

TAKE-HOME EXAM PAPER

Citizenship and Migration

Eriks Varpahovskis

Professors: Pieter Bevelander, Mikael Spång

Malmö University

IMER

Personal number: 890327T172

Keeping “Outsiders” Out? Latvian “Non-Citizenship” Policy

Introduction

Disintegration of Soviet Union promoted establishment and re-establishment of sovereignty by 15 different states. Independent states faced necessity of introduction of own migration policies, particularly citizenship policies. In this paper I will focus on depiction of Latvian policies. In the first part of the paper I will portray development of ethno-demographic situation in Latvia in 20th century. Then I describe first steps of Latvian Citizenship Policies and mainly will focus on “non-citizens”. In the second part of this paper I will bring comparison of citizenship policies of several former Soviet Union countries. It is necessary to find out differences in policies of states and find out reasons for this or that policies implementation. In the third part of paper I will find out international and inter-state contemporary issues which are caused by “non-citizens” question. In the final part of my paper I will bring analytical discourse on “non-citizens” as legal, social and political phenomenon.

As far as research is focused on such aspect of Latvian Migration policy like “non-citizens” it would mainly deal with citizenship, which could be defined as “the set of rights, duties, and identities linking citizens to the nation-state”(Koopmans *et al*, 2005: 7); deal with naturalization, which could be characterized as “a process through which an individual expresses his or her voluntary adhesion to a state” (Brubaker, 2010: 225); and deal with such concept like “non-citizenship”. Latvian “non-citizenship” is a core point of our interest.

Research is based on analysis of previously done researches on topic of “non-citizenship” and related topics, based on analysis and explanation of official statistics and based on explanation and interpretation of acts of law.

Historical background

In the last decade of 20th century USSR faced political crisis, as a result of this crisis Soviet Union divided into 15 sovereign states. First states which gained sovereignty were Baltic States (Lithuania, Latvia, Estonia): this happened in 1990, in 1991 sovereignty of states was recognized internationally. As soon as states gained independence they faced necessity of establishing own migration and citizenship policies. Government of Latvia paid a lot of attention on issue of citizenship; new citizenship policies were based on strict rules towards ethnic belonging. It seems necessary to compare few numbers to get full image of development dynamics of Latvia by number of population and percentage of Latvians/non-Latvians. In 1914, while Latvia was under Russian Empire reign, population of Latvia was 2.6 million and 40% of population was non-Latvians. In 1935, while Latvia was sovereign number of minorities was 24% and whole

