

L A T V I A

SECTION A

Capital

Riga 839,670 (1995 est.)

Area

64,500 sq km (24,938 sq mi)

Form of government

Unitary Multiparty Republic with a single legislative body (Parliament or Saeima)

GDP—per capita

Purchasing power parity—\$4,200 (1999 est.)

Population

2,353,874 (July 1999 est.)

Ethnic composition

Latvian	57.3%
Russian	29.8%
Belarusian	4.2%
Ukrainian	2.7%
Polish	2.5%
Lithuanian	1.6%
Other	1.9%

Official language

Latvian

Minority languages

Russian, Belarusian, Ukrainian, Polish, Lithuanian

Legislation dealing with the use of languages

The Constitution, adopted on February 15, 1922; significantly amended in 1998

Republic of Latvia Language Law, adopted March 31, 1992

State Language Law adopted December 9, 1999

The first set of Regulations on the implementation of the State Language Law, which was proposed by the Ministry of Justice of Latvia, was disapproved.

Representatives of national minorities were not included into the governmental working groups in charge of the preparation of these Regulations.

These regulations provided the right of inspectors of the State Language Center to visit all public and private institutions, business enterprises and Non Governmental Organizations (NGOs). Inspectors also have the right to invite all persons for the Latvian language command examination to the Center, and to annul certificates of the state language knowledge even if a person received it in full accordance with the procedure anticipated by law.

They envisaged six categories of the state language knowledge instead of the existing three categories. The highest category required that a person must know Latvian at the level “equal to mother tongue”, including phraseology and dialectics. This category was necessary, for example, for members of all elected bodies including municipal councils (also in villages). This also applies to the heads of state institutions, rectors and deans of higher educational institutions, philosophers, historians, editors, secretaries, barristers, notaries, prosecutors and judges. This level included even chairpersons of political parties and NGOs, which is clearly in contradiction with the declared respect for freedom of language usage in private sphere. Tentatively it means all these positions and professions will be reserved for Latvian native-speakers only, and persons belonging to national minorities, if their mother tongue is not Latvian, will not be able to work in these professions.

If the state language proficiency certificate is lost, it cannot be renewed.

Public events, organized by private persons, enterprises or associations, must be translated into the state language if:

- Persons representing Latvian state, municipal or judicial institutions/enterprises take part in these events
- The agenda includes items related to participants' property or commercial activity
- All open cultural events, including explicitly mentioned theatre performances, concerts, circus shows, opera, ballet or pantomime.

However, the Ministry was forced to re-write these regulations after a wave of criticism from the Organization for Security and Cooperation in Europe (OSCE), the Latvian National Human Rights Office and several public protests. The highest category now does not require that a person must know Latvian at a level "equal to mother tongue", but requires ability to "hold a conversation in different styles" and to use different "means of linguistic expression". This category now is not required for media staff, but on the other hand, is made mandatory for all lawyers (in the previous version, only barristers, notaries, prosecutors and judges were mentioned). If the state language proficiency certificate is lost or stolen, it can be renewed during the next 6 months after the examination. If it is lost or stolen later, a person must pass the examination again.

Max van der Stoel (OSCE High Commissioner on National Minorities) recommended six drafts out of nine be re-worked yet again. According to the latest information from Latvia's media, the recommendations of the High Commissioner were taken into account only to a limited extent. The six categories, the requirements for personal names' Latvianization and transliteration, together with several other doubtful provisions will remain in the draft. On the other hand, some requirements have been amended or suspended (in particular, NGO leaders will not be required to possess the highest category of fluency; lost state language proficiency certificates can be renewed for one year after the examination, instead of 6 months).

The Regulations on the implementation of the State Language Law were finally adopted on August 22, 2000 by the Cabinet of Ministers. These regulations came into force on September 1, 2000, along with the State Language Law.

The final version of the Regulations has been liberalized. This is so particularly in the private sphere, where an employer may determine the necessary level of the state language knowledge for employees in his/her

business enterprise. If the state language proficiency certificate is lost or stolen, it can be renewed anytime within the year following the examination. The Regulations do not provide inspectors of the State Language Center with the right to annul the state language proficiency certificate. Private persons, enterprises or associations, international institutions, when organizing public events, must translate into the state language only information which relates to legitimate public interests, as well as information about the event. Thus, theatre performances, concerts, circus shows, opera, ballet and pantomime must not be necessarily translated, contrary to the initial draft version of the regulations. Private institutions, enterprises and NGOs now have the right publicly to display information in other languages with the state language.

The Regulations still prescribe “Latvianization” of personal names in documents. Although personal names in historical or original form can be written, by Latin letters only, along with the Latvianized name, usage of Cyrillic or other script is prohibited.

The most painful of the new rules, regarding state correspondence, was not softened in any way by the new regulations. This being the explicit prohibition for all state, municipal, and judicial institutions to accept and consider any applications or complaints from private persons if they are not written in the state language, except for very few emergency cases. The language requirements for employees of such institutions remain rather unclear.

Background notes

Latvians occasionally refer to themselves by the ancient name of “Latviji”, which may have originated from the “Latve” river. A small Finno-Ugric tribe known as the Livs settled among the Latvians and changed the name to “Latvis”.

Historically, Latvia always has had a fairly large Russian, Jewish, German and Polish minority, but post war emigration, deportations and Soviet russification policies from 1939-1989 dropped the percentage of ethnic Latvians in Latvia from 73% to 52%. In an attempt to preserve the Latvian language and avoid ethnic Latvians becoming a minority in their own country, Latvia’s strict Language Law and draft Citizenship Law have caused many non-citizen resident Russians concern over their ability to assimilate. This despite the fact that Latvia legally guarantees universal human and civil rights regardless of citizenship.

CITIZENSHIP

About 60 % of all minorities in Latvia cannot trace their roots to pre – World War II Latvia. Post-war immigrants and their direct descendants did not qualify for automatic citizenship. They were permanent resident “non-citizens”, who had to undergo naturalization to acquire Latvian citizenship. As non-citizens, they could not vote or stand for an office in the state or local elections, could not work in the civil service, faced some restrictions in employment in the private sector and needed visas for traveling abroad. Candidates for citizenship had to pass a Latvian language test and examinations on Latvia’s history and Constitution.

SECTION B

Where does one observe language to be a problem in the country?

LAWS

Latvia gained its independence in 1991 after the dissolution of the Soviet Union and obtained recognition from the world community. In July 1992 the Latvian Saeima (Parliament) reinstated the old Constitution from 1922 with Constitutional Law as a supplement to the old Constitution.

In 1989, Latvian had been declared the sole state language and all official business was to be conducted in Latvian. However, the 1989 law also contained certain guarantees for the use of Russian. The Language Law was scheduled to take effect in three years.

Two months before it came into force, Saeima passed a number of significant amendments that changed its very essence. All clauses but one where Russian was mentioned were removed. Moreover, the law established that all employees in state and private institutions, enterprises and organizations had to know and to use the state language, as well as other languages, to the extent required by their professional duties.

In summer 1995 the State Language Center was asked to prepare a new draft language law. The draft adopted by the Saeima in the first reading was criticized by the Human Rights organizations. Nevertheless, the draft was submitted to the second reading with only minor amendments. The bill was to be considered by the Saeima on March 13, 1998 but it was suddenly excluded from the session’s agenda. The media were informed that the American Ambassador had persuaded the postponement of consideration of the bill until April 2, 1998.

On July 8, 1999 the Saeima adopted the State Language Law but the new President, Vaira Vike-Freiberga requested a reconsideration of several paragraphs. Later, on December 9, 1999 the Saeima adopted and the President signed the Law on State Language. The Law came into force on September 1, 2000.

According to this law, the State Language shall be Latvian (Article 3). For the purpose of this Law, any other language used in the Republic of Latvia, except the Liv language, shall be regarded as a foreign language (Article 5). Basically, employees of the state or private institutions as well as foreign specialists and foreign members of an enterprise (or company) who work in Latvia must know and use the state language (Article 6). All documents and bookkeeping, legal proceedings and army documents must be in the state language (Articles 8, 10, 12, 13). The right to receive education conducted in the state language is guaranteed in the Republic of Latvia (Article 14). Article 9 of the Law on Education calls for the dismantling of the well-arranged system of State secondary education in Russian and in other minority languages. Surprisingly, the deconstruction of a system that has existed for more than 100 years, should be completed by the year 2004. The same applies to broadcasting, media, place names and personal names, stamps and letterheads. The law also stipulates that government bodies will receive documents only in the state language or with a notarized translation into Latvian. Heretofore, documents could be submitted in the Russian, German and English languages as well.

In effect, the use of the national minorities' languages has been put outside of the law. At the same time, the law does not make it the business of the State to assist in the acquisition of skills in the State Language at all. However, without knowledge of it, by the actual working rules and concerning the status of the unemployed (Article 5), no one has the right to be offered work.

CITIZENSHIP

Citizenship in Latvia is closely connected with fluency in the State language. At the date of the information we have available, 28% of Latvia's population still had not been admitted to citizenship since the restoration of Independence in 1991. More than half of these were born in Latvia. Such a high population percentage of non-citizens was unique in the world. These non-citizens were representatives of national minorities.

Only about 10,260 persons had been naturalized under the 1994 Citizenship Law through to August 31, 1998. This means that, of the 148,000 people eligible under the first three "windows" up to 1998 (20

years old in 1996, up to 25 years old in 1997 and 30 years old in 1998), only around 6% had actually applied for citizenship. Amendments to the Law on Citizenship approved in a referendum on October 3, 1998 came into force in 1999, leading to a large jump in the naturalization rate of Latvia's approximately 600,000 stateless "non-citizens". On February 2, 1999 the Cabinet of Ministers adopted regulations regarding the procedure for registering stateless children as citizens of Latvia and simplified the naturalization procedures for persons over 65 years. The abolition of the age timetable or "window system", led to an increase in applications to a monthly average of more than 1,500 by year's end. In 1999 12,429 persons received citizenship by naturalization, which was more than the combined total of the previous four years. By the end-1999 deadline more than 73,000 non-citizens had not changed their Soviet passports for non-citizen passports and thus risked remaining without valid identity documents. The government extended the deadline for the expiration of the validity of USSR passports from December 31, 1999 to March 31, 2000.

To what extent are minority groups in this country disadvantaged by their language?

LAW

The 1998 Law contained what was considered to be a number of sections disadvantageous to minority groups. It states that all other languages used in Latvia are foreign languages. According to the regulations adopted by the Cabinet of Ministers in October 1996, everybody who had lost a job had to present a language proficiency certificate to be registered as unemployed, even if his former job did not require language proficiency. No unemployment benefits were available to those persons who were unable to present such documentation.

In February 1998, the Saeima adopted amendments to the Labor Code that granted the State Language Inspectors the right to demand dismissal of an employee whose command of the State Language did not meet the specified requirements, regardless of whether he/she had the Language Attestation Certificate. If an employer did not agree to fire this employee, the State Language Inspector had the right to take this demand to the court.

After heated debates (and probably some external pressure) the State President G.Ulmanis refused to endorse the amendments, which were re-considered in Saeima Committee. The proposal was that the State Language Inspector will be commissioned first to demand a repeat Language Attestation and, if language proficiency did not improve to the required level within 6 months, the employee will have to be fired.

In May 1998 the regulations concerning the status of the unemployed were amended so that job seekers could register with the State Employment Service without submitting a certificate verifying their knowledge of the state language or an education certificate. That also meant it has not been necessary to prove knowledge of Latvian to obtain unemployment benefits.

CITIZENSHIP - THE PROCESS OF NATURALIZATION

Between 1991 and 1997 a third of the population of Latvia, or 70% of the national minorities, appeared to be wholly deprived of all political rights and of any effective ways and means of representation and protection of their natural rights. As a result those non-citizens, by comparison with the citizens of Latvia, were discriminated against in over 55 types of basic rights, not only in political, but also in economic, social, and humanitarian spheres. Among them, there were 19 bans on professions. In April 1998 the Government abolished the remaining professional restrictions for non-citizens working as fire fighters, airline staff and pharmacists and planned to abolish the restrictions on becoming private detectives, armed guards and pilots.

The slogan "Latvia for the Letts!" was included in the program of all the parties within the government. However, surveys cannot hide that the Russian community as a whole felt humiliated and alienated from Latvian society by the citizenship policies. Many Russians also felt insecure about their status.

What does it cost in terms of money, time and government resources to police the country's language restrictions?

The Russian community in Latvia complained that the Latvian State had not spent a single Santim (the Latvian monetary unit) in aid for the development of State Language skills for adult representatives of the minorities. No teachers are trained to teach the language and literature of the ethnic minority groups.

In December 1996 the Ministry of Education set a deadline, September 1, 1998 for all Russian-speaking teachers to prove their knowledge of the Latvian language. But protests held in June by teaching staff from Russian language schools led to the deadline being extended to the end of the year. The UN set up a Latvian language program to assist teachers in meeting the deadline and it was claimed that only 443 out of 14,146 of them failed either to pass the test or to comply with the requirements. By the end of the year 3% of Russian teachers faced the prospect of losing their jobs for not being able to teach in the Latvian language.

The use of language in everyday life e.g. education, broadcasting and other

The only State Language is Latvian, in spite of the fact that only 57% of the population of Latvia speak Latvian and 43% speak Russian. Now reduced to the status of a “foreign” tongue, Russian is not used officially even in places of dense Russian residence. For instance, according to the State language law, all official papers must be only in Latvian. Similarly, private TV channels may show not more than 20% (reduced from 30%) of programs in non-Latvian languages such as Russian, Polish or English.

On October 29, 1998, a new Law on Education was accepted, establishing that in all State and Municipal Educational Institutions “education is to be given in the state language” (Article 9) and shifting all education to the State (Lettish) Language by the year 2004.

This is likely to lead to a fall in the quality of education for national minorities. In 1998 more than 34% of all schoolchildren studied in Russian. “It is not permissible that the budget should be wasted on teaching in Russian, Polish and Jewish” the popular Ex-Premier and Leader of the People’s Party A.Shkele was quoted as saying in “Panorama Latvii” of November 1, 1998.

According to Article 19 of The Radio and TV law, the broadcasting time in foreign languages (including the languages of national minorities) should not exceed 25% of the total. The company “TV-Riga”, as well as some other private radio and TV companies (“Business & Baltia”, “Radio PIK”) were repeatedly fined and even temporarily closed for the violation of this provision, as they had too many broadcasts in Russian.

Did the country ratify any international treaty dealing with the protection of minorities?

Latvia signed the Framework Convention for the Protection of National Minorities on May 5, 1995 but it has not yet been ratified. Among 24 authors of the present Framework Document, there were two representatives of the minorities.

What else can be found about languages and minorities?

In 1995 the courts were trusted by some 50% of the residents of Latvia, where by November 1997 that figure had been reduced to 32.5%.

Mixed marriages were extremely common, every third marriage overall and every fifth marriage involving a Latvian was mixed (data from 1995).

In November 1998 a representative of the party block “Tevzemej un Brivibaj/LNNK” (Fatherland and Freedom) was elected to be the Chairman of Latvia’s Parliament. TB/LNNK is a strongly nationalist party, often blocking all initiatives towards normalization of the situation with national minorities. It actively and consistently conducts a policy of strengthening discrimination of “aliens”.

According to the research “On the Ways to a Civil Society”, in the beginning of 1998 only 28% of the citizens of Latvia saw the necessity for changes within the Law on citizenship. Approximately 15% thought that this law should be stiffened even more concerning the non-citizens.

In January 1998 the President promulgated a new Law on Amnesty, which put citizens and non-citizens on equal terms.

In 1998 – over the past two years 2,700 minority teachers were trained for Latvian language lessons. New Latvian handbooks and textbooks were printed. A total of about 12,000 adults and students received Latvian language lessons in different types of courses.

On March 3, 2000 several Latvian NGOs, including the Latvian Human Rights Committee, held a public meeting with the members of the Saeima (Parliament) and Riga City Council from the pro-minority coalition “For Human Rights in Integrated Latvia”. March 3, 1991, the date of referendum on the national independence was in fact the last vote involving of the whole population. After that vote, only the citizens of the pre-war Latvia retained the right to vote. During the event a campaign to collect signatures under an appeal to the UN, Council of Europe, European Commission, OSCE, and CBSS began. The aim of this process was to ask the international community to recommend that Latvian authorities ratify the Framework Convention for the Protection of National Minorities signed by Latvia in May 1995. This would hopefully ensure the opportunity to officially use the languages of national minorities in the areas of dense minority population. An added goal was to guarantee the further existence of the state-supported educational system in both the languages of minorities and with effective teaching of the Latvian language. It is also hoped that such actions would help to grant voting rights at municipal elections to the permanent residents of Latvia who do not have Latvian citizenship, but have lived in Latvia 5 years or more.

(<http://racon.riga.lv/minelres/archive//03282000-21:26:2513361.html>)

SECTION C

Ethnic composition

Updated (August 2001)

Latvians	57.1%
Russians	30.0%
Belarussians	4.2%
Ukrainians	2.7%
Poles	2.5%
Lithuanians	1.4%
Gypsies	0.3%
Other	1.8%

Updated (February 2003)

As of July 1, 2002 the population of Latvia was 2,336,818 (data of the Population Register).

Latvians	58.3% (1,362,466)
Russians	29.1% (680,196)
Belarussians	4.0% (92,566)
Ukrainians	2.6% (61,053)
Poles	2.5% (58,165)
Lithuanians	1.4% (32,449)
Jews	0.4% (10,191)
Other	1.7%

Livs (or Livonians), an autochthonous population of the areas adjacent to the Gulf of Riga, now account for only 200 individuals.

In a number of localities in Latvia, ethnic Latvians constitute a numerical minority. Such localities include:

Town	Ethnic Latvians	Ethnic Russians
The capital Riga	41.2	43.7
Daugavpils	16.1	55.1
Jurmala	49.4	36.9
Rezekne	42.8	50.4
RD* of Daugavpils	39.5	38.0
Kraslava	48.5	24.4

*RD – rural district

Source: Report on the implementation of the Framework Convention for the Protection of National Minorities in the Republic of Latvia prepared by the Latvian Human Rights Committee (F.I.D.H.), Riga 2002, http://www.minelres.lv/coe/report/Latvia_NGO.htm

National Composition of Population

Updated (August 2001)

	1935	1979	1989	1995	1997	1998	1999	2000
Latvians	77.0	53.7	52.0	54.8	55.3	55.5	55.7	57.1
Russians	8.8	32.8	34.0	32.8	32.5	32.4	32.3	30.0
Belarussians	1.4	4.5	4.5	4.0	4.0	3.9	3.9	4.2
Ukrainians	0.1	2.7	3.5	3.0	2.9	2.9	2.9	2.7
Poles	2.5	2.5	2.3	2.2	2.2	2.2	2.2	2.5
Lithuanians	1.2	1.5	1.3	1.3	1.3	1.3	1.3	1.4
Jews	4.9	1.1	0.9	0.5	0.4	0.4	0.4	-
Gypsies	0.2	0.2	0.3	0.3	0.3	0.3	0.3	0.3
Estonians	0.4	0.1	0.1	0.1	0.1	0.1	0.1	-
Germans	3.3	0.1	0.1	0.1	0.1	0.1	0.1	-
Other	0.2	0.8	1.0	0.9	0.9	0.9	0.8	1.8

Legislation dealing with the use of languages

Updated (January 2001)

In the year 2000 both Latvia and Estonia were criticized by the European Parliament because of their controversial language legislation. Some of the criticism was specifically aimed at undermining so-called administrative “latvianization”, such as the official recognition of Latvian names and surnames, which, according to the OSCE, would not meet the Council of Europe’s Framework Convention for the Protection of National Minorities.

The new State Language Law gives Latvian a status of the sole language and due to the modifications from September 2000 prohibits official communication with state or municipal authorities in any other languages. According to Mr Tsilevich (a member of Parliament), the situation with minority language use has improved but the prohibition of the use of minority languages with authorities is still a crucial problem.

At the beginning of this year the Council of Europe monitoring Latvia announced that the country has made a substantial progress in fulfilling obligations it undertook when had become a member of the Council in 1995.

Minority and language issues were essential in the monitoring particularly the situation with the large Russian minority.

Dialogue with non-Latvian speakers about introduction of Latvian as a sole language of instructions in secondary schools by 2004 was emphasized.

The changes in the State Language Law contributed to relieving the tension in the country.

Updated (August 2001)

On June 14, 2001 the Parliament amended the Administrative Violations Code to envisage fines for eleven different violations related to language policy:

- Signing a work contract with an employee whose Latvian proficiency is insufficient for performing his/her professional duties
- Failure to use the state language on the level necessary to perform one’s professional duties

- Failure to provide translations in meetings if the law so requires
- Failure to ensure the use of Latvian in office records
- Failure to use the state language in contracts on the provision of medical treatment, health care, public safety and other public services
- Refusal to accept documents written in the state language
- Failure to ensure translation in events if the law requires translation
- Failure to ensure translation of radio and TV programs and films if the law provides for translation
- Failure to create titles and names in the state language
- Failure to create the texts of stamps, seals and letterheads in the state language if the law provides for creating these texts in the state language
- Failure to observe the regulations on providing information to the public; and “disrespect towards the state language.”

Some provisions are vague and therefore open to varying interpretations. For several of the violations, the size of the fines is up to 250 LVL (~USD 400).

Updated (May 2002)

LANGUAGE INSPECTORS

At the end of the year 2001 the governmental working group elaborated amendments to the language regulations concerning procedure of the state language proficiency examinations held by the State Language Center. On November 6, 2001 the Cabinet of Ministers adopted these amendments.

According to the amendments, the State Language Center officials (language inspectors) will have only the right to inspect the authenticity of the state language proficiency certificate. In other words, they can check the validity of the documents but cannot require additional examination for their holders any longer.

Besides that, the new amendments provide for the opportunity to renew lost or destroyed certificates beyond the previous one-year time limit.

The pro-minority faction “For Human Rights of United Latvia” welcomed adoption of the amendments, but it believes, that the language requirements for deputy candidates (they must produce certificate of the highest (“3B”) level of the state language proficiency to be registered by the Election Commission) must be abolished under the UN Human Rights Committee’s Views. The Saeima rejected such amendments to the electoral laws proposed by “HRUL” on October 23, 2001.

LANGUAGE AMENDMENTS TO THE CONSTITUTION

- On February 22, 2002 the Coalition Council (an informal political body created by the ruling parties) approved draft amendments to the Constitution aimed at strengthening the state language status. According to the minority activists, ruling party uses the language issue in their pre-election campaign (parliamentary elections will be held on October 6, 2002)
- On March 7, the Saeima (Parliament) forwarded the draft amendments to all parliamentary committees. The draft was signed by representatives of all ruling parties and oppositional Social Democratic Union. Only the pro-minority faction “For Human Rights in United Latvia” (HRUL) voted against the amendments.

Pro-minority faction HRUL declared that the proposed amendments will even more limit possibilities to use other languages in Latvia, and do not comply with the European standards in the field of language policy.

- On March 12, the Parliamentary Committee on Legal Affairs discussed the proposed amendments with several invited experts. They suggested to change wording of the draft amendments, and even to reject some of them. Prominent lawyers (e.g. chairman of the Supreme Court Andris Gulans, former MP Ilmars Bishers) claimed that the amendments run counter to the basic principles of the Constitution (if the provision can be included into other laws, it cannot be included into the Constitution; text of the constitutional provision must be brief and compact).
- On March 13, daily “Diena” published statement of two leading human rights experts, LLM Martinsh Mits (former director of the Institute of Human Rights of the University of Latvia, a lecturer in the Riga Graduate School of Law) and Dr. Nils Muizhnieks (head of the Latvian Center for Human Rights and Ethnic Studies) who severely criticized the draft, in particular the part about the working language of the Saeima and local governments. It must be determined in other laws, not in the Constitution because after

Latvia's accession to EU, the EU citizens will have the right to elect local governments, according to Article 19 (1) of the Treaty establishing the European Community. Thus, if the provision about Latvian citizens' exclusive right to elect local governments will be included into the Constitution, this article will have to be amended again in a few years.

- On March 20, the Saeima at its extraordinary plenary meeting adopted amendments to the Constitution aimed at strengthening the status of the state language. Seventy-nine MPs voted for the amendments, 16 MPs voted against.
- On April 10, the Saeima at its extraordinary plenary meeting adopted amendments to the Constitution aimed at strengthening the status of the state language in the second reading. Seventy-six MPs voted for the amendments, 12 MPs voted against, 2 MPs abstained.

Wording of the adopted amendments slightly differed from the one adopted in the first reading. For example, every MP is obliged to swear to "strengthen Latvia's sovereignty and the Latvian language as the sole state language" instead of "defend Latvia's sovereignty and state language."

- On April 30, the Saeima of Latvia at its extraordinary session adopted language amendments to the Constitution in the final reading. Seventy-two MPs voted for the amendments, 15 against and 1 abstained.

The amendments concern four articles of the Constitution.

Article 18 will be supplemented with the provision that every MP is obliged to swear or to give a promise "to be loyal towards Latvia, strengthen its sovereignty and the Latvian language as the sole state language, defend Latvia as an independent and democratic state, fulfill his/her duties in good faith, observe the Constitution and the laws." The Parliament's Legal department Office (a body responsible for legal analysis of the submitted draft laws) proposed to exclude words about Latvian as the sole state language, referring to a private letter from the unnamed OSCE expert, but the Saeima declined this proposal ("Chas" (The Hour), April 24, http://www.chas-daily.com/win/2002/04/24/1_022.html).

Article 21 provides that the sole working language at the Saeima is Latvian.

Article 101 will provide that “full-fledged citizens of Latvia elect local governments” and “the working language of local governments is Latvian.”

Article 104 (provides the right to address submissions to State or local government institutions and to receive a materially responsive reply) will be supplemented with the provision that “everybody has the right to receive answer in Latvian” (“Diena,” April 25; “Chas,” 25, http://www.chas-daily.com/win/2002/04/25/1_044.html).

LANGUAGE REQUIREMENTS FOR DEPUTY CANDIDATES

The debate on this issue has started since October 2001 when the Saeima (Parliament) of Latvia rejected amendments to the laws on parliamentary and local elections proposed by the pro-minority faction “For Human Rights in United Latvia.”

According to the legislation then in force, all citizens of Latvia, who received education in other languages than Latvian, had to produce certificate of the highest (3B) level of the state language proficiency in order to be registered as candidates, otherwise he/she were struck off from the electoral list.

On December 6, 2001 the President of Latvia Vaira Vike-Freiberga invited a group of experts from the Ministry of Justice and Ministry of Foreign Affairs, National Human Rights Office, University of Latvia, Saeima (Parliament), State Language Center, and other governmental and non-governmental organizations to discuss some topical problems concerning the language legislation and policy in Latvia.

In her speech, the President touched upon the problem of the personal names’ spelling (the legislation provided that personal names and surnames must be written in documents according to the grammar of the Latvian language and the original form of the personal name in Latin transliteration can be used on some other page in the ID); however, the main issue discussed during the meeting was the language requirements for deputy candidates.

In the President’s view, these requirements could be contrary to five articles of the Constitution and the provisions of the European Convention of Human Rights. The President said, “those people whose native language is, for example, Russian, are discriminated to some extent by this requirement of the Election Law, as they did not master the Latvian language in family from childhood, and now they are put in the situation of inequality.” The President also mentioned that Latvia is the only European state where such restrictions exist, after Estonia had abolished similar requirements in its electoral legislation.

After the second meeting of the group of experts they reported its preliminary conclusion: the language requirements for deputy candidates can be abolished, because there are legislative provisions for the protection of the state language in public sphere.

Although abolition of the state language requirements for deputy candidates was strictly recommended by the OSCE, it was not clear whether this initiative - if officially proposed by the President as a bill - will be supported by the majority of the parliament. At the beginning the parties representing about 2/3 of MPs clearly spoke out against the amendments.

On January 7, 2002 the group supported the proposal to officially declare the Latvian language as the sole working language in municipalities (no exceptions are envisaged even for localities overwhelmingly populated by linguistic minorities). The representative of the State Language Center, Maris Birzulis, who was invited to the experts' meeting, stressed the hardships the Center with monitoring the implementation of the State Language Law. Only 12 state language inspectors are employed in the Center. It needs approx. 400,000 Lats (EUR 715,000) per year to control usage of the state language and to carry out other activities. At present, the Center's budget is 144,700 Lats (EUR 258,000) per year (the newspaper "Diena" (The Day), January 8).

On January 17, after the next meeting with the group of experts, the President declared that she was ready to submit the amendments to the election legislation aimed at abolishing the state language requirements for deputy candidates. On January 21, she discussed these amendments with the representatives of all parliamentary factions.

On January 9, the President had a meeting with another group of experts, which included linguists, artists, and politicians. The state language policy in Latvia and measures for the protection of the state language were discussed. Following this meeting, the President decided to establish a standing Commission on the State Language. Official decision on the creation of the Commission was signed by the President and Prime Minister Andris Berzins on January 16. The Commission's main task is to elaborate guidelines of the Latvian language policy for the next three years (TV program "Panorama," January 9, <http://www.latnet.lv/onlinetv/tv1/index.php?id=855533>).

