Legal assistance and representation - Latvia

Overview

Content updated and validated on: 11/09/2025

Relevant EU legislation

Latvia is bound by the recast Asylum Procedures Directive, the Dublin III Regulation and the recast Reception Conditions and transposed their provisions through the Asylum Law.

National legislation

Latvia transposed the recast Asylum Procedures Directive, the Dublin III Regulation and the recast Reception Conditions by the Asylum Law.

Relevant national legislation:

- The Immigration Law
- State Ensured Legal Aid Law
- Regulations regarding legal aid

Competent authority and stakeholders

Area	National authority/stakeholder
Provision of legal and procedural information on the applicant's rights and obligations	State Border Guard (SBG) | Valsts robežsardze Office of Citizenship and Migration Affairs (OCMA) | Pilsonības un migrācijas lietu pārvalde (PMLP).

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

Area	National authority/stakeholder
Legal assistance at first instance determination	Civil society organisations Private lawyer
Legal counselling provided by civil society organisations or other organisations	N/a
Legal assistance at second instance determination	Court Administration Civil society organisations
Legal assistance for other related procedures	Court Administration

Access to legal assistance and representation

Provision of information on legal assistance and representation

The State Border Guard (responsible for identification and initial interviews) and the Office of Citizenship and Migration Affairs (responsible for personal interviews and 1st instance's decision) are responsible to provide legal and procedural information on asylum procedure received as well as information on legal counselling/assistance for asylum seekers during the first stage of the asylum procedure – pursuant to Section 7 (4) of the Asylum law.

This right includes the right to be informed about the procedures for appealing the decisions and the requirements for receiving state-funded legal assistance in the event that an unfavourable decision is made (Section 11 (2) 7) of the Asylum Law). The applicant further has the right to have this information provided in a language that they understand.

Section 22 (6) of the State Ensured Legal Aid Law stipulates that a person may receive information about legal aid in the appeal procedures during the asylum

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

process from the institution responsible for examining the asylum application.

Examples of means of providing information include:

- Website of the Office of Citizenship and Migration Affairs - Asylum Seeking
- Video produced by the Office of Citizenship and Migration Affairs on the procedure for contesting and appeal of the decision of application asylum.
- Guide for Asylum Seekers in Latvia produced by the Office of Citizenship and Migration Affairs, (in particular, procedure for appealing a decision, procedure for requesting for state ensure legal aid and final negative decision).
- Website of UNHCR Latvia – I need a lawyer and/or interpreter in my case.

Access to premises

According to Section 11 (2) 9) of the Asylum Law, the applicant has the right to contact relatives, the United Nations High Commissioner for Refugees (UNHCR) or any other organization that provides legal or other consultations to asylum seekers.

Section 21 (5) of the Asylum Law stipulates that Officials of State administration institutions, authorised representatives of associations, foundations, and also international organisations are entitled to visit the State Border Guard accommodation premises for asylum seekers in conformity with the internal rules of procedure in order to verify how they are used for ensuring detention of asylum seekers, evaluate the circumstances of accommodation and residence of detained asylum seekers, and also provide legal or other consultations corresponding to the competence of the relevant institution to detained asylum seekers. The visit shall be coordinated with the Chief of the State Border Guard accommodation premises for asylum seekers, unless it has been otherwise laid down in the law. The Cabinet regulation regarding internal rules is available in English here.

Requirements: Means test and merits test

The asylum seeker has to submit an application for state-insured legal aid, in which they must provide information regarding their available means.

The Asylum Law provides that an asylum seeker has the right to:

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

- invite a person for the receipt of legal aid using his or her own funds;
- receive State ensured legal aid in the amount laid down in the laws and regulations, when appealing the decision of the State Border Guard on registration of the asylum seeker with the unit of the State Border Guard or to detain the asylum seeker to the city (district) court;
- receive State ensured legal aid in the amount specified in laws and regulations, appealing to the District Administrative Court the decision of an official authorised by the Office to leave the application without examination, to refuse to grant refugee or alternative status, to transfer the asylum seeker to the responsible Member State, which will examine the application in accordance with Regulation No 604/2013, to discontinue examination of the application, to refuse to resume examination of the application, and to refuse to disburse the subsistence and daily allowance, if the asylum seeker does not have sufficient resources in order to invite a person for receipt of legal aid.

In accordance with the State Ensured Legal Aid Law, the Court Administration shall assign a legal aid provider to an asylum seeker if a request to that effect has been received from the authority responsible for examining asylum applications and assessing the need for legal aid.

