Applicants with special needs - Latvia

Overview

Content updated and validated on: 10/09/2025

Relevant EU legislation

Latvia is bound by the recast Asylum Procedures Directive and has transposed its provisions through the Asylum law, Patvēruma likums, Latvijas Vēstnesis 2, 05.01.2016. OP number: 2016 / 2.1

Latvia is bound by the recast Reception Conditions Directive and has transposed its provisions through the Asylum law, Patvēruma likums, Latvijas Vēstnesis 2, 05.01.2016. OP number: 2016 / 2.1

National legislation

Asylum law, Patvēruma likums, Latvijas Vēstnesis 2, 05.01.2016. OP number: 2016 / 2.1

Competent authority and other stakeholders

State Border Guard (SBG) | Valsts robežsardze

Office of Citizenship and Migration Affairs (OCMA) | Pilsonības un migrācijas lietu pārvalde (PMLP)

Orphan’s and Custody Court

Training initiatives

Information is currently not available.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Special needs in reception

Identification of special needs

The State Border Guard and the Office of Citizenship and Migration Affairs evaluate if there are any special reception or procedural needs. If the State Border Guard or the Office of Citizenship and Migration Affairs has established that an asylum seeker has special procedural or reception needs, they have the right to receive corresponding and adequate support to exercise their rights and fulfil their obligations throughout the asylum procedure.

Referral of applicants with special needs

If the State Border Guard or the Office of Citizenship and Migration Affairs has established that an asylum seeker has special procedural or reception needs, they have the right to receive corresponding and adequate support to exercise their rights and fulfil their obligations throughout the asylum procedure.

Reception and care of applicants with special needs and vulnerabilities

According to the Section 9(1) and (2) of the Asylum Law, if an asylum seeker does not have sufficient resources to ensure living arrangements conforming to his/her health condition during the asylum procedure, he/she is accommodated at the accommodation centre for asylum seekers. The accommodation centre for asylum seekers is a unit of the Office of Citizenship and Migration Affairs. If accommodation is ensured by the Office of Citizenship and Migration Affairs, it will take into account the opinion of the asylum seeker and as much as possible preserve the unity of the family of the asylum seeker who are present in Latvia.

The accommodation centre for asylum seekers is a joint dwelling for non-detained asylum seekers, in which the conditions necessary for everyday life are ensured, and physical and mental health are protected, by taking into account special reception needs of asylum seekers. The Cabinet determines the internal rules of procedure of the accommodation centre for asylum seekers.

Under Section 9(4), (6) and (7) of the Asylum Law, an asylum seeker may be moved from one accommodation centre for asylum seekers to another only if

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

needed and ensuring as much as possible that an asylum seeker of legal age with special reception needs is accommodated together with adult relatives who are already in Latvia and are responsible for him/her in accordance with the laws and regulations. The Office of Citizenship and Migration Affairs provides an opportunity for the asylum seeker to notify his/her representative about the transfer and the new address.

Unaccompanied minors are accommodated at the accommodation centre for asylum seekers, placed in a childcare institution or in a foster family, based on the decision of the Orphan's and Custody Court in co-operation with social services, by ascertaining the opinion of the Office of Citizenship and Migration Affairs. Unaccompanied minors are accommodated at the accommodation centre for asylum seekers or childcare institution until they are provided appropriate care with a guardian or in a foster family or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor. In evaluating the bests interests of the child, the Orphan's and Custody Court takes into account the possibility of family reunification of the minor, the welfare and social development of the minor, particularly his/her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and also the interests and opinion of the minor according to his/her age and maturity, in conformity with the following conditions:

- an unaccompanied minor is accommodated together with adult relatives;
- children from one family are not separated, except when it is in the best interests of the children;
- the place of accommodation of an unaccompanied minor is only changed if it conforms with the interests of the child.

A minor asylum seeker is provided with opportunities to acquire education in the official language in a state or local government educational institution. The Cabinet determines the procedures by which a minor asylum seeker is provided with opportunities to acquire education.

Reception facilities and other housing arrangements

According to the Section 9(1) and (2) of the Asylum Law, if an asylum seeker does not have sufficient resources to ensure living arrangements conforming to his/her health condition during the asylum procedure, he/she is accommodated

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

at the accommodation centre for asylum seekers. The accommodation centre for asylum seekers is a unit of the Office of Citizenship and Migration Affairs. If accommodation is ensured by the Office of Citizenship and Migration Affairs, it will take into account the opinion of the asylum seeker and as much as possible preserve the unity of the family of the asylum seeker who are present in Latvia.

The accommodation centre for asylum seekers is a joint dwelling for non-detained asylum seekers, in which the conditions necessary for everyday life are ensured, and physical and mental health are protected, by taking into account special reception needs of asylum seekers. The Cabinet determines the internal rules of procedure of the accommodation centre for asylum seekers.