On January 17, Mara Zalite, famous poetess and newly appointed chairperson of the Commission on State Language, spoke out in favor of removing the language requirements from the election legislation. In Ms. Zalite's view, "keeping these requirements (in law) will cause more damage than their abolition. International organizations Latvia strives to

accede to, demand abolition of these requirements, and if Latvia fails to follow these recommendations, it runs risk to be left outside.” (<http://www.rus.delfi.lv/news/daily/latvia/article.php?id=2491551>).

On April 16, the Prime Minister Andris Berzinsh asked ruling coalition to start discussions on the amendments to election legislation aimed at abolition of the state language requirements for deputy candidates, as soon as amendments to the Constitution strengthening status of the state language are adopted. After receiving a negative answer from the leader of the radical nationalistic party “For Fatherland and Freedom” M. Grinblats, Prime Minister asked party’s Minister for Defense Girts V. Kristovskis to give his opinion on possible changes in the election legislation, which “could affect positively Latvia’s relations with NATO.” On April 22, the Minister supported amendments to the election legislation (“Diena” (The Day), April 23).

After the adoption of the amendments to the Constitution (April 30, 2002), the amendments to the election legislation were finally adopted on 9 May by a vote of 67 to 13, with four abstentions. Similar amendments to the local council election law were passed by a vote of 71 to 13, with three abstentions. The negative votes were cast by deputies of the conservative party For Fatherland and Freedom/LNNK and the Union of Social Democrats. OSCE High Commissioner on National Minorities Rolf Ekeus and the U.S. government immediately welcomed the passage of the amendments.

Regrettably, minority organizations feel that these amendments will be adopted only under pressure of NATO in order to become a member of this organization.

THE LAW ON PASSPORTS AND IDENTIFICATION CARDS

On May 23, 2002 the Saeima adopted the Law on Passports and Identification Cards. Latvian residents will be able to receive the passports of the new format only after September 1, 2002 instead of the earlier scheduled date July 1, 2002. (*Diena*)

Newspaper *Chas* stresses that it will be up to a holder of the new passport to provide information about his/her nationality (ethnic origin). The newspaper notes that in a couple of years ID cards will be the main documents of all residents of Latvia who have reached the age of 16.

Updated (June 2002)

On May 30 the Saeima accepted in the first reading the draft amendments to the Law on Local Governments. The draft amendments are developed by the Saeima Committee on State and Local Government Administration and stipulate that “the working language in local

governments, institutions and organizations founded by local governments shall be the Latvian language.”

Updated (July 2002)

- On June 6, 2002 the Saeima in the final reading reviewed amendments to the Law on Local Governments, which stipulates that “the working language in local governments and their institutions shall be the Latvian language.” The Saeima rejected the proposal of FF/LNNK to dismiss a council if it does not observe the provision about the working language of local governments. (“Diena,” “Vechernaya Riga”)
- On June 7 the Saeima rejected the proposal of FHRUL to amend the Rules of Order of the Saeima. FHRUL proposed to lift the norm stipulating that the mandate of an MP should be annulled if his/her state language skills are not sufficient. (Panorama Latvii)
- The Department of Citizenship and Migration started to issue a new form of citizen and non-citizen passports as of July 1, and not as of September 1, as reported before.

Updated (August 2002)

LAW ON THE STATUS OF FORMER CITIZENS OF THE USSR WHO ARE NOT CITIZENS OF LATVIA OR ANY OTHER STATE (STATUS LAW)

The adoption of the Law on the Status of Former Citizens of the USSR who are not Citizens of Latvia or Any Other State (Status Law) in April 1995 provided a unique form of legal status (that of “non-citizen”) for permanent residents without citizenship. The Status Law legalized the continued residence of Latvia’s post-1992 “non-citizens” and defined their basic rights and obligations. However, according to this law, which remains in force, non-citizens are neither citizens nor foreigners nor stateless so it established special non-citizens passports for them (Article 3). The situation worsened for some non-citizens in August 1998 with new amendments retrospectively disqualifying anyone registered as a permanent resident in any former USSR country at any time after July 1, 1992. This norm led to the emergence of a group of “illegals,” persons who can neither legalize their status in Latvia, nor can be deported, creating as yet an unresolved legislative conundrum.¹

¹ As these people lack citizenship of any state, there are no agreements under which Latvia can deport them elsewhere. The Law on Entry and Residence of Foreigners and Stateless into the Republic of Latvia (adopted on June 9, 1992) does not specify where persons should be deported to. The Law on the Status of Stateless Persons (adopted in

In September 2000, the Status Law was amended to allow a non-citizen status to be rescinded by decision of the Department of Citizenship and Migration Affairs. However, such decision may be appealed and is suspended until the court has ruled.

A number of laws and secondary legislation reserve certain rights and opportunities to citizens only, such as the right to participate in national and local elections and to form political parties. Other laws restrict non-citizens' property rights, the right to work in a number of professions, both in the state and the private sector, and the right to receive social and other benefits. A 1996 analysis of such restrictions concluded that ten were contrary to both the Latvian Constitution and the International Covenant on Civil and Political Rights (ICCPR), which Latvia has ratified. Since then, only five of the restrictions have been rescinded, but new restrictions have been introduced.² These gaps persist despite criticism by the European Commission.

By April 2001, more than 20,000 non-citizens had not yet exchanged their old Soviet passports for Latvian non-citizens identification documents.

Residents of Latvia by ethnicity and citizenship in 2001

	Citizens	Non-citizens	Foreigners	Total	Percent
Latvians	1,363,136	3,549	753	1,367,438	57.9
Russians	307,323	368,380	17,733	693,436	29.4
Belarussians	23,659	70,331	1,429	95,419	4.0
Ukrainians	7,804	51,514	3,230	62,548	2.7
Poles	39,676	18,957	371	59,004	2.5
Lithuanians	15,988	15,924	1,113	33,025	1.4
Jews	5,770	3,922	300	9,992	0.4

February, 1999) is not applicable to these persons, because it deals specifically with those who entered Latvia legally and do not have citizenship in any state.

² For example, non-citizens are not allowed to work as a head of security firm or to study in some education establishments; neither are they eligible for licenses for air transportation abroad, protection of investments abroad, and avoidance of double taxation with other states.

Estonians	1,445	948	239	2,632	0.1
Others	15,706	17,539	3,695	36,940	1.6
Total	1,780,507	551,064	28,863	2,360,434	100.0

Source: Data of the Population Register as of January 1, 2001.

Source:

http://www.eumap.org/reports/content/10/428/minority_latvia.pdf,
The EU Accession Monitoring Program Report on Minority Protection,
Open Society Institute 2001 on
<http://www.eumap.org/reports/content/10>

Updated (September 2002)

In 1991, the 1922 Constitution was re-established and since 1998 it has included the article that Latvian is the official language of the state. In 1989, the first Language Law, aimed to re-establish lost sociolinguistic functions of Latvian, was adopted (amendments in 1992). This pre-independence language law had been drafted by a special governmental commission including linguists, governmental officials, writers, and layers.

After many investigations of language policies all over the world, the Canadian linguistic legislation, because of the certain similarity, became one of the cornerstones for Latvia. French in Quebec as well as Latvian, Lithuanian and Estonian in the former USSR were “regional majority languages.” People using these languages, though constituted the majority in its historical territory, were minorities at the national level.

The goal of language policy was to change language hierarchy in the public life. The idea of bilingual state was completely rejected. However, the first law did not correspond to the concept of the monolingual state, as Russian still had the official status in a number of spheres. Though Latvian was the sole state language, the parallel use of Russian in the majority of the sociolinguistic functions was allowed. Access to services in Russian, for those who did not speak the state language, was guaranteed.

Full implementation of the 1989 Language Law was postponed and a decree specifying its implementation was issued. There was a three-year transition period during which state employees lacking Latvian language skills could acquire them. In almost all work places Latvian classes were organized free of charge during working hours. Nevertheless, the

implementation of the 1989 Language Law was hampered by the unstable political situation during the period 1989-1991.

In August 1991, the Republic of Latvia proclaimed its sovereignty. The Language Law was simultaneously revised to strengthen the status of the state language. In 1992, amendments were made to the 1989 Language Law.

The 1992 Language Law stated that:

- Latvian should be the only language of government and state administration
- Proficiency in the state language should be required for certain jobs and there should be a system of language proficiency certification
- The state language is given priority in higher education
- The priority of the state language in public radio and television broadcasting should be ensured
- The priority of the state language in the sphere of public information should be ensured

In 1999, a new Law on State Language was adopted in Latvia. This law is much more liberal than 1989 and 1992 law and it is still in force. The purpose of the present law is to preserve, protect and develop the Latvian language, to integrate national minorities into the Latvian society while observing their right to use their mother tongue or any other language.

Currently two intertwining processes take place in Latvia - the integration of the society in Latvia and the integration of Latvia into the European Union. Therefore, the language planning strategy proceeds from the following principles:

- 1) The official language is both a symbol of the state and an instrument for integration of society. To learn and use Latvian is one of the main factors, which ensure stability of a multilingual state.
- 2) To ensure all inhabitants of Latvia the possibility to study and to use the Latvian language in order to promote the integration of the society
- 3) To support learning and use of the minority languages in Latvia

- 4) To ensure the possibility to study foreign languages in order to stimulate readiness for communication in a foreign language and integration into European structures.

Source: World Congress on Language Policies, Barcelona, April 16-20, 2002, "Language Policy and Protection of the State Language in Latvia," by Prof. Dr. Ina Druviete from University of Latvia, <http://www.linguapax.org/congres/taller/taller3/Druviete.html>

Updated (September 2002)

On August 27, 2002 the Cabinet of Ministers amended the Law on Radio and Television. The new amendments stipulate that the National Radio and Television Council is entitled to impose fines on radio stations for violating the law directly, without going through long court procedures as it had been until now.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, August 28, 2002

Updated (October 2002)

On September 12, 2002 the Saeima adopted a new Fire Safety and Fire-Fighting Law in the second reading. According to the law, all firemen will become civil servants so only citizens of the Republic of Latvia will have the right to work in this profession.

A similar provision was already included in the Law on Fire Safety being in force in December 1994. However, this provision was abolished in January 1997, following persistent recommendations of the OSCE High Commissioner on National Minorities, as well as conclusions of the National Human Rights office. Currently the restrictions for non-citizens are going to be restored.

Source: Chas, September 2002, Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies

Updated (December 2002)

THE NATIONAL DECLARATION OF A NEW GOVERNMENT

One of the top priorities of a new government is an integrated civic society and a strong, modern ethnic identity. The issues concerning the rights of national minorities were discussed in the three chapters: Education, Culture and Ethno-political Issues

Article 14.5 states (education)

We will strengthen bilingual education at all national minority schools. We will intensify preparatory tasks to ensure a gradual switch of minority secondary schools to Latvian as a main instruction language as of 2004.

Article 15.7 provides for (culture)

We will preserve and foster diversity of cultures of the ethnic groups in Latvia and will promote development of national cultures.

Chapter 17 (ethno-political issues)

We will implement such ethno-political principles, which will take into consideration the interests of the state and all members of society, including Latvians and national minorities. We will improve legislation in the realm of ethnic policy and determine the fields of competence of the responsible institutions. We will assign a high level, politically responsible official having the requisite authority who will be responsible for the implementation of ethnic policy.

We will ensure consistent securing of the Latvian language in all spheres of life and its development as a communication language among all Latvian residents. We will support the activities of the President's Official Language Commission and the adoption of the national program for the development of the Latvian language.

We will foster the integration of Latvian society, learning of the Latvian language and the qualitative implementation of naturalization processes.

We will support the activities of national societies and communities and the Association of Latvian National Culture Organizations and ensure adequate funding for these organizations. We will provide special support for the Association of Livs, the second core nation in Latvia, while facilitating preservation and promotion of their unique language and culture in the world in the framework of the national long term target program "Livs in Latvia."

We will educate society on ethnopolitical issues, while lessening prejudices and stereotypes. We will foster a dialogue on relations among nations and languages in Latvia. We will reduce the gap between two information spaces on the basis of common values and mutual respect.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, November 6, 2002, Chas

AMENDMENTS TO THE REGULATIONS ON THE STATE LANGUAGE

Recently adopted amendments to the regulations on the state language require a higher (II) state language proficiency level for a number of professions, including circus artists and shepherds.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, November 6, 2002, Telegraf

Updated (February 2003)

CITIZENSHIP

In May 2002, a new Immigration Law came into effect. The changes expanded the circle of people who are entitled to Latvian residency. According to the new law, parents of Latvian citizens and non-citizens, who have reached retirement age, may apply for Latvian residency. Persons, who have graduated in schools with instruction in Latvian, may also apply for permanent Latvian residency.

A new requirement to pass the state language examination to acquire a permanent Latvian residency permit will be effective after May 1, 2004. It will apply only to those, who want to obtain this permit on the basis of marriage and to all foreigners who, after residing in Latvia for ten years on the basis of a temporary residence permit, want to receive permanent residency.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, Panorama Latvii, January 16, 2003

Updated (April 2003)

On April 30, 2002 the Saeima adopted a number of amendments to the Constitution influencing the rights of minorities living in Latvia. The following articles have been amended:

Article 18

It introduces an Oath of Office for new parliamentary deputies. Among other commitments, deputies pledge “to be loyal to Latvia, to strengthen its sovereignty and the Latvian language and to defend Latvia as an independent and democratic state.”

Article 21

It now states that “the working language of the Saeima is the Latvian language.”

Article 101

This article was supplemented with the provision that “local governments shall be elected by Latvian citizens who enjoy full rights of citizenship. The working language of local governments is the Latvian language.”

Article 104

It now reads that “everyone has the right to address submissions to the state or local government institutions and to receive a materially responsive reply in the Latvian language.”

Source: Human Rights in Latvia 2002 (March 2003) by the Latvian Center for Human Rights and Ethnic Studies,
http://www.politika.lv/polit_real/files/lv/LCESC2002en.pdf

Updated (May 2003)

On May 8, 2003 thirteen out of fifteen members of the Council on Minority Education at the Ministry on Education and Science accepted a draft model of minority secondary education program and draft amendments to the secondary education standards.

According to the model, 3/5 of teaching hours should be in Latvian and 2/5 in a minority language. Five subjects chosen by a school as well as the Latvian language and literature should be taught in Latvian. From 2007 onward, secondary school centralized examination should be in Latvian.

Two representatives of the Council from the Latvian Association for the Support for Russian Language Schools voted against the model.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, Telegraf, Vechernaya Riga, Chas, Diena, May 7 and 9, 2003

Updated (June 2003)

THE CONSTITUTIONAL COURT OF LATVIA ABOLISHES LANGUAGE RESTRICTIONS IN PRIVATE TV AND RADIO

According to the Law on Radio and TV Broadcasting, the share of foreign language programs cannot exceed 25 percent in privately owned radio and TV stations. The Constitutional Court decided to abolish this norm because it is in a conflict with the Constitution of the Republic.

In its decision the Court pointed out that linguistic regulations could not improve the level of Latvian language command amongst non-Latvian speakers. Moreover, many non-Latvian speakers switch to Russian Federation radio and TV channels. As a result, the conditions for national integration were worsened.

The Latvian Minister on Integration, Nils Muiznieks, was satisfied that these absolutely needless and non-democratic regulations were abolished. He mentioned that language limitations hampered the development of Latvian radio and TV stations, as they could not compete with Russian channels. Moreover, this clause in the law infringed upon the freedom of speech.

According to Diena newspaper, though this change was unexpected, it proves that the Constitutional Court is capable of reaching decisions without any international pressure. The columnist believes that programs of Latvian radio and TV stations will not be changed; however, he fears that partial or even full re-translation of radio programs from Russia will start.

However, the supporters of linguistic quotas are looking for other ways to strengthen the position of the Latvian language. The Chairwoman of the Parliamentary Commission on Human Rights, Ina Druviete stated that a completely free market [media] could not be allowed; so another solution would be devised.

In connection with the Court decision some TV channels are going to increase sharply their share of broadcasting in Russian. "Up until now it was very difficult for us to keep to the 25 percent rule," said Inara Grotse, the Head of Newsroom of local Rezeknes TV. She expects they will broadcast in Russian approximately 50 percent of the time. Gunta Lidaka, a program director of Riga channel TV5, reckons that the time allocated to Russian language broadcasting will grow from 25 to 35 percent.

Alina Sikstule, an assistant to the general director of LNT (the most popular channel in Latvia); however, believes that it will be difficult to bring back viewers, who during the language limitations being in force watched other channels, mostly from the Russian Federation. The situation has to be analyzed. If changes in the time allocated to the

Latvian and Russian language are to come, it will not be sooner than in autumn.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, June 7, 2003, Diena

Eurolang News, Tallinn, June 16, 2003, by Alexander Shegedin, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4278>

Background notes

Updated (May 2002)

DAUGAVPILS

Daugavpils, the country's second biggest city, located in Latgale (Eastern part of Latvia), is inhabited predominantly by Russian speakers. Founded in 1275 by Livonian knights, the city changed its name in 1656 to Borisoglebov, in 1893 to Dvinsk, and in 1920 received its current name.

In 1893, Jews constituted the majority of the city's population – 46 percent and were followed by Russians - 28 percent, Poles - 16 percent, Germans - 4 percent, Belarussians and Latvians - 2 percent each, and Tatars - 1 percent

In 1920, only 145 ethnic Latvians resided in Daugavpils, out of 30,000 people. During the Latvian independence, in 1920-1940, the Latvian population of Daugavpils substantially increased due to growing numbers of state bureaucrats sent from Riga. Before 1934, several languages were freely used in Daugavpils, and even after 1934 Russian was still widely used

Nowadays only approximately 15 percent of the residents are ethnic Latvians (Russians - 56 percent, Poles - 15 percent, Belarussians – 9 percent). However, more than 2/3 of the city residents are citizens of Latvia, one of the highest proportions among Latvia's towns.

According to the language legislation of Latvia, no special rules exist in the areas inhabited by minorities historically or in substantial numbers. Thus, the language rules in Daugavpils are absolutely the same as elsewhere in Latvia, including e.g. prohibition to address the municipality in any language besides the state one.

Of course, it would be difficult to expect that in areas like Daugavpils the State Language law will be implemented exactly the same way as in overwhelmingly Latvian-speaking regions. Local governments cannot

provide enough money for qualitative Latvian language training, the more so that Latgale is the poorest and most economically depressed region. Under these circumstances it would be more fruitful to spend money from the state budget for teaching Latvian, rather than hiring new language inspectors.

Updated (February 2003)

THE LATGALIAN LANGUAGE

The language is spoken by the population of Latgale (Latgola, a region of Eastern Latvia). Latgalian is the Baltic language, closely related to Latvian and Lithuanian, although the exact nature of this “closeness” is under debate. Some Latgalian language activists consider it to be a separate, independent language, while many Latvian linguists claim it is a regional dialect of Latvian.

The language dates back to the 12th Century. At the beginning of the 20th Century, Latgalian, just like Latvian itself, did not have an official status, although books and periodicals were published in both languages. During the first parliamentary era (1920-1934), Latgalian functioned alongside Latvian in Latgale. During the dictatorship of Karlis Ulmanis (1934-1940) Latgalian lost its status and Latgalians were expected to completely assimilate into the mainstream Latvian culture. At the beginning of the Soviet rule, Latgalian was recognized as one of the Baltic languages and used in regional newspapers, but since the sixties it was completely abandoned in favor of Latvian.

Currently, Latgalian has a dubious legal status: while the state does not accept this language in public administration or as a mean of instruction in schools, the Latgalian written language is acknowledged only as a “historical form of the Latvian language” and state support to its preservation and development has been declared (Section 3, par. 4 of the State Language Law). About 150,000 individuals still speak Latgalian as their mother tongue.

Source: Report on the implementation of the Framework Convention for the Protection of National Minorities in the Republic of Latvia prepared by the Latvian Human Rights Committee (F.I.D.H.), Riga 2002, http://www.minelres.lv/coe/report/Latvia_NGO.htm

Where does one observe language to be a problem in the country?

Updated (September 2001)

CITIZENSHIP

In the first six months of 2001, the Naturalization Board received only 3,862 applications for citizenship, a decline in comparison with the same period a year ago, when 5,898 applied.

On January 1, 2001 the number of stateless “non-citizens” stood at 551,064. At the end of 2000, there had been some speculation that the planned imposition of a visa requirement for non-citizens by the Russian Federation would facilitate acquisition of Russian or Latvian citizenship by removing one of the few advantages enjoyed by non-citizens, visa-free travel to Russia and the CIS countries. However, as the visas for non-citizens are cheap, long-term and multiple entry, the change did not have a significant impact.

On June 5 the government adopted two changes to facilitate naturalization. It reduced the naturalization fee and rationalized the examination procedure. According to the results of a recent sociological survey commissioned by the Naturalization Board, of those non-citizens not planning to naturalize in the next year, 47% mentioned a lack of money for the basic fee, which for most categories of applicants has been 30 LVL (~USD 50). This should be seen in the context of a minimum monthly wage of 60 LVL and average wage of 150 LVL in 2000. The new regulations reduce the basic fee to 20 LVL and even lower for a number of other categories - 10 LVL for pensioners, partially disabled persons, and students; 3 LVL for the unemployed, families with more than three children and those whose income do not exceed the state set subsistence level. Politically repressed persons, first category disabled, orphans and those under state or municipal social care are exempt from the fee.

Another change, long discussed in Latvia, exempts students who have passed the centralized Latvian examination within the previous two years from taking the language examination for naturalization. This rationalization of the procedure eliminates the need for students to take multiple examinations.

AIMS

In March 2000 the representatives of several Latvian NGO's collected signatures to support the following:

- To ratify the Framework Convention for the Protection of National Minorities signed by Latvia in May 1995
- To ensure the possibility to use officially the languages of national minorities in the areas of their compact residence and to guarantee further existence of the state-supported educational system in the languages of minorities along with effective teaching of the Latvian language
- To grant voting rights at municipal elections to the permanent residents of Latvia who do not have citizenship of Latvia but live in Latvia 5 years or more.

Updated (May 2002)

CITIZENSHIP

While the number of non-citizens in Latvia remained huge and decreased very slowly, in 2001 the Latvian authorities took a number of steps to promote naturalization and as a result, the number of non-citizens dropped from 551,064 at the beginning of the year to 523,095 (22 percent of the total population) on December 31, 2001.

In 1999, the monthly average for naturalization applications was 1,265; in 2000 it was 891 and 723 in 2001 (10,637 people became citizens through naturalization). Since the beginning of the naturalization process in 1995, slightly fewer than 50,000 individuals have become citizens through naturalization.

(Human Rights in Latvia, 2001 Report, Latvian center for HR and Ethnic Studies, http://www.politika.lv/polit_real/files/lv/LCHRES2001en.pdf)

Updated (September 2002)

The Census 2000 shows that Latvian is a native language for 62 percent of Latvia's residents, although Latvians constitute only 57.6 percent of the country's population. Russian is a native tongue for 36.1 percent of inhabitants of Latvia, although Russians constitute 29.6 percent of Latvian population.

During ten years of independence there was a considerable progress in Latvian language skills among minorities. In 1989 Census, the Latvian language skills were declared by 18-20 percent of minority representatives. According to the 2000 Census, 59 percent of Russians, 55 percent of Belorussians, 54 percent of Ukrainians, and 65 percent of Poles declared Latvian language skills. The number of minority

representatives having no Latvian language skills is diminishing (78-80 percent in 1989, 22 percent in 1996, 9 percent in 2000).

EDUCATION

In the school year 2000/2001 there were 1,095 general education schools in Latvia, 66.3 percent with the Latvian and 33.3 percent with the Russian language of instructions. Only 0.4 percent of schools taught in other languages. In general, the population of Latvia is bilingual or even multilingual. In 2000, about 75 percent of the representatives of minorities declared certain Latvian language skills. Approximately the same percentage of Latvians declared Russian language skills. Thus, about 75-80 percent of Latvian inhabitants are at least bilingual (in comparison to 44 percent in the EU Member States). Latvian is studied in all schools, and 23.6 percent of Latvian pupils study also Russian.

Concerning the Russians, 95.8 percent of them with higher education, 93.2 percent with secondary education and 91.8 percent with special secondary education wish their children could speak Latvian. However, at the same time more than 70 percent of minority representatives want Russian to be proclaimed the second official language in Latvia.

At present, there is almost a balanced situation between Latvian and Russian. Latvian has the strongest positions in federal and municipal governments and it becomes the working language of the state and local governments and offices. The position of Russian is very strong in private enterprises, primary and secondary education, quite strong in police, public transport, health care and also in armed forces (up to 20 percent of soldiers have no Latvian language skills).

THE FACTORS POSITIVELY INFLUENCING THE FUTURE PROSPECTS OF LATVIAN:

- ❖ Sufficient number of L1 speakers and a growing number of L2 speakers
- ❖ The use of Latvian in all sociolinguistic functions, especially in the Parliament, ministries and municipalities, and at all levels of education
- ❖ High quality of Standard Latvian (developed stylistic system and terminology)
- ❖ Present status of the sole official State language and existing legal mechanisms for language protection (Law on State Language and regulations for its implementation)

- ❖ Future status of one of the official languages of the EU

THE FACTORS INFLUENCE OF WHICH COULD BE DETRIMENTAL FOR MAINTENANCE OF LATVIAN:

- ❖ Unstable economic situation and political fragmentation in the country
- ❖ Decrease of the total population of Latvians due to low birthrates
- ❖ “Minority complex” among Latvians hindering the development of bilingualism among Russian-speaking community
- ❖ Higher economical value of the main languages in competition – Russian and English
- ❖ The presence of huge Russian language community enjoying linguistic self-sufficiency
- ❖ Implementation of some international minority rights standards, ignoring post-colonial language situation in Latvia and ensuring protection of minority languages, mainly Russian, at the expense of Latvian
- ❖ Lack of strategic program for research and development of the Latvian language

Source: World Congress on Language Policies, Barcelona, April 16-20, 2002, “Language Policy and Protection of the State Language in Latvia,” by Prof. Dr. Ina Druviete from University of Latvia, <http://www.linguapax.org/congres/taller/taller3/Druviete.html>

Updated (October 2002)

CITIZENSHIP

“*Panorama Latvii*” featured an article about non-citizens and citizenship issues in Latvia. The newspaper reported that within a year the number of non-citizens decreased by about 31,000 people, however, only 9,000 became Latvian citizens, while the remainder either emigrated or died.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, October 15, 2002

The newly published statistics demonstrates that the growth of applications for naturalization is not very big, especially since May 2002. The number of applications registered in July 2002 (484) was even less than in July 2001 (636). According to the data of the Board for

Citizenship and Migration Affairs, 514,298 non-citizens live in the country (22 percent of all residents), so the rate of naturalization (approx. 800 applications per month in January/July 2002) is very slow. According to some voices, a naturalization procedure in Latvia will not be effective without free language courses available to all applicants, and without significant amendments in legislative provisions (e.g. reduction of the state fee, simplification of examinations or automatic citizenship for all persons, who lived or were born in Latvia before the restoration of independence).

Source: Minority issues in Latvia, prepared by the Latvian Human Rights Committee (F.I.D.H.), August 2002

	Citizens of Latvia	Non-citizens	Aliens	In total	%
Latvians	1,358,721	2,941	804	1,362,466	58.3
Lithuanians	16,507	14,742	1,200	32,449	1.4
Estonians	1,466	856	280	2,602	0.1
Belorussians	24,722	66,144	1,700	92,566	4.0
Russians	317,542	343,710	18,962	680,196	29.1
Ukrainians	9,347	48,218	3,488	61,053	2.6
Poles	39,959	17,789	417	58,165	2.5
Jews	6,442	3,457	292	10,191	0.4
Others	16,630	16,441	4,059	37,130	1.6
In total	1,791,336	514,298	31,202	2,336,818	100.0

Source: The Breakdown of the Residents of Latvia as to Nationality, (data of the Board for Citizenship and Migration Affairs, July 1, 2002), <http://www.np.gov.lv/en/fakti/index.htm>

EDUCATION

The Baltic Institute of Social Sciences published the results of its study "Analysis of the Implementation of Bilingual Education" (see English version at http://www.politika.lv/polit_real/files/lv/bilingv_en.pdf). The

first recommendation of the authors was to amend the Education Law, to strike off the norm saying that students of the 10th grade in state and local secondary schools funded by the government will be taught exclusively in the state language from September 1, 2004.

According to the results of the survey, 50 percent of schools are not ready to switch to Latvian as the main language of instruction in 2004, and another 40 percent will have to overcome difficulties in order to implement the reform.