The Court Administration shall draw up a list of those providers of legal aid who, in the detention cases and in accordance with the procedures laid down in the Asylum Law and the Immigration Law, provide legal aid to an asylum seeker or a foreigner to be expelled. That list shall include the providers of legal aid who have concluded a legal aid contract with the Court Administration, taking into account the competence of the providers of legal aid, their specialisation, the location of the provider of legal aid and other circumstances, as well as the commitment to provide legal aid in the relevant category of cases.

Section 5 (2) of the State Ensured Legal Aid Law states that the authority which is responsible for the examination of an application for asylum shall ensure the evaluation of the need for legal aid and the communication of the legal aid applicant with the legal aid provider.

According to the Section 26 (3) and (4) of the Asylum Law, if the asylum seeker who has been detained in the cases and in accordance with the procedures laid down in the Asylum Law and accommodated in the State Border Guard accommodation premises for asylum seekers, wishes to receive State ensured legal aid in order to appeal the decision mentioned in the Section 11 (2) 6) of the

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

Asylum Law, he or she shall submit an application for requesting State ensured legal aid to the State Border Guard. The State Border Guard shall, without delay, but not later than on the following working day after receipt of the application of the asylum seeker for receipt of State ensured legal aid, invite the provider of legal aid who is included in the list drawn up by the institution responsible for provision of State ensured legal aid.

If the asylum seeker wishes to receive State ensured legal aid in order to appeal the decision of the Office of Citizenship and Migration Affairs referred to in Section 11 (2) 6) of the Asylum Law and the asylum seeker has not been detained in the cases and in accordance with the procedures laid down in the Asylum Law and accommodated in the State Border Guard accommodation premises for asylum seekers, he or she shall submit an application to the Office of Citizenship and Migration Affairs for requesting State ensured legal aid and an application regarding his or her income. After assessment of the information referred to in the application for requesting State ensured legal aid and the application regarding income of the asylum seeker the Office of Citizenship and Migration Affairs shall, without delay, but not later than on the following working day, send to the institution, which is responsible for provision of State ensured legal aid, a request to provide legal aid and shall append a copy of the document.

Sample form of the application for requesting State ensured legal aid and the application regarding income of the asylum seeker shall be determined by the Cabinet.

Modalities to submit a request for legal aid

In the appeal, the request must be submitted to the Office of Citizenship and Migration Affairs, which will immediately or no later than the next working day, forward the request along with a copy of the document to be appealed, to the institution responsible for providing state-funded legal aid, the Court Administration (Section 36(4) of the Asylum Law). If the applicant is detained the application for state legal aid must be filed to the State Border Guard (Section 36 (3) of the Asylum Law).

The applicant must submit a written request, which includes a completed questionnaire. The questionnaire should provide information about the applicant, the decision they wish to dispute, and their lack of financial means justifying the need for state-funded legal aid. Questionnaires are available in various

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

languages, and the applicant may request the questionnaire in a language they understand.

According to Section 26 of the State Ensured Legal Aid Law, a person may contest and appeal a decision of the Court Administration to grant or refuse legal aid according to the procedures specified in the Administrative Procedure Law. A ruling by an administrative district court may be appealed by submitting a cassation complaint to the Department of Administrative Cases of the Supreme Court. The cassation complaint will be examined in written procedure and does not require the consent of the participants in the administrative procedure.

Outcome of the request for legal aid

In the appeal, the request must be submitted to the Office of Citizenship and Migration Affairs, which will immediately or no later than the next working day, forward the request along with a copy of the document to be appealed, to the institution responsible for providing state-funded legal aid, the Court Administration (Section 36 (4) of the Asylum Law). If the applicant is detained the application for state legal aid must be filed to the State Border Guard (Section 36 (3) of the Asylum Law).

In case of detention, the Court Administration shall draw up a list of those providers of legal aid who, in the detention cases and in accordance with the procedures laid down in the Asylum Law and the Immigration Law, provide legal aid to an asylum seeker or a foreigner to be expelled. That list shall include the providers of legal aid who have concluded a legal aid contract with the Court Administration, taking into account the competence of the providers of legal aid, their specialisation, the location of the provider of legal aid and other circumstances, as well as the commitment to provide legal aid in the relevant category of cases. The State Border Guard shall, without delay, but not later than on the following working day after receipt of the application of the asylum seeker for receipt of State ensured legal aid, invite the provider of legal aid who is included in the list drawn up by the institution responsible for provision of State ensured legal aid.