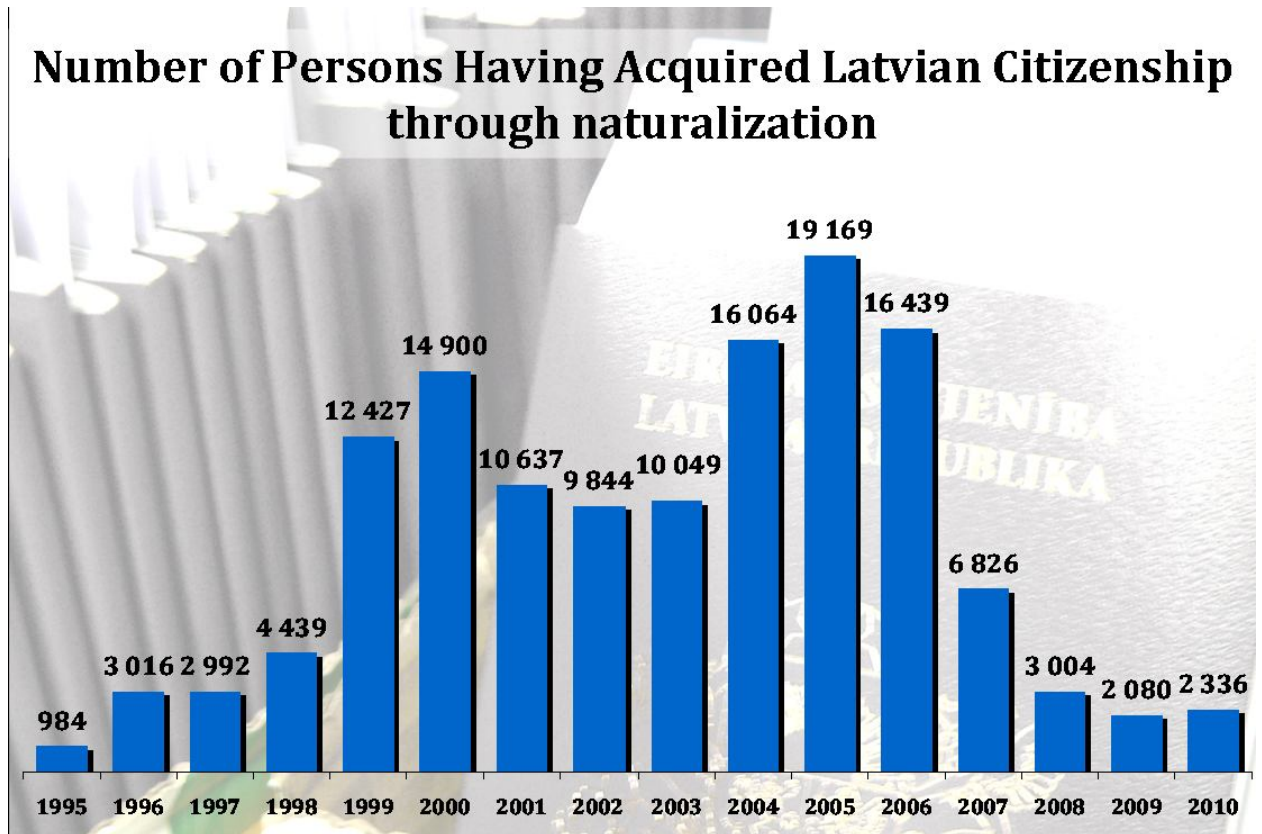
population was nearly 2 million (Poleshchuk, 2009:146). “During World War II, Latvia lost nearly a third of its population as many residents of Latvia were murdered, deported or were forced to emigrate. The German minority was repatriated to Nazi Germany before the beginning of the war, while the Jewish and the Roma minorities were almost completely exterminated during the Nazi occupation. Members of other ethnic groups, including Latvians and Russians, also suffered Nazi and Stalinist repressions.” (Ibid). After WWII, during Soviet Union reign, many people arrived to Latvia from other Soviet Republics, consequently by year 1989 number of non-Latvians increased to 48% of whole population which was 2.7 million. (Poleshchuk, 2009: 147). The largest part of ethnic minorities is ethnic Russians. By the year 2010 in Latvia lived 2,45 million people, number of Latvians was 1.33 million (i.e. 59,45%), number of ethnic Russians was 616 thousand people (i.e. 27, 4%) (PMLP, 2010). But it is necessary to mention that 221 thousand of Russians (ibid) are recognized as *Latvian non-citizens*(Latvijas nepilsonis). Total number of non-citizens in 2011 was 326 thousand (PMLPa, 2011).

Non-citizens legal status and naturalization process

Latvian non-citizen is a big issue which lies in fields of law, citizenship rights, international politics and migration policies. It would be relevant to define status of non-citizens in Latvia and portray historic development of this status. In 1991 the *Law on Reconstruction of Rights of Citizens of the Republic of Latvia and Main Conditions of Citizenship* was introduced by Government, according to this law Latvian citizenship could be granted to people who were citizens of Latvia on 17th of June in 1940 and their descendants (Bowring, 1994: 14). In 1993 number of non-citizens in Latvia was estimated at the level of 714 thousand (approximately 30% of population of Latvia in 1993) (Bowring, 1994: 16). Level of non-citizens lowered owing to naturalization process, but it's important to mention that no naturalization procedure was available until 1995, even though naturalization process was quiet slow because of conditions for naturalization applicants (Kruma, 2009: 69).

Naturalization process began in Latvia on February 1, 1995. Since the beginning of naturalization process 135 362 naturalization applications have been received requesting 148 575 persons to be naturalized. 135 840 persons including 13 965 underage children have been granted the citizenship of Latvia by the decree of the Cabinet of Ministers (PMLPb, 2011). As it possible to notice – number of naturalized persons increased significantly since year 1995 to year 2006. There're different reasons why since 2006 rate of naturalization is dropping while number of non-citizens is still huge.

Table 1 (PMLPb, 2011).



THE PROCESS OF ACQUISITION OF THE CITIZENSHIP OF LATVIA (as on April 30, 2011)

According to law, Latvian Republic doesn't recognize non-citizens as stateless persons and state claims that these persons are subjects of law "Regarding the status of citizens of the former USSR who possess neither Latvian nor other citizenship" which was adopted in 1995. Moreover it's important to say that all non-citizens have their passports of "alien", these passports are issued by Migration Board of Latvia and according to the law these passports are documents which certify identity of holder (Law "On the Status of Former USSR Citizens Who are not Citizens of Latvia or Any Other State", article 3). These "alien's" passports work as Latvian citizen passports, contain expiration dates and personal codes. It's necessary to note that holders of non-citizen passports are facing different legislation difficulties outside EU, for example "aliens" cannot go to the US without visa; most of non-EU countries which don't require a visa from citizens of Latvia do require visa from "non-citizens". It is also seems necessary to mention that only citizens had access to voting rights, to rights to be elected in public office, had no right to establish own party and have access to state office, to obtain firearms without police permission, they had no rights to have higher education grants, to take part in stock joint companies, to receive full number of privatization certificates, to receive full retirement and