Under Section 9(4), (6) and (7) of the Asylum Law, an asylum seeker may be moved from one accommodation centre for asylum seekers to another only if needed and ensuring as much as possible that an asylum seeker of legal age with special reception needs is accommodated together with adult relatives who are already in Latvia and are responsible for him/her in accordance with the laws and regulations. The Office of Citizenship and Migration Affairs provides an opportunity for the asylum seeker to notify his/her representative about the transfer and the new address.

In accordance with Points 7 and 10 of the Regulation of the Cabinet of Ministers No 489 “Internal Rules of Procedure of the Accommodation Centre for Asylum Seekers” of 26 July 2016, if an asylum seeker has special reception needs, an employee of the accommodation centre must take these into account during the asylum procedure. The reception needs of vulnerable applicants must be protected, for example by ensuring that:

- members of one family live together;
- an unaccompanied minor lives together with an adult relative if he/she has arrived in Latvia together with the minor;
- applicants with functional limitations are assisted;
- religious, gender and age-specific considerations are respected, and there are measures to prevent violence (including gender or religious-based violence), sexual assault and harassment.

Detention of vulnerable persons and applicants with special reception needs

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Section 22 of the Asylum Law foresees the placement of detained asylum seekers in the State Border Guard Accommodation for Asylum Seekers.

Regulation of the Cabinet of Ministers No 231 "Regulations Regarding Arranging and Equipping the Accommodation Centre for Detained Foreigners and Accommodation Premises for Asylum Seekers" of 3 May 2017.

Reception of unaccompanied minors

Under Section 9 of the Asylum Law, a decision to accommodate an unaccompanied minor at the Accommodation Centre for Asylum Seekers, placement in a childcare institution or in a foster family is taken by the Orphan's Court in co-operation with social services, by ascertaining the opinion of the Office of Citizenship and Migration Affairs.

Reception facilities and other housing arrangements

According to the Section 9(6) of the Asylum Law, an unaccompanied minor is accommodated at the accommodation centre for asylum seekers, placed in a childcare institution or in a foster family, upon the decision of the Orphan's and Custody Court in co-operation with the social service, by ascertaining the opinion of the Office of Citizenship and Migration Affairs. Unaccompanied minors are accommodated at the accommodation centre for asylum seekers or childcare institution until they are ensured appropriate care with a guardian or in a foster family, or it is established that appointing of a guardian or placement in a foster family is not appropriate for the particular unaccompanied minor. In evaluating the best interests of the child, the Orphan's and Custody Court takes into account the possibility of family reunification for the minor, the welfare and social development of the minor, particularly his/her origin, protection and safety considerations, especially the probability that the minor is a victim of human trafficking, and the interests and opinion of the minor according to his/her age and maturity, in conformity with the following conditions:

- an unaccompanied minor is accommodated together with adult relatives;
- children from one family cannot be separated, except when in the best interests of the children;
- the place of accommodation of an unaccompanied minor is only changed if it conforms with the interests of this person.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Age assessments

In case of doubt, according to the Asylum Law Article 7(2)(2), the State Border Guard may specify an examination by a medical expert (including an age assessment).

Access to education

According to the Section 9(7) and (10) of the Asylum Law, a minor asylum seeker is given the opportunity to attend school in the official language in a state or local government educational institution. The Cabinet determines the procedures by which a minor asylum seeker is provided the opportunity to acquire education.

If an unaccompanied minor has commenced the acquisition of primary or general secondary education and continues it after reaching the age of 18 and is accommodated in a childcare institution or foster family, the state will reimburse the local government for expenses for accommodation of that person in a childcare institution or foster family until the end of the school year in which the person has reached the age of maturity.

Access to healthcare

According to the Section 11(2)(8) of the Asylum Law, an asylum seeker has the rights to receive emergency medical assistance, primary healthcare, outpatient and inpatient psychiatric assistance in case of serious mental health disorders, and any medical assistance to minors, the non-provision of which may pose a threat to the development and health of the child, from the state funds, taking into account the special reception needs of the asylum seeker.

Transition to adulthood

According to the Section 3(5) of the Asylum Law, the principle of protecting the rights of the child and family reunification are especially applied in the field of asylum.

If the unaccompanied minor is in the process of continuing primary or general secondary education after the age of 18 and is accommodated at a childcare facility or foster family, the state reimburses the municipality for the costs of the

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

accommodation in a childcare facility or foster family until the end of the school year.

Detention of unaccompanied minors

According to the Section 22 (3) of the Asylum Law, the detained asylum seeker shall be accommodated in conformity with the fundamental rights and safety of the person, individual traits and psychological compatibility, and also in conformity with the following conditions:

1) the detained asylum seekers - men and women - shall be accommodated separately;

2) the detained asylum seeker shall be accommodated separately from persons who are suspected of committing a criminal offence or who have been detained in accordance with the procedures laid down in the Immigration Law;

3) the detained asylum seeker who has a health disorder shall be accommodated according to the instructions of a medical practitioner in premises specially equipped for such purpose;

4) the detained family members of asylum seekers shall be accommodated together, if any of them does not object, however, separately from other detained persons, ensuring privacy;

