

# Implementation of the Agreement between the Republic of Latvia and the Russian Federation

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As of the 19<sup>th</sup> of January, 2011 the Agreement between the Republic of Latvia and the Russian Federation regarding cooperation within the field of social security has come into effect. The Agreement regulates a person's social insurance and entitlement to certain benefits such as the unemployment benefit or social security benefit, if the person goes to work to another country. However, the Agreements biggest influence is upon the pension sector.

The Agreement expands the scope of people residing in Latvia who are entitled to receiving a pension for periods in Russia. Mainly it concerns Latvian non-citizens and Russian Federation (RF) citizens. The Agreement does not concern third country citizens residing in Latvia, including former USSR citizens.

Each country determines the insurance length according to its own legislation and grants the pension only for its own periods of insurance. However, special provisions should be considered when defining an insurance length for periods until the 31<sup>st</sup> of December, 1990. The Agreement states that for employment or equivalent periods which have been accumulated within the territories of Latvia or Russia until the 31<sup>st</sup> of December, 1990, the pension is granted by the party in which the pension claimant is residing at the moment of the pension request. However, for employment or equivalent periods accumulated after the 1<sup>st</sup> of January, 1991, the pension is granted by the party in whose territory the period has been accumulated.

## Entitlement to a pension for persons residing in Latvia

A Latvian pension can be claimed by persons whose Latvian insurance length is at least 15 years. According to the provisions of the Agreement, employment or equivalent periods in Russia (until 31.12.1990) are included in the Latvian insurance length. A Latvian pension is granted, if the Latvian insurance length is sufficient enough to receive entitlement to a Latvian pension taking into account only this length and all of the necessary provisions for the granting of a pension have also been fulfilled. Moreover, upon granting a Latvian pension, one must take into account the provision which states that another country's pension has not already been granted for these periods.

In its turn, if the Latvian insurance length is not sufficient enough to grant a Latvian pension, then summation of insurance periods, namely – also taking into account the accumulated insurance periods in Russia (after 01.01.1991) if they have been approved by the RF Pension Fund, can be used for determining the entitlement. The Latvian pension is only calculated for insurance periods in Latvia.

If the Latvian pension is granted before the Agreement has come into effect and upon calculating a Latvian pension, the accumulated employment or equivalent periods in Russia (until 31.12.1990) have not been taken into account, then this type of pension can be reconsidered upon a person's application. Documents certifying the insurance length might also be necessary. The pension will be reconsidered as of the next month after the application has been submitted.

## Entitlement to claim a Russian pension

Latvian residents can also claim a pension from Russia one month before they have reached the [set pension age](#), or if they are entitled to receiving a disablement, service or survivor's pension for insurance periods in Russia, taking into account that all the necessary provisions for the pension granting have been fulfilled.

To claim a pension for insurance periods in Russia (after 01.01.1991), a person must go to any division of the State Social Insurance Agency (SSIA) and submit a pension claim, documents which certify employment or equivalent periods within the

territories of Russia, as well as other documents which are necessary for the granting of the certain pension. Special attention should be paid to the quality of the documents for submission and their copies – texts and stamps should be clearly readable. The received claim and documents will be sent for review to the RF Pension Fund, who will make the appropriate decision. If necessary, Latvian insurance periods are taken into account when deciding upon entitlement to a Russian pension. However, the pension is calculated only for the insurance periods in Russia.

If a Russian pension is granted, it will be paid via the SSIA once every quarter. In the claim the person has to indicate their bank account in the LR credit institution where they will receive their pension.

#### Russian Federation citizen's pensions

Russian Federation citizens have the right to choose whether to claim a pension according to the previously mentioned provisions of the Agreement, or to claim for a Russian Federation citizen pension according only to the national legislation of Russia about employment or equivalent periods in Latvia and Russia. If person chooses to claim Russian Federation citizen pension, then this decision can be made once and is not alterable. The decision is made in any division of the SSIA, filling out a special form.

#### Entitlement to a pension for persons residing in the Russian Federation

According to the Agreement, Russian residents can claim for a Latvian pension for employment or equivalent periods after the 1<sup>st</sup> of January, 1991, within the territory of Latvia, if they have not already received a pension for these periods from Russia or another country. If necessary, summation of the insurance periods can be carried out when deciding upon entitlement to a Latvian pension.

The pension claim and documents certifying the insurance length should be submitted to the RF Pension Fund which will forward them to the SSIA for review. If the person is entitled to receiving the Latvian pension, it is paid once every quarter via the RD Pension Fund which transfers it to a person's bank account in the RF credit institution.

#### Payment of a pension in cases of residential change

The regulations of the Agreement state that after a pension claimant has permanently moved to Russia, he/she is still going to continue receiving a Latvian pension. In order to receive a pension in Russia, the pension claimant should submit a claim for receiving a Latvian pension in Russia to the SSIA, before departing from Latvia. Upon arrival in Russia, the person should declare and submit an application to the RF Pension Fund, stating their new address and bank account in the RF credit institution where they will receive the Latvian pension. However, persons residing in Russia are not entitled to receiving the granted (until the 31<sup>st</sup> December, 2011) additional payment to Latvian old-age or disablement pensions for the insurance length until the 31<sup>st</sup> December, 1995. Therefore, upon residential change the additional payments will be discontinued.

If a Russian pension recipient permanently moves to Latvia, then the RF Pension Fund will continue to pay their granted pension via the SSIA.

<https://www.vsaa.gov.lv/en/implementation-agreement-between-republic-latvia-and-russian-federation>