social pensions, to receive child benefits, to receive taxation card and information, to return to Latvia without hindrance (non-citizens had to apply guarantee of return after trip) (Bowring, 1994: 15-16), so conditions for non-citizens were very serious, especially in first few years. Some of rights restrictions were removed in a few years after law of 1995 was implemented, but some still exists. Nowadays non-citizens can be members in Latvian parties and donate money, but still have no voting rights neither local or regional elections nor national (OSCE/ODIHR, 2007: 7). So as a result of such restrictions on voting rights 344 thousand “of the country’s legal residents who do not possess Latvian citizenship, the majority of whom are ethnic Russians, are prevented from participating in elections”(OSCE/ODIHR, 2010: 4). It’s also seems important to highlight that fact that in Latvia there exist debates on point of granting voting municipality rights to “non-citizens”, but government still blocks this initiative, moreover long-term residents also still have no opportunity to vote; a bit different situation is in Estonia: there non-citizens and long term residents can vote on municipality level if they lived in Estonia for at least 5 years.

To have clearer picture of what is “non-citizenship” it’s necessary to examine decisions of Latvian Constitutional Court on topic of “non-citizens”:

“After passing of the Non-Citizen Law appeared a new, up to that time unknown category of persons – Latvian non-citizens. Latvian non-citizens cannot be compared with any other status of a physical entity, which has been determined in international legal acts, as the rate of rights, established for non-citizens, does not comply with any other status. Latvian non-citizens can be regarded neither as the citizens, nor the aliens and stateless persons but as persons with "a specific legal status".

Latvia has clearly indicated that non-citizens shall not be regarded as stateless persons, as Article 3 (the Second Paragraph) of the Law on Stateless Persons determines that persons, who are subjects of the Law "On the Status of Former USSR Citizens, Who are not Citizens of Latvia or any Other State", cannot be regarded as stateless persons. Latvian representatives at the international institutions have also consequently defended the stand that the status of a non-citizen cannot be equaled with the status of a stateless person.

Non-citizens shall not be regarded as stateless persons, because – in accordance with Section 1 of the Immigration Law – alien is a person, who is not a Latvian citizen or a non-citizen of Latvia.”(Latvian Constitutional Court, 2005: 12).

As it stems from Court’s statement “non-citizen of Latvia” is a very specific status, it’s not stateless, because “non-citizens” are protected abroad by Latvian Republic, for example, “non-

citizens” also don’t need any visas to stay in Latvia, but, for example in MIPEX system “non-citizens” are defined as “third country nationals”. Important to say is that “non-citizens” have their own passports, which are issued by Latvian Republic, moreover, this passports are still issuing (so it was not one-time measure after USSR dissolution, issue of passport continues), see table 2. Whereas information which is given in passports should be translated in English language (according to EU laws): term “non-citizen” (nepilsoņis) is translated as “alien”. Sweden also issues “alien’s passports” and “temporal alien’s passports”, but these passports are issued in concrete situations, like when for foreign country national it’s impossible to obtain passport of home country and person has a Swedish residence permit on the grounds of protection. Temporal alien’s passport issued mainly in case of humanitarian purposes, also it’s important to mention that none of these documents can be extended. (Migrationsverket, 2011). Latvian Republic can also issue “Stateless person’s travel document”, “Refugee’s travel document”, “Travel document (Alternative status)” all these three types of passports deal with issue of refugees and humanitarian needs, but these passports are not granted to “non-citizens”.