As regards the schoolchildren, 15 percent of those who will have to study in Latvian in a secondary school in 2004 definitely will not be able to do it. Another 69 percent will face difficulties. Only 4 percent of teachers, 7 percent of schoolchildren and 14 percent of Russian-speaking parents would welcome the situation when the studies were conducted overwhelmingly in the Latvian language.

More than a half of the teachers pointed out that competence of the schoolchildren decreases as a result of the bilingual education methods (62 percent). Fifty percent of the headmasters underlined that the reform negatively affects the schoolchildren's psychology.

Nevertheless, as the authors noticed in the project's annotation, the results show, that the bilingual education reform goes on successfully and during the last years minority pupils' proficiency in the Latvian language has improved.

Source: Minority issues in Latvia, No. 54, Prepared by the Latvian Human Rights Committee (F.I.D.H.), August 31, 2002

Updated (November 2002)

SCHOOL REFORM 2004

The chief adviser of the Riga City Council for the education of ethnic minorities, Jelena Matjakubova, considers the introduction of bilingual education as a good idea. The decision, adopted by the national parliament in June 1999, to change the language of instruction at all state-funded secondary schools into Latvian by 2004, is proving to be very complicated in Riga.

The capital of the Republic of Latvia is, with around 850,000 inhabitants, the biggest city in the Baltic States. At the same time, Riga is a center of Russian Diaspora where the proportion of ethnic Latvians and non-Latvians is fifty-fifty.

There are 65 Russian schools and schools of other ethnic minorities (Poles, Lithuanians, Estonians, Ukrainians, Belorussians and Jews) in Riga. The chief adviser explains that different models of bilingual education for minorities have been elaborated, taking into account a worldwide research on bilingual education and an analysis of the practical situation in Latvia. Models of bilingual education recommend four different implementation stages, from “radical” to “soft,” depending on the fact how ready a particular school is.

The radical model foresees teaching all subjects in Latvian from the first school year on, with the exception of lessons in the mother tongue. The soft model introduces Latvian as a language of instruction step by step. It starts with the instructions in the mother tongue up until the 5th school year. Then the percentage of tuition in Latvian increases from fifty percent in the 5th year to all lessons in Latvian in the 9th year.

The Riga City Council has a strong representation of Russian deputies, who are very skeptical as for the readiness of non-Latvian schools in the city to change the language of instruction to Latvian before September 1, 2004. According to the latest research of the Institute of Social Studies and the Latvian Soros Foundation only half of the national minorities’ schools are ready for the switch.

George Soros at the 10th anniversary of the Latvian Soros Foundation stressed the importance of developing bilingual education as a compromise between the Latvian and Russian communities in Latvia. He said that for the moment the future of the Latvian state and the Latvian language is safe, and Latvians have to be more tolerant towards Russians and their language and culture.

The Soros Foundation has so far invested about US\$ 50 million (51,153,000 Euro) into Latvian projects.

Source: Eurolang News, Tallinn, October 25, 2002, by Alexander Shegedin,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=3898>

Updated (January 2003)

THE TRANSITION TO LATVIAN AS A LANGUAGE OF INSTRUCTION IN SECONDARY SCHOOLS ³

On December 16, 2002 the Advisory Council approved the project aimed to develop a curriculum for minority schools, elaborated by the working group formed at the Ministry of Education. This project divided all subjects into three blocks:

³ (See also Update from November 2002)

- A. Subjects in the first group are mandatory and should be taught in Latvian
- B. Subjects in the second group are mandatory; however, up to one third of them may be taught in minority languages
- C. Subjects in the third group are optional and may be taught in minority languages without restrictions

The head of the Association of the Support for the Russian Language Schools in Latvia Igor Pimenov, who is also a member of the Advisory Council, voted against the project, reasoning that he does not see how, according to the offered curriculum, up to 40 percent of classes can be taught in minority languages.

He also argued that the Education Law in effect does not say anything about bilingual education and should be amended. He disagreed that the Latvian language proficiency could be the only and the most important factor in job market. Igor Pimenov stressed that Russian parents and students want to study mainly in their native language – so at least 70 percent of classes should be held in Russian.

The Head of the Integration Department of the Ministry of Education, Evija Papule, commented that the possibility of teaching up to 40 percent of subjects in a minority language should not be viewed as a question of percentage volumes, but as a principle.

She explained that the study program is divided into three blocks: A; B and C. Block A comprises basic, mandatory subjects of which only foreign and minority language can be taught in a language other than Latvian. Blocks B and C cover the subjects chosen by the school, and one third of them may be taught in a language other than the state language, i.e. a minority or a foreign language.

There have been contentious discussions on whether mathematics and history should be included in Block A, where teaching is only in Latvian. Ms Papule insists that there are sufficient subjects for the maintenance of a minority identity throughout Block C alone, in which are included such subjects as the History of Religion and of Culture. The Ministry's project will be confirmed in March.

Tatjana Arshavskaja, of the Latvian Association of Russian Schools (LRSA), criticized the Ministerial plan, saying that the possibility to use a minority language is overly restricted by the requirement that basic subjects should be taught in Latvian. She expressed concern that the use of Latvian in schools will lead to the assimilation of the minority children into Latvian culture. Although the Ministry claims that nearly

half the lessons will be taught in the minority language, LRSA calculates that the real amount will be only 3 to 4 lessons a week.

Olga Isakova, a Director of Maxima secondary school, believes that the majority of lessons have to be conducted in the minority language to avoid assimilation and preserve the minority identity. Should the 40-percent plan be imposed on schools in March, they will have to shoulder the responsibility to realize the concept and so will have to start from their staff language capability rather than from the content of the teaching.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, December 17 and 18, 2002, January 9, 2003

Updated (February 2003)

The Minister of Education and Science, Karlis Sadurskis, repeatedly confirmed that minority secondary schools would switch to instruction in the Latvian language in 2004. The Minister claims that 27 percent of schools, especially in Riga, may face problems such as a shortage of textbooks and teachers but the Ministry will adopt an action plan in order to help them. The Ministry has also reserved LVL 20,000 to explain the meaning of the reform in two Latvian-language and two Russian-language newspapers.

According to Yelena Ivanova, a headmaster of one Russian private school, another problem in educational area is that Latvian private schools receive financial support from the state budget and municipalities, while Russian private schools have to get all funding from private sources.

The Ministry of Education and Science has prepared statistics about the language of instruction in Latvian schools. Almost 70 percent (69.91) or 227,552 of schoolchildren study in Latvian and 29.66 percent or 96,554 study in Russian. The last year it was 68.93 percent (232,239) for Latvian and 30.67 percent (103,350) for the Russian language.

In Riga 44,233 schoolchildren study in Latvian, 49,068 in Russian and 784 children study in other minority languages. In Daugavpils, the second biggest city in Latvia, 12,110 students study in Russian while only 2,525 study in Latvian.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, Lauku Avize, Telegraf, January 30, 2003 and February 4, 2003

MINELRES, Minority issues in Latvia, No. 62, prepared by the Latvian Human Rights Committee, February 4, 2003

CITIZENSHIP

In 2002, among 974,352 persons belonging to national minorities 511,357 persons (or 52.5 percent) were non-citizens, who do not have the citizenship of Latvia or any other state. Almost 30,400 (or 3.1 percent) of people were citizens of foreign states.

Residents of Latvia by ethnicity and citizenship in 2002

Ethnicity	Citizens	Non-citizens	Foreigners	Total	%
Latvians	1,358,721	2,941	804	1,362,466	58.3
Russians	317,542	343,710	18,962	680,196	29.1
Belorussians	24,722	66,144	1,700	92,566	4.0
Ukrainians	9,347	48,218	3,488	61,053	2.6
Poles	39,959	17,789	417	58,165	2.5
Lithuanians	16,507	14,742	1,200	32,449	1.4
Jews	6,442	3,457	292	10,191	0.4
Estonians	1,466	856	280	2,602	0.1
Others	16,630	16,441	4,059	37,130	1.6
Total	1,791,336	514,298	31,202	2,336,818	100.0

Source: Data of the Population Register as of July 1, 2002

Source: Report on the implementation of the Framework Convention for the Protection of National Minorities in the Republic of Latvia prepared by the Latvian Human Rights Committee (F.I.D.H.), Riga 2002, http://www.minelres.lv/coe/report/Latvia_NGO.htm

Updated (March 2003)

FOREIGN AFFAIRS MINISTER POSITIVE ABOUT PROTECTION OF LATVIA'S RUSSIAN MINORITY

The Minister for Foreign Affairs, Sandra Kalniete, believes that the status of Russians in the country is positive and the level of tolerance in Latvia is remarkable.

Immediately after independence this was the most crucial problem in Latvia; however, after 13 years, enormous work has been done. Kalniete outlined that the minorities in Latvia are protected; otherwise an accession to the EU and NATO would not have been possible. The Minister highlighted two challenges in respect of minorities: ratification of the Framework Convention on the Protection of National Minorities and implementation of the Education reform in 2004. The first one will require launching of an information campaign to ensure that both Latvians and Russians can participate in the discussion and they understand fully the implications of ratification. As for the second one, a part of education will always be in minority languages. The Minister believes that the method of gradual introduction of Latvian will be successful. Latvia has spent at least 10 years to prepare teachers to be able to teach in both languages and students to accept this change.

Source: Eurolang News, Brussels, February 27, 2003, by Hannah McGlue,
<http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4118>

Updated (April 2003)

IS LATVIA READY FOR BILINGUAL EDUCATION?

The results of two public opinion polls concerning bilingual education have been published in Latvia. One of them was funded by the Ministry of Education, the other by the Baltic Institute of Social Science (BISS) and foreign donors. Respondents included teachers, schoolchildren and parents from ethnic minority (i.e. Russian) schools.

The government poll based on a self-evaluation test of non-Latvian teachers and examining their Latvian language skills, gave the following results: 41.5 percent of them have sufficient knowledge, 24 percent partly sufficient and 10.5 percent insufficient knowledge of the Latvian language (with 24 percent not answering).

In contrast, the BISS poll indicated that only 10 percent of teachers in minority schools (mainly teachers of the Latvian language) have a good

command of the Latvian language. Fifty-three percent have an average command while 36 percent (mostly science teachers) have a poor command of the language.

While analyzing the poll, BISS experts mentioned that in fact there is no exact definition of bilingual education in Latvia even in the Law on Education. Some people understand bilingual education as the usage of two languages to teach one subject while others see it as the usage of two languages for different subjects.

Source: Eurolang News, Riga, March 18, 2003, by Alexander Shegedin, <http://217.136.252.147/webpub/eurolang/pajenn.asp?ID=4146>

To what extent are minority groups in this country disadvantaged by their language?

Updated (May 2002)

EDUCATION

A student who wants to study at the University of Latvia, the biggest state university, has to pass two entrance examinations. The first examination is in the state language, regardless of student's ethnicity, mother tongue or language of instructions at his/her secondary school. The content of another entry exam depends on the chosen program of studies. The results of both examinations determine whether an applicant will be accepted.

However, another examination in the state language is obligatory at the end of studies only for those students who received their secondary education in languages other than Latvian.

Mr. Sokolovsky, MP from the pro-minority faction "For Human Rights of United Latvia," asked the rector of the University Mr. Lacis, whether this unequal treatment based on students' language of secondary education should not be considered discriminatory as all students pass the entry exam in Latvian and study in Latvian (it is the only language of instruction at the University, except for one program - Slavic philology).

Mr. Lacis answered that, "there is no discrimination, because an extra examination for the students who received their secondary education in languages other than Latvian has a reasonable basis. The entry examination determines whether a person can study in Latvian, but the second one determines whether a person has necessary state language proficiency to work in his/her profession."

PERSONAL NAMES

The surname of Ms. Mentzen, a Latvian citizen who acquired it through marriage to a German national, was “Latvianized” to “Mencena” in her Latvian IDs. Ms. Mentzen asked the Constitutional Court to declare the legislation as unconstitutional.

The legislation provided that in documents personal names and surnames must be written in accordance with the Latvian grammar. The original form of a personal name in Latin transliteration could be written on some other page of the ID

Although the practice of “Latvianization” of personal names and surnames remains in force, two positive points have been achieved based on this case. First, the repeated “Latvianization” will not be possible any longer, if a person does not wish it. If a person could once maintain the personal name and surname more or less similar to the original form, he/she will maintain it also in future. The Court pointed out that in new passports (to be issued after July 1, 2002) the original form of the personal name must be written at the same page with the “Latvianized” form.

VAT ON BOOKS

The Latvian Law on VAT (Value Added Tax) stipulates that the publications of original literary works in the Latvian language are exempted from VAT, while original books published in the minority languages are subject to 18 percent VAT (Art.6, par. 20 of the Law on VAT). This provision is also applicable to the literature for children published in Latvia, on the basis of the list approved by the Ministry of Education

On one hand, this tax exemption can be considered a promotional measure aimed at creating more favorable conditions for the original publications in Latvian. On the other hand, this provision might be considered discriminatory in respect of the writers belonging to minorities, as well as to the publishers who wish to publish the original literature written in minority languages. (“Vesti Segodnya” (The News Today), February 13, 2002)

Updated (June 2002)

On May 30, 2002 Panorama Latvii reported that national minority schools have received a decree from the Curriculum and Examination Center of the Ministry of Education. According to the decree, observers who have a pedagogic education and the right to teach the Latvian

language should be members of the examination commissions, which are assessing the Latvian language skills of 9th grade pupils at national minority schools. The majority of schools believe that this decree demonstrates the Ministry's distrust.

Updated (July 2002)

UNEMPLOYMENT

According to the data provided by the State Revenue Service the number of unemployed Russian-speakers in Latvia has decreased while the number of unemployed Latvians has increased. Russians are more active in marketing while state sector and international companies employ more Latvians than Russians. ("Telegraf," June 10, 2002)

RUSSIAN TEACHERS

A survey among the Russian language schoolteachers concerning the education reform in 2004 displayed that 41.5 percent of teachers believe that their skills and knowledge are sufficient to teach in Latvian, while 24 percent are not very sure and 10.5 percent are convinced that they would not be able to teach in Latvian after 2004 (24 percent could not give a concrete answer). Chas, July 23

GROWING NUMBER OF LATVIAN-SPEAKERS

Within ten years the number of national minority representatives who know Latvian has grown from 23 percent in 1991 to 53 percent in 2000. The number of residents who do not know the language has decreased from a million to half a million. According to the latest census the number of non-Latvians who can speak Latvian is gradually increasing, while the number of Latvians who can speak Russian is decreasing. However, a survey by the Baltic Institute of Social Sciences shows that although the majority of Russians know Latvian, they use the language very little. According to the Head of the International Migration Organization in Riga, Ilmars Mezs, current language policy is more oriented to achieve goals by applying repressive methods, fines and certificates. However, this brings along a certain portion of negativism. Ilmars Mezs suggests implementing a language policy, which motivates and attracts. For example, giving bonuses to teachers in those national minority schools, which make a successful switch to education in the Latvian language already in 2003. (Diena, June12)

MOTIVATION FOR NATURALIZATION

The key motivation for naturalization (42.6 percent) is a desire to find a good job. Thirty eight percent of respondents decided to naturalize

because Latvian citizenship provides easier travel arrangements, and 28.1 percent stated that the key reason for naturalization was the possibility to participate in the coming elections. (Panorama Latvii, June 12)

THE SPEED OF NATURALIZATION

The Naturalization Board released the data concerning citizenship issues for the last half of the year. In comparison with the data of the last year, the speed of naturalization has increased by 20-25 percent. However, the tendency of non-citizens parents not to apply for Latvian citizenship for their children, raised concerns. Parents of only 856 children have applied for Latvian citizenship for their children, although more than 24,000 children are entitled to do so.

One of the planned activities of the Naturalization Board and the donors will be to launch toll-free phone line, which will provide information about citizenship (funded by the USA); organize information booths in Latvia (funded by Great Britain); organize the contest "On the Way to the Civic Society" for pupils, and missionary service which would tour around Latvia in order to provide the Latvian language courses for non-Latvians. (Panorama Latvii, June 22)

Since February 1, 1995, when the naturalization in Latvia began, 53,327 persons have acquired Latvian citizenship. The number of applications for naturalization increased at the beginning of this year. The peak was reached in February (1,049 applications), while in June the number declined to 447 applications. (Neatkariga, July 20)

Updated (August 2002)

LAW ON CITIZENSHIP

In 1995, the Law on Citizenship entered into force introducing a complicated "age windows" timetable, whereby only those born in Latvia, age 16 to 20 could apply first. Others, including children born in Latvia to non-citizens, and elderly non-citizens, had to await their "window," (last window in 2003). Amendments passed in the 1998 referendum abolished the system and granted all stateless children born in Latvia since August 21, 1991 the right to receive Latvian citizenship by request of their parents.

Abolition of so much criticized "age-windows" system in 1998 led for a while to a jump in citizenship applications; however, the rate of applications still remained low and actually fell from 15,183 in 1999 to 10,692 in 2000.

A 2000 survey revealed that 33 percent of interviewed non-citizens consider the naturalization process to be humiliating.⁴ According to the survey, the primary reason for low applications was lack of confidence to pass exams in the Latvian language (59 percent) and history (54 percent), as well as inability to pay the naturalization fee (47 percent), which, at 30 LATS was unaffordable for many candidates in the country.

EDUCATION

The broad rights enjoyed by minorities heretofore in the sphere of education have recently come under increasing pressure. Soon after the restoration of independence, Latvia developed a system of state-funded minority language education, retaining Soviet-era schools with Russian language instructions and supporting the creation of schools or classes for seven other minority groups (Polish, Ukrainian, Estonian, Jewish, Roma, Lithuanian, Belarussian).

However, according to the 1998 Law on Education, after 2004 all public secondary and vocational schools must use the state language only, which means that existing minority language secondary schools will have to switch to Latvian instructions. Teachers in all public schools are required to speak the state language at the highest level of proficiency, and all staff meetings will have to be conducted in the state language. Private schools with minority language curricula are subject to legislative discrimination: public funding may only be allocated to those private schools where state accredited education programs in the state language are implemented.⁵

Article 3 of the Law on Education declares equal rights to education regardless of race, ethnic origin and religious persuasion. However, while the right to receive education in the state language is guaranteed both by the Law on the State Language (Article 14) and the Law on Education (Article 9), the latter permits, but does not guarantee, education in other languages in two instances only – in private schools (currently attended

⁴ This observation was supported by research conducted by the Baltic Data House in August 1997: “Generally, respondents in all age groups perceive the non-citizen’s status as an insult, which makes you feel inferior, while the naturalization procedures are perceived as humiliating and discriminatory.” Baltic Data House, *Towards a Civic Society: Main Findings*, Riga, 1997, p.8.

⁵ Law on Education, Article 59 (2): The State and municipalities may participate in financing of private education institutions if these institutions implement state accredited education programs in the state language. Adopted on October 29, 1998.

by less than one percent of students)⁶ and in state and municipal education establishments where “minority education programs” are in place.

The Ministry of Education and Science is authorized to determine the subjects within minority education programs to be taught in the state language.

According to the Law on Education, all orphans must attend schools with the instructions in the Latvian language. Orphaned children whose education began in a different language must be transferred to Latvian language schools.

In addition, training of Latvian language teachers for minority schools practically ceased in the early 1990s. In autumn 2000, 536 pupils in minority schools were not taught the Latvian language, because they did not have teachers. University training of teachers in minority languages is also low, around 20 persons annually at the Russian philology department at the University of Latvia.

Number of Students by Language of Instruction

	1995/96	1996/97	1997/98	1998/99	1999/2000
Latvian	203,607	212,017	219,794	233,939	238,652
Russian	132,540	129,120	125,643	125,741	120,612
Other	1,513	1,664	1,817	2,042	2,168
Total	337,660	342,801	347,254	361,722	361,432
Studying in Latvian (%)	60.3	61.8	63.3	64.7	66.0

Other factors contributing to this trend are emigration and a falling birth rate among Russians. In some other minority schools the language of instruction is mostly Latvian or Russian.

In June 2000, the Saeima voted to close Riga Aviation University (RAU), the only state university where the Russian language was widely used. RAU was one of the ten largest aviation institutes in the world. As a

⁶ The percentage of students attending private schools in Latvia is 0.86 percent according to official data of the Ministry of Education and Science in 2000/2001 academic year.

result more than 300 lecturers became unemployed. According to the then Minister of Education and Science, one of the reasons for closure was that in the university some norms of the language law were ignored for a long time, namely the requirement to use the state language in university education (76 percent of RAU students were educated in Russian).

The envisaged elimination of state supported secondary education in minority languages is the most controversial issue for minorities in Latvia today. It has been suggested that extending the system of bilingual education to secondary schools might be a reasonable compromise.

The importance of language to the identity of Russian youth is born out by a research in which 77 percent of respondents gave language as the basis for identity, ahead of ethnic origin (54 percent).

EMPLOYMENT

Article 6 of the Law on the State Language requires all employees in the public sphere to have a command of the state language corresponding to their duties. The same requirement is imposed on employees in the private sphere, to the extent determined by a “legitimate public interest.” Language proficiency demands on employees in the private sphere are established by government Regulations No.296, from August 22, 2000.

Later amendments of November 21, 2000 list professions in the private sector subject to language regulations, containing 34 categories falling within the “legitimate public interest.” The list included various health care professionals, guards and security-related professions, notaries and sworn advocates, but also taxi drivers.

June 2001 amendments to the Administrative Violations Code stipulated fines for employers who hire employees lacking sufficient proficiency in Latvian, thus “unjustifiably involving businesses in enforcing the language law.”

The National Human Rights Office has identified four areas of private employment barred by the law from non-citizens, which are not in accordance with Latvia’s international obligations: advocate’s assistants, private detectives, aircraft captains and security guards.⁷

⁷ Cited on the Latvian Human Rights Committee list of differences in the rights of citizens and non-citizens, http://www.riga.lv/minelres/count/non_cit-rights_2.htm (accessed June 17, 2001)

Available data suggest that Russian speakers and non-citizens are at greater risk of unemployment than ethnic Latvians and citizens. A factor significantly limiting job opportunities for many Russians is a weak knowledge of the Latvian language. For example, a recent survey found that of those whose native language was not Latvian, 38 percent of non-citizens and 22 percent of citizens could not work in a job requiring Latvian language knowledge.⁸

Official data on the ethnicity of unemployed has not been available since 1994, when 55 percent of all unemployed were of minority origin. Subsequent sociological surveys suggest that Russian speakers have continued to be over-represented among the unemployed: in 1996, 14 percent of ethnic Latvians claimed to be unemployed against 26 percent of non-Latvians.

According to 1999 survey, the level of unemployment among ethnic Russians (18 percent) and other minorities (17 percent) was again much higher than among ethnic Latvians (10 percent). As for the working age population, 14 percent of ethnic Russians, 12 percent of other minorities and 7 percent of ethnic Latvians were unemployed.

Source:

http://www.eumap.org/reports/content/10/428/minority_latvia.pdf,
The EU Accession Monitoring Program Report on Minority Protection,
Open Society Institute 2001 on
<http://www.eumap.org/reports/content/10>

Updated (October 2002)

Riga City Council abolished two provisions, which discriminated against the rights of non-citizens. The first provision was adopted in 1993 and banned non-citizens from receiving credits by Riga City Council to buy apartments in newly built houses. The second abolished provision stipulated that if a non-citizen wanted to buy an apartment in a house owned by a cooperative society, he would have to have an officially registered place of residency in Riga for at least 16 years.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, October 16, 2002, *Vechernaya Riga, Vesti Segodnya*

⁸ Baltic Social Sciences Institute, Latvian Naturalization Board, "*Cela uz pilsonisku sabiedribu, Latvijas iedzivotaju aptauja 2000.gada novembris*" (On the Road to a Civil Society, Opinion poll of Latvia's Inhabitants in November 2000) Riga, 2001, p.99

Updated (January 2003)

THE RIGHTS OF NON-CITIZENS AFTER ACCESSION TO THE EU

According to Andrew Rasbash, the Head of the delegation of the European Commission to Latvia, after Latvia's accession to the EU Latvian non-citizens will not enjoy the same rights as Latvian citizens. In particular, Latvian non-citizens will not automatically receive the right to work in other EU member states. They will not need a visa to travel to the Schengen countries⁹ but they will need visas to Great Britain and Ireland. However, one of the most sensitive issues regarding non-citizens and the EU will be the right to vote in municipal elections. Citizens of other EU countries will have the right to participate in municipal elections after residing in Latvia for six months, but Latvian non-citizens who have lived in Latvia for decades are not and will not be entitled to do so.

When asked whether Latvia's accession to the EU could motivate Latvian non-citizens to naturalize, Rasbash said that for young and economically active non-citizens it could be a good motivation, but older people probably would not be very interested in acquiring Latvian citizenship.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, December 20, 2002

HEALTH MINISTER PROPOSES AMENDMENTS TO THE PHARMACY LAW

Vesti Segodnya reported that recently government submitted for the Saeima's approval amendments to the Pharmacy Law. For its second reading the Health Minister Aris Auders suggested changes, which stipulate that a graduate of the Pharmacy Department of the Academy of Medicine who is a Latvian citizen is entitled to receive a license and to start to work as a pharmacist immediately after graduation, while a Latvian non-citizen should first complete an internship. After the attention brought to this subject by the media the Health Minister and the Special Task Minister for Societal Integration decided to turn down the proposal.

⁹ The name "Schengen" originates from a small town in Luxembourg. In March 1995, seven European Union countries signed a treaty to end internal border checkpoints and controls. More countries have joined the treaty over the past years. At present, there are 15 Schengen countries, all in Europe: Austria, Belgium, Denmark, Finland, France, Germany, Iceland, Italy, Greece, Luxembourg, Netherlands, Norway, Portugal, Spain and Sweden. All these countries except Norway and Iceland are European Union members.

Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, February 25, 26, 2003

Updated (March 2003)

AMENDMENTS TO THE PHARMACY LAW

In the February update we have informed about this issue with the conclusion that the proposal to amend the Pharmacy Law (a graduate of the Pharmacy Department of the Academy of Medicine who is a Latvian citizen is entitled to receive a license and to start to work as a pharmacist immediately after graduation, while a Latvian non-citizen should first complete an internship) was turned down after the attention brought to this subject by the media.

However, Vesti Segodnya on February 28 reported that the Saeima approved this amendment in its 2nd reading when seventy-four MPs voted for and twenty-two were against.

Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, February 28, 2003

What does it cost in terms of money, time and government resources to police the country's language restrictions?

Updated (2000)

TEACHERS

The first Language Law, which took effect in May 1992, contained a provision, which required all employees of both state and private sector to have a command in Latvian language "at the level necessary to carry out their duties." Three levels of the state language proficiency were established by the governmental regulations: the first level represented some basic knowledge, the second level meant certain fluency in spoken and written language, and the third level was close to perfect knowledge. All ministries and departments were to elaborate detailed lists to determine which level corresponded to job in certain area. The state language proficiency was certified by the attestation certificate issued by the State Attestation Commission upon the results of the test. All graduates from schools with language of instruction other than Latvian were subject to the state language test.

Initially, the Ministry of Education demanded that all teachers including those working in the minority schools must have at least second level of proficiency, while school directors and their deputies were required the

highest level. Those teachers who failed to pass the test left Russian-language schools in 1992-1994.

However, in December 1996, the Ministry of Education and Science issued a decree, which obliged all teachers to have the third level of the state language command. Those who failed to meet that requirement were to be fired after September 1, 1998 for “lack of professional capacities.” This decree caused numerous protests among teachers themselves, Russian and Human Rights NGOs, and parents who were concerned with possible deterioration of educational quality for their children if experienced teachers would have been fired. The Ministers holding the position after 1996 promised to look for a compromise solution, however, the decree was not suspended.

In September 1998, the Ministry of Education and Science announced that the date of the decree’s entry into force will be postponed in several towns (eg Daugavpils), and will not be implemented before the end of 1998.

On January 13, 1999, Russian-language newspaper “Bizness & Baltija” reported that the Ministry of Education dismissed 85 teachers (of them 31 in the capital Riga) who failed to obtain required state language certificates by the end of 1998. More 57 teachers were allowed to pass the test before the end of 1999, and 14 kept their jobs “conditionally.” Mainstream Latvian-language daily “Diena” on January 15 reported that the number of fired minority schools teachers was 88, and 53 were allowed to pass the language test before June 1, 1999. Guntis Vasilevskis, head of the General Education Department of the Ministry, said to “Diena” that teachers will be fired only in areas where there is “sufficient offer at the labor market,” thus they can be replaced.

Updated (September 2001)

The National Program for Latvian Language Training, an ambitious, multi-year effort to assist minorities to study Latvian, was initially funded almost solely by foreign donors such as the United Nations Development Program, the European Union and bilateral partners. In 2001 it was brought under the Ministry of Education and the government itself began active funding of the program, allocating LVL 428,000 (~USD 680,000).

Updated (May 2002)

FREE LANGUAGE COURSES

Last year 2,000 non-citizens, who did not speak the Latvian language, had a possibility to attend language courses free of charge through a

Fast-Track Language Training Program aimed at preparing non-citizens to pass the language test for naturalization. The program was financed by the governments of the USA, Sweden and Norway (approx. \$216,000).

