

The following appendix does not form part of ECRI's analysis and proposals concerning the situation in Latvia.

APPENDIX

ECRI wishes to point out that the analysis contained in its second report on Latvia, is dated 14 December 2001, and that any subsequent development is not taken into account.

In accordance with ECRI's country-by-country procedure, a national liaison officer was nominated by the authorities of Latvia to engage in a process of confidential dialogue with ECRI on its draft text on Latvia and a number of his comments were taken into account by ECRI, and integrated into the report.

However, following this dialogue, the Latvian governmental authorities expressly requested that the following observations on their part be reproduced as an appendix to ECRI's report.

Observations provided by the Authorities of LATVIA concerning ECRI'S report on LATVIA

Paragraph	Comments
International Instruments 6	Legal The Latvian authorities would like to note that every person within the jurisdiction of Latvia has the right to submit individual complaint to the European Court of Human rights, concerning, inter alia, cases where a person believes to be a victim of discrimination.
Citizenship legislation 13	The measures to further facilitate naturalisation are taken on a continuous basis. With regard to the procedure for naturalisation, 95% of naturalisation applicants, as also noted by ECRI, pass the naturalisation test in the first attempt which testifies that the tests are adequate.
Language Law 17	To clarify the information as regards the language in which the documents be submitted to the authorities, the Latvian authorities provide whole text of the relevant Article of the State Language Law. "Article 10 Any institution, organisation and enterprise (or company) shall ensure acceptance and review of documents prepared in the state language. 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

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	<p>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.</p> <p>Documents submitted by persons in other 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 notarised translation. No translation shall be required for documents issued in the territory of Latvia before the date on which this Law comes into force.</p> <p>Documents received by state and municipal institutions, organisations and enterprises (or companies) from foreign countries may be accepted and reviewed without a translation into the state language.”</p>
Language Law 19, 20	<p>With regard to instruments for promotion of Latvian language usage, the Latvian authorities devote considerable resources to positive measures such as free language training, as described elsewhere in ECRI report, rather than to imposing fines. The actual number of administrative fines is low. No administrative cases were initiated during the period since the new State Language Law entered into force on 1 September 2000 until 16 July 2001.</p> <p>In 2001 the total amount of paid fines is 360 Lats, i.e. less than 14 Lats on average.</p> <p>The provision of the Administrative Violations Code which envisages a penalty for open demonstration of disrespect towards the state language has not been applied on any occasion since the amendments entered into force.</p>
Laws on election to Parliament and City Councils	On July 25, 2001, the Human Rights Committee adopted its View under Article 5, paragraph 4, of the Optional Protocol to the International Covenant on Civil

Paragraph	Comments
21	<p>and Political Rights (hereinafter – the Covenant) concerning communication from Ms. Antonina Ignatane who claimed to be the victim of violations of Articles 2 (prohibition of discrimination) and 25 (right to vote and be elected) of the Covenant by Latvia. Ms. Ignatane claimed that her rights had been violated by depriving her of the opportunity to stand for the local elections due to insufficient knowledge of the State language as established in a repeated examination of her Latvian language proficiency. In its Views the Committee established that this repeated examination was not based on objective criteria and thus was incompatible with the Covenant. The Latvian authorities would wish to emphasise that the Committee did not express itself concerning the existence of the requirement for language proficiency as such.</p> <p>As to the follow-up to the Committee’s Views, the Latvian authorities would like to inform that on November 6, 2001, the Cabinet of Ministers amended two normative acts – “Statutes of the State Language Centre” and “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”. According to the amendments to the “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”, basis for the examination of person’s language proficiency is the request submitted by this person. Correspondingly, the amendments to the “Statutes of the State Language Centre” defines more exactly the competence of the officials of the State Language Centre and provides that officials of the Centre are authorised to examine the authenticity of the state language proficiency certificate.</p> <p>Thus the amendments eliminate the irregularity identified by the Committee and secure the principle of legal certainty – person can be sure that once he/she has passed the language proficiency testing and has been issued certificate, repeated examination would be possible only upon his/her request.</p>
Civil and Administrative Law	The issuance of the passports is connected with the issuance of new Identity Cards, therefore amendments