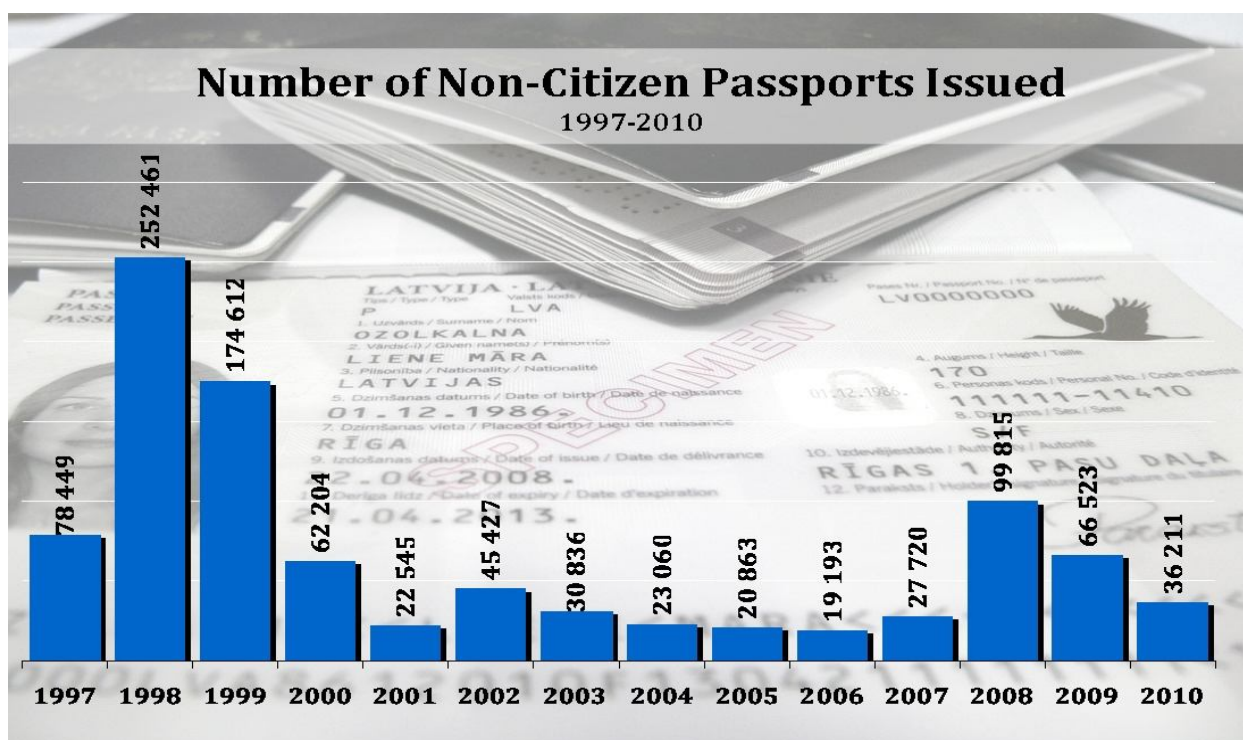


Table 2 (PLMPc, 2011)

Citizenship policies of ex-Soviet Republics

All former Soviet republics faced necessity of introduction own migration and citizenship policies. Dissolution of USSR significantly touched Russian diaspora. About 25 million ethnic Russians were left outside of Russia when USSR broke up. Russians made up 18% of total

population of non-Russian republics. For example Russians made up 30% of Estonian republic population, 22% of Ukrainian republic, 38% of Kazakhstan (Brubaker, 1992: 272). By different reasons this or that countries introduced particular policies. By comparison citizenship policies of ex-Soviet states it would be easier to define reasons and conditions according to which Latvia introduced “non-citizens” policy.

Estonia

Estonia introduced very similar to Latvian citizenship policies. Estonia started issuing passports of non-citizens. Possibilities to naturalize and gain citizenship of Estonia were very small; during first years of Estonian Republic re-establishment it was almost impossible for ethnic non-Estonians to obtain citizenship (full citizenship), that's why *alien's passport* was implemented. W. Rogers Brubaker explained such preoccupation of Latvia and Estonia towards citizenship issues as fear of “extinction” of nations, and because of definite will to control migration, especially Russian migration (1992: 275). For first few years it was quite problematic to gain Estonian citizenship for people of non-Estonian descent (Barrington, 1995: 735), and as far Russians made up largest ethnic minority in Estonia we can claim that in a certain way citizenship policies were oriented mostly towards Russians. In 21st century big part of Russian-speaking part of Estonian Republic population still obtains non-citizens' passports.

Lithuania

Lithuanian citizenship policies differed from Estonian. Naturalization procedure was quite difficult, but opportunities to get citizenship automatically were more available. Almost everyone was eligible for citizenship in Lithuania. Out of a population of over 3.5 million, roughly only 350 000 permanent residents did not receive citizenship before new citizenship law was introduced in December of 1991. It's necessary to mention that vast part of population automatically received Lithuanian citizenship. “The Lithuanian law contained a provision basing automatic citizenship on the pre-Soviet period. All persons who had been citizens prior to 15 June 1940 and all their descendants living in Lithuania were automatically citizens. [...] In addition, however, the law contained two provisions which broadened the base of initial citizens. First, all permanent residents born in Lithuania or those who could show one of their parents or grandparents was born there were also granted automatic citizenship, provided they did not have citizenship from another country. Second, those residing on the territory who did not meet the other criteria could still become automatic citizens by signing, within two years, a loyalty declaration stating that they would support the Lithuanian constitution and the laws of the Lithuanian SSR as well as 'respect its state sovereignty and territorial integrity'[...]. In addition,

according to a treaty between Lithuania and Russia in July 1991, the option of citizenship without naturalization was extended also to those who entered Lithuania after November 1989 but before the signing of the treaty (July 1991). There was no language requirement for those choosing this option under the 1989 law and 1991 treaty” (Barrington, 1995: 733-734). But in the same time it’s necessary to understand that Lithuania turned up into different ethno-demographic conditions in comparison with Estonia or Latvia. In Lithuania in 1989 lived only 344 thousand of Russians (9.4% of total population), total population counted 3.67 million and there were 79.6 % of ethnic Lithuanians. In 2010 total population (3.34 million) of Lithuania contained 2.76 million (83.1%) of Lithuanians and 161 thousand of Russians (6.1%)(Demoscope Weekly, 2010). It’s seems fair to suppose that Lithuanian politics and functionaries were not scared by idea of ethnic ‘extinction’.