The Board has also established a telephone line, where everyone can receive all necessary information on the naturalization free of charge (the newspaper "Vesti Segodnya" (The News Today)).

TRANSLATING ALL DOCUMENTS OF CRIMINAL CASES INTO LATVIAN

According to the Code of Criminal Procedure every witness, victim or the accused can testify in his/her native language in criminal case. However, the State Language Law provides that all documents must be submitted to court or the Prosecutor's Office in the state language.

In 2000 and 2001, the police did not have specific a budget for translations. Thus, in fact a lot of documents were in the Russian language but judges and prosecutors understood them.

On December 14, 2001 the Ministry of Interior proposed to the Cabinet of Ministers to submit amendments to the State Language Law with the aim to allow the police and border guards to send the evidence/testimonies without translation to the Prosecutor's Office or to court up to January 1, 2004. Otherwise, the police will need approximately 1,620,000 Lats (USD 2,613,000) for translation in 2002.

The Cabinet discussed the problem on December 18, 2001. The Coalition Council (an unofficial political body created by leaders of the ruling coalition parties) pointed out that the police could raise the problem when the state budget for the year 2002 was being elaborated. The lack of finance is not a reason for changing the State Language Law. Therefore, the police will have to pay for translation of all documents of criminal matters into Latvian (the newspaper "Telegraf").

THE FUNDS ALLOCATED TO THE ROMA ASSOCIATION

The Latvian-language daily "Diena" (The Day) on December 6, 2001 published an article devoted to the funding of the Roma association in Latvia. In the year 2002, the Latvian Roma National Cultural Association (LRNCA) expects a subsidy of 45,000 Lats (approx. USD 73,000) from the state budget. In the previous year, the same association received 15,000 Lats. Other 200 cultural associations of national minorities altogether have been granted only 14,500 Lats per year.

Regardless of the state generosity towards the Roma minority, it is not clear whether this financial aid meets the needs of the Latvian Roma. The LRNCA has never submitted any financial report to the Ministry of

Justice. According to the president of the Association Normunds Rudevichs, the funds have been spent to prepare the basis for opening ten regional Roma information centers next year.

Still, representatives of the Roma communities in regions expressed their dissatisfaction with the way of using the budgetary subsidy, as their regional associations have never received any financial aid from the LRNCA.

FINANCIAL SUPPORT FOR THE STATE LANGUAGE POLICY

On April 22, 2002 the radical nationalistic party “For Fatherland and Freedom” circulated its statement demanding additional financial support for the state language policy. The party asked its partners from the ruling coalition to support activities proposed by the Commission on the State Language and its chairperson Mara Zalite (“Chas” (The Hour), April 23, http://www.chas-daily.com/win/2002/04/23/1_041.html). The proposals were sent to four different ministries for evaluation.

On April 24, Ms. Zalite informed that activities for the protection of the state language will cost Ls 275,000 (approx. EUR 486,725) (“Chas”), April 25, http://www.chas-daily.com/win/2002/04/25/1_032.html).

Updated (June 2002)

The International Foundation of Civic Freedoms established by the famous Russian businessman Boris Berezovsky is planning to allot about USD 100,000 to support the development of the Russian culture and language in Latvia. The new projects of the Foundation foresee covering the state naturalization fees, the creation of a psychological aid service in Russian, and support to Russian pensioners who want to emigrate to Russia. (Integration and Minority Information Service, June 3, 2002)

Updated (July 2002)

The Integration Foundation has planned to allot LVL 26,000 for publications on social integration issues in the Latvian mass media. Journalists are expected to write articles about these issues. Media experts; however, warn that when a state institution provides funding to media, it can endanger objectivity of the publicists. The supporters argue that allocation of funding for media does not mean purchasing media. The Foundation only supports the activities of media in the field of social integration. (Diena)

Updated (August 2002)

THE NATIONAL PROGRAM FOR LATVIAN LANGUAGE TRAINING

The Cabinet of Ministers approved the National Program for Latvian Language Training (NPLLT) in late 1995 (see Update September 2001). The overall objective of the Program is to promote Latvian language learning. The Program focuses on teaching Latvian to minority schools' teachers to enable them to teach minority pupils in the state language. Other objectives are to teach Latvian to adults, develop language study materials for non-Latvians, elaborate examination standards and promote Latvian in the media. By early 2000, 10,367 teachers and 6,902 other adults (police, medical, railway workers and others) had participated in the courses.

For the period 1999/2000, the Program envisioned preparing teaching materials for about 12,000 minority schoolteachers. The Program's budget of approximately \$US 23.9 million was funded by foreign donors, with a gradually increasing domestic share. A large portion of EU funds (500,000 yearly from 1997 to 2001) went to finance the NPLLT projects. In 2001, the Latvian government became an active funder of the Program, allocating LATS 428,000. The language training offered by the NPLLT is focused primarily on teachers in minority schools and is not available to minority adults in general.

Source:

http://www.eumap.org/reports/content/10/428/minority_latvia.pdf,
The EU Accession Monitoring Program Report on Minority Protection,
Open Society Institute 2001 on
<http://www.eumap.org/reports/content/10>

Updated (December 2002)

The British government allotted £35,000 to run the Latvian language courses for applicants for naturalization. About 700 people will participate in this special program. The unemployed, people with low income and pensioners can attend courses free of charge, while others have a 50 percent discount.

According to the certain sources it appears that the British government contributes more effectively to speed up the naturalization process in comparison with the Latvian government.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, November 7, 2002, Neatkariga, Vechernaya Riga, Chas, Telegraf

Updated (January 2003)

Nils Muiznieks, a new Special Task Minister for Societal Integration, asked government to allot LVL 646,685 for the formation and activities of the Ministry.

It is planned that the Ministry will have thirty employees in three departments:

- The Society Integration Department (before it was subordinated to the Ministry of Justice)
- The Department for Minority Affairs (it will be created on the basis of the Unit for Minority Affairs of the Naturalization Board)
- The Administrative Department

Under the supervision of Mr. Muiznieks there will also be two Advisory Councils (on society integration and on ethnic affairs), as well as a working group, which will elaborate the concept of ethnic policy. Besides, financial support is requested for informative and educational events held by the Ministry and minority related activities within the framework of other Ministries.

The Minister of Finance opposed Muiznieks' request and stated that the decision was to form the post of the Minister, not the Ministry. The Prime Minister said that most probably the government would allot as little funding as possible for this Ministry.

Source: Minelres News Archive; Minority issues in Latvia, No. 60, prepared by the Latvian Human Rights Committee, December 20, 2002, http://rus.delfi.lv/temp/vesti/vs_04_1025.pdf

Updated (February 2003)

Government decided to allot almost LVL 422,000 for the needs of the newly established Secretariat of the Ministry for Special Assignments for Society Integration Affairs. It is planned that the Secretariat will have 21 employees.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, Diena, Neatkariga, January 14, 2003

Updated (April 2003)

THE STATE LANGUAGE CENTER

The State Language Center employs 14 language inspectors who check out possible violations of the State Language Law and its regulations throughout Latvia.

Most of 421 fines levied by the center were imposed for not using the state language in the performance of professional duties. The second most common fine category was an insufficient use of the state language in the annotations and labeling of imported goods.

Source: Human Rights in Latvia 2002 (March 2003) by the Latvian Center for Human Rights and Ethnic Studies, http://www.politika.lv/polit_real/files/lv/LCESC2002en.pdf

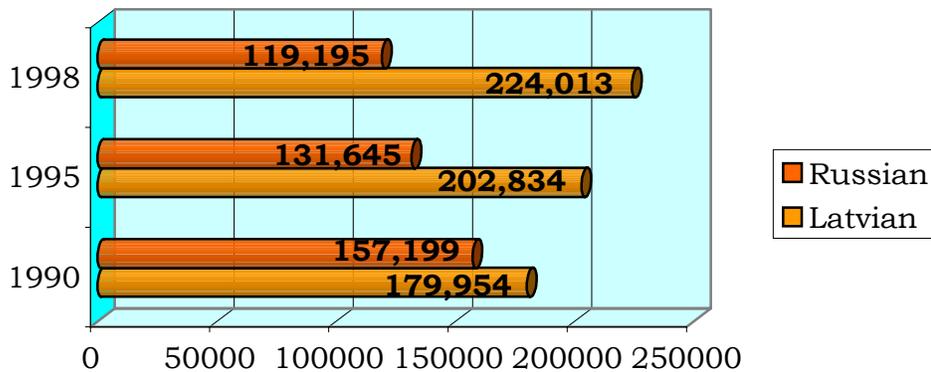
The use of language in everyday life e.g. education, broadcasting and other

Updated (September 2001)

SCHOOLS

The new Law on Education adopted in late October 1998, formally permits using minority languages in education, however, the Ministry is authorized to decide which subjects are going to be taught in the state language. At least two (in grades 1-9) and three (grades 10-12) subjects must be taught in the state language.

THE NUMBER OF STUDENTS TRAINED IN LATVIAN AND IN RUSSIAN



OPINION POLL

Pupils between 9 and 11 years from 50 Russian schools in Latvia, their teachers and parents were interviewed in the opinion poll held by the Baltic Data House at the beginning of summer 1999. According to the results the majority of pupils in Russian schools did not feel attached to the Latvian society, were not willing to speak Latvian and they disapproved minority schools' reform envisioned by the Education Law. The Law stipulates gradual transition to the Latvian language of instruction in all minority schools. By the year 2004 at least 75% of all subjects in minority schools will have to be taught in Latvian.

Questions	Students	Parents	Teachers
<i>Do you feel yourself being part of the society of Latvia?</i>	35%	65%	78%
<i>Would you like Russian to be recognized as the second state language in Latvia?</i>	77%	55%	60%
<i>Are you willing to speak Latvian?</i>	17%	51%	
<i>Can you speak Latvian?</i>	72%	42%	

NAMES

Many national minorities members in Latvia have problems with their surnames. According to the Rules on writing names in personal ID's approved by the Cabinet of Ministers on May 14, 1996, all names and surnames "must be written in Latvian according to the literary norms of the Latvian language" (Art. 1). Though, according to Art.2 "names and surnames originated from other languages should be written as closely as possible to the original spelling," it is not clear how to apply this provision in practice. The Latvian language grammar rules are particularly demanding - special endings must be added, different for male and female's names, some double letters are prohibited, application of diacritical signs when transliterating minority and foreign names is controversial, etc.

In Soviet passports issued in Latvia, names were written in both Russian and Latvian, while the USSR passports issued outside Latvia contained records either only in Russian or in Russian and the language of the corresponding "Soviet national republic." Latvian ID's (both citizens' and non-citizens' passports) contain official records only in Latvian.

POLISH NAMES

According to the Treaty on Friendship and Co-operation between Latvia and Poland (ratified on December 8, 1992), the Poles living in Latvia have the right to use and to have recorded in their ID's, their names in original form and without distortion. However, according to Article 1 of the Rules on writing names in personal ID's, all names and surnames "must be written in Latvian according to the literary norms of the Latvian

language.” For example, in Latvian passports the name ‘*Krzysztof Anuszkiewicz*’ must be written as ‘*Ksistofs Anuskevics*’ (diacritical signs omitted in this example). According to Article 15.4 of the Treaty, subjects of the Treaty must observe normative acts of the corresponding state.

Representatives of the Ministry of Foreign Affairs pointed out that every person could request to record his/her name in the native tongue in the passport (special entry page 14). Yet, this additional record cannot be used for any official purpose. Besides, in the new ID’s – internal identification cards to be used soon instead of passports - an entry for additional record of the name/surname’s original form is not envisaged.

Updated (May 2002)

SCHOOLS IN RIGA

According to some Latvian politicians the Russian-speaking parents more often send their children to schools with Latvian as the language of instruction. However, based on the statistical data about the schools in Riga (year 2002), 46,426 children attend the Latvian-language schools, 53,000 children the Russian-language schools, and 890 children schools with the instruction in other minority languages. The number of schoolchildren steadily decreased both in schools with the Latvian and Russian language of instruction; however, it drops faster in the Russian-language schools.

In this year, 121 children from ethnically Russian families began their studies in the first grade of the Latvian-language schools, while 2,205 ethnic Russian children chose the Russian-language schools. For ethnic Ukrainians the corresponding data are 6 vs. 138, ethnic Belarussians 10 vs. 130, ethnic Poles 14 vs. 50, Lithuanians 18 vs. 25, Jews 1 vs. 32, other minorities 7 vs. 68.

Out of all minorities, only children from the Roma families prefer schools with the Latvian language of instruction. The number of pupils in the schools with other minority languages of instruction steadily grows from 681 two years ago to 847 last year and 890 this year.

Ethnic Russians make up 3.65 percent among all students in the schools with the Latvian language of instruction, while ethnic Latvians 10.65 percent in the schools with the Russian language of instruction.

MINORITY SCHOOLS

As a leader of the “Youth Union for Human Rights in United Latvia” Ivan Stalnoy said to the Russian-language daily “*Vesti Segodnya*” (The News

Today), on March 28, the organization will start survey among the students on the topic “Do you want to study in your mother tongue?”

Stalnoy is sure that more than 80 percent of pupils and students will support the idea of studying in their native language. Mass media will participate in the campaign too, informing society about the results. The survey will be finished in the middle of summer.

The Ministry of Education and Science considers this issue to be “overpoliticized.” The biggest part of minority secondary schools are ready for the transition to the Latvian language of instruction in 2004, as all preconditions have been created. Representatives of the Ministry of Education reported that the problems could arise in those schools, which did not prepare themselves. The pupils will not have problems at all, but teachers could have some. According to the information of the ministry, 60 percent of schools are ready for the transition and the remaining 30 percent will be ready before 2004. (LNT News, <http://www.tvnet.lv/onlinetv/lnt/index.php?id=988473>).

The majority of parents accepts transition (73 percent) and are pleased by the way it is done in school (67 percent), still 65 percent from those accept the idea of struggle for teaching in mother tongue. Evija Papule, Head of the Ministry’s Integration Division, noted that it is natural, because to study in the mother tongue is more easy and convenient, and therefore first classes will be bilingual (“Lauku Avize” (The Rural Newspaper), April 23).

LANGUAGE

On April 23, 2002 the Baltic Institute of Social Sciences presented the results of the research “Usage of the Latvian language by Russian-speakers.” According to them, in an eight-year period the number of people, who speak Latvian, has grown by 10 percent, although the data for last 3-4 years have not changed. Only 12 percent of non-Latvians said they did not speak Latvian at all. Eighty-seven percent of Russians believed that all Latviass residents should speak the state language fluently (“Diena” (The Day), April 24).

Updated (July 2002)

EDUCATION

- The newspaper “Vesti Segodnja” reported in June about a possibility to study the Russian language at the University of Latvia. The faculty of the Russian language is planning to open the Russian Culture and Language Center.

- According to new regulations of this year, graduates of secondary minority schools who have passed a centralized examination in the Latvian language do not need to re-take the Latvian language test for naturalization purposes. (Vechernaya Riga, June 11)
- As of the next academic year all Russian schools should implement one of four bilingual educational models. The first model of bilingual education is that all subjects but the classes of the native tongue and literature are taught in the state language.

ROMA

The first regional Roma organization bureau funded from the state budget was opened in Jelgava. The bureau is going to work as a coordinating center assisting with social, educational and employment problems of Roma. Another effort is to break stereotypes about this ethnic group. Twelve such regional centers are planned altogether.

Updated (August 2002)

MEDIA

The gap between the Latvian and non-Latvian population is further reflected in the media. The print media is practically divisible into Latvian and Russian language publications, differing markedly in content, tone, opinion and information sources.

The mainstream Latvian language press tends to ignore minorities and rarely presents minority concerns and viewpoints. Occasionally Russia and the Russian-speaking minority are portrayed negatively, although there are no studies on the frequency of this phenomenon.

The Russian language press, meanwhile, tends to be highly critical towards authorities, especially with respect to areas such as citizenship, registration, language and education policy. Historical issues, related to World War II, are frequently treated differently in Latvian and Russian language press outlets.

Instances of speech indicating intolerance or contributing to stereotypes have been recorded in both the Latvian and Russian language press. Mainstream Latvian newspapers sometimes publish readers' letters featuring racial enmity. Russian-speakers are depicted as "aliens" with a totally different language, culture and lifestyle, hostile towards ethnic Latvians. The very presence of Russian speakers is sometimes seen as a danger to the continued existence of Latvians and independent statehood. More egregious examples of hate speech are the preserve of low circulation papers, representing politically marginalized groups.

Perhaps the most notorious is the overtly National Socialist “*Latvietis Latvija*” (A Latvian in Latvia) which has issued calls to reject “the Zhids” (a pejorative term for Jews) glorification of cosmopolitanism and demands of Russians for integration” and “take up arms against those “Van der Stoels,” who arrive to destroy our nation and state...” The Constitutional Protection Bureau (an independent institution), initiated criminal proceedings against the paper in June 1999, but found no violation and the case was closed in summer 2000.

Hostile views are not confined to Latvian language publications. In January 2000, the Latvian Regional Organization of Russian National Unity, a neo-Nazi group modeled on a group based in Russia, published an underground newsletter entitled “*Za Russky Poryadok*” (For a Russian Order). One article derided perceived Latvian sympathy for the Chechen cause, noting: “If someone wants to fight with Russians, there is no need to go so far. We are already here!” Another article asserted that in 1940 “our fathers once again returned here and only took back what has always belonged to Russia by right.”¹⁰

In the field of printed media, no regulations with regard to the language of publication exist. Popular Russian language newspapers include *Panorama Latvii* (20–35,000), *Chas* (16–20,000), *Vesti Segodnja* (22–25,000), and *Bizness i Baltija*. Until the end of 1999, one nation-wide newspaper, *Diena* (The Day) was published in both languages, thus bridging the linguistic gap in Latvia, but the Russian edition ended publication in 2000.

There are also several printed media issued irregularly, with small circulations, by other minority cultural and religious organizations aimed specifically at their groups.

On the other hand, the Law on Radio and Television obliges broadcasters to conduct TV and radio programs predominantly in the state language. One public TV channel must broadcast only in the state language, while the second one can allocate up to 20 percent of airing time in other

¹⁰ Another paper, *Tribunal*, the newsletter of the Victory Society (Obshchestvo pobedy established in April 2000 as a front for the Russian National Bolshevik Party), has glorified violence. For example, issue No.4 has an article about Lattelekom, the Latvian telecommunications monopoly, entitled “Lattelekom should be bombed.” In August 2000, criminal proceedings were launched against the *Tribunal* editor and publisher for propagating violence and inciting national hatred –there was no clear outcome at the time of writing. See Latvian Center for Human Rights and Ethnic Studies, Human Rights in Latvia 2000, Riga, 2001, p.44.

languages.¹¹ Although the great majority of this time is given to Russian language productions, almost every day half an hour of radio broadcasting is devoted to other minorities (Armenian, Azeri, Belarussian, Estonian, Georgian, German, Greek, Jewish, Lithuanian, Polish, Tatar and Ukrainian).

Source:

http://www.eumap.org/reports/content/10/428/minority_latvia.pdf,
The EU Accession Monitoring Program Report on Minority Protection,
Open Society Institute 2001 on
<http://www.eumap.org/reports/content/10>

Updated (September 2002)

EDUCATION

Newspapers Diena, Vechernaya Riga, Chas, Telegraf and Panorama Latvii reported on a study called “Analysis of the Implementation of Bilingual Education” conducted by the Baltic Institute of Social Sciences on August 28. Almost half of the surveyed minority schoolteachers believe that their schools will not be ready to switch the language of instructions to Latvian in 2004. At the beginning of the reform in 1999, every school could choose one bilingual educational model out of four offered by the Ministry of Education, but unfortunately, schools had no time to discuss their choices thoroughly neither among themselves nor with students’ parents.

The authors of the survey suggested an amendment to the law stating that only students of those schools ready for the switch should study in Latvian in 2004. The study also indicates that Latvian language proficiency among students has improved since bilingual educational models were introduced.

However, the Minister of Education, Karlis Greiskalns reconfirmed that the stance of the Ministry towards the education reform had not changed and it will take place in the determined time frame so schools still have two years to get ready.

Telegraf informed that the number of Russian students who attend Latvian schools is constantly increasing. According to the official data, the number of the first grade students at Latvian schools has tripled

¹¹ On October 29, 1998, the Saeima amended the law affecting private radio and television broadcasts, thereby reducing the total permitted airtime in non-Latvian languages from 30 to 25 percent.

within the last seven years, while Russian schools experience the opposite tendency – the number of the first grade students has decreased from 19,000 in 1990 to 7,000 last year.

PRE-SCHOOLS

In Latvia parents can choose the language of instruction in a pre-school; however, their children will have two mandatory Latvian “classes” – two hours when children will be playing in Latvian and will be taught the Latvian language. Among this year’s registered 452 pre-schools, only 64 are in national minority languages. The Latvian language teachers are already employed in national minority pre-schools. (Diena, August 3)

Updated (October 2002)

The “Tem TV” company, a distributor of the Russian Public Television programs in Latvia, is planning to launch a new satellite TV channel called “First Baltic Channel,” which will air programs of both the Russian Public Television and “Tem TV.” The majority of programs will be in the Russian language. (Vesti Segodnya, September 27, 2002)

Updated (January 2003)

Inese Vaidere (FF/LNNK MP) in her letter to Uldis Grava, the general director of the National TV, suggested that the National TV should not interview people who do not speak the state language. Grava disagreed with her opinion because he is convinced that TV should present opinions of all Latvian residents.

Ms Vaidere also asked the general director to consider the possibility to show movies in their original languages with subtitles in the Latvian language. The chairperson of the National Radio and TV Council Ojars Rubenis admitted that the National TV could air more movies in original languages; however, it should be very seriously considered both technically and legally, as the current legislation restricts the use of foreign languages to a maximum of 20 percent of national TV programs.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, December 19 and 20, 2002

Updated (February 2003)

EDUCATION

The Jewish secondary school in Riga should have a new building in the nearest future. This new building will be financed by the Riga Jewish Community and the Ronald S. Lauder Foundation. The project’s total

costs are estimated at US\$ 4 million and the construction is to be finished in 18 months.

MEDIA

The initiative of an independent Latvian TV channel “LNT” to include news on social integration in its daily night program aired in Latvian is welcomed by the public. Many people, especially Latvians, do not have a clear picture of integration and they believe that this process regards only non-Latvians.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, January 15, 2003

Updated (April 2003)

THE SCHOOL REFORM

According to the report of the State Education Inspection, out of 149 minority secondary schools investigated, 16 are fully ready for the 2004 education reform, 115 are expected to be prepared by September 2004, 6 will be only partially prepared, and 12 will not be ready at all.

There are 158 minority schools in Latvia. The largest number of unprepared schools is in Riga. According to the survey data, 52 percent of teachers (out of 3,292) evaluated their Latvian language skills as good and appropriate for teaching subjects in Latvian.

Thirty-eight percent of students’ parents supported the reform while 23 percent opposed it. Eighty-five percent of parents stated that they were well informed about the reform.

According to the newspaper Diena, in Riga only two minority secondary schools are ready for the switch to Latvian. Ten percent of teachers (out of about 1,500 asked) who work at minority schools have insufficient Latvian language skills. Education Minister Karlis Sadurskis admitted that as of September 1, 2004 it could be possible that the Ministry would penalize those teachers who have a negative attitude towards the reform. For instance, the Ministry could stop paying bonuses, which according to the Law should be provided to teachers who work at minority schools.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, Telegraf, April 9, 2003 and Diena, April 22, 2003

Updated (June 2003)

THE USE OF LANGUAGE IN THE LATVIAN ARMY

According to the data provided by a sociologist of the National Program for Latvian Language Training Sintija Smite, 25-30 percent of draftees do not have sufficient Latvian language skills to serve in the Latvian army.

Even after language courses the majority of them understand orders only repeated three times. Forty percent of soldiers in the Latvian army are ethnic Russians.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, June 30, 2003, Diena

Did the country ratify any international treaty dealing with the protection of minorities?

Updated (April 2001)

On March 8, 2001 another effort by the parliamentary opposition to push ratification of the Council of Europe's Framework Convention for the Protection of National Minorities failed, as 17 members of Parliament voted for ratification, 19 voted against and 46 abstained. Latvia signed the convention in 1995, but has not ratified it yet.

Updated (October 2001)

After signing the Council of Europe's Convention for the Protection of Ethnic Minorities in 1995, there is still an ongoing political discussion in Latvia on the ratification of this international instrument. The debate from now on may be focused on the possibility to follow the recent Belgian example i.e. not to include a definition of ethnic minority in the ratification document since the Russian-speaking population in Latvia cannot be compared, according to many Latvians, to the traditional idea of an ethnic minority.

Updated (May 2002)

On February 28, 2002 the Prime Minister Andris Berzinsh, being interviewed for a local newspaper, mentioned that Latvia will ratify the Framework Convention for the Protection of National Minorities only when all EU countries, France for example, will ratify it. He stated that Latvia would not act like Estonia, who ratified the Convention but "struck off a number of provisions" ("The Telegraph," March 1).

According to the authors of the newsletter “Minority Issues in Latvia,” Estonia did not “strike off a number of provisions” and made no reservations when ratified the Convention, but made a declaration containing its definition of the national minorities (<http://conventions.coe.int/treaty/EN/DeclareList.asp?NT=157&CM=&DF>).

Ratification of the Framework Convention and amending the national legislation in accordance with this Convention are the key recommendations of the Parliamentary Assembly of the Council of Europe to Latvia, adopted in January 2001 (Resolution 1236 Honoring of obligations and commitments by Latvia, <http://stars.coe.int/ta/ta01/ERES1236.HTM>).

Updated (February 2003)

Latvia signed the Framework Convention for the Protection of National Minorities on May 11, 1995. The Convention has not been ratified yet. The parliamentary opposition submitted the Ratification Bill for three times: in May 2000, March 2001 and September 2002, but the Saeima (Parliament) rejected it.

Main arguments against the ratification mentioned during the parliamentary debate were the following:

- The legislation of Latvia already provides sufficient protection for national minorities,
- The term “national minority” is not defined in the legislation,
- Ratification of this convention is not an indicator of democracy and respect to human rights, as several European countries have not even signed the Convention,
- It is exclusively up to the government to decide when the ratification of the Framework Convention should be initiated.

Out of 18 Articles we have chosen the following:

Article 4

1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

3. The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

Article 91 of the Constitution contains a general equality clause stating that all persons in Latvia shall be equal before the law and the courts and human rights shall be observed without discrimination of any kind.

This principle is further elaborated in a number of laws. For example, Section 7 of the Labor Law (adopted in 2001, came into force on June 1, 2002) provides that everyone has equal rights to employment, fair, safe and healthy working conditions, as well as to fair remuneration for work; these rights have to be ensured without any direct or indirect discrimination based on person's race, color, gender, age, disability, religious, political or other opinions, national (ethnic) or social origin, property and family status and other circumstances.

Section 3 of the Education Law (1998) provides that every citizen of the Republic of Latvia and every person who has a non-citizen passport issued by Latvia, persons to whom a permanent residence permit has been issued, as well as citizens of the European Union states to whom temporary residence permits have been issued, and their children have equal rights to receive education regardless of property and social status, race, ethnicity, gender, religious or political opinions, health condition, occupation and place of residence.

Section 4, par. 2 of the Judicial Powers Law (1992) provides that judgments shall be delivered by the court irrespective of person's origin, social or property status, race and ethnicity, gender, education, language, religious affiliation, type and nature of occupation, place of residence, political or other views.

The Law on the Unrestricted Development and Right to Cultural Autonomy of Latvia's National and Ethnic Groups (1991) declares that the residents of the Republic of Latvia are guaranteed, regardless of their national (ethnic) origin, equal human rights which correspond to international standards (Section 1). Section 3 of the law specifically provides for equality in the employment sphere.

Implementation

Different acts of legislation require a person to be citizen of Latvia and/or to have the state language proficiency certificate for employment, participation in public life, etc. The majority of people belonging to national minorities do not fulfill these requirements. According to data of the Population Register (as of July 1, 2002), 541,755 (55.6 percent) out of 974,352 persons belonging to national minorities do not have Latvian citizenship.

Most of these individuals (511,357) do not have citizenship of any state, but they are not recognized by Latvian authorities as stateless. Adoption of the Law on the Status of Former Citizens of the USSR who are not Citizens of Latvia or Any Other State in April 1995 provided them with a unique form of legal status, that of “non-citizen,” thus legalizing their permanent stay in Latvia. A number of legal acts reserve certain rights and opportunities to citizens only, including political (e.g. the right to participate in national and local elections and to form political parties), social and economic rights (e.g. property rights, the right to work in a number of professions, both in the state and the private sector, and the right to receive some benefits).