5) the detained minor shall be ensured a possibility of studying, involving in measures related to spending leisure time, including in games and recreational measures conforming to the age;

6) an unaccompanied minor shall be ensured accommodation at the State Border Guard accommodation premises for asylum seekers, in which there is equipment, and also personnel corresponding to his or her age;

7) the detained asylum seeker who has been declared in international search shall be placed in premises specially equipped for such purpose until the moment when the issue on further action in extradition proceedings is decided, but not more than 72 hours;

8) the detained asylum seeker who has violated the internal rules of procedures of the State Border Guard accommodation premises for asylum seekers or endangers the safety of the persons present in the State Border Guard accommodation premises for asylum seekers may be placed, by a decision of an

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

official authorised by the Chief of the State Border Guard, separately in premises specially equipped for this purpose for a time period up to 10 days.

Special procedural guarantees

First instance determination for applicants with special needs

A decision to leave an application without examination must be taken in accordance with Section 30 of the Asylum Law. The examination of an application, as well as the decision to grant or refuse refugee or alternative status, is regulated by Section 32. An application may also be examined under the accelerated procedure provided for in Section 33.

These sections of the Asylum Law also set out the requirements concerning special procedural guarantees.

Access to information

Upon lodging an application for refugee or alternative status, asylum seekers are individually provided with various informational materials, such as a common booklet prepared by the European Commission on the Dublin III Regulation (EU) No 604/2013, available in 15 languages. For applicants with special needs, there is a specific part of the common booklet for unaccompanied minors prepared under the Dublin III Regulation.

Personal interview

According to Section 25 of the Asylum Law, the Office of Citizenship and Migration Affairs shall ensure that the personal interview is conducted by officials who are sufficiently competent to take into account the personal and general circumstances of the asylum seeker, which are related to the application, including his or her origin, sex, sexual orientation, gender identity or vulnerability.

If it is possible and it is requested by the asylum seeker, the official interviewing him or her and the interpreter should be of the same sex, except in the case when the State Border Guard or the Office of Citizenship and Migration Affairs have the grounds of assuming that the reasons for such request are not related

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

to the difficulties, due to which the asylum seeker might not be able to clearly outline the reasons for his or her application.

In the case of minors, the interview is conducted by an official with the necessary knowledge of their specific needs, and in the presence of a representative. The interview with a minor asylum seeker is carried out in a child-appropriate manner.

Legal assistance

This matter lies in the jurisdiction of the Administrative Court.

Guarantees for unaccompanied minors

An unaccompanied minor shall express a wish to acquire refugee or alternative status in accordance with the procedures laid down in the Section 6 of the Asylum Law. During the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphan's and Custody Court or a guardian appointed thereby, or the head of a child care institution (hereinafter also - the representative of a minor).

If the head of a child care institution, on the basis of an assessment of the personal situation provided by the unaccompanied minor, deems that the minor needs international protection, he or she has the right to submit an application on behalf of the minor in accordance with the procedures laid down in Section 6 (2) of the Asylum Law.

Making, registering and lodging an asylum application

If the application is submitted by an unaccompanied minor, the Orphan's and Custody Court together with the social service office of the local government, the State Border Guard, and the Office of Citizenship and Migration Affairs shall take measures to look for family members of the minor and ascertain the possibilities of returning such person to family. The Orphan's and Custody Court shall immediately decide on appointing a guardian for the unaccompanied minor. The Orphan's and Custody Court shall take a decision to appoint a guardian, finding out the opinion of the Office of Citizenship and Migration Affairs. Primarily an unaccompanied minor shall be provided care with a guardian or a foster family.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.

Information provision

According to the Section 11 (3) of the Asylum Law if the State Border Guard or the Office of Citizenship and Migration Affairs has established that the asylum seeker has special procedural or reception needs, he or she has the right to receive corresponding and adequate support for exercising his or her rights and fulfilment of obligations throughout the asylum procedure. It concerns information provision as well.

Best interests of the child in the Dublin procedure

If the asylum seeker is an unaccompanied minor, the decisions on responsible state for examination of an application shall be drawn up by an official of the Office of Citizenship and Migration Affairs, who has the necessary knowledge regarding needs of minors.

Personal interview

The Office of Citizenship and Migration Affairs shall ensure that a personal interview with a minor asylum seeker is conducted by an official who has the necessary knowledge regarding needs of minors, and in the presence of a representative. The interview takes place in a way appropriate for children.

Legal representation during the asylum procedure

The Orphan's court shall immediately decide on appointing a guardian for the unaccompanied minor. The Orphan's court shall take a decision to appoint a guardian, finding out the opinion of the Office of Citizenship and Migration Affairs. Primarily an unaccompanied minor shall be provided care with a guardian or a foster family. During the asylum procedure the personal and property relations of the unaccompanied minor shall be represented by the Orphan’s Court or a guardian appointed thereby, or the head of a childcare institution.

Legal assistance and counselling

This matter lies in the jurisdiction of the Administrative Court.

© European Union Agency for Asylum, 2026. Reproduction is authorised, provided the source is acknowledged.