapter 3**

**Determination of the Status of a Politically Repressed Person for Victims of the Nazi Regime**

**Section 4.** (1) Citizens of Latvia, Estonia, and Lithuania and the inhabitants who have legally entered and permanently resided in Latvia until 17 June 1940, and also descendants of such persons (except for the persons who entered Latvia in accordance with the Mutual Assistance Pact of Latvia and the USSR of 5 October 1939) shall be recognised as politically repressed persons of the Nazi regime if they for the reasons referred to in Section 1 of the Law during the time period from 22 June 1941 to 8 May 1945 in or outside the territory of Latvia:

1) were killed or died as a result of repression;

2) were incarcerated in prisons, ghettos, concentration and labour camps;

3) were deported or moved from the permanent place of residence (except for the persons who were evacuated or transferred from the combat zones or areas threatened by acts of war, refugees, and adults exposed to the labour service during the war), born in forced displacement if one of the parents or both parents were in forced displacement;

4) were exiled in forced labour to Germany during the Nazi regime in campaigns of 1942 and 1943.

(2) Permanent residents of Latvia who were repressed for nationality shall also be recognised as politically repressed persons of the Nazi regime.

(3) All persons who were minors at the time and who were incarcerated in prisons or concentration camps in the territory of Latvia shall be recognised as politically repressed persons of the Nazi regime, except for those persons who were incarcerated for committing a criminal offence.

(4) The provisions of Paragraphs one and two of this Section shall not apply to the persons who have participated in political repression of the Communist and Nazi regime.

[*12 June 1997; 11 March 1999*]

**Section 5.** (1) An identity card of a politically repressed person card shall be issued to politically repressed persons if their conformity with the status of a politically repressed person has been attested by documents.

(2) The identity card of a politically repressed person shall be issued on the basis of:

1) a document of the State Archives of Latvia, the archives of other countries, or official State institutions;

2) a judgment of a court of the Republic of Latvia regarding the establishment of the fact of political repression in cases where documents regarding the fact of political repression have not been retained in the State Archives of Latvia or in the archives of other countries or have been completely lost.

[*11 March 2004; 31 March 2011*]

**Chapter 4**

**State Moral and Legal Guarantees for Politically Repressed Persons**

**Section 6.** The rights of politically repressed persons shall be guaranteed by the State.

**Section 7.** The State has designated 25 March and 14 June as the Commemoration Day of the Victims of Communist Terror, 8 May – as the Day of the Destruction of Nazism and the Commemoration Day of the Victims of the Second World War, 4 July – as the Commemoration Day of the Genocide of the Jews.

**Section 8.** The State shall provide historical exploration of the fate of politically repressed individuals, and also establish historic memorial sites.

**Section 9.** (1) The State shall ensure the restoration of the rights of politically repressed persons in the field of civil, economic, and social rights in accordance with the law. Reliefs for the payment of taxes and duties are guaranteed to politically repressed persons in accordance with laws and regulations. Benefits in the granting of a pension, free medical care, social rehabilitation and benefits in the use of public transport are covered from the joint income of the State basic budget.

(2) Politically repressed persons who have been rehabilitated on the basis of the law On Rehabilitation of Unlawfully Repressed Persons have the right to receive compensation by annulling the property compensation certificates granted for the removed property. The compensation shall be disbursed according to the same procedures as specified for the disbursement of the compensation by annulling the property compensation certificates for the property removed from the persons who have been administratively unduly deported.

[*13 June 2001; 11 March 2004 /* *See Transitional Provisions*]

**Section 10.** (1) State and local government authorities and their officials shall, upon receipt of the submissions of politically repressed persons and also other stakeholders, ensure that, in accordance with the procedures laid down in the Law, the consequences caused by the restrictions of totalitarian regimes on the civil, economic, and social rights are eliminated, the material losses caused by such regimes, physical and moral damage caused thereby are compensated.

(2) Refusal of authorities and officials may be appealed to a court.