An analysis of these restrictions, conducted by the National Human Rights Office in 1996, concluded that ten of them were contrary to both the Constitution and the International Covenant on Civil and Political Rights. Five of those restrictions have been abolished since then, while some new have been introduced. The last one, the restriction for non-citizens to work as firemen, was reintroduced on October 24, 2002 by adopting a new Fire Safety and Fire-Fighting Law.

The 2001 survey revealed that 3 percent of citizens and 46 percent of non-citizens considered citizenship to be the main cause for violations of their human rights. Seven percent of citizens and 39 percent of non-citizens saw language as the basis for their human rights’ violations and 6 percent of citizens and 31 percent of non-citizens based violations of their rights on ethnic origin. ¹²

Article 5

1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

¹² Report on the public survey "On the Way to a Civic Society - 2000", the Baltic Institute of Social Sciences, Riga, 2001

2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

Article 114 of the Constitution states, that persons belonging to national minorities have the right to preserve and develop their language, ethnic and cultural identity.

The Law on the Unrestricted Development and Right to Cultural Autonomy of Latvia's National and Ethnic Groups (1991) guarantees Latvia's national minorities the right to celebrate their national holidays, use national symbols and preserve their traditions (Section 8). Besides that, state institutions have an obligation to promote development of education, language and culture of national and ethnic groups living in Latvia (Section 10, par. 1).

The 1999 State Language Law considers all minority languages (except for the Liv language) to be "foreign." At the same time, the Law does not regulate the use of language in "unofficial communication among individuals, internal communication of ethnic and national groups and language use in religious activities" (Section 2, par. 3).

According to the Education Law (1998), state-supported university education has been provided only in the state language since September 1, 1999 (par. 9 subpar. 1 of the Transitional Provisions). The Law also stipulates that from September 1, 2004 education will be provided only in the state language from 10th grade of the state and municipal general secondary schools (par. 9, subpar. 3 of the Transitional Provisions). In the meantime, the General Education Law contains the provision that mentions minority education programs, including teaching minority languages and subjects related to minority identity also in secondary schools (Section 42, par. 2); however, nothing is said about the language in which these programs are to be implemented. Existing primary minority schools will be transformed into bilingual schools. All these measures could lead to a lesser use of minority languages in Latvia.

Implementation

In 2002, the Latvian authorities allocated LVL 14,490 (approx. €25,880) to support different national cultural associations. This money was distributed by the Department on Minority Affairs of the Naturalization Board. Besides that LVL 10,000 (approx. €17,860) were allocated as a subsidy for the Association of National Cultural Associations. The state also allocated LVL 12,000 (approx. €21,430) to establish a museum

“Jews in Latvia” and LVL 2,300 (approx. €4,110) to hold of the World Summit of Latgalians.

In 2002, the Society Integration Foundation (the state foundation responsible for allocation of money for the projects in the field of integration) received LVL 282,000 (approx. €503,580) as a subsidy from the state budget and LVL 165,000 (approx. €294,650) as a part of foreign financial aid.

Article 6

1. The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

2. The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

The Law on the Unrestricted Development and Right to Cultural Autonomy of Latvia's National and Ethnic Groups (1991) states that any activity, aimed at national (ethnic) discrimination, as well as propagation of national (ethnic) superiority and national (ethnic) hatred is punishable in accordance with the existing laws (Section 16).

The Law on Radio and Television (1995) contains a “national order,” which includes creation of TV programs about life and culture of minorities, living in Latvia (Section 54, par. 5). Programs, which are created within the framework of this order, are financially supported by the state.

Article 9

1. The Parties undertake to recognize that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

Article 100 of the Constitution states: “Everyone has the right to freedom of expression, which includes the right to freely receive, keep and distribute information and to express their views. Censorship is prohibited.”

The use of minority languages in printed media is not limited by the 1990 Law on Press and Other Mass Media.

Section 62, par. 2 and 3 of the Law on Radio and Television (1995) states that:

(2) Latvian Radio and Television shall produce their programs for the first distribution network in the state language.

(3) Latvian Radio and Television programs at the second distribution network shall be primarily in the state language. Of the annual broadcasting time, 20 percent may be allocated to broadcasts in the languages of ethnic minorities, including also films and theatrical performances sub-titled in the state language.

Private electronic media are also a subject to language restrictions: the airtime for broadcasting in “foreign” (including minority) languages cannot exceed 25 percent of the total broadcasting time (Section 19, par. 5 of the Law on Radio and Television).

Implementation

Within the framework of broadcasts in the languages of ethnic minorities the great majority of time is devoted to Russian-language productions. However, thirty minutes of radio broadcasts in languages of other minorities (Armenian, Azeri, Belarussian, Estonian, Georgian, German, Greek, Jewish, Lithuanian, Polish, Tatar and Ukrainian) are aired almost every day.

A few private radio and TV channels (e.g. LNT, Radio Pik) were punished by the NCRT (the National Council on Radio and Television) for exceeding “language quotas.” Broadcasting of TV Riga was temporarily suspended four times in 1998-1999. According to statistics of the NCRT, since 1996 the Council has registered 62 complaints and has imposed 38 sanctions to private TV and radio companies.

Article 10

1. The Parties undertake to recognize that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavor to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

Paragraph 1

The Latvian language is the sole state language in the country. Language legislation consolidates the role of Latvian and limits the use of other languages in education, electronic mass media, state service, and in communications with public administrative bodies. In October 1998, the Saeima (Parliament) included the provision that “the state language of the Republic of Latvia is the Latvian language” into the Constitution (Article 4). In April 2002, the Constitution was supplemented by a few provisions aimed at strengthening status of the Latvian language. Article 18 provides that every MP is obliged to swear or to give a promise “to be loyal towards Latvia, strengthen its sovereignty and the Latvian language as the sole state language.” Article 21 provides that the sole working language at the Saeima is Latvian. Article 101 provides that the working language of local governments is Latvian. Article 104 stating that “everyone has the right to address the state or local government institutions with applications and receive an answer to the point of fact” has been supplemented with the provision that “everybody has the right to receive an answer in Latvian” since April 2002.

The first Law on Languages was adopted in May 1989. It was amended substantially in March 1992. The present State Language Law (1999) came into force on September 1, 2000. Except for the Liv language (language of Latvia's autochthonous population consisting of approximately 200 individuals), the law declares all other minority languages as "foreign." The Law does not make distinctions between areas with the different ethnic compositions; its provisions are the same even for areas, where the majority of population belongs to national minorities.

The Law recognizes the right of minorities to use any language in private sphere (Section 1, par. 4). However, the Law envisages state intervention into the use of languages in the private sphere to a degree determined by a "legitimate public interest," such as matters affecting public health, safety and order, taking into account the principle of proportionality (Section 2, par. 2). At the same time, the Law does not regulate language use in an "unofficial communication among individuals, internal communication of ethnic and national groups and language use in religious activities" (Section 2, par. 3).

Section 6 of the State Language Law provides that persons employed in the state and municipal bodies, institutions and enterprises must know and use the state language. Persons employed in the private organizations and enterprises must know and use the state language, if their activities concern a "legitimate public interest" or they execute public functions.

The governmental regulations envisage six categories of the state language proficiency. The "3B" category (the highest one) is necessary for heads of the state institutions, lawyers, psychologists, and secretaries. It requires an ability to "hold a conversation in different styles," and to use "different means of linguistic expression."

In private sphere an employer determines necessary level of the state language knowledge for employees in his/her business enterprise. In November 2000, the Cabinet of Ministers adopted amendments to the "Requirements on Proficiency Degree in the State Language Required for Performance of Professional and Positional Duties and the Procedure of Language Proficiency Tests" - a list specified required language proficiency in the private sector connected with a legitimate public interest. According to the list, "3B" category is required for lawyers, barristers, notaries, insurance agents, psychologists, teachers of the Latvian language and literature, journalists working with texts in Latvian.

Section 11 of the State Language Law provides that public events organized by private persons and private organizations can be held in other languages than the state one. The governmental regulations determine exceptions from this general rule. Private persons, enterprises or associations and international institutions, when organizing public events, must translate into the state language the information relating to a legitimate public interest, as well as information about the event.

Paragraph 2

The State Language Law prohibits state, municipal and judicial institutions to accept written applications, statements and complaints from private persons in any language other than Latvian except for some emergency situations (calls for emergency medical help, cases of criminal violations or other violations of law, calls for emergency help in cases of fire, crash or other accidents) (Section 10, par. 2). Documents in “foreign languages” can be accepted only when a certified translation into the state language is attached (Section 10, par. 3). Translation and certification are costly procedures, and this provision in fact deprives many persons belonging to minorities of the opportunity to protect their rights in the state institutions (e.g. prisoners or population of the poorest region of Latgale).

The Civil Proceedings Law (adopted in 1998, came into force on March 1, 1999) establishes that legal proceedings are conducted in the state language. Documents in foreign languages are submitted by the parties as being attached with a duly certified translation into the state language (Section 13).

Implementation

The City Council of Daugavpils employs a translator, who helps the residents of the city to translate their documents for the Council from Russian into Latvian. However, only those residents, whose income does not exceed a minimum established by the City Council, are eligible for this free service.

Paragraph 3

The Criminal Proceedings Code establishes that legal proceedings in criminal matters are conducted in the state language, but the court, judge, prosecutor and the investigation service can allow to conduct the proceedings also in other languages, if the parties agree to it. In any case, a person, who participates in the proceedings, but does not know the language of the proceedings, is entitled to submit applications, give evidence, submit petitions, get acquainted with documents and speak in court in the language he or she understands, and to use an assistance of

an interpreter. All documents, which are to be issued to such a person, must be translated into a language, which he/she understands (Section 16). According to the State Language Law, all documents must be submitted to the court or the Prosecutor's Office in the state language

Implementation

In December 2001, the Ministry of Interior proposed to the Cabinet of Ministers to submit amendments to the State Language Law with the aim to allow the police and border guards to send evidence/testimonies to the Prosecutor's Office or to the court without a translation till January 1, 2004. Otherwise, the police would need approx. LVL 1,620,000 (€2,613,000) for translation in 2002. Nevertheless, the proposal was rejected.

Article 11

1. The Parties undertake to recognize that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

2. The Parties undertake to recognize that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

3. In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavor, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.

Paragraph 1

Section 19 of the State Language Law (1999) states:

“(1) Personal names shall be reproduced in accordance with the Latvian language traditions and shall be transliterated according to the accepted norms of the literary language while observing the requirements of paragraph 2 of this Section.

(2) In a person's passport or a birth certificate, the person's name and surname reproduced in accordance with Latvian language norms may be supplemented by the historical form of the person's surname or the

original form of the person's name in another language transliterated in the Latin alphabet if the person or parents of a minor so desire and can provide verifying documents.

(3) Spelling and identification of names and surnames, as well as spelling and use of the Latvian language for personal names from other languages, shall be prescribed by the Cabinet of Ministers regulations."

On May 23, 2002 the Saeima adopted the new Law on IDs that came into force on July 1, 2002. The new law, as well as the legislation in force before, provides that personal names and surnames must be written in documents according to the grammar of the Latvian language. The original form of a personal name in Latin transliteration can be written on the fourth page in a passport (page 14 according to the legislation in force before). The original form will not be recorded in identification cards.

Paragraph 2

The legislation currently in force does not prohibit to display inscriptions and other information of a private nature visible to the public in minority languages.

The requirements prescribed by Section 21 of the State Language Law (1999) for private business are the following:

"(7) If a foreign language is used along with the state language in information, the text in the state language shall be in the foreground and shall not be smaller in size or less complete in content than the text in the foreign language."

Paragraph 3

The current legislation provides for all place names, street names and other topographical indications to be in the state language only (Section 18 of the State Language Law (1999), Regulations of the Cabinet of Ministers "On creating, spelling and usage of place names, names of institutions, non-governmental organizations, companies (enterprises) and titles of events" (issued in August 2000)). The only exception is given to the so-called "Liv coast," where Liv place names can be used alongside Latvian ones.

Article 12

1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the cultures, history, language and religion of their national minorities and of the majority.

2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

Paragraph 1

Language legislation in Latvia aims at safeguarding the status and role of the state language within the society. There are no state-supported programs fostering knowledge of cultures, history, language and religion of Latvia's national minorities. Teaching of subjects related to a minority identity is allowed within "minority education programs" meant for pupils of minority schools (Section 41, par. 2 of the Education Law (1998)).

Implementation

The main body organizing studying of the state language is the National Program for Latvian Language Training. The Program was elaborated with an active participation of the UNDP Office in Latvia and was approved by the Cabinet of Ministers in late 1995.

The main task of the Program has been to teach Latvian to minority schools' teachers to enable them to teach minority pupils in the state language. The Program also teaches Latvian to adults, develops language study materials for non-Latvians, elaborates examination standards and promotes Latvian in the media. The Program also organizes summer integration camps and events in the media with the aim to promote a dialogue and cooperation between ethnic Latvians and minorities. From its start, mainly foreign donors supplied the program's budget (approximately €23,9 million), while the Latvian share of funding was to increase gradually.

However, assistance in Latvian language learning offered by this program is limited to a very narrow audience.

Paragraph 2

Latvia does not provide a specific training for the teacher of minority schools. Students of a minority origin are trained together with Latvian students and this training is designed for the majority (Latvian) schools and classes, and generally does not take into consideration the peculiarities of teaching in minority schools and classes. One group of students (approximately 30 persons) is prepared annually at the Slavonic Philology Department at the University of Latvia.

Training of Latvian language teachers for minority schools practically ceased in the early 1990s, and in autumn of 2000, 536 pupils in minority schools were not taught the Latvian language at all, because of a lack of teachers.

According to the current legislation, teachers in all public schools, including minority ones, are required to speak the state language at the highest level of proficiency. The State Language Law (1999) requires that all staff meetings in public (also minority) schools must be conducted in the state language (Section 7).

School-age population compared to the body of pupils

Ethnic origin	Population 5 to 19 (2000)		Pupils (2001/2002)*	
	<i>Absolute numbers</i>	<i>Percent distribution</i>	<i>Absolute numbers</i>	<i>Percent distribution</i>
Latvians	329,031	64.69	229,034	67.97
Russians	133,511	26.25	83,686	24.84
Belorussians	11,635	2.29	6,464	1.92
Ukrainians	9,172	1.80	4,690	1.39
Poles	10,583	2.08	5,742	1.70
Lithuanians	5,102	1.00	2,649	0.79
Others	9,555	1.88	4,676	1.39
Total	508,589	99.99	336,941	100.00

Sources: Data on population of 5 to 19 years of age, Results of the 2000 Population and Housing Census in Latvia, the Central Statistical Bureau of Latvia (Riga, 2002, pp.61, 165, 166).

*Data on pupils of daytime elementary, primary and secondary schools, academic year 2001/2002, Statistics Department of the Ministry of Education and Science.

Minority representation within the staff and the student body of universities in Latvia (in percents)

Status	Title	Minorities within staff	Minorities within students
State	J.Vitols Latvian Academy of Music	11.4	6.7
	Latvian Maritime Academy	21.0	40.0
	Latvian Academy of Art	4.0	NA
	Latvian Police Academy	NA	14.0
	Latvian Academy of Sports Education	23.5	NA
	Latvian Academy of Pedagogy	11.9	NA
	Riga School of Economics	0.0	NA
	Riga Technical University	30	NA
	Vidzeme University College	0.0	1.6
	Latvian University of Agriculture	14.9	8.0
	Latvian Academy of Culture	17.0	NA
	Latvian Academy of Medicine	16.2	NA
	Daugavpils Pedagogical University	54.5	NA

Private	Latvian Evangelical Lutheran Christian Academy	13.0	NA
	Riga Institute of Aeronautics	85.0	84.0
	Riga Teacher Training and Education Management Academy	8.5	NA
	Institute of Transportation and Communications	91.0	83.7
	RIMPAK Livonija	49.0	NA
	School of Banking	25.0	NA

Source: Pabriks, Occupational Representation and Ethnic Discrimination in Latvia, Riga, 2002, p.36.

Article 13

1. Within the framework of their education systems, the Parties shall recognize that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

2. The exercise of this right shall not entail any financial obligation for the Parties.

The right to establish and manage private education and training establishments is recognized in Latvian legislation. The 1998 Education Law entitles private physical and legal persons to found private schools (Section 23, par. 3). The Law also determines that education in languages other than Latvian can be conducted in private education establishments (Section 10, par. 2).

Number of private schools and pupils in private schools, 2001/2002 academic year (including elementary, basic and secondary schools)

	LANGUAGE OF INSTRUCTION							
	Latvian		Russian		Bilingual		TOTAL	
LOCATIO N	School s	Pupil s	School s	Pupil s	School s	Pupil s	School s	Pupil s
Cesis r.d.*	2	33	0	0	0	0	2	33
Liepaja r.d.	1	10	0	0	0	0	1	10
Madona r.d.	1	59	0	0	0	0	1	59
Ogre r.d.	1	65	0	0	0	0	1	65
Preili r.d.	1	38	0	0	0	0	1	38
Riga r.d.	2	217	0	0	0	0	2	217
Talsi r.d.	2	168	0	0	0	0	2	168
Jelgava	1	89	1	19	0	0	2	108
Liepaja	2	19	1	25	0	0	3	44
Ventspils	0	0	0	0	1	35	1	35
Riga	8	714	17	1,035	3	232	28	1,981
Total	21	1,412	19	1,079	4	267	44	2,758

*r.d. = Rural district

Article 14

1. The Parties undertake to recognize that every person belonging to a national minority has the right to learn his or her minority language.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavor to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

The legislation in principle recognizes the right of persons belonging to minorities to learn their language and to develop their ethnic and cultural identity (Article 114 of the Constitution).

However, according to the 1998 Education Law, after 2004 all public secondary and vocational educational institutions must be only in the state language (Paragraph 9, sub-paragraph 3 of Transitional Provisions of the Education Law), while existing primary minority schools have to be transformed into bilingual schools.

The Education Law permits, but does not guarantee, education in minority languages in two instances:

- In private schools (currently attended by less than 1 percent of students)
- In state and municipal education establishments where minority education programs are being implemented (Section 9, par. 2 of the Education Law).

The Ministry of Education is authorized to determine the subjects, which will be taught in the state language within minority education programs (Section 9, par. 2 and Section 41, par. 3 of the Education Law). A separate General Education Law (1999) allows for general secondary education programs to be combined with “minority education programs, including teaching minority languages and subjects related to the identity of a minority and the integration of the society of Latvia” (Section 42, par. 2). However, this provision leaves the matter of education in minority languages to the discretion of officials of the Ministry of Education.

The 1998 Education Law requires local governments to assume responsibility for pre-school, primary and secondary education, but does not require local governments to establish and/or maintain minority schools/classes if minority parents request so. Moreover, about a half of persons belonging to minorities do not have voting rights in the local elections, and therefore do not have any influence over decisions taken by local governments, including the decisions concerning education of minority children.

The Education Law stipulates that orphans shall receive education in the state language (Section 56, par. 2). In practice this means that an orphaned child whose education began in a different language must be transferred to a Latvian-language school, regardless of a grade or an age.

Number of schools and pupils by language of instruction (Including daytime and evening (shift) schools)

Academic year	Schools by language of instruction				Total No of schools	Pupils by language of instruction**			Total No of pupils*	% study in Latvian
	Latvian	Russian	Other	Mixed*		Latvian	Russian	Other		
1991/1992	585	219	4	178	986	183,266	154,736	208	338,210	54.19
1992/1993	623	223	4	179	1,029	181,875	146,457	328	328,660	55.34
1993/1994	652	216	5	175	2,015	191,517	143,904	461	335,882	57.02
1994/1995	679	209	7	176	1,071	199,146	138,002	727	337,875	58.94
1995/1996	699	207	6	182	1,094	209,947	136,740	854	347,541	60.41
1996/1997	719	205	6	182	1,112	219,684	133,882	908	354,474	61.97
1997/1998	728	200	6	176	1,110	228,059	130,912	1,043	360,014	63.35
1998/1999	738	196	6	171	1,111	234,476	126,073	1,173	361,722	64.87

1999/2000	737	190	7	160	1,095	239,163	120,925	1,344	361,432	66.17
2000/2001	734	179	7	154	1,074	242,475	116,009	1,334	359,818	67.39

*Mixed schools include two separate streams of education: Latvian and Russian.

**Data on pupils in evening (shift) schools in 1991/1992 and 1992/1993 were not included.

Pupils in schools with language of instruction other than Latvian or Russian, 2001/2002 academic year*

	Riga	Daugavpils	Jekabpils r.d.**	Kraslava r.d.	Total
Polish	371	430	97	80	978
Ukrainian	306	0	0	0	306
Belorussian	68	0	0	0	68
Total	745	430	97	80	1,352

*According to the Ministry of Education and Science, schools and classes of other minorities (Estonian, Jewish, Lithuanian and Roma) use predominantly Latvian or Russian as a language of instruction. Accordingly, data on pupils of such schools and classes are included into the data on schools and classes with the Latvian or Russian language of instruction.

**r.d. = Rural district

Source: Report on the implementation of the Framework Convention for the Protection of National Minorities in the Republic of Latvia prepared by the Latvian Human Rights Committee (F.I.D.H.), Riga 2002, http://www.minelres.lv/coe/report/Latvia_NGO.htm

What else can be found about languages and minorities?

Updated (April 2000)

On March 9, 2000 the weekly “Izglitiba un Kultura” (Education and Culture) published statutes of competition announced by Dr. Slucis¹³ called “For contribution to national-patriotic education in schools.” Five awards of 1,000 LVL (~USD 1,690) each were promised to teachers who elaborated teaching aids about “the genocide against the Latvian nation in the 20th Century” and whose pupils participated in different activities (including public events) and showed their knowledge about “the Latvian nation’s historical suffering, the greatest tragedy of this century; Russian occupation and its consequence, 700,000 civil invaders who still live in Latvia illegally.”

While the contest is a private undertaking of Dr.Slucis, it is worth mentioning that the weekly “Izglitiba un Kultura” is considered an organ of the Ministry of Education. Ironically, invitations to participate in the competition were sent also to the schools with Russian as the language of instruction.

The award (1,000 LVL) approximately equals to a teacher’s average annual salary in Latvia.

Updated (September 2001)

In March 2001 the “Vieda” publishing house has announced competition “The way to the new world or the real nationalism and true culture – the only guarantee of the Latvians’ survival and development.” The “Vieda” offered students and schoolchildren to think over the following topics:

- Why Latvia is forced upon the way to the EU as the only right model of development, in connection with integration of illegal colonists and their descendants
- Why integration [of the society] is absurd
- Why fighters for freedom - national partisans and legionnaires - are not glorified in the independent Latvia
- Why representatives of Russian media are not expelled from Latvia for hate speech

¹³ Dr. Slucis is an American Latvian widely known because of his radical nationalistic views.

- Why colonists should leave the territory of Latvia to avoid ethnic conflicts

Schoolchildren, students and other persons under 30 were offered to write a composition. Possible topics:

- “Realization of Divine Justice or Latvia’s deliverance from 700,000 colonists as the task No.1”
- “Is Russian-language media in Latvia spreading ideas of Russian chauvinism or fascism”
- “National partisans and legionnaires - the example of heroism for Latvian youth”

The best 72 compositions were published in a book called “Nevienam mes Latviju nedodam” (We do not give Latvia to anyone) and were sent to the leaders of the state. Besides, authors of the best compositions received money awards. The first was of 100 LVL (~USD 165), an average 10-month state grant for a state budget-funded student.

Updated (February 2002)

In January, Latvian President Vaira Vike-Freiberga and Prime Minister Andris Berzins signed a joint order for establishing a Latvian Language Commission. The Commission was founded in order to identify the situation of the official language and to develop recommendations for strengthening the status of the Latvian language. On the table is also the question of language requirements for governmental offices (applicants have to prove proficiency in the Latvian language since 1994). The President reiterated her December declaration saying that these language requirements should be abolished. She is in favor of an amendment to the current regulations, which were established in 1994. Estonia, which also had the same kind of language requirements, abolished them in November last year.

As a chairperson of the new Language Commission has been appointed famous poetess Mara Zalite. The Commission is planned to work for three years. It is not yet clear whether or not minority languages will be on the Commission agenda, although the aim is include members from different groups of society.

Updated (July 2002)

On June 15, 2002 the left wing union FHRUL held its party conference. The union hopes to get at least 20 percent of seats in the 8th Saeima and to participate in forming the next government. The conference adopted a

program, which would grant Latvian citizenship to all non-citizens who have expressed such a wish, Russian should have the status of an official language in those municipalities where the share of Russian-speaking residents exceeds 20 percent and non-citizens should be granted the right to participate in municipal elections. The program did not mention Latvia's potential membership in NATO. The Union is not against; however, it disagrees with the amount of money to be allotted for security purposes from the state budget. (Diena, Neatkariga, Chas, Telegraf, Vesti Segodnja, Panorama Latvii)

Updated (September 2002)

Vesti Segodnja wrote about a phone survey conducted by the television company "TV5" during a discussion between two politicians Juris Dobelis (FF/LNNK) and Boris Tsilevich (FHRUL) whether the Russian language should be granted official status in Latvia. The show was in Latvian and thus the newspaper anticipated that people who took part in the survey were Latvians. The results were amazing when 44 percent of people said 'yes' to granting Russian the status of the state language.

Updated (October 2002)

INFORMATIVE MATERIALS IN RUSSIAN

The Central Electorate Commission rejected the proposal of FHRUL to print informative materials for elections in the Russian language as well. However, FHRUL printed an election manual in the party's pre-election newspaper and will distribute it to readers of the Russian language press. (Chas, September 26)

QUESTIONS TO REPRESENTATIVES OF LEADING PARTIES

"Chas" sent twenty political parties a letter with five questions essential for its readers. The questions were following:

1. Do you believe that naturalization should remain the only possibility for non-citizens to acquire Latvian citizenship?
2. What status should the Russian language have in Latvia?
3. Do you believe that the switch of secondary minority schools in 2004 is necessary?
4. Are you "for" or "against" the EU and NATO?
5. What should be relations between Latvia and Russia in the future?

Thirteen out of twenty parties provided their responses. Here you can find the summary of answers of the most popular parties:

The New Era

- 1) Naturalization is an individual process
- 2) The Latvian language is the sole state language and the “NE” does not support the idea to grant Russian the status of the official language in some municipalities
- 3) The reform is very necessary, but more active preparation measures should be taken
- 4) “NE” supports Latvia’s membership to the EU and NATO
- 5) Latvia is interested in independent and democratic Russia

FHRUL

- 1) Citizenship should be granted to all persons who were born in Latvia or who are family members of citizens
- 2) Grant Russian the status of the official language in municipalities where the number of non-Latvians exceeds 20 percent
- 3) The reform must be postponed
- 4) Supports the EU, no clear answer about NATO
- 5) Relations should be friendly

Latvia’s Way

- 1) According to legislation in force, everybody has the right to naturalize, the Prime Minister calls on everybody who feels connected to the country to naturalize
- 2) The Russian language will play its role in such spheres as culture, communication and literature
- 3) The party believes that all secondary school graduates should speak Latvian, Russian and English fluently
- 4) Supports Latvia’s membership to the EU and NATO
- 5) Good relations with Russia one of the top priorities of foreign policy

The First Party

- 1) The naturalization procedure should guarantee that a new citizen knows the state language and history
- 2) Latvian is the state language, other languages are granted the status of minority languages
- 3) The readiness of schools for the reform should be reviewed and then the reform should continue
- 4) The EU and NATO are priorities but not ends in themselves
- 5) Relations with Russia - as with any other country

FF/LNNK

- 1) Yes
- 2) Russian one of several minority languages
- 3) Yes
- 4) Supports Latvia's membership to the EU and NATO
- 5) A treaty on the state border should be signed; mutually beneficial relations

The Union of the Green Party and the Farmers' Union

- 1) Latvian legislation provides all possibilities to naturalize
- 2) Russian has the status of a language of one ethnic group residing in Latvia
- 3) The reform is necessary for the integration of society but additional funding should be allotted
- 4) Should become a full-fledged EU member and receive 100 percent subsidies for agriculture
- 5) A constructive dialogue

The People's Party

- 1) Yes, the education system should motivate non-citizens to learn the Latvian language and culture

- 2) The status of a language of a national minority residing in Latvia
- 3) Definitely yes
- 4) Latvia's membership to the EU and NATO, the only long-term guarantee of Latvia's independence
- 5) The first step should be made by Russia

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, October 4, 2002

Newspaper "*Diena*" devoted a page to a discussion about naturalization and non-citizen issues in Latvia. Representatives of seven leading parties were asked two questions:

- Does Latvia benefit from such a great number of non-citizens? If not, what will your party do to foster non-citizens' wish to naturalize?
- What changes will Latvia's membership to the EU bring in respect to naturalization?

FF/LNNK believes that citizenship should not be advertised but its acquisition should be based on person's wish and beliefs. Regarding the consequences of Latvia's membership to the EU, Aija Predele (MP of FF/LNNK) said that it should foster integration in the country.