In case the applicant is not detained, when the Court Administration appoints certain legal adviser, the asylum seeker and the Office of Citizenship and Migration Affairs are informed on place/time of consultation and if interpreter is needed. The Office of Citizenship and Migration Affairs organizes interpreter for consultations.

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

Legal assistance and representation at first instance determination

Service provider

As provided under Section 11 (4) of the Asylum Law, the applicant has the right to receive legal aid from a private lawyer, at his/her own expense.

State funded

There is no state funded legal aid during first instance determination procedure.

Civil society organisations

The Latvian Centre for Human Rights.

Scope of legal assistance

Information is currently not available.

Procedural aspects

Information is currently not available.

Representation

Information is currently not available.

Aspects related to special procedures

Information is currently not available.

Aspects related to applicants with special needs

Information is currently not available.

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

Legal assistance and representation in appeals

Service provider

State funded

The Court Administration is the state/government institution under the Ministry of Justice, pursuant to Section 21 of the State Ensured Legal Aid Law.

Section 29 mentions that the provider is selected based on a public law contract concluded by the Court Administration.

As provided under Section 11 (2) 4) of the Asylum Law, the applicant has the right to receive legal aid from a private lawyer, at his/her own expense.

Civil society organisations

The Latvian Centre for Human Rights may be able to provide free legal counselling (see here).

Scope of legal assistance

According to Section 11(2)(6) of the Asylum Law, state-funded legal aid is provided when appealing to the Administrative District Court the decision and when the applicant lacks sufficient resources to obtain legal assistance:

- Leaving the application without examination.
- Refusing to grant refugee or alternative status.
- Transferring the applicant to the responsible Member State, which will examine the application in accordance with the Dublin III Regulation.
- Discontinuing the examination of the application.
- Refusing to resume the examination of the application.
- Refusing to provide funds for living expenses and daily allowances.

In accordance with the guidelines, the government will pay for the following legal expenses (see here): up to 5 hours of legal consultation during extrajudicial and court proceedings; no more than the preparation of 5 procedural documents during extrajudicial and court proceedings; up to 40 hours of representation at the court (Articles 10, 11, 12 of the Regulations Regarding the Amount of State-

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

Ensured Legal Aid, the Amount of Payment, Reimbursable Expenses and the Procedures for Payment).

For questions related to state-funded legal aid, the applicant may contact the Court Administration (see here).

Section 15 and 16 of the State Ensured Legal Aid Law provides for legal assistance in administrative matters.

Procedural aspects

Legal aid for asylum seekers is paid by the State. Interpreters for the communication between asylum seeker and appointed legal advisor is organized by the State Border Guard (in detention) or the Office of Citizenship and Migration Affairs.

State-funded legal aid in the procedures for appealing a decision issued by the Office of Citizenship and Migration Affairs includes consultations, preparation of documents, court representation, and interpreter services to facilitate communication with the representative.

Section 22 (6) of the State Ensured Legal Aid Law stipulates that a person may receive information about legal aid in the appeal procedures during the asylum process from the institution responsible for examining the asylum application.

Type of appeal

Legal assistance is provided for appeals before the District Administrative Court.

Representation

State-funded legal aid in the procedures for appealing a decision issued by the Office of Citizenship and Migration Affairs includes consultations, preparation of documents, court representation, and interpreter services to facilitate communication with the representative.

Aspects related to applicants with special needs

Information is currently not available.

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

Right to counselling in the Dublin procedure

In accordance with the Asylum Law, an asylum seeker is entitled to state-funded legal aid, in the amount specified in laws and regulations, when appealing to the District Administrative Court decisions made by the Office of Citizenship and Migration Affairs to leave the application unexamined, refuse to grant international protection, transfer the asylum seeker to the responsible Member State under the Regulation No 604/2013, discontinue or refuse to resume examination of the application, and refuse to disburse subsistence and daily allowances, provided the asylum seeker does not have sufficient resources to obtain legal aid otherwise.

The applicant has the right to receive information on state funded legal aid to appeal against decision related to the Dublin procedure – pursuant to Section 11 (2) 6) and 7) of the Asylum Law.

As provided under Section 11 (2) 4) of the Asylum Law, the applicant has the right to receive legal aid from a private lawyer, at his/her own expense.

Access to legal aid while in detention

Section 17 (2) 7) and (5) of the Asylum Law stipulates that the applicant in detention has the right to be informed, inter alia, of the possibility to request free legal aid and representation as well as to be informed regarding the reasons for detention, and also the procedures for appealing detention laid down in laws and regulations and the procedures for assigning the provider of free legal aid and representative shall be issued in a language, which he or she understands or is reasonably supposed to understand. Same is provided under Section 36 (2) and 36 (3) of the Asylum Law.