Ukraine

Ukrainian policies towards citizenship were quite inclusive, according to citizenship law which passed in 1991 almost all residents could obtain Ukrainian citizenship automatically, exception was made only for people who ‘committed crime against humanity or genocide or perpetrated acts of violence against the national statehood of Ukraine’ and who were sentenced for such crimes (Barrington, 1995: 741). All residents of Ukraine regardless of sex, social status, ethnicity, education, language, political views etc. could become Ukrainian citizens. If we talk about Russian minority in Ukraine it’s also necessary to mention concrete settings which existed. First of all, Russo-Ukrainian relations after USSR dissolution were relatively closer and more cooperative than, for example, Russo-Estonian or Russo-Latvian relations. Moreover, it seems fair to mention that Ukrainians and Russians (ethnic Russians) are more similar in a sense of culture and language, that’s why mono-ethnic (Ukrainian ethnicity based identity) movements in Ukraine were less popular among people and politics in former Soviet Republic, nevertheless the presence of tensions between Russia and Ukraine towards, for example, Crimea and dual citizenship issues (Barrington, 1995: 72).

Central Asian Republics (Kazakhstan, Uzbekistan, Tajikistan, Turkmenistan, Kyrgyzstan)

States of Central Asia implemented Citizenship laws which are very similar to Ukrainian citizenship law - all residents were given citizenship of country. Though governments of Central Asian countries were trying to establish ethnic/national based states, ethnic minorities (mainly ethnic Russians) were granted citizenship. This happened because representatives of ethnic majorities were predominantly occupied in agrarian and low-skilled jobs, meanwhile ethnic Russians were mostly high-skilled workers. Acceptance of Russians happened in an aim to

prevent economic collapse (Armstrong, 2002: 29). Nevertheless outflow of ethnic Russians from Central Asian republics was quite high, it made up 27% of all Russians on the average for Uzbekistan, Tajikistan, Turkmenistan and Kyrgyzstan) in 1990-1997 (Vishnevskiy, 2000: 121). In early 1990s Russia offered to Central Asian states a dual citizenship treaty, but this treaty was rejected, because dual citizenship would be a strong ground for Russia to meddle in Central Asian states national issues which could be concerned Russian diaspora and language (Menon, 1995: 160).

Russia

It's seems also necessary to define Russian citizenship policies after Soviet Union dissolution. Russian government implemented highly inclusive citizenship laws right after USSR broke up, according to this laws in 1991 Russia could accept everyone who resided in USSR and who didn't obtain passport of any other country (excluding USSR passports). According to the law of 1992 everyone who was citizen of USSR in 1991, with a condition of not holding passport of any other successor state and presence of will to become citizen of RSFSR (lately Russian Federation), could apply for citizenship and get it automatically without passing any language tests. This law was in power until 1995, and it was estimated that there were 40 thousand Russian citizens in Estonia and 20 thousand in Latvia by 1994, after the law had expired; people who were not able to get citizenship were treated as stateless persons (Barrington, 1995: 740). But it's necessary to remember that Russia is a super multi-ethnic country and people who took high regional and national administrative were all of different descent; moreover, Russia really didn't need to implement language tests because Russian language dominated in education since 1960s and almost all citizens of Soviet Union spoke Russian. Also it's important to mention that quite easy inclusive citizenship policies promoted migration of ethnic Russians from other ex-Soviet republics.

Contemporary Issues on Non-Citizenship

So it was absolutely reasonable that in the beginning of post-Soviet era successor states had different migration and citizenship policies, this fact stemmed from different demographical, ethnic, labour market, political and cultural conditions. First years of sovereignty demonstrated that states have list of goals and aims, which were similar in some sense on the one hand and were different on the other. Very important common similarity for many ex-Soviet Republics that they tried to build nation states, states which should be based on titular nations. Latvian Republic implemented "non-citizens" policy, which still in power. It seems relevant to portray

development of such policy through years and problems which were evoked by usage of such policy.