Maris Kalve from FHRUL stated that simpler requirements for the acquisition of Latvian citizenship should be introduced. About the impact of the EU membership on naturalization, he said that after becoming a EU member, Latvia would have to ratify the Framework Convention for the Protection of National Minorities without any reservations.

The Latvian Social Democrats MP Viola Lazo criticized the current ethno-policy, which is not acceptable either by minorities or the core nation and said that the only way out is to correct the admitted mistakes. Firstly, it is inevitable to define the term "national minority" and to determine rights and obligations of minorities in Latvian legislation and secondly, to look for international sources to fund repatriation of those persons who want to go back to their native countries.

Ilmars Mezs, from the New Era, believed that the vast number of non-citizens harms Latvia's interests, however, mass or automatic naturalization would be even worse. According to him, Latvia's membership to the EU will not bring any changes in regard to

naturalization; however, it could foster non-citizens' motivation to acquire Latvian citizenship.

People's Party MP Anta Rugate believed that the vast number of non-citizens brings no good for any country; however, Latvia is in a special situation. Decision to become a Latvian citizen should be taken individually and education is the most essential way to motivate non-citizens to naturalize.

Election candidate from Latvia's Way, the Head of the Naturalization Board, Eizenija Aldermane agreed that the great number of non-citizens brings harm to Latvia so all activities launched by the Naturalization Board – information campaigns, Latvian language courses, etc. – should continue. Ms Aldermane was convinced that the EU membership would increase the tempo of naturalization.

Ruta Bendere from the Union of the Green Party and the Farmers' Union said that the Union would continue to support integration of Latvian society.

"Panorama Latvii" interviewed FHRUL MP Boris Tsilevich. When asked what consequences Latvia's membership in the EU will have on national minorities residing in Latvia, Boris Tsilevich stated that the EU is an organization formed to facilitate free trade and nothing more. However, the EU adopted the Race Directive in 2000, implementation of which could cause difficulties for Latvia. According to Mr. Tsilevich, national minorities should benefit from periods when Latvia is trying to become a member of international organizations and is forced to adopt norms, which are in compliance with international standards.

Source: September 27, 2002, Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies

INTERVIEW WITH THE PRESIDENT

"Lauku Avize" interviewed Latvian President Vaira Vike-Freiberga. She called upon all citizens of Latvia to fulfill their duty and take part in the elections. When asked about Latvia's relations with Russia, the President stated that Latvia does not have any problems with Russia. The President emphasized that Latvia made necessary amendments to the legislation concerning citizenship and election rights to align it with international standards. She believes that the Latvian Citizenship Law is one of the most liberal in Europe.

She also said that the promises to the Russian President Vladimir Putin to ease naturalization procedures (to equalize state language examinations at a secondary school with naturalization language tests)

and to lower the state fee for naturalization for several categories of applicants were achieved.

According to the President everybody has the right to naturalize in Latvia, but if there is no wish to become a Latvian citizen, the person can leave the country. The Latvian Government and the USA as well are ready to help those people who do not feel well in Latvia to return to their home countries. Vaira Vike-Freiberga agreed that the number of non-citizens in Latvia is too high, but noted that it is due to historic circumstances.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, October 1, 2002

Updated (December 2002)

A NEW SPECIAL TASK MINISTER FOR SOCIETAL INTEGRATION

A new Special Task Minister for Societal Integration Nils Muiznieks believes that Latvia has achieved a lot in the field of minority issues.

The first task of the Minister will be activation of a dialogue between the state and national minorities. He is planning to form the Advisory Council on National Minorities. Second task will be the examination of the National Program for Social Integration. Third, cultural foundations should start accounting for the received funding not only for the State Control but for the government as well.

Muiznieks believes that awareness campaigns and Latvian language courses will foster the speed of naturalization and that non-citizens should feel that the country needs them.

He agrees that the Russian language should have a certain status in Latvia; namely, the status of a minority language and its usage in municipalities should be recognized on a judicial level.

Regarding the education reform in 2004, Muiznieks says that many schools are not ready for the switch; however, he believes that the state should ensure that all people, including students of Russian schools, should be competitive and able to find their place in life.

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, November 27, 2002, Telegraf

Updated (January 2003)

During the on-line discussion in December Minister Muiznieks said he would have never agreed to accept the post if he had been convinced that it is just a decoration and no real activities can be implemented. According to Muiznieks, integration implies two aspects: cooperation and participation. He noted that one of the tasks of his Ministry is to fight against forcible assimilation.

He also described three myths that Russians and Latvians have about each other and integration.

Latvians believe that:

- 1) Latvia cannot go on with the current demographic situation in the country (so many Russians)
- 2) Russians do not want to integrate and learn Latvian
- 3) Muiznieks will introduce two state languages, zero option citizenship and will open the border to the East

Russians believe that:

- 1) Everything what was promised during the “Awakening” actually is the continuation of two-language situation in the Soviet style and it will be implemented in the future
- 2) Latvian is a very difficult language
- 3) Muiznieks will introduce two state languages, zero option citizenship and will open the border to the East

Source: Integration and Minority Information Service of the Latvian Center for Human Rights and Ethnic Studies, December 17, 2002

APPENDIX A

MAP OF LATVIA



APPENDIX B

LATVIA – CONSTITUTION

(Adopted on February 15, 1922)

(Significantly amended in 1998)

(Document Status in 1998)

Article 4 (Language, Flag)

The Latvian language is the official language in the Republic of Latvia. The national flag of Latvia shall be red with a band of white.

Article 114 (Minorities)

Persons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity.

Note: The complete text of the Constitution and further information on the constitutional background of Latvia are provided by the International Constitutional Law Project at the University of Wuerzburg.

STATE LANGUAGE LAW

(Adopted by The Saeima and the President of the State on December 21, 1999)

Article 1

The purpose of this Law shall be to ensure:

- 1) the preservation, protection and development of the Latvian language;
- 2) the preservation of the cultural and historical heritage of the Latvian nation;
- 3) the right to use the Latvian language freely in any sphere of life in the whole territory of Latvia;
- 4) the integration of national minorities into Latvian society while respecting their right to use their mother tongue or any other language;

5) the increase of the influence of the Latvian language in the cultural environment of Latvia by promoting a faster integration of society.

Article 2

(1) This Law shall regulate the use and protection of the state language at state and municipal institutions, courts and agencies belonging to the judicial system, as well as at other agencies, organizations and enterprises (or companies), in education and other spheres.

(2) The use of language in private institutions, organizations and enterprises (or companies) and the use of language with regard to self-employed persons shall be regulated in cases when their activities concern legitimate public interests (public safety, health, morals, health care, protection of consumer rights and labor rights, workplace safety and public administrative supervision) (hereafter also: legitimate public interests) and shall be regulated to the extent that the restriction applied to ensure legitimate public interests is balanced with the rights and interests of private institutions, organizations, companies (enterprises).

(3) The Law shall not regulate the use of language in the unofficial communication of the residents of Latvia, the internal communication of national and ethnic groups, the language used during worship services, ceremonies, rites and any other kind of religious activities of religious organizations.

Article 3

(1) In the Republic of Latvia, the state language shall be the Latvian language.

(2) In the Republic of Latvia every person has the right to file applications and communicate in the state language at agencies, voluntary and religious organizations, enterprises (or companies).

(3) The state shall ensure the development and use of the Latvian sign language for communication with the deaf.

(4) The state shall ensure the preservation, protection and development of the Latgalian written language as a historically established variety of the Latvian language.

Article 4

The state shall ensure the protection, preservation and development of the Liv language as the language of the indigenous population (autochtons).

Article 5

For the purpose of this Law, any other language used in the Republic of Latvia, except the Liv language, shall be regarded as a foreign language.

Article 6

(1) Employees of state and municipal institutions, courts and agencies belonging to the judicial system, state and municipal enterprises, as well as employees in companies in which the state or a municipality holds the largest share of the capital, must know and use the state language to the extent necessary for the performance of their professional and employment duties.

(2) Employees of private institutions, organizations, enterprises (or companies), as well as self-employed persons, must use the state language if their activities relate to legitimate public interests (public safety, health, morals, health care, protection of consumer rights and labor rights, workplace safety and public administrative supervision).

(3) Employees of private institutions, organizations and enterprises (or companies), as well as self-employed persons who, as required by law or other normative acts, perform certain public functions must know and use the state language to the extent necessary for the performance of their functions.

(4) Foreign specialists and foreign members of an enterprise (or company) administration who work in Latvia must know and use the state language to the extent necessary for the performance of their professional and employment duties, or they themselves must ensure translation into the state language.

(5) The required level of the state language proficiency of the persons referred to in paragraphs 1, 2 and 3 of this Article, as well as the assessment procedure of their state language proficiency, shall be set by the Cabinet of Ministers.

Article 7

(1) The state language shall be the language of formal meetings and other business meetings held by state and municipal institutions, courts and

agencies belonging to the judicial system, state or municipal enterprises and companies in which the state or a municipality holds the largest share of the capital. If the organizers consider it necessary to use a foreign language during the meeting, they shall provide translation into the state language.

(2) In all other cases when a foreign language is used at formal meetings and other business meetings, the organizer shall provide translation into the state language if so requested by at least one participant of the meeting.

Article 8

(1) At state and municipal institutions, courts and agencies belonging to the judicial system, state and municipal enterprises, as well as in companies in which the state or a municipality holds the largest share of the capital, the state language shall be used in record-keeping and all documents. Correspondence and other types of communication with foreign countries may be conducted in a foreign language.

(2) Employees of private institutions, organizations, enterprises (or companies), as well as self-employed persons, shall use the state language in record-keeping and documents if their activities relate to legitimate public interests (public safety, health, morals, health care, protection of consumer rights and labor rights, workplace safety and public administrative supervision).

(3) Private institutions, organizations and enterprises (or companies), as well as self-employed persons who perform public functions as required by law or other normative acts shall use the state language in record-keeping and documents which are required for performing their functions.

(4) Statistical reports, annual reports, accountancy documents and other documents which, according to law or other normative acts, are to be submitted to the state or municipal institutions shall be in the state language.

Article 9

Contracts of natural and legal persons about the provision of medical and health care services, public safety and other public services in the territory of Latvia shall be in the state language. If the contracts are in a foreign language, a translation into the state language shall be attached.

Article 10

(1) Any institution, organization and enterprise (or company) shall ensure acceptance and review of documents prepared in the state language.

(2) State and municipal institutions, courts and agencies belonging to the judicial system, as well as state and municipal enterprises (or companies) shall accept and examine documents from persons only in the state language, except for cases set forth in paragraphs 3 and 4 of this Article and in other laws. The provisions of this Article do not refer to the statements of persons submitted to the police and medical institutions, rescue services and other institutions when urgent medical assistance is summoned, when a crime or other violation of the law has been committed or when emergency assistance is requested in case of fire, traffic accident or any other accident.

(3) Documents submitted by persons in foreign languages shall be accepted if they are accompanied by a translation verified according to the procedure prescribed by the Cabinet of Ministers or by a notarized translation. No translation shall be required for documents issued in the territory of Latvia before the date on which this Law comes into force.

(4) Documents received by state and municipal institutions, organizations and enterprises (or companies) from foreign countries may be accepted and reviewed without a translation into the state language.

Article 11

(1) Events organized by state and municipal institutions, courts and agencies belonging to the judicial system, state and municipal enterprises, as well as by companies in which the state or a municipality holds the largest share of the capital, shall be conducted in the state language. Should a foreign language be used, translation into the state language shall be provided by the organizer.

(2) In events taking place in the territory of Latvia in which foreign natural and legal persons participate and in which institutions mentioned in paragraph 1 of this Article participate in the organizing, one of the working languages shall be the state language, and the organizer shall ensure translation into the state language. In cases stipulated by the Cabinet of Ministers, the State Language Center may exempt the organizer from this requirement.

(3) Taking into account the purpose of this Law and the basic principle of language use as provided by Article 2 of this Law, the Cabinet of Ministers may determine cases when, in serving legitimate public

interests, organizers of other events taking place in the territory of Latvia may be obliged to ensure translation of the event into the state language.

(4) Use of language in meetings, marches and pickets is provided for by the Law on Meetings, Marches and Pickets.

Article 12

In the structural units of the National Armed Forces, only the state language shall be used except for cases when other laws and international treaties concluded by the Republic of Latvia, as well as international treaties on the participation of the National Armed Forces in international operations or exercises, stipulate otherwise.

Article 13

Legal proceedings in the Republic of Latvia shall be conducted in the state language. The right to use a foreign language in court is prescribed by the laws regulating court functions and procedures.

Article 14

The right to receive education conducted in the state language is guaranteed in the Republic of Latvia. The use of the state language in education is prescribed by the laws regulating education.

Article 15

Research papers qualifying for a scientific degree shall be submitted in the state language or in a foreign language accompanied by a translation of a comprehensive summary in the state language. Research papers may be publicly presented in the state language or in a foreign language if the author agrees and if the relevant council that confers scientific degrees approves.

Article 16

The language of mass media broadcasts is regulated by the Law on Radio and Television.

Article 17

(1) Feature films, video films or their excerpts shown in public shall be provided with a voice-over, dubbed in the state language or shown with the original sound track and subtitles in the state language while observing accepted norms of the literary language.

(2) In the cases mentioned in this Article, subtitles in a foreign language are also permissible. Subtitles in the state language shall be placed in the foreground and shall not be smaller in size or less complete in content than the subtitles in the foreign language.

Article 18

(1) In the Republic of Latvia, place names shall be created and used in the state language.

(2) The names of public institutions, voluntary organizations and enterprises (or companies) founded in the territory of Latvia shall be created and used in the state language except for cases prescribed by other laws.

(3) The names of events mentioned in Article 11 of this Law shall be created and used in the state language except for cases prescribed by other laws.

(4) In the territory of the Liv Shore, the place names and the names of public institutions, voluntary organizations, enterprises (or companies), as well as the names of events held in this territory, shall be created and used also in the Liv language.

(5) Creation and use of designations shall be prescribed by the Cabinet of Ministers regulations.

Article 19

(1) Personal names shall be reproduced in accordance with the Latvian language traditions and shall be transliterated according to the accepted norms of the literary language while observing the requirements of paragraph 2 of this Article.

(2) In a person's passport or birth certificate, the person's name and surname reproduced in accordance with Latvian language norms may be supplemented by the historical form of the person's surname or the original form of the person's name in another language transliterated in the Latin alphabet if the person or the parents of a minor so desire and can provide verifying documents.

(3) The spelling and the identification of names and surnames, as well as the spelling and use in the Latvian language for personal names from other languages, shall be prescribed by the Cabinet of Ministers regulations.

Article 20

(1) The text on stamps and seals, except those mentioned in paragraph 3 of this Article shall be in the state language if stamps and seals are used on documents which, according to this Law or other normative acts, shall be in the state language.

(2) Texts on letterheads, except those mentioned in paragraph 3 of this Article, shall be in the state language if the letterheads are used on documents that, according to this Law or other normative acts, shall be in the state language.

(3) The text on stamps and seals, as well as the text on letterheads of state and municipal institutions, courts and agencies belonging to the judicial system, state and municipal enterprises and companies in which the state or a municipality holds the largest share of the capital, shall be only in the state language except for the cases referred to in paragraph 4 of this Article. This provision applies also to private institutions, organizations, enterprises (or companies), as well as to self-employed persons who under law or other normative acts perform certain public functions, if the performance of these public functions involves the use of stamps, seals or letterheads.

(4) The Cabinet of Ministers shall determine cases in which the institutions and persons mentioned in paragraph 3 of this Article may use also foreign languages along with the state language in creating and using stamps, seals and letterheads.

(5) If a foreign language is used along with the state language in the texts on stamps, seals and letterheads, the text in the state language shall be in the foreground and shall not be smaller in size or less complete in content than the text in a foreign language.

Article 21

(1) Information intended for the public provided by state and municipal institutions, courts and agencies belonging to the judicial system, state and municipal enterprises and companies in which the state or a municipality holds the largest share of the capital shall be only in the state language except for cases provided for by paragraph 5 of this Article. This provision shall apply also to private institutions, organizations, enterprises (or companies), as well as to self-employed persons who under law or other normative acts perform certain public functions, if the performance of these functions involves the providing of information.

(2) Information on labels and markings on goods manufactured in Latvia, user instructions, inscriptions on the manufactured product and on its packaging or container shall be in the state language. In cases when a foreign language is used along with the state language, the text in the state language shall be placed in the foreground and shall not be smaller in size or less complete in content than the text in the foreign language. These requirements do not apply to goods meant for export.

(3) If the markings, user instructions, warranties or technical certificates of imported goods are in a foreign language, a translation of the above information in the state language shall be attached to every imported item.

(4) Information on signs, billboards, posters, placards, announcements and any other notices shall be in the state language if it concerns legitimate public interests and is meant to inform the public in places accessible to the public, except for cases provided by paragraph 5 of this Article.

(5) Taking into account the purpose of this Law and the basic principle of language use as provide by Article 2 of this Law, the Cabinet of Ministers shall determine cases when the use of a foreign language along with the state language is permissible in information intended to inform the public in places accessible to the public.

(6) The Cabinet of Ministers shall also determine the cases when the institutions and persons mentioned in paragraph 1 of this Article may provide information in a foreign language and set the procedure for using the languages in information mentioned in paragraphs 1, 2, 3, and 4 of this Article.

(7) If a foreign language is used along with the state language in information, the text in the state language shall be in the foreground and shall not be smaller in size or less complete in content than the text in the foreign language.

Article 22

(1) Standardized terminology shall be used in specialized teaching materials, in technical documents and office documents. The creation and use of terms shall be prescribed by the Terminology Commission of the Latvian Academy of Sciences (hereafter, the Terminology Commission). New terms and their definition standards may be used in official communications only after their approval by the Terminology Commission and publication in the newspaper "Latvijas Vēstnesis".

(2) The Statutes of the Terminology Commission shall be approved by the Cabinet of Ministers.

Article 23

(1) In official communications, the Latvian language shall be used in accordance with the norms of the literary language.

(2) The norms of the Latvian literary language shall be codified by the Commission of the Latvian Language Experts of the State Language Center.

(3) The Statutes of the Commission of the Latvian Language Experts and the norms of the Latvian literary language shall be approved by the Cabinet of Ministers.

Article 24

(1) It shall be the duty of state and municipal institutions to provide material resources for the research, cultivation and development of the Latvian language.

(2) The state shall ensure the formulation of the state language policy which shall include scientific research, protection and teaching of the Latvian language; which shall augment the role of the Latvian language in the national economy; and which shall promote individual and public awareness of the language as a national value.

Article 25

Persons who have violated the provisions of this Law shall be held liable in accordance with the procedure set by law.

Article 26

(1) The State Language Center shall monitor the observance of this Law in the Republic of Latvia.

(2) The State Language Center shall be subordinate to the Ministry of Justice, and Statutes of the Center shall be approved by the Cabinet of Ministers.

Transitional Provisions

1. This Law shall come into force on 1 September 2000.

2. When this Law comes into force, the Law on Languages of the Republic of Latvia (Latvian SSR Supreme Council and Government Reporter, 1989, No. 20) shall become null and void.

3. By 1 September 2000, the Cabinet of Ministers shall adopt the regulatory acts referred to in this Law and shall approve the Statutes of the Commission of the Latvian Language Experts and the Statutes of the Terminology Commission.

The Law was adopted by the Saeima on December 9, 1999.

The President of the State: V.Vīle-Freiberga

Riga, December 21, 1999

STATUTES OF THE STATE LANGUAGE CENTER

Cabinet of Ministers of the Republic of Latvia

22 August, 2000, Riga

Regulations No. 293 (Issued according to Part 2, Article 26 of the State Language Law)

1. The State Language Center (hereafter – Center) is a state civil institution under the supervision of the Ministry of Justice, that, while implementing the state policy, control over compliance to normative acts and supervision in state language issues, ensures preservation, protection and development of the Latvian language.

2. Decisions taken and instructions given by the officials of the Center within the framework of the authority stipulated by the statutes shall be mandatory for juridical and physical persons under the control and supervision of the Center concerning language issues. Decisions and instructions taken by the officials of the Center may be appealed according to the procedure stipulated by legislative acts.

3. The Center is a juridical person. It has its own stamp with the small, supplemented coat of arms of the Republic of Latvia and the full title of the Center.

4. The activities of the Center are financed from the state budget funds, from donations and gifts of legal and physical persons. The Center can open payment accounts with the State Treasury only.

5. In order to protect the rights and interests of a user of the state language, the Center, performs the following functions:

- 5.1. Submits proposals in order to improve normative acts regarding the state language;
- 5.2. Regulates the use of the state language in the state and public life spheres in cases stipulated by normative acts;
- 5.3. promotes the development of the culture of Latvian language and the use of the language;
- 5.4. analyses the state language situation and the dynamics of social linguistic processes;
- 5.5. Furthers arranging of the cultural environment of the language, paying special attention to the restoration and protection of place-names typical for this country;
- 5.6. Provides consultations on Latvian language issues;
- 5.7. Provides conclusions on spelling of personal names;
- 5.8. Explains and popularises the basic principles of functioning of languages in Latvia;
- 5.9. Organizes the development and publication of methodological and information materials;
- 5.10. Organizes state language proficiency tests;
- 5.11. Supervises the implementation of the State Language Law and other national normative acts concerning use of the state language, as well as undertakes certain activities to protect the interests of the population in cases when the State Language Law and other normative acts have been violated.

6. The Center co-operates with town and regional municipalities, other agencies and institutions that ensure the functioning of the state language.

7. The officials of the Center are the Director, Deputy Director, the heads of structural units.

8. Structural units of the Center are departments that operate in conformity with the statutes approved by Director of the Center.

9. In performing its functions, the Center may involve experts, consultants and other specialists on the basis of an employment contract or enterprise contract.

10. The officials of the Center, within the framework of their competence, are authorized to:

- 10.1. Develop or to participate in the development of draft laws and regulations concerning language policy;
- 10.2. request and receive free of charge from the state and municipal institutions, organizations, as well as from other physical and juridical persons, information, necessary for ensuring implementation of the tasks of the Center;
- 10.3. visit institutions, companies (enterprises) and organizations, state and municipal institutions, meet their officials, employees and self-employed persons;
- 10.4. Propose that violations, concerning the language, are eliminated immediately;
- 10.5. Requests to present the original of the state language proficiency certificate;
- 10.6. Retain and inspect the state language proficiency certificates that do not correspond to the indicated level of the state language proficiency or to the requirements of the state language proficiency testing;
- 10.7. In the cases and order provided for by the legislative acts, submit the materials of the inspection to the respective law enforcement institution;
- 10.8. Represent the interests of Latvia in international organisations, forums, meetings, as well as to act in national and international funds and projects, concerning the state language.
- 10.9. Provide paid services in the procedure established by legislative acts.

11. The activities of the Center are managed by the Center's Director. The director is a civil servant who acts in accordance with normative acts. Upon the approval of the candidature in the Cabinet of Ministers in accordance with the Law on Civil Servants the Center's Director is appointed to this post and dismissed from it, as well as his/her salary is determined by the Minister of Justice.

12. Director of the Center:

- 12.1. Represents the Center without any special authorization.
- 12.2. Is responsible for fulfillment of the tasks of the Center;
- 12.3. Is responsible for drafting the budget of the Center and spending of the budgetary funds, allocated to the Center, in accordance with the procedure stipulated by law;
- 12.4. Confirms the list of the Center's personnel, determines the structure of the Center and confirms the statutes of the structural units;
- 12.5. Establishes the permanent commissions and other commissions of the Center and confirms their statutes;
- 12.6. Signs the decisions and statements of the commission;
- 12.7. Employs and dismisses employees of the Center, appoints to posts, dismisses from them and transfers to another post the officials of the Center, as well as concludes employment or enterprise contracts with juridical and physical persons to ensure the activities of the Center;
- 12.8. Issues decrees binding to the employees and civil servants of the Center;
- 12.9. Promotes training and rising of qualification of civil servants and employees of the Center;
- 12.10. Considers inquiries and complaints regarding decisions taken and decrees passed by the officials of the Center.

13. These Regulations take effect on September 1, 2000

Prime Minister A. Berzins

Minister of Justice I. Labucka

STATUTE OF THE STATE LANGUAGE CENTER LATVIAN LANGUAGE EXPERT COMMISSION

Cabinet of Ministers of the Republic of Latvia

22 August, 2000 Riga

Regulations No 287 (Issued in accordance with Paragraph 3 of Article 23 of the State Language Law)

- 1.** The Latvian language expert commission (hereinafter – Commission) is established to promote the achievement of the goals determined in the State Language Law: preserving, protecting and development of the Latvian language.
- 2.** The commission is a specialized collegial institution that, fulfills the following tasks:
 - 2.1. Codifies the norms of the Latvian literary language;
 - 2.2. Specifies and develops new norms of the Latvian literary language;
 - 2.3. Participates in developing of the methodological publications of the State Language Center.
- 3.** The Commission's personnel is composed by specialists of different branches of linguistics, as well as specialists of culture, science and education.
- 4.** The Commission's personnel is confirmed by the Minister of Justice upon the advice of the Director of the State Language Center.
- 5.** The Commission consists of a chairman, deputy chairman, 19 commission members and a secretary who participates in the commission's work with the rights of an advisor.
- 6.** Chairman of the Commission, deputy chairman and secretary are elected by the majority of Commission members.
- 7.** The Chairman of the Commission calls for and chairs Commission meetings not less than once per month.

8. The Commission's secretary takes minutes of the meeting and summarizes the proposals expressed during the meeting, as well as supplies the Commission members with the necessary materials.

9. A Commission meeting has the right to pass decisions if not less than one half of the Commission members participate.

10. The Commission passes decisions and statements if more than a half of the participating members voted for them. \

11. Commission's decisions and statements are signed by the Chairman of the Commission and the Director of the State Language Center.

12. Decisions of the Commission have a recommendatory nature.

13. The Commission may establish sub-commissions. The Statutes of the sub-commissions are confirmed by the Director of the State Language Center.

14. Commission's work is financed within the expenditure plan of the State Language Center.

15. Regulations take effect September 1, 2000.

Prime Minister A. Berzins

Justice Minister I. Labucka

REGULATIONS ON THE USAGE OF FOREIGN LANGUAGES IN THE TEXT OF STAMPS, SEALS AND LETTERHEADS

Regulations No. 286 (Issued according to Paragraph 4, Article 20 of the State Language law)

Cabinet of Ministers of The Republic of Latvia

22 August, 2000 Riga

1. These regulations are to determine the cases when:

- 1.1. State and municipal institutions, courts and institutions belonging to the judicial system, state and municipal enterprises, and those companies (enterprises) where the largest share of the capital belongs to the state or municipality, when producing and

using stamps, seals and letterheads along with the state language may also use foreign languages in their texts;

- 1.2. Private institutions, organizations, companies (enterprises), and those self-employed persons who in accordance with a law or other legal act carry out certain public functions, when producing and using stamps, seals and letterheads, can use foreign languages along with the state language in their texts.

2. In the texts of stamps, seals and letterheads of the Foreign Ministry of the Republic of Latvia and institution under its supervision also other languages may be used along with the state language when they perform functions related to foreign affairs.

3. Usage of foreign languages along with the state language is permissible in correspondence of the respective institutions with international organizations operating in Latvia.

4. In correspondence with foreign addressees foreign languages may be used in the texts of stamps, seals and letterheads.

5. Should along with the state language in the texts of stamps, seals and letterheads be used also a foreign language, the text in the state language shall be in the foreground and in form or content no smaller or narrower than the text in a foreign language.

6. Compliance with these Regulations shall be controlled by the State Language Center.

7. These Regulations take effect on September 1, 2000.

Prime Minister A. Berzins, Minister of Justice I. Labucka

REGULATIONS ON SPELLING AND IDENTIFICATION OF NAMES AND FAMILY NAMES

(Issued according to Part 3, Article 19 of the State Language law)

Cabinet of Ministers of the Republic of Latvia

August 28, 2000, Riga

- 1.** These Regulations establish the procedure how personal name and family name shall be spelled and used in the Latvian language as well as spelled and identified in documents.
- 2.** The goal of these Regulations is to ensure conformity of the spelling of a name and family name to the valid codified norms of spelling personal names and to protect a person against unfounded transformation of his/her name and family name, as well as against a refusal of an institution to acknowledge the fact of ownership of such a document to this person, where his/her name and family name are spelled different than in the person's documents, issued before or after.
- 3.** When spelling and using name and family name in the Latvian language the following basic rules shall be observed in records:
 - 3.1. A person's name (names) and family name (double family name) are the personal names that shall be written in Latvian language in the basic documents.
 - 3.2. Name and family shall be spelled according to the spelling norms of the Latvian language and Latvian alphabet letters;
 - 3.3. Every name and family name shall have an ending corresponding to the Latvian language grammatical system in masculine or feminine gender according to the person's gender (except common gender family forms with the feminine endings for persons of both genders);
 - 3.4. Indeclinable in the Latvian language are names and family names of foreign origin ending with - a, -e, -i, -i, -o, -u, -u.
- 4.** Foreign names and family names, disregarding their origin, shall be spelled in the Latvian language (expressed with Latvian language sounds and letters) as close as possible to their pronunciation in the original

language and according to the rules for spelling foreign proper nouns as well as the norms given in Article 3 of these Regulations.