According to Section 11 (5) of the Asylum Law, the asylum seeker has the right to receive State ensured legal aid in the amount laid down in the laws and regulations, when appealing the decision of the State Border Guard on registration of the asylum seeker with the unit of the State Border Guard or to detain the asylum seeker to the city (district) court.

If the applicant who has been detained and accommodated in the State Border Guard accommodation premises, wishes to receive State ensured legal aid in

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

order to appeal the decision of the State Border Guard on registration of the asylum seeker with the unit of the State Border Guard or to detain the asylum seeker to the city (district) court shall submit an application for requesting State ensured legal aid to the State Border Guard. The State Border Guard shall, without delay, but not later than on the following working day after receipt of the application of the applicant, invite the provider of legal aid who is included in the list drawn up by the Court Administration.

Pursuant to Section 54 (1) of the Immigration Law, a foreign national who is subject to a removal or to return based on a readmission agreement may be detained by the State Border Guard, on their own authority, for up to 10 days, if there are grounds to believe that the person will avoid or impede the removal proceedings or if a risk of absconding exists. Under Section 56 (1), foreign nationals should be informed at the moment of detention about their rights to appeal against the detention order, to contact the consular authorities of their country and to receive legal assistance.

The detaining State Border Guard official draws up a detention order containing the reasons for the detention as well as information about appeal procedures and the possibility to request free legal aid, one copy of which is given to the detained asylum seeker. The law also requires that this information be conveyed to the person orally in a language he/she understands or can reasonably be expected to understand (Section 17 of the Asylum Law).

Quality assurance

Selection, qualifications and training

Section 30 of the State Ensured Legal Aid refers to legal aid providers, stating that:

(1) A contract for the provision of legal aid may be entered into with:

1) a person who, in accordance with Section 4 of the Advocacy Law, may be an advocate in the Republic of Latvia;

2) a sworn notary;

3) a sworn bailiff;

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

4) a state recognised higher education institution which has been implementing an accredited study programme for not less than five consecutive years as a result of the completion of which a lawyer qualification is awarded and in which a course or unit developed for the provision of legal aid is headed by a Doctor of Law;

5) a natural person with the capacity to act who meets all the following requirements:

a) he or she has completed an accredited study programme in law at a higher education institution (academic study programme in law or a second-level higher vocational study programme in law and a lawyer qualification);

b) he or she is fluent in the official language;

c) he or she possesses good repute;

d) he or she has worked in a law specialty for at least five years following the acquisition of the qualification referred to in Sub-clause a) of this Clause;

6) an association or foundation registered in the Register of Associations and Foundations which conforms to the following requirements:

a) it has continuously ensured the provision of legal aid for at least five years;

b) it ensures that legal aid is provided by a person who conforms to the requirements referred to in Paragraph one, Clauses 1, 2, 3 or 5 of this Section;

c) it does not have insolvency or liquidation proceedings declared or initiated;

d) it has no tax and mandatory State social insurance contribution debts;

e) no illegal activities have been found in the professional activities thereof.

(2) The persons referred to in Paragraph one of this Section may provide legal aid after entry into a legal aid contract with the Court Administration.

Mechanisms for quality assurance

Mechanisms for quality assurance are laid down in the State Ensured Legal Aid Law.

Inter-institutional cooperation

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

Information is currently not available.

Legal assistance and representation for related procedures

Reception conditions

Information is currently not available.

Family reunification

Information is currently not available.

Temporary protection procedure

Information is currently not available.

Beneficiaries of international protection

According to Section 59 (4) of the Asylum Law, if a person who has been granted refugee or alternative status wishes to receive State ensured legal aid in order to appeal a decision of an official authorised by the head of the Office of Citizenship and Migration Affairs to lose or revoke refugee or alternative status, he or she shall submit an application to the Office of Citizenship and Migration Affairs for requesting State ensured legal aid and an application regarding his or her income. After assessment of the information referred to in the application for requesting State ensured legal aid and the application regarding income of the person the Office of Citizenship and Migration Affairs shall, without delay, but not later than on the following working day, send a request to the institution, which is responsible for provision of State ensured legal aid, to provide legal aid, by appending a copy of the decision to be appealed thereto. A sample form of the application for requesting State ensured legal aid and the application regarding income of a person having acquired refugee or alternative status shall be determined by the Cabinet.

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