First of all, it is important to mention that this policy developed through years and opened more possibilities for “non-citizens” to gain full citizenship through procedure of naturalization, Citizenship Law become more clearly shaped (Kruma, 2009: 90-91), but, even today Latvia is facing different issues because of this “non-citizenship” issue. There is a list of problems: first, and as I see the most important problem is that today’s rates of naturalization among “non-citizens” are quite low (see table 1). Building of state on the basis of national identity took more than 20 years and still continues. It’s fair to say that allotment of people of one concrete ethnicity with governance rights succeeded in some way: most of politicians/functionaries in power and most of representatives of people in Parliament are ethnic Latvians. Russian ethnic minorities are represented in Parliament by left-wing coalition of parties which have 29 seats of 100 in unicameral Parliament in Latvia, meanwhile right-wing and centrist coalitions have rest of seats. But in the same time it’s seems relevant to state that migration policies/identity building through naturalization policies failed after 20 years of implementation. “The great number of aliens in Latvia was a reason for implementing tough immigration policy that would safeguard the national identity from alien influences and would create a certain feeling of security” (Pabriks *et al*, 2007: 8), it could be so, but in 21st century when national identity is rather secured and, moreover, by integration in EU national identity is on a way to transform in European identity, number of “non-citizens” is still very high, and dynamics of naturalization are very low (see table1). Main leaps of naturalization happened right after introduction of “naturalization windows” in Latvian Citizenship Law in 1998, that’s why in 1999 there were more than 12 thousand and more than 14 thousand in 2000, and second main leap happened because Latvian joining to European Union, this event reflected in numbers: more than 16 thousand in 2004, more than 19 thousand in 2005, more than 16 thousand in 2006. After year 2006 dynamics of naturalization decreased significantly. In 2010 there were only 2.336 naturalizations. If naturalization continues within rate of 2.500 naturalized persons per year it would take approximately 120 years. But it’s important to remember that mostly “non-citizens” are ethnic Russians and there increases movement among them to gain Russian citizenship, for example in 2010 there were 5673 applications for Russian citizenship from “non-citizens”, in 2009 there were approximately 2500 applications (Vesti, 2011). Even if we include number of “non-citizens” who decide to naturalize in Russia, it will take 36 years to combat issue of “non-citizens” on conditions that Latvian Republic will not issue “non-citizens” passports from now.

Dynamics of naturalization decelerated also because of Russian Federation visa policy towards “non-citizens” in Latvia and Estonia. “Russia has also decided to simplify the entry procedure for former USSR citizens currently living in Latvia and Estonia who have not obtained the citizenship of any country. The decree, signed by President Dmitry Medvedev on 18 June 2008, grants these persons visa-free travel to Russia provided they have a valid travel document – a non-citizen passport in the case of Latvia and an aliens passport in the case of Estonia”(Kruma, 2009: 81). As a result of such policies of Russian Federation “non-citizens” gained easier access to labour market of Russia, visiting relatives also became easier, meanwhile holder of full Latvian and Estonian citizenship still need a visa to visit Russia.

Another problematic issue of naturalization is naturalization procedure. Today it's necessary to pass tests on knowledge of Constitution, History and Language proficiency if someone wants to naturalize. According to the survey on “reasons why non-citizens don't want use opportunity to naturalize” provided by Latvian more than 34 % stated that they must have citizenship automatically, more than 26 % are waiting of procedure become easier, 26% are enjoying right to visit Russia (CIS), 23.5% are not sure about their language proficiency, more than 20% stated that they don't see necessity, more than 20 % stated that they won't be able to pass test on history, 20% sees naturalization fees very high (Kahre, Stalidzane, 2003: 71). Today issue of fees is even more important because in 2008-2010 experienced financial crisis which was provoked by global financial crisis, during these years unemployment reached 22.8%, it was the worst rate among EU member-states. Very important issue for “non-citizens” is cost of naturalization, and these costs “include any out-of-pocket expenses” (Hayfron, 2008: 93), so it's not only application fees, but future expenses on visas (to Russia), legal fees, fees for having preparatory courses for applicants. Until 2005 obligatory military service for males under 27 also was included in naturalization costs.

Another important issue which concerns issue of “non-citizens” is a legal status and European Union legislation, because specific status of “non-citizen” is now recognized only by Latvia, and internationally “non-citizens” are recognized as stateless persons, as a result Latvian Republic is oppressed by Council of Europe, by OSCE, by Parliamentary Assembly of the Council of Europe, by European Union via European Court on Human Rights. For example, Commissioner on Human Rights of the Council of Europe recommended involving non-citizens in political and social life of country by granting the local voting rights, also it was highlighted that usage of minority languages in the administration could promote integration of minorities, consequently usage of only Latvian language could be a hinder or integration (2007). So it's seems fair to mention that in case of European legislation norms and standards would become more common

and compulsory Latvian authorities will face problems of “non-citizens” status and necessity to deal with minority rights and take in consideration minority’s political positions.