5. If a new personal document is issued based on the civil status registry certificate, issued on the territory of Latvia, it shall be spelled in the state language.

6. The institution that issues or reissues a personal document, spells the name and family name according to the requirements stipulated by Articles 3 and 4 of these Regulations, in case of necessity performing equalisation - matching the form of the name and family name to the valid language norms (hereafter - equalisation). Equalisation is not a change of a name and family name. The institution that performed equalisation shall inform the Residents Register about it within 7 days. [mistake in own translation]

7. Equalisation and reproduction of the form of name or family name shall be performed by:

- 7.1. Local government registry offices (if equalisation has not been performed in the passport) - by making a record in the civil status register, as well as reissuing registry certificates, based on former records;
- 7.2. The Department of Citizenship and Migration Affairs - issuing new personal basic documents (if equalisation has not been performed in the civil status registry certificate);
- 7.3. Diplomatic and consular representatives of the Republic of Latvia abroad issuing personal basic documents;

8. If a person wishes and produces documents verifying the historic or original form of his/her surname:

- 8.1. Institutions, named in Articles 7.2 and 7.3 of these Regulations, indicate in the documents in a certain place the historic form of this person's family name, the original form or the transliterated (replaced letter by letter from other alphabets' spelling) form in Latin alphabet writing;
- 8.2. Institutions mentioned in Article 7.1 of these Regulations enter additionally in documents testifying civil status registration in the column "family name, name" the historic form of the name or family name, the original form or the transliterated form in Latin alphabet writing according to the record in the person's documents.

9. In documents that are not mentioned in Paragraph 8 personal names are written in Latvian, but the original, historic or transliterated form in Latin alphabet writing is additionally entered upon the person' s request.

10. The form of the personal name written in Latvian is legally identical to the original form, transliterated form or historic form of the personal name in Latin alphabet writing.

11. The institution does not have the right to question the ownership of person's name/names and/or family name recorded in different documents to one and the same person if the name and family name is recorded in the documents with the following differences:

- 11.1. The name and family name is recorded according to the Latvian language grammar and spelling rules of different periods of time:
 - 11.1.1. In one document name or family name is used with an ending, in the other without an ending;
 - 11.1.2. In every document the name or family name has an ending of a different declension;
 - 11.1.3. In each document the name or family name is recorded in different orthography;
- 11.2. In one document the name or family name is spelled according to dialectical peculiarities, in the other - in the literary language;
- 11.3. In one document the person' s name or family name is in a different case form than in the other;
- 11.4. In one document the name or family name is recorded in another language but in the other - in Latvian;
- 11.5. In one document two or more names are entered while in the other document according to the legal norms effective at the moment of issuing the document only one name is kept;
- 11.6. In each document name or family name is recorded according to different principles of spelling foreign proper nouns.

12. In official copies and extracts names and family names shall be written as in the original document.

13. Should the spelling of a person' s name and family name not be regulated by these regulations, the conclusion made by the State Language Centre on how the name and family name of this person shall be spelled in the state language, is binding for the institutions mentioned in paragraph 7 of these regulations .

14. If the spelling of a person' s name or family name offends vital personal interests, the person may turn to the State Language Centre with a request to reproduce the personal name in the state language in a form less offending to this person' s interests. The decision of the State Language Centre on how this person's name and family name shall be spelled in the state language is binding to the institutions mentioned in paragraph 7 of these regulations.

15. Should an error be stated in a person's document due to the fault of an institution mentioned in Article 7, this institution shall correct it and issue a new document upon the person's request.

16. Regulations enter into effect September 1, 2000.

Prime Minister A. Berzins

Justice Minister I. Labucka

ON CREATING, SPELLING AND USAGE OF PLACE NAMES, NAMES OF INSTITUTIONS, NON-GOVERNMENTAL ORGANIZATIONS, COMPANIES (ENTERPRISES) AND TITLES OF EVENTS

Regulations No. 294 (Issued in accordance with Paragraph 5 of Article 18)

Cabinet of Ministers of the Republic of Latvia

22 August, 2000 Riga

I. General Provisions

1. These regulations provide for:

- 1.1. The order of creating, spelling and usage of place names of the Republic of Latvia;
- 1.2. The order of creating, spelling and usage of the names of institutions, non-governmental organizations and companies (enterprises) to be established on the territory of Latvia;
- 1.3. The order of creating and using the titles of events provided for by Paragraphs 1 and 2 of Article 11 of the State Language Law.

II. Creating, spelling and usage of place names

2. Place names in the Republic of Latvia shall be created and used in Latvian language, but on the territory of the Liv coast they can be created and used also in Liv language.

3. Each administrative territory, populated place, street and real estate can have only one official name.

4. In official documents written in Latvian, place names are spelled in accordance with the existing spelling rules, taking into consideration also the traditions of spelling and usage of place names. In other type of texts and maps the peculiarities and spelling traditions of the respective region could be taken into account.

5. Legally identical is:

- 5.1. A place name spelled in the same way;

- 5.2. A place name spelled only with:
 - 5.2.1. Differences which follow from differences in the spelling rules and spelling traditions of different time periods;
 - 5.2.2. Differences which appeared due to specifying the spelling of the place name;
- 5.3. Legally identical are also different place names that replaced each other as names of one and the same geographical object due to official renaming.

6. Specifying of the spelling of a place name does not have to be followed by changing the spelling of the place name in ownership and personal identity documents if the owner of the document or the holder of the personal identity document does not require that; the specified form shall be used in all official documents composed after the specification.

7. Place names of other states in Latvian should be spelled as close to the pronunciation in the original language as possible, except for cases, when in Latvian traditionally a form different from the original language is used. These place names, except for the indeclinable words, shall be included in the grammar system of the Latvian language (with masculine or feminine endings in singular or plural), taking into account the rules of spelling proper names in the respective language and the existing norms of the Latvian language.

8. Expert advice upon the request of natural or legal persons is available:

- 8.1. On identity of place names – the State Land Service of the Republic of Latvia;
- 8.2. On correct spelling of place names - State Language Center

III. Creating, spelling and usage of the names of institutions, non-governmental organizations and companies (enterprises)

9. Names of state and municipal institutions, courts and agencies belonging to judicial system, state and municipal companies, as well as enterprises in which the state or a municipality holds the largest share of the capital established on the territory of Latvia shall be created and used in Latvian, except for cases provided for in other laws; on the territory of the Liv coast these names can be created and used in the Liv language as well.

10. The exact names of institutions mentioned in Paragraph 9 of these regulations, (symbols of institutions that shall be used as identification

in the status of a legal person) in the state language are created and spelled in accordance with the Latvian language spelling norms. In the symbolic names neologisms can be used if they are adaptable to the system of sounds and forms of the Latvian language, as well as the words and expressions of the classical languages which are traditionally used in cultures of many peoples.

11. In the spelling of names of social organizations, private organizations and enterprises (companies) within the framework of administrative supervision shall be used only the letters of the Latvian or Latin alphabet. In the names of social organizations, private organizations and enterprises (companies) shall not be used words or expressions offending public morals.

12. Names of other institutions or personal names (name together with the surname) in company (enterprise) names can be used only with the written permission of these institutions or persons; if several persons have the same personal name, it is enough to have a permission of one such person to use the name.

13. Advice on compliance of the names of institutions, non-governmental organizations and companies (enterprises) to the Latvian language spelling norms and other requirements of these Regulations connected with the language, is provided by the State Language Center.

IV. Titles of Events

14. Titles of events held by state and municipal institutions, courts and agencies belonging to judicial system, state and municipal companies, as well as enterprises in which the state or a municipality holds the largest share of the capital shall be created and used in the state language.

15. If one or several foreign languages are used as working languages in events held by state and municipal institutions, courts and agencies belonging to judicial system, state and municipal companies, as well as enterprises in which the state or a municipality holds the largest share of the capital, the title of the event can be created in all working languages but the title in the state language shall be in the foreground.

V. Concluding Provisions

16. Regulations become effective September 1, 2000.

17. Names of private companies (enterprises) mentioned in Paragraph 11 of these regulations shall be spelled and used with Latin alphabet letters starting January 1, 2001.

Prime Minister A. Berzins

Minister of Justice I. Labucka

THE PROCEDURE OF CERTIFYING DOCUMENT TRANSLATIONS INTO THE STATE LANGUAGE

Regulations No. 291 (Issued according to Part 3, Article 10 of the State Language Law)

Cabinet of Ministers of The Republic of Latvia

22 August, 2000, Riga

1. These regulations shall stipulate the procedure of certification of the translation into the state language of a document, to be issued on the territory of Latvia, if legislative acts do not require submitting the translation of such a document, certified by a Notary Public, or establish another procedure.

2. It is forbidden to certify:

- 2.1. Correctness of a translation of a passport, document replacing it, service identity document card, deputy identity document card, membership card of a social or public organisation
- 2.2. Translations of such a document that are written in pencil or on several pages if they are not numbered, bound with a thread and their number has not been certified with the issuer's stamp's imprint and the signature of a competent official, as well as to certify the translations of such a document where corrections, erasings, addings and crossings are not confirmed and signed.

3. The requirement of binding pages, stamp imprint and signature of a competent official shall not be applied to a document the author of which is a physical person.

4. State and municipal institutions, courts and the institutions belonging to the judicial system, as well as state and municipal enterprises (companies) (hereafter – institutions) shall consider a document in a foreign language if a physical or juridical person has submitted the document according to the competency of the institution, by adding also a translation of the document in the state language.

5. Only the original document or its derivative (copy, extract or duplicate) that has been certified by a Notary Public may be submitted to an institution.

6. Certifying correctness of the translation of a document, the translator on the last page after the text draws up a certification inscription in the state language that shall contain:

- 6.1. In capital letters written words 'TRANSLATION CORRECT';
- 6.2. Name, family name, personal code of the translator;
- 6.3. Signature of the translator and its deciphering;
- 6.4. Name of the place of translation;
- 6.5. Date of translation

7. For the losses incurred due to incorrectness of the translation, translator shall be responsible according to the Civil Code.

8. Implementation of these Regulations shall be supervised by the State Language Centre.

9. These regulations shall take effect on September 1, 2000.

Prime Minister A.Berzins

Minister of Justice I.Labucka

REGULATIONS ON ENSURING INTERPRETATION IN EVENTS

Regulations No. 288 (Issued according to Part 2 and 3, Article 11 of the State Language Law)

Cabinet of Ministers of the Republic of Latvia

22 August, 2000, Riga

1. These Regulations determine in which cases organizers have to ensure interpretation of foreign languages into the state language at events, organized in Latvia, in addition to cases, provided for by Part 1 of Article 11 of the State Language Law, as well as the cases when the State Language Center may exempt organizers of an event from providing interpretation into the state language.

2. At events, organized by private institutions, organizations, enterprises (companies), physical persons or international institutions, the organizer of the event ensures interpretation of information that concerns legitimate public interests (connected to public safety, health, morals, health care, protection of consumer rights and labor rights, workplace safety and public administrative supervision) into the state language, as well as provides versatile and complete information about the organized event.

3. The State Language Center may exempt the organizer of an event from the interpretation of foreign languages into the State language, if foreign physical and legal persons participate in the event, and in organization of this event have participated also state and municipal institutions, courts and institutions belonging to the judicial system, state and municipal enterprises, as well as companies, where the state or municipality holds the largest share of the capital, if:

- 3.1. Participants of the international event have agreed on other working language;
- 3.2. National philology organizations organize scientific and cultural educational events;
- 3.3. Such open air events are organized where it is technically impossible to provide interpretation.

4. The decision of the State Language Center can be appealed according to the procedure provided by legislative acts.

5. The regulations take effect as of September 1, 2000.

Prime Minister A.Berzins

Minister of Justice I.Labucka

THE USAGE OF LANGUAGES IN INFORMATION

Cabinet of Ministers of the Republic of Latvia

22 August, 2000 Riga

Regulations No. 292 (Issued in accordance with Paragraphs 5 and 6 of Article 21 of the State Language Law)

I. General regulations

1. The regulations provide for:

- 1.1. Cases when in information intended for the public in places accessible to the public along with the state language is also permissible to use foreign languages;
- 1.2. Cases when institutions and persons listed in Part I, Article 21 of the State Language Law may provide information in a foreign language;
- 1.3. The procedure of using the state language for information provided for by Part I, II, III, IV, Article 21 of the State Language Law

2. Written information in the state language, intended for information of the public (hereafter – public information) shall be given according to the Latvian language spelling norms.

3. If providing public information, along a text in the state language is used a text in a foreign language, then the text in the state language shall be given the main place and it may not be smaller or narrower in its form or content than the text in a foreign language.

II. Usage of foreign languages in public information

4. Along with the state language state and municipal institutions, courts and institutions belonging to judicial system, state and municipal companies, (enterprises) where the state or municipality owns the largest capital share, as well as private institutions, organizations, companies (enterprises), self-employed persons that under a law or other legislative act carry out prescribed public functions and the provision of information involves implementation of respective functions, may use a

foreign language for public information in places accessible to the public if this information concerns:

- 4.1. International tourism;
- 4.2. International events;
- 4.3. Security considerations;
- 4.4. Extraordinary situations;
- 4.5. Epidemics or dangerous infectious diseases

5. Persons listed in Article 5 may provide public information in a foreign language also in:

- 5.1. Brochures, bulletins, catalogues and other materials (in the form of brochures, booklets and leaflets) about the activities of institutions, companies, organizations and self-employed persons, that are sent or distributed to physical or legal persons upon their request;
- 5.2. In statistical, sociological and medical surveys;
- 5.3. Upon a person' s request – to inform him/her orally and in writing

6. Private institutions, organizations, enterprises (companies), as well as self-employed persons provide that part of their public information, providing of which concerns legitimate public interests, in the state language or along with the state language also in a foreign language

III. Procedure of using language in public information

7. If information in a foreign language is published in a brochure, booklet or leaflet, then information concerning public legitimate interests shall also be published in the state language in the same or a separate edition;

8. If information about offered goods and services is compiled in a catalogue or files, then information concerning public legitimate interests shall be provided in the state language or with a parallel text in the state language;

9. Disregarding whether goods are for retail or wholesale, the text of the label, warranty document, user' s manual and technical passport shall be in the state language or with a parallel text in the state language;

10. If goods, intended for export, are sold in Latvia's domestic market, the same requirements apply for these goods as for the goods sold in the domestic market;

11. If the information on label, warranty documents, user's manual and technical passport of imported goods is in a foreign language, it is a duty of the vendor to ensure that the translation of this information in the state language shall be added to the good.

IV. Final provision

12. Regulations take effect on September 1, 2000.

Prime Minister A. Berzins

Justice Minister I. Labucka

REGULATIONS ON THE PROFICIENCY DEGREE IN THE STATE LANGUAGE REQUIRED FOR THE PERFORMANCE OF THE PROFESSIONAL AND POSITIONAL DUTIES AND ON THE PROCEDURE OF LANGUAGE PROFICIENCY TESTS

Cabinet of Ministers of the Republic of Latvia

22 August, 2000 Riga

Regulations Nr. 296 (Issued in accordance with Paragraph 5 of Article 6 of the State Language Law of the Republic of Latvia)

I. General Provisions

1. These regulations stipulate the proficiency degree in state language for the performance of the professional and positional duties and the procedure of language proficiency testing for the persons listed in Paragraphs 1-3 of Article 6 of the State Language Law.

2. These regulations do not apply to persons who:

- 2.1. have obtained primary, secondary or higher education in Latvian,
- 2.2. received a certificate issued by the Ministry of Education and Science of the Republic of Latvia on passing the centralized examinations,
- 2.3. have vision and hearing disability of group I, II or III,
- 2.4. have general disability of group I or II.

3. The state language proficiency degree is determined considering the peculiarities of the profession and the proficiency degree of the state language required in the respective profession or position.

4. The level and degree of the state language proficiency necessary for employees of state and municipal institutions, as well as the companies in which the state or a municipality holds the largest share of the capital, to fulfill the duties of their professions or positions, are listed in Appendix 1 of these regulations.

5. The level and degree of the state language proficiency necessary for employees of private institutions, organizations, enterprises (companies)

to fulfill the duties of their professions or positions, is determined by their employer, for self-employed persons – by the self-employed person him/herself.

6. The employer develops the list of positions and professions of his institution with the corresponding language proficiency levels and degrees (hereinafter – list). The employer may approximate the list with the State Language Center.

7. It is a duty of the State Language Center upon employer's request to provide statement on the level and degree of the state language proficiency necessary to perform the respective professional or positional duties.

8. The proficiency in the state language for fulfilling the professional and positional duties is confirmed by a state language proficiency certificate of the respective degree, issued by the state language testing commission, what the person presents upon the employer's request (see sample in Appendix 2).

9. The state language testing commissions (hereinafter – commission) are established by the Minister of Justice, and they work in accordance with the statutes confirmed by the Minister of Justice.

10. Persons named in Paragraphs 1-3 of Article 6 of the State Language Law and employer are responsible for using the state language in compliance with the requirements of the legislative acts according to the procedure provided for in the legislative acts.

II. Scope of Proficiency in the State Language

11. The scope of proficiency in the state language required for the performance of professional and positional duties is divided in 3 language proficiency levels:

- 11.1. First (basic) Level;
- 11.2. Second (intermediate) Level;
- 11.3. Third (advanced) Level.

12. Each proficiency level is divided into two (A and B) degrees:

- 12.1. First Level A Degree. Can communicate on simple social life topics on a basic level. Minimum use of professional vocabulary. Can read and understand short unrelated texts, announcements, advertisements, notices. Able to write down personal data.

- 12.2. First Level B Degree. Able to communicate in simple sentences about social life and professional topics. Reads and understands simple texts. Able to fill in standardized documents, forms, bills, receipts.
- 12.3. Second Level A Degree. Able to conduct a simple dialogue about social life and professional topics. Reads and understands uncomplicated texts. Can write standardized documents, applications, authorizations, legal documents, as well as simple texts about social life topics or job-related issues.
- 12.4. Second Level B Degree. Able to engage easily in a conversation on social life and professional topics. Reads and understands texts on different topics. Can compose documents necessary for the job, references, reviews, minutes, reports, protocols, as well as extended texts about both social life and job-related issues.
- 12.5. Third Level A Degree. Able to communicate fluently, debate, express his/her point of view on both social life and professional topics or on a subject related to the position occupied. Reads and understands texts on different topics and of different complexity. Able to compose documents, decisions, contracts, statutes, job descriptions, as well as different other texts connected with administration of an institution, company.
- 12.6. Third Level B Degree. Able to converse in the second language absolutely fluently on both social life and professional topics or on a subjects related to the position occupied. Able to have a conversation according to the situation, in different styles, able to vary the means of expression. Able to compose texts of different complexity.

III. The Procedure of Language Proficiency Tests

13. State language proficiency of the examinee (hereinafter – examinee) required for professional and positional duties is tested by the commission in accordance with the methodical instructions confirmed by the Minister of Justice.

14. The examinee can apply for the state language proficiency test by phone or in person at the commission's secretary.

15. The commission evaluates the examinee's speaking, reading and writing skills on the whole and determines the corresponding language proficiency level and degree.

- 16.** When coming to the language proficiency test the examinee shall present his/her passport and the receipt confirming the settled test fee.
- 17.** If the examinee has the right to pay a reduced fee, he/she shall present a document proving these rights.
- 18.** If the examinee fails the language proficiency test or breaks the rules, he/she does not get refund of the paid fee.
- 19.** When entering the test room the examinee presents the personal identity document (passport). If the examinee is younger than 16, the birth certificate shall be presented to the commission.
- 20.** If during the state language proficiency test the commission finds out that the examinee uses an ID of another person, the language proficiency test of the examinee is revoked.
- 21.** Before taking the language proficiency test, the previous language proficiency certificate, if one has such, shall be passed over to the commission's secretary.
- 22.** It is not permitted to use textbooks, dictionaries and other teaching aids during the test. If during the test the examinee breaks the rules, refuses to answer, or does not pass the test, the test can be repeated not earlier than in two months.
- 23.** The examinee's speaking skills are tested in an interview (6 to 7 minutes) determining the state language proficiency degree in a conversation about work, themes connected with the profession or the position.
- 24.** In order to test reading and writing skills, the examinee receives tests corresponding to the profession or position occupied by the examinee; after the tests are completed the examinee's state language proficiency degree is determined.
- 25.** The commission's secretary takes record of the testing procedure. The pages of the protocol shall be enumerated, all columns filled in, there shall not be any corrections, crossings-out, wiped-off places in the records.
- 26.** After taking the language proficiency test, the examinee signs the protocol.
- 27.** The Commission members sign the protocol when the language test is over.

28. The Commission's secretary stamps the protocol with the Commission stamp and mails a copy of the protocol to the State Language Center.

29. After passing the test the state language proficiency certificate is available at the Commission's secretary. The certificate will be mailed to the examinee upon the examinee's request in a registered letter.

30. In case the certificate is lost the commission reissues the certificate if less than one year has passed since passing the state language proficiency test.

31. Complaints regarding the evaluation of the language proficiency or the compliance of the test procedure to the legislative acts can be submitted to the State Language Center within 10 days after receiving the test results.

32. Decision of the Examination Center regarding the compliance of the test procedure to the legislative acts can be appealed by the examinee in court in the order provided for by legislative acts.

IV. Final Provisions

33. State language proficiency certificates issued in the years 1992-2000 are valid after these regulations enter into effect, the state language proficiency test does not have to be repeated.

34. State language proficiency degrees indicated in the certificates issued in the years 1992-2000 correspond to the language proficiency levels listed in these regulations. First Level A and B Degrees correspond to the First (basic) Degree of the proficiency certificate. Second Level A and B Degrees correspond to the Second (intermediate) Degree of the certificate. Third Level A and B degrees correspond to the Third (advanced) Degree of the certificate.

35. Until January 1, 2001 the state language proficiency tests take place at the permanent state language testing commissions.

36. These Regulations take effect as of September 1, 2000.

Prime Minister A. Berzins, Justice Minister I. Labucka

APPENDIX 1. BREAKDOWN OF POSITIONS AND PROFESSIONS ACCORDING TO THE NECESSARY STATE LANGUAGE PROFICIENCY LEVEL AND DEGREE

To the Regulations of the Cabinet of Ministers No 296 of 22 August 2000

Breakdown of positions and professions according to the necessary state language proficiency level and degree is approximated with the description of positions and professions of the Profession Classifier¹, taking in consideration the state language proficiency necessary for carrying out the professional duties.

Level 1 Degree A

Necessary for professions and positions which involve unqualified manual work while observing simple work safety, and which are classified by the following codes in the Classifier:

6111, 6112, 6114, 6121, 6122, 6124, 6130, 6142; 9120, 9131-9133, 9142, 9161, 9162, 9211-9213, 9311-9313, 9321-9322, 9333.

Level 1 Degree B

Necessary for professions and positions which involve in working process observance of manuals and technological procedures, exploitation and maintenance of machinery and equipment while observing work safety, and which are classified by the following codes in the Classifier:

3474; 4133 04, 4133 09 - 4133 11, 4141 04, 4141 05, 4141 08; 5143; 6113, 6123, 6129, 6141, 6151-6154; 7111 - 7114, 7121-7124, 7129, 7131-7137, 7141-7143, 7211-7215, 7221-7224, 7231-7233, 7241-7245, 7311-7313, 7321-7324, 7331, 7332, 7341-7346, 7411-7416, 7421-7424, 7431-7437, 7441, 7442, 7451, 7452; 8111-8113, 8121-8124, 8131, 8139, 8141-8143, 8151-8155, 8159, 8161-8163, 8171, 8211, 8212, 8221-8224, 8229, 8231, 8232, 8240, 8251-8253, 8261-8266, 8269, 8271-8279, 8281-8286, 8290, 8311, 8312, 8322 01 - 8322 04, 8322 06, 8323, 8324, 8331 - 8334, 8340; 9141, 9151-9153, 9162 01².

Level 2 Degree A

Necessary for professions and positions, which involve provision of services to the public and which are classified by the following codes in the Classifier:

2452 01 - 2452 05, 2452 07 - 2452 09, 2452 11, 2452 12, 2452 14 - 2452 17, 2452 19 - 2452 33, 2453 05 - 2453 12, 2454 02 - 2454 05,

2455 01 - 2455 04; 3131 - 3133, 3141 01 - 3141 05, 3141 07 - 3141 10, 3226 03, 3226 06, 3226 07, 3227 01 - 3227 03, 3471, 3473 04 - 3473 06, 3473 15, 3473 16, 3476; 4131, 4132, 4133 07, 4133 08, 4133 13, 4142, 4211-4213, 4222 01, 4223; 5111, 5112, 5122, 5123, 5131-5133, 5139, 5141, 5142, 5161, 5163, 5169, 5210, 5220, 5230; 7216; 8322 05; 9111-9113.

Level 2 Degree B

Necessary for professions and positions which involve ensuring public order, implementation and supervision of technological processes, accounting and record keeping, and which are classified by the following codes in the Classifier:

3111-3119, 3121, 3122, 3145 03 - 3145 12, 3211, 3212, 3433, 3434; 4112 - 4114, 4121, 4122, 4133 02, 4133 03, 4190; 5162.

Level 3 Degree A

Necessary for the managers of institutions, organisations, companies, enterprises and their structural units, high level specialists, medical and social care workers, university teaching staff and pedagogues, and whose professions are classified by the following codes in the Classifier:

1121, 1210, 1221-1229, 1231-1237, 1311-1319; 2111-2114, 2121, 2122, 2131, 2132, 2139, 2141-2149, 2211-2213, 2221-2225, 2230, 2310, 2320, 2331, 2332, 2340, 2351-2353, 2359, 2411, 2412, 2419, 2441-2443, 2446, 2447, 2451 07 - 2451 09, 2451 13 - 2451 15, 2451 17, 2451 18, 2452 06, 2452 10, 2452 13, 2452 18, 2452 34, 2453 01 - 2453 04, 2453 13, 2453 15, 2454 06 - 2454 08, 2455 05 - 2455 14, 2460 06, 2470; 3141 06, 3142 - 3144, 3145 01, 3145 02, 3151, 3152, 3213, 3221-3225, 3226 01, 3226 02, 3226 04, 3226 05, 3226 08 - 3226 11, 3227 04, 3228, 3229, 3231, 3232, 3310, 3320, 3330, 3340, 3411-3417, 3421-3423, 3429, 3441-3444, 3449, 3450, 3460, 3472, 3473 01 - 3473 03, 3473 07 - 3473 15, 3477, 3478; 4133 01, 4133 05, 4133 06, 4133 12, 4221 01; 5113, 5121.

Level 3 Degree B

Necessary for the heads of state administration institutions and their structural units, state civil servants (candidates to the posts of civil servants), employees whose work includes work with documents and record keeping, specialists in humanitarian spheres whose work relates to the Latvian language, literature, translators and interpreters, and whose professions are classified by the following codes in the Classifier:

1122, 1123; 2320 01³, 2331 01³, 2421, 2422, 2429, 2431, 2432, 2444, 2445, 2451 07 - 2451 09⁴, 2451 13 - 2451 15⁴, 2451 17⁴, 2451 18⁴; 3431,3432, 3435, 3436, 3439, 3472 01⁵, 3472 02⁵; 4115, 4141 02, 4141 03, 4141 06, 4141 07, 4143, 4222 02.

1 Professions classifier, Latvijas Vestnesis, 09.10.1998, nr. 299.

2 if the work involves maintenance of residential buildings.

3 if one teaches the Latvian language, literature.

4 if the work involves preparation of texts in the Latvian language.

5 if the work involves reading of texts in the Latvian language on the national radio and TV

Justice Minister I. Labucka

APPENDIX 2. STATE LANGUAGE PROFICIENCY CERTIFICATE

To the Regulations of the Cabinet of Ministers No of2000

No _____

Ivans Ivanovs (pers. code 231155-00000) was examined by the Riga State Language Proficiency Examination Commission on September 14, 1996.

In the test **Ivans Ivanovs** received the following evaluation:

Interview Degree 2A

Comprehension of a text Degree 2A

Writing skills Degree 1B

Total evaluation Degree 2A

_____ (date)

Chairperson of the Commission _____

_____ (Signature)

(Name, family name)

Stamp

Latvian language specialist _____

(Signature)

(Name, family name)

APPENDIX C

The State Language Law has been adopted

On December 9, 1999 the Saeima (Parliament) of Latvia adopted the new State Language Law (with 52 voices for versus 26 against). The new law came into force on September 1, 2000. On July 14, 1999, the law was returned to the Saeima by the President of Latvia Mrs. Vaira Vike-Freiberga, under pressure of international organizations.