**Chapter 5**

**Final Provisions**

**Section 11.** (1) An official of the Office of Citizenship and Migration Affairs shall grant the status of a politically repressed person. The decision of an official of the Office of Citizenship and Migration Affairs 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 to the District Administrative Court in accordance with the procedures laid down in the Administrative Procedure Law.

(2) Before taking the decision on granting or withdrawal of the status of a politically repressed person, the Office of Citizenship and Migration Affairs shall request the opinion of the Advisory Board. The by-laws of the Advisory Board shall be issued and the personnel shall be approved by the Head of the Office of Citizenship and Migration Affairs. Representatives of the associations of politically repressed persons shall be included on the Advisory Board. The opinion of the Advisory Board shall be of a recommendatory nature.

[*31 March 2011*]

**Section 12.** The Cabinet shall determine the procedures for the issuance, registration, and use of the identity cards of politically repressed persons.

[*31 March 2011*]

**Transitional Provisions**

1. The Cabinet shall:

1) by 31 December 1995 draw up and approve a new sample of the identity card of a politically repressed person, ensure the making of the identity card, and determine a time period within which the re-registration of politically repressed persons shall be carried out and until which the identity cards of the politically repressed persons of the current sample form shall be valid;

2) determine the procedures by which the expenses of medical, transport, social, and other institutions and undertakings for services provided to politically repressed persons shall be compensated;

3) by 1 September 1997 prepare a draft law or other regulatory enactment which provides for the recovery of property or compensation thereof for persons:

a) who were subject to increased taxes and duties, followed by the removal of property, eviction from houses or apartments;

b) who avoided repression, where political repression prepared against them has been proved by documents;

4) in international negotiations with the Russian Federation and the Federal Republic of Germany, and also with the involvement of the United States of America and Great Britain as members of the Yalta and Potsdam Conference, address the following:

a) reimbursement of all losses caused to the Republic of Latvia and the citizens and permanent residents of Latvia and the return of all archival materials removed from Latvia (also the archives of the State Security Committee of the Latvian SSR) to the Republic of Latvia,

b) reimbursement of the losses caused to residents of other countries who, as a result of the repression of the Communist and Nazi regime, have entered and continue to reside permanently in Latvia, coordinating this issue with the countries from which such residents were displaced or relocated during the abovementioned regimes;

5) in negotiations with the Republic of Estonia and the Republic of Lithuania address the issue of an interstate agreement regarding the determination of the status of a politically repressed person in each Baltic State for the citizens of Latvia, Estonia, and Lithuania.

[*12 June 1997*]

2. Within the scope of the statutory competence and within the scope of their budget, local governments shall grant reliefs to politically repressed persons in the payment of individual taxes and duties or in the receipt of services.

3. With the coming into force of this Law, the law On the Determination of the Status of a Politically Repressed Person, the decision of the Supreme Council, On the Application of the Law of the Republic of Latvia On the Determination of the Status of a Politically Repressed Person and the Procedures for the Coming into Force (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1992, No. 22./23), and the decision of the Presidium of the Supreme Council, On the Application of Sections 2 and 4 of the Law of the Republic of Latvia of 13 May 1992 On the Determination of the Status of a Politically Repressed Person (*Latvijas Republikas Augstākās Padomes un Valdības Ziņotājs*, 1993, No. 3./4), are repealed.

4. Amendment to Section 2 of the Law shall come into force on 1 January 2002.

[*13 June 2001*]

5. Amendments to Section 9 of the Law on the covering of costs from the State basic budget shall come into force on 1 January 2002.

[*13 June 2001*]

6. Amendment to Section 9 of the Law on the covering of the costs necessary for social rehabilitation from the State basic budget shall come into force on 1 January 2005.

[*11 March 2004*]

7. Administrative cases regarding granting of the status of a politically repressed person (including cases regarding the revocation of the decision on granting of the status of a politically repressed person) which have been commenced in the local government or the Ministry of Justice until 30 June 2011 shall be examined by the relevant local government or the Ministry of Justice accordingly.

[*31 March 2011*]

The Law shall come into force on the day following its proclamation.

The Law has been adopted by the *Saeima* on 12 April 1995.

President G. Ulmanis

Rīga, 26 April 1995