DISCOURSE ON NON-CITIZENSHIP

Latvian Republic is a member state of European Union, this means that Latvia (Latvian citizens and residents) can enjoy some rights which are provided by common EU legislation but in the same time Latvia and 26 other member states are facing common issues. One of these issues is the issue of national citizenship, transnationalism and place of migrants in this system. In case of Latvia this issue is complicated by presence of “non-citizens” factor. As far as “non-citizens” are not holders of full citizenship of Latvian Republic we can consider non-citizens as migrants. Moreover Eurostat consider “non-citizens” as non-EU foreigners (i.e. third-country migrants). So we’ll try to scrutinize this case through a concept that “Russian non-citizens” are migrants. As it is stated by Koopmans “while some of the political activities of migrants can easily be integrated in into existing political institutions and legal frameworks, other types of migrant mobilization may pose serious challenges. Some political activities of migrants refer not to their integration into the receiving society but to the political and social issues of their countries of origin. Such transnational involvement links the hearts and minds of migrants to their homelands and may be detrimental to migrants’ integration into their countries of settlement. Some fear it may even lead to self-reinforcing process of segregation into “parallel societies” along ethnic lines, thus undermining the solidarity and social cohesion without which liberal democracies cannot function” (2005:107). Case of “non-citizens” in Latvia should be scrutinized carefully in terms of demands of migrants for citizenship. The difficulty of this case lies in citizenship policies of authorities after Latvia regained sovereignty. Authorities decided to establish society on the basis of national identity, and nowadays authorities of Latvia see migration as “a social phenomenon that cannot bestopped, but it may be kept under control and byimplementing a farsighted state policy, it is possible touse it for promotion of national development withoutthreatening national identity and security” (Pabriks, 2007: 15). So Latvia tried to become a state with features of a country of ethnic tradition of national identity and as consequence of migration policies high barriers for immigrants to get opportunity to obtain national citizenship were implemented (Koopmans *et al*, 2005: 107). But in very interesting feature of Latvian case is that authorities promoted themselves segregation of citizens (ethnic Latvians) from “non-citizens” (mostly ethnic Russians) and this promotion turned into political struggle between ethnic minorities and national authorities. Latvia continued policies towards establishment of national identities, and as

a result educational system was affected. Previously migrants could study in Russian language in school, today only certain per cent of subjects could be taught not in Latvian, so rights of minorities were narrowed: in Soviet Union all citizens who lived in Latvia enjoyed the same rights, after Soviet Union dissolution some of rights were taken out from ethnic Russians, on the basis of “non-citizenship” (i.e. ethnicity), but right to get education in Russian still existed, and there existed Russian-speaking, Latvian-speaking and bilingual schools and kindergartens, but during first decade of 21st century almost all Russian-speaking schools and kindergartens were closed. Different issues on rights of Russian-speaking population evoked senses of attachment towards country of origin, and as a result, issue on rights of Russian-speaking population became an international political question, because Russian Federation tried to protect rights of “compatriots” abroad (Kruma, 2009: 80). Consequently, idea of “Russian compatriotism” among migrants turns to be crucial. Migration policies of Latvian authorities looked like more assimilation policies than integration, and as a result such policies caused tensions with Russian Federation, and tensions within Latvia, which is not very beneficial for the state. The phenomenon of “non-citizens” as transnational migrants in Latvia is that they could be constructive link in chain of Russian-Latvian relations, but also could be destructive factor which slows down integration of Latvia in EU, and hinders development of Russian-Latvian relations. Now “non-citizens” follow idea of “Russian compatriotism” in this respect it seems relevant to cite Koopmans that “transnational immigrants do not leave their pasts behind; they take them with them; and by maintaining their networks, they begin to act as conduits between two and more nations where they have connections” (Koopmans *et al*, 2005: 109). But if Latvian authorities would like “non-citizens” to become a tool for improvement relations with Russia and improvement own political positions within EU, they need to resist from building state on a base of one nation. Consequently granting of citizenship to “non-citizens” will lead to equality in legislation, this kind of equality will lead to claims for language recognition (for example). So migrants will demand their, previously existed, rights back, this could cause strong tensions within society.