The most essential amendments introduced by comparison with the “July version” are the following:

1. Now the law regulates the use of language in providing information and reports in the private sector only to the extent that this information is related to legitimate public interest (public safety, health, moral, healthcare, consumer rights and employee rights, workplace safety, supervision by public administration).
2. Public events organized by private persons and private organizations can be held in other than the State language, however, the Cabinet of Ministers is to adopt regulations, which will establish exceptions to this general rule (i.e. those cases where translation to Latvian will be mandatory).
3. It will not be obligatory to dub or provide Latvian language voice-over for films intended for children of pre-school age. These can be shown with the original sound track, subtitled in Latvian.
4. The Cabinet of Ministers by its regulations can permit the use of foreign languages, along with the Latvian language, in the texts of stamps, seals and letterheads of state and local authorities, courts and other judicial institutions, as well as private organizations. In that case the text in the Latvian language shall be in the foreground, and should not be smaller or narrower in size and content than foreign language text.
5. On the other hand, all state and municipal institutions, as well as enterprises in which state or local self-governments own the biggest share, can accept applications, complaints and other documents from private persons only where these documents are in the State language, or provided with a notarized translation, or according to other procedures to be established by the Cabinet of Ministers’ regulations. (According to the Language Law currently in force, applications in English, German or Russian must also be accepted).

6. Providing any information to the public by the state, the municipalities, as well as by State- and municipally- controlled enterprises and institutions in other than the State language is explicitly prohibited. Also in this respect the Cabinet of Ministers must adopt special regulations, which envisage some special cases where other languages can be used with Latvian. (The version of the Language Law currently in force stipulates that written answers to applications can be either in the State language or in the language of application, whilst oral language is not regulated at all).

It is revealing that the most crucial issues are not established by the law itself but left for the decision of the Cabinet of Ministers.

The same evening the OSCE High Commissioner on National Minorities Max van der Stoep issued the following Statement regarding the adoption of the State Language Law by the Latvian Parliament: "I welcome the adoption of the State Language Law by the Saeima. Analysis of the revised text of the State Language Law adopted by the Saeima today leads me to the conclusion that the law is now essentially in conformity with Latvia's international obligations and commitments. I trust that the Cabinet of Ministers will follow the letter and spirit of the Law in elaborating implementing regulations, as foreseen in certain provisions of the Law, and in supervising public administration of the Law."

APPENDIX D

Updated (the beginning of the year 2000)

DIFFERENCES BETWEEN RIGHTS OF LATVIAN CITIZENS AND NON-CITIZENS - LATVIAN RESIDENTS

Before October 15, 1991 all residents of Latvia enjoyed equal legal status. On October 15, 1991, the Latvian Parliament passed the Resolution “On the Renewal of the Rights of Citizens of the Republic of Latvia and Fundamental Principles of Naturalization” which divided the residents of Latvia into two major categories: citizens (approximately two thirds), and non-citizens (approximately one third). According to the data of the Naturalization Department published in the newspaper “Diena” on August 6, 1997, there were 676,981 non-citizens in Latvia (27.7% of the population) in May 20, 1997. On January 1, 2001 the number of stateless “non-citizens” stood at 551,064 (Latvian Center for Human Rights and Ethnic Studies, June 2001).

The Resolution “On the Renewal of the Rights of Citizens of the Republic of Latvia and Fundamental Principles of Naturalization” provided the Latvian citizenship only to the pre-war citizens and their descendants. In the meantime, the non-citizen population was left in a legislative vacuum for almost four years, as no law clearly determined their legal status, rights and obligations.

In April 1995, under the pressure of European structures, a new law has been passed – “On the Status of the Former USSR Citizens, who are not Citizens of Latvia or any other State.” This law, for the first time, determined the legal status of the majority of non-citizens.

However, this law did not become an effective cure against restrictions on the rights of Latvia’s non-citizens. While some differences mentioned in the original list have been abolished, other legislative acts were a source of new ones.

In the year 2000 the list contained 57 differences between the rights of citizens and non-citizens.

	1991	1992	1993	1994	1995	1996	1997	1998	1999	Total
Introduced	10	13	23	19	12	3	2	3	0	85
Abolished	0	0	1	5	5	4	6	5	2	28
Existing	10	23	45	59	66	65	61	59	57	57

a) State Institutions
Jobs reserved for Latvian citizens only:

1. State office (Senior Public Service), (see Note 1)	Constitutional Law “The Rights and Obligations of a Citizen and Person” adopted on December 10, 1991, Art.8 (abolished by amendments to the Satversme) Amendments to the Satversme (Constitution), adopted on October 15, 1998, Art. 101
2. Civil Servants (1)	The Law “On the State Civil Service,” adopted on April 21, 1994, Art.6 (1) Amendments to the Satversme (Constitution), adopted on October 15, 1998, Art. 101
3. Constitutional Court Judges	Constitutional Court Law adopted on June 5, 1996, Art. 4(2)
4. Judges (1)	The Law “On Judicial Power,” adopted on December 15, 1992, Art.51 (1)
5. Court bailiffs	The Law “On Judicial Power,” adopted on December 15, 1992, Art. 109(1)
6. Public Prosecutors (1)	The Law “On the Public Prosecutor’s Office,” adopted on May 19, 1994, Art.33 (1)
7. State Security Officers (1)	The Law “On State Security Institutions,” adopted on May 5, 1994, Art.18 (1)
8. Diplomatic and Consular Service (1)	The Law “On Diplomatic and Consular Service,” adopted on May 11 1993, Art.3 (2) A new Law with the same title and restrictions was adopted on September 21, 1995
9. Sworn surveyors (1)	The State Land Service Order “On the procedure for issuing licenses to sworn surveyor practices,” adopted on July 21, 1993, p.7

10. Sworn evaluators (1)	The Land service regulations “On special licenses to be obtained to value and fix the statute ore price of real estate according to categories of fixing the statutory price and valuation,” adopted on December 27, 1995, Art. 15
11. Police Service (2)	Amendments to the Law “On Police” adopted by the Cabinet of Ministers of the LR on January 11, 1994, Rules 19, and Art. 1.5
12. Access to information declared to be a state secret (3)	Law “On State Secrets,” adopted on October 17, 1996, Art. 9 (2)
b) Private Sector Jobs reserved for Latvian citizens only:	
13. Sworn Advocates and Advocate’s Assistants (4)	The Law “On Advocacy,” adopted on April 27, 1993, Art.14 (1) and 83
14. Sworn Notaries and Notary’s Assistants (1)	Notary Law, adopted on June 1, 1993, Art.9 (1), 147(1)
15. Private Detectives (4)	The Law “On Operative Activities” adopted on December 16, 1993, Transitional Regulations, Art. 4 Amendments to “The Regulations of Detective Activities and Its Licensing in the Republic of Latvia,” Order Nr 74 of the Ministry of the Interior on March 28, 1994
16. Security Service, use of fire arms (4)	Ministry of the Interior, Order Nr 288, signed on November 17, 1993, Art. 8.2
17. Aircraft Captain (4)	Law “On Aviation,” adopted on February 23, 1993 Art.35. At present Law “On Aviation,” adopted on October 5, 1994 Art.35
18. Captains on Latvian ships	Maritime Regulations of Latvia (Maritime Code), Art. 137 (Regulations of Cabinet of Ministers No.168, adopted on August 16, 1994)

19. Head of undertaking having issued a license for guard activities	Law "On Guard Activities," adopted on October 29, 1998, Art. 6
c) Public sector Only citizens have the right:	
20. To be elected as jurors (1)	The Law "On Judicial Power" adopted on December 15, 1992, Art.56
21. To serve in the National Guard (1)	The Law "On National Guard," adopted on April 6, 1993, Art. 5(1)
22. To be elected to religious organizations' governing bodies, excluding their ecclesiastical personnel (4)	The Law "On Religious Organizations," Art.7 (1), adopted on September 7, 1995
23. To establish political parties	The Law "In Public Organizations and Associations," adopted on December 15, 1992, Art. 43
24. Political parties are allowed to operate if at least 1/2 of the members are citizens	The Law "In Public Organizations and Associations," adopted on December 15, 1992, Art. 45 with amendments adopted on April 5, 1995
25. To participate in local elections, (5) see also (1)	The City Dome and Rural District Councils Election Law adopted on January 13, 1994, Art. 5
26. To elect and to be elected to the Council of Students' management at the University of Latvia (6)	Statutes (Constitution) of the Students' Self - Government of the University of Latvia, 1998, Art.8, 10
27. Contacts with foreign citizens, access to cultural monuments and mass media are guaranteed to citizens only in some of the Agreements	5 Agreements, signed from August 7, 1992 to May 10, 1999
II. Property Rights Only citizens have the right to:	
28. To transfer the right to use state and municipality owned land to their heirs (7)	Amendments to the Law "On the Land Reform in the Cities of the Republic of Latvia" adopted on March 31, 1994, Art. 4

<p>29. Acquire the land into ownership with building on it if the land was not owned by them before July 22, 1940 (7)</p>	<p>The Law "On Amendments to LR," Law "On the Land Reform in the Cities of LR," adopted on March 31, 1994, Art.8: amendments to 12(1),(2) of the Law "On the Land Reform in the Cities of LR"</p>
<p>30. A judicial person has the right to acquire the land plot into ownership in the LR cities if more than a half of its statute capital belongs to LR citizens. Should this ratio be changed, the deprivation of the land plot is envisaged (7)</p>	<p>The Law "On Amendments to LR," Law "On the Land Reform in the Cities of LR," adopted on November 24, 1994, Art.3: amendments to Art. 20, 26 of the "On the Land Reform in the Cities of LR"</p>
<p>31. Similar to No.30 limitation for judicial persons when buying land plots in rural areas (7)</p>	<p>Amendments to the Law "On the Land Privatization in Rural Regions," adopted on December 8, 1994, Art. 14; Amendments to Art. 28 (4), 35, 36 of the Law "On the Land Privatization in Rural Regions"</p>
<p>32. The right to become a member of an Apartment Owners' Association (de facto to buy a privatized "cooperative" apartment in Riga) belongs to non-citizens too, but only having the permanent residence permit and residence time in Riga of 16 years (8)</p>	<p>Riga City Council Regulations Nr 5 "For Persons wishing to acquire an apartments in a cooperative society of housing owners," adopted on October 4, 1994, Art.1</p>
<p>33. Every citizen of Latvia is allotted 15 certificates more then a non-citizen. A non-citizen born outside Latvia gets another 5 certificates less (9). One certificate is an equivalent of state property volume, created during 1 year of a person's life</p>	<p>The Law "On Privatization Certificates," adopted on November 4, 1992, Art. 4, pp.2,4 The Law "On Privatization Certificates," adopted on March 16, 1995, Art. 5, pp.2, 4</p>
<p>34. Non-citizens who arrived in Latvia after the retirement age (60 for men, 55 for women) and who had less than 5 years of hired employment receive no privatization certificates (9)</p>	<p>The Law "On Privatization Certificate," adopted on November 4, 1992, Art 4, p.4 The Law "On Privatization Certificates," adopted on March 16, 1995, Art 5, p.4</p>
<p>35. The Latvian citizen is allotted with certificates if he lived in Latvia before</p>	<p>The rules Nr. 179 "On Privatization Certificates" adopted by the Cabinet</p>

December 31, 1992 and at any time was registered as permanent inhabitant. Non-citizen of Latvia is allotted with certificates since the last arrival to Latvia only and having purpose for the permanent living in Latvia (9)	of Ministers on August 23, 1994, p.5
36. Only citizens and legal entities are guaranteed the protection of their investments abroad	25 Agreements with 26 states, adopted within the period August 26, 1991-June 17, 1998
37. Protection of intellectual property abroad is guaranteed by some bilateral Agreements to citizens only	2 Agreements with 5 states, adopted within the period November 21, 1995- December 7, 1995
III. Private enterprise	
38. Licenses for air transportation abroad are guaranteed, by bilateral agreements to the companies controlled by Latvian citizens. If such control is lost, the license is revoked	17 Agreements, signed within the period July 1, 1992-March 4, 1999
39. Only companies controlled by Latvian citizens can make fishing at the territory under USA jurisdiction	Fishery agreement with USA April 8, 1993, art. 1
40. Non-discrimination regarding double taxation is guaranteed to citizens only	6 Agreements, signed within the period November 17, 1993-October 16, 1998
IV. Social Rights	
41. Citizens only are registered in the line to receive aid from State and local authorities if they have lived for more than 40 years in an apartment without modern conveniences (central heating, water, hot water) or live in a 'communal' apartment (shared by several families) (9)	'On the Rules of Registering Residents (Families) to Receive State or Local Governments' Housing Support' Nr. 17, adopted by the Cabinet of Ministers on November 23, 1993, Art. 8.6
42. To receive assistance solving housing problems, the non-citizens require a permanent registration notice (s.c. "propiska") in their passports. Such a limitation has not	The Law "On Housing Support, granted by the State and Local Governments" adopted on May 11, 1993, Art.3

been provided for the citizens	
43. Only citizens have the right to receive a loan for purchase the right to hire a flat (8)	Resolution 83 of Riga City Council, adopted on March 7, 1997, p.2. Amendments to the Resolution 160 of Riga City Council "On Allotment of Loans for purchase of Apartments"
44. A possibility to hire flats for unlimited time in the 'hotels for employees' in Riga exists only for those non-citizens who have lived and worked in Latvia at least 10 years. Citizens have such right regardless of the length of their stay and work in Riga (8)	Regulations of Riga Council No. 52 "On Use Service of Hotels for Employees" adopted on March 26, 1996, Art. 4
45. Years of employment outside Latvia are not included into the non-citizens' employment record when calculating pension rates (9, 10)	Law "On State Pensions," adopted on November 2, 1995, transitional regulations, Art. 1
V. Other Rights and Freedoms	
46. Only citizens have the right to study in certain higher education establishments	Statute (Constitution) of the Academy of Police, adopted by the Cabinet of Ministers on June 17, 1998, Art. 69 Statute (Constitution) of the National Academy of Defense, adopted by the Cabinet of Ministers on June 30, 1998, Art. 22
47. Latvian citizens may enter 30 foreign countries without visas. Non-citizens may enter, without visas, only 4 of them	The latest agreement was signed with Belgium, Netherlands, Luxembourg on June 9, 1999
48. The right on repatriation enjoyed by the citizens of Latvia or by the persons having one parent with Latvian or Liv nationality.	Repatriation Law adopted on October 21, 1995, Art. 2
49. Exemption from the customs duty during transit is provided, in some cases, to citizens only	2 Agreements, signed on November 29, 1991 and December 7, 1991

50. Only Latvian citizens and (in some cases) legal entities are guaranteed legal assistance	9 Agreements, signed from November 11, 1992 to May 21, 1998
51. A citizen can be deprived of citizenship by court only. A non-citizen can be deprived of his status administratively by decision of administrative authorities (11)	Citizenship Law adopted on July 22, 1994, Art. 24
52. Former Soviet military personnel, who left service after January 28, 1992, conscripted from outside Latvia, members of their families and relatives who arrived in Latvia with them, do not have a right to a legal status, if there are no Latvian citizens among them (12)	Law "In the Status of the Former USSR Citizens Who Are Not Citizens of Latvia or Any Other State," adopted on March 12, 1995, Art. 1 (3)
53. Non-citizens who have received compensations when leaving Latvia (i.e. as compensation for apartments left behind) from any state institutions or from abroad, apart from losing their former legal status, also lose the right to enter Latvia for residency	Ibid., with Amendment, adopted on June 18, 1997 Law "In the Entry and Stay of Foreign Citizens and Stateless Persons in the Republic of Latvia," adopted on June 9, 1992, Art.35 (p. 12), Art. 36 (p. 14) with amendment, adopted on December 16, 1996
54. Non-citizens can be acknowledged as politically repressed persons (by the Nazi regime), if they were repressed because of their national identity or who were minors and were confined in prisons and concentration camps in the territory of Latvia at that time (13)	The Law "On Determining the Status of Politically Repressed Persons who are Victims of Communist and Nazi Regimes," adopted on April 12, 1995, Art.4, pp. 1-3 <i>*The earlier similar Latvian Law of 13.05.92 did not contain limitations for non-citizens.</i>
55. The possibility of obtaining residence permits by the family and relatives of non-citizens and aliens is connected with the capacity to provide for such persons. Such a requirement does not apply to citizens	The Law "In the Entry and Stay of Foreign Citizens and Stateless Persons in the Republic of Latvia", adopted on June 9, 1992, Art.35, p.2.
56. If the marriage which was the basis for receiving a temporary residence permit by a foreigner is	The Law "On the Entry and Stay of Foreign citizens and Stateless Persons in the Republic of Latvia"

<p>dissolved, the temporary residence permit is annulled except in a cases when the court awards the child – a Latvian citizen – to the parent who isn't a citizen of Latvia, a non-citizen, foreign person or stateless person. If the child is a non-citizen, he is deported from the country with a parent-foreigner</p>	<p>adopted on June 9, 1992, Art. 25</p>
<p>57. The right to self-defense: possession of firearms is allowed only to citizens [9]</p>	<p>Law "On Firearms and Special Devices for Self – Defense," adopted February 23, 1993, Art. 11</p>

The list of differenced updated as at the beginning of the year 2000.

NOTES

[1] (No. 1, 2, 4, 6-10, 14, 20, 21, 25) – Latvian National Human Rights Office (LNHRO) has recognized that this difference is fair and based on UN 1966 International Covenant on Civil and Political Rights (ICCPR), Art. 25.

[2] (No. 11) - The Law “On Police” valid before November 2, 1995 did not require the dismissal of non-citizens hired by the police earlier. Art.1 of the Amendments to the Law “On Police” adopted on November 2, 1995 determines that the status of a police officer is equal to that of the “civil servant” (see difference No. 2). Still, enforcement of the amendment from November 2, 1995 had been continuously delayed, and, in compliance with the Amendment to the Law of December 5, 1996, it was delayed until December 31, 1997. See also [3].

[3] (No. 12) - Depending on the subject of items declared confidential or secret, non-citizens already employed are prohibited to occupy certain positions. The only exception is made for the non-citizens employed by the Ministry of Interior (Transitional Regulations, p. 3 as amended by a new version of the Law of April 10, 1997). The regulation will come into force a year after non-citizens obtain a right to naturalize in compliance with a general procedure.

[4] (No. 13, 15, 16, 17, 22) – According to the opinion of LNHRO, the difference does not comply with the international commitments of Latvia.

[5] (No 25) - The fact that non-citizens do not have active voting rights even for local elections negatively influences their social rights. This is evident from differences No 33, 43 and 44 introduced by the City of Riga self-government. The legal acts of the local authorities cannot be disputed in court by private persons (See Law “On Self – Government” 1994, Art. 47, 49 and Part 3, Art. 2391 of the Civil Procedure Code of the LR).

[6] (No 26) – It is dangerous to involve younger generation to this because then the problem of stateless persons will continue.

[7] (No. 28-31) - LNHRO has recognized that this difference is fair, based on ICCPR, Art. 47.

From May 1997 onwards, if the land was purchased, granted, or inherited, as well as bought from the State or self-governments, it may be enjoyed by foreigners from the countries with which Latvia has signed agreements on protection of investments, and also (though under strict limitations) by any other foreigners. As far as the land ownership rights are concerned, Latvia’s non-citizens are considered as “other foreigners.”

Thus, they may not purchase lands in the seashores, within protection stripes alongside water flows and water reservoirs, as well as agricultural lands. A sanction of the self-government's chairperson is needed for Latvia's non-citizen to purchase a land plot. The site size may be limited by a decision of the Cabinet of Ministers (Amendments to Articles 20-22, 24, 26, 32, 33 of the Law "On Lands Reform" of May 8, 1997).

[8] (No. 32, 43, 44) – About 1/3 of all Latvian residents and half of all non-citizens live in Riga. A number of other local authorities have adopted similar resolutions (See also Note No (5))

[9] (No. 33, 34, 35, 41, 45, 57) - LNHRO considers these differences to be fair

[10] (No. 45) - According to the Law, a different procedure for paying pensions may be envisaged by intergovernmental agreements. Signed agreements with Estonia on May 28, 1996 (Art.4) and Ukraine on May 7, 1998 (Art.4) provide discriminatory restrictions for non-citizens.

[11] (No. 51) - The Latvian Human Rights Committee received 127 applications concerning annulment of previous records in the State Register of Residents in 1998. In 1999 (for 11 months) the number was 109. Overall the number of applications since December 1992 concerning problems with registration in the State Register was 5,820. The extent of illegal administrative action can be revealed by the fact that 160,000 (every fifth) non-citizens' applications for registration in the State register were declined during the main registration period (March 1993). These data have been produced after comparing two official numbers: the number of residents registered by the Immigration authorities and the number of residents recorded by the State Statistics.

[12] (No 52) - Let us consider a case where 2 persons were born in Latvia, graduated the same school, left for some construction project in Russia, from where they were conscripted. Then they became officers, returned to Latvia, lived in the same house and taught in a military academy in Latvia. After October 1991 only one of them became a citizen of Latvia. Now, a citizen would retain his status, while a non-citizen would not.

[13] (No 54) - In practice, the local authorities often refuse the status of 'repressed' to any non-citizen. The LHRC has registered 184 applications on this matter in 1998, and 104 applications during 11 months of 1999.

By LATVIAN HUMAN RIGHTS COMMITTEE

http://www.riga.lv/minelres/count/non_cit-rights_1.htm

APPENDIX E

(October 2002)

INFORMATION ON NATURALIZATION PROCESS (JANUARY 1, 1995 - AUGUST 31, 2002)

		1996	1997	1998*	1999	2000	2001	2002		In total	%
								In total	Includ. in August		
Applications submitted		2,627	3,075	5,608	15,183	10,692	8,672	5,948	488	56,348	
Sex of an applicant	Female	1,765	2,004	3,781	10,206	7,772	6,042	4,215	340	35,785	69.1
	Male	862	1,071	1,827	4,977	2,920	2,630	1,733	148	16,020	30.9
Nationality (ethnic origin) of an applicant	Latvians, Livonians	17	25	9	10	1	2	2	0	66	0.1
	Lithuanians, Estonians	677	661	449	437	226	203	173	20	2,826	5.5
	Russians	1,305	1,494	3,419	10,616	7,627	6,027	4,081	328	34,569	66.7
	Poles	218	326	440	573	380	360	260	18	2,557	4.9
	Belorussians	211	319	683	1,505	1,027	885	646	63	5,276	10.2
	Ukrainians	113	159	402	1,322	963	780	562	46	4,301	8.3
	Others	86	91	206	720	468	415	224	13	2,210	4.3
Age of an applicant	15-17 years	170	144	395	1,289	1,186	855	417	51	4,456	8.6
	18-30 years	451	625	1,597	3,254	3,047	2,520	1,980	181	13,474	26.0
	31-40 years	333	342	927	3,866	2,505	1,965	1,367	100	11,305	21.8
	41-50 years	389	403	1,030	3,849	2,435	1,920	1,171	96	11,197	21.6
	51-60 years	495	578	778	1,974	1,159	1,003	766	48	6,753	13.0
	61 years and above	789	983	881	951	360	409	247	12	4,620	8.9

Education	Primary	1,108	1,299	1,459	2,306	1,682	1,392	946	89	10,192	19.7
	Secondary	983	1,041	2,133	6,328	4,763	4,261	3,181	268	22,690	43.8
	Tertiary	442	650	1,964	6,479	4,191	2,968	1,765	128	18,459	35.6
	None	94	85	52	70	56	51	56	3	464	0.9
Have paid the state duty	100 percent	1,453	1,649	3,352	11,172	8,039	5,224	2,762	222	33,651	65.0
	50 percent	750	862	1,492	2,939	1,931	1,899	1,328	105	11,201	21.6
	Reduced	0	20	667	973	655	1,506	1,776	157	5,597	10.8
Exempt from paying the state duty		422	545	95	99	67	43	82	4	1,353	2.7
Took history exam	Passed	1,408	1,790	3,628	8,547	10,668	7,717	44	9	33,802	
	Did not pass	218	59	73	96	142	158	5,653	698	6,399	
Took the exam in the Latvian language	Passed	1,488	1,740	3,598	8,314	10,503	7,392	936	155	33,971	
	Did not pass	120	39	127	440	1,658	1,640	5,498	648	9,522	
Exempt from the examination of the Latvian language		0	0	0	495	251	256	204	31	1,206	
Exempt from both examinations		933	1,245	1,070	26	20	19	17	2	3,330	
The citizenship of Latvia has been granted											
		3,016	2,992	4,439	12,427	14,900	10,637	6,044	425	55,439	
Including their underage children		138	167	305	2,073	2,416	1,618	790	74	7,540	

* On November 10, 1998 the law "Amendments to the Law on Citizenship" took effect. All non-citizens were entitled to apply for the citizenship of Latvia through naturalization (the so-called "window system" was abolished).

* In 1995 - Applications submitted to 4,543 people, the Citizenship of Latvia granted to 984 people, including 33 children

Source: http://www.np.gov.lv/en/fakti/files/stat_angl.xls, web page of the Naturalization Board of the Republic of Latvia

INFORMATION ON RECOGNITION OF STATELESS PERSONS' OR NON-CITIZENS' CHILDREN, WHO WERE BORN IN LATVIA AFTER AUGUST 21, 1991 TO BE CITIZENS OF LATVIA (AUGUST 31, 2002)

		In total	%	Including in August, 2002
Applications accepted		940	100.0	22
Sex of a child	Female	579	61.6	12
	Male	361	38.4	10
Nationality (ethnic origin) of a child	Latvians, Livonians	0	0.0	0
	Lithuanians	17	1.8	0
	Estonians	2	0.2	0
	Russians	693	73.7	15
	Poles	52	5.5	2
	Belorussians	68	7.2	1
	Ukrainians	57	6.1	3
	Others	51	5.4	1
Date of a child's birth	21.08.1991-31.12.1991	57	6.1	2
	01.01.1992-31.12.1993	242	25.7	5
	01.01.1994-31.12.1995	209	22.2	3
	01.01.1996-31.12.1997	148	15.7	4
	01.01.1998-31.12.1999	164	17.4	2
	01.01.2000-31.12.2001	111	11.8	3
	01.01.2002-31.12.2002	9	1.0	3
Recognized to be citizens of Latvia		893		6

**INFORMATION ON REGISTRATION THE STATUS OF THE
CITIZENS IN LATVIA (AUGUST 31, 2002)**

		In total	%	Including in July, 2002
Applications accepted		3,803	100.0	85
Sex of an applicant	Female	2,053	54.0	56
	Male	1,750	46.0	29
Nationality (ethnic origin) of an applicant	Latvians, Livonians	1,808	47.5	19
	Lithuanians	514	13.5	12
	Estonians	19	0.5	0
	Russians	879	23.1	26
	Poles	201	5.3	10
	Belorussians	185	4.9	8
	Ukrainians	128	3.4	7
	Others	69	1.8	3
Applicant's age	14 years and less	250	6.6	1
	15-30 years	1,730	45.5	75
	31-50 years	1,046	27.5	4
	51-60 years	403	10.6	2
	61 years and more	374	9.8	3
Status of a citizen of Latvia registered		3,727		86

References

CIA –The World Factbook 1999

Microsoft® Encarta® Encyclopedia 2000

Encyclopedia Britannica, © 1999-2000 Britannica.com Inc.

Latvia Country Report on Human Rights Practices for 1999, Released by the Bureau of Democracy, Human Rights, and Labor U.S. Department of State

International Constitutional Law (ICL), 1994 - 13 April 2000, University of Wuerzburg, <http://www.uni-wuerzburg.de/law/info.html>

IOM Migration Legislation Database,
<http://www.iom.int/defaultmigrationweb.asp>,
<http://www.iom.ch/migrationweb/documents/Legislation/listdir.asp>

Website of the Latvian Human Rights Committee,
<http://www.lhrc.lv/integr.htm>

Website <http://www.bsos.umd.edu/cidcm/mar/latruss.htm> “The Russians of Latvia”

Nils Muiznieks, Latvian Center for Human Rights and Ethnic Studies, 2000, “Minorities and the Media in Latvia”, “Human Rights in Latvia in 1999”, <http://www.riga.lv/minelres/count/latvia.htm>

Minority issues in Latvia, No 17, prepared by the Latvian Human Rights Committee (F.I.D.H.), July 1, 2000,
<http://racoon.riga.lv/minelres/archive//07102000-13:57:43-28456.html>

Regular Report from the Commission on Progress towards Accession; Latvia, November 4, 1998; <http://europa.eu.int/>

Boris Tsilevich, 1999, “Minority Rights in the Baltics”, <http://www.greekhelsinki.gr/english/articles/chrf-sar99-2-Tsilevic.html>

Lexis-Nexis, News about Latvia from March 19, 1999; July 27, 1999

Website of Perry-Castañeda Library, Map Collection, The University of Texas at Austin
http://www.lib.utexas.edu/Libs/PCL/Map_collection/Map_collection.html