Nowadays citizenship is a privilege which you can obtain through naturalization process. Latvian naturalization policies are not oriented on integration of immigrants and minorities associated with Soviet Union, but mostly on exclusion “those populations while ingathering expatriates and persons of co-ethnic ancestry” (Goodman, 2010: 15). Naturalization process is a hinder for Russians not because they cannot speak Latvian language (most of them can speak Latvian on a level they can pass exam) or don't want to pass a history test (sometimes emerges a discussion on points of Latvian participation in WWII and occupation of Latvia by USSR), but because of

symbolism of this action. Most of non-citizens claim that they should have citizenship automatically, because it could be in some sense abusing/humiliating for them to naturalize through existing procedure: that would mean to them that they accept themselves as “non-citizens”/occupants/foreigners, and they would like to switch from “second-class citizenship” to “first-class” full citizenship. Government implemented such difficult naturalization process in an aim to achieve assimilation of “non-citizens”, and if everyone will be granted citizenship, citizenship itself won’t be anymore a symbolic feature of ethnic privilege or feature of host society membership. And right-wing representatives of Latvian Parliament and Government think that granting of citizenship without naturalization would undermine national (ethnic) identity. But there is another, more practical, side of this issue: non-citizen policies are quite discriminatory, and this policy is legal. If citizenship would be granted to non-citizens there would be no legal ground to discriminate people (today, for example, citizens and non-citizens enjoy different rights, but pay same taxes). Discrimination on point of citizenship (i.e. ethnicity) would extinct or would become illegal.

It’s fair to say that today European Union is more and more influenced by globalization, as a result of such influences migration policies change, especially in a sense of granting of voting rights. Political incorporation of immigrants becomes very important issue. States which decide to grant voting rights to migrants, long-term residents are sacrificing national identities in some sense. “Nowhere are these tensions and contradictions are more profound than in European Union, where nation-states have been pressured to reconcile their national impulses of protectionism with communitarian demands for more cooperation. The momentum toward European integration has exposed incongruities between efforts to control the movement and treatments of people with that of promoting open borders, a free market and liberal standards.” (Lahav, 2009: 211). Latvia is one of the best examples for Lahav’s statement given above, because common European policies are oriented on “bringing outsiders in” but Latvian migration policies are oriented on “keeping outsiders out”. Latvian case is complicated by that fact that “outsiders”/“non-citizens”/foreigners/“others” are already inside of country, and live there from the very first day of Latvian sovereignty regaining. And as far as “non-citizens” are already inside for a long time, they are acquainted with national realities and they already formed a political movement. They are not average immigrant noncitizens from outside of Europe which “are significantly less inclined than so-called native citizens to vote in local elections” (Messina, 2006: 470). Immediate granting of citizenship to “non-citizens” doesn’t seem real today, but granting of voting rights in local elections is very up-to-date issue, because “non-citizens” are quite politically active and if they would be granted voting rights they could influence a lot. But

it is only supposition. Estonian Republic granted voting rights in local election to own “non-citizens” in 1993, but participation rate of “non-citizens” and ethnic Russian citizens of Estonia have been decreasing from year to year. Estonian Russians and “non-citizens” had low political culture; there is no one strong movement, and pro-Russian parties in 1990s focused on struggle with each other as an outcome of such mistakes “non-citizen” political involvement and incorporation is quite low (Vatolin, 2006).

Citizenship is a source of a conflict for persons who feel themselves not fully integrated or excluded, “hence it may serve as a basis for social movement organization” (Heisler, 1992: 638). It’s important to understand that citizenship is a key to have rights: political, social and basic human. The complexity of non-citizens case is that they stuck in very strange conditions. They are subject of Latvian law: they obtain basic human rights, they obtain some social rights they obtain right to naturalize, they obtain some political rights as residents of EU, “non-citizens” are under protection of Latvia if they are abroad; but in the same time they have no list of rights and privileges, which citizens of EU member states can enjoy. One of the difficulties is that government treats them as a symbiosis of citizen and migrant from the outside of EU. Today institutions of citizenship in contemporary Europe are developing in contradictory directions. “On the one hand they affirm the significance of national citizenship; at the same time they minimize distinction between the legal status of citizens and aliens” (Benhabib, 2004: 143). “Non-citizens” stuck somewhere in between of legal statuses of citizens and aliens, this fact causes confusing situations for European and Latvian legislation systems and governments, confusing and conflict situations between Latvian Republic and Russian Federation, discrimination situations within Latvia.

Case of Russian “non-citizens” is quite anomalous, “non-citizens” can’t be considered as claiming for rights migrants which arrived from somewhere outside of Europe. Firstly, many of non-citizens were born on territory of Latvia and lived there for a long time. Secondly, Russians are composing largest minority group of Latvia, this should be taken in consideration by authorities. Thirdly, some of areas of Latvia are mainly settled by Russian language speakers. Furthermore, “non-citizens” are part of ethnic minority group which already enjoyed some rights, but these rights were taken from them. Moreover, legal status offered by Latvian Government is quite unique, unusual and strange; international law doesn’t have norms which could deal with “non-citizen” status. And finally, people who were born on territory of Latvian SSR and Latvian Republic and who have “non-citizenship” status don’t recognize themselves as migrants. “Non-citizens” could be considered as migrants only with number of stipulations.

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