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provisions 28	to a number of Latvian legislation acts are necessary. As soon as all necessary amendments are adopted, the Board will start issuing the new passports.
Non –citizens 33, 34	<p>Non-citizens enjoy the same fundamental economic and social rights as citizens, and enjoy consular protection when abroad. It should be particularly emphasised that the issue of the rights of non-citizens is to be seen in the light of Article 91 of the Constitution where both the principle of non-discrimination and the principle of equality are established.</p> <p>There were 523 091 non-citizens residing in Latvia as of 31 December 2001.</p>
Non-citizens 35	<p>There are further indicators that the work of the Citizenship and Migration Issues Board has improved. For instance, the number of court cases where the Board has been involved, has continuously decreased.</p> <p>353 cases concerning the decisions of the Board were filed with the court in 1999; 63% of the cases were decided in favour of the Board.</p> <p>295 cases concerning the decisions of the Board were filed with the court in 2000; in 77% of the cases it was confirmed by the court that the decisions of the Board have been justified.</p> <p>235 cases concerning the decisions of the Board were filed with the court in 2001; 74% of the cases were decided in favour of the Board.</p>
Access to education 42, 43	<p>In 2004 the 10th grade of state and municipal general educational institutions and in the 1st year of state and municipal vocational education institutions will start studies in the state language. Subjects connected with the ethnic homeland of the pupils will still be taught in the minority language (f.e. languages, literature).</p> <p>It is in the competence of the schools to choose the subjects which will be taught in the minority language. The Ministry of Education and Science plans that the</p>

Paragraph	Comments
	secondary schools will be entitled to teach 30-35% of the subjects of the curricula in the minority language.
Access to education 44	<p>The National Programme for Latvian Language Training has elaborated the methodology for teaching Latvian as the second language. In the courses organised by the Programme, 2000 teachers can participate every year.</p> <p>The Government allocates 50 000 – 75 000 Lats every year for the teaching materials for the minority schools.</p> <p>Furthermore, since 1999 the Government has provided funds to support the teachers who teach their subjects in Latvian or bilingually in minority schools. Since then, the funding has been increased gradually and 808 368 Lats were allocated for this purpose in the State budget of 2002.</p>
Access to education 45	<p>The Ministry of Education and Science estimates that already now 60 % of the minority secondary schools are ready to start studies in the state language. Furthermore, there are 2,5 years for the schools to prepare for the studies in the state language. The Ministry of Education and Science strongly believes that in 2004 all schools will be ready to start studies in Latvian.</p> <p>Consequently, the Latvian authorities see no need to change the set timetable of transition.</p>
Employment 49	Since 1997 the Latvian Language Training Program has ensured 2484 courses where 48 000 persons participated. The target group of the courses are: teachers, medical personal, police officers, unemployed persons.
Roma/Gypsies 54, 55	More than 40 000 Lats were allocated in 1998-2001 for the establishment of five regional centres of the Latvian Roma National Culture society. In 2002 the Government has allocated 45 000 Lats for the Latvian Roma National Culture society.
Antisemitism 56	In 1998 the President of Latvia established an international History Commission; one of its main functions is Holocaust research. In 2000 - 2001 two

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	<p>international conferences on Holocaust took place in Riga. There is a number of international cooperation projects for history teachers concerning the Holocaust (a number of seminars on Holocaust education have taken place in 2000 and in 2001).</p> <p>A Centre for Judaic Studies has been established at the University of Latvia in 1998. The Centre is financed by the Latvian Government and international donors. The Museum and documentation centre “Jews in Latvia” receives state financing – the Ministry of Culture has allocated 12 000 Lats to the museum for the projects “Latvian and Jewish cooperation” and “History of Holocaust” in 2001.</p> <p>The President has awarded the Latvians who helped to save the lives of Jews during the Second World War with the Order of Three Stars, the country’s highest decoration.</p>
<p>Monitoring the situation in the country</p> <p>57</p>	<p>The Central Statistical Bureau of Latvia continues to work on improvement of its quality. In 2000 the Bureau carried out the population census very successfully.</p> <p>Furthermore, the Population Register of the Ministry of Interior keeps up-to-date information on the citizenship status and ethnicity of Latvia’s residents.</p>
<p>Problems relating to the integration of the Russian – speaking population into the Latvian society</p> <p>68</p>	<p>The Latvian authorities would like to note that in order to be able to make a conclusion that ethnic minorities are under-represented at various levels in Latvian society, a comprehensive statistics research must be carried out, as for example, research on representation of population in all Latvian municipalities.</p> <p>In some municipalities the representation of ethnic minorities exceeds their proportion in the respective area. For example, in the city of Madona, the number of Russians represented in the municipality is twice as much as their proportion in the area. National minorities are also adequately represented in the Parliament; 20% of the MP’s belong to a national minority; this number largely corresponds to the percentage of minorities among the citizens of Latvia (23.9%).</p>

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	<p>Furthermore, the Latvian authorities would like to note that the representatives of minorities are actively taking part in the work of the Regional Integration Councils that are established in 18 municipalities.</p> <p>To give the opportunity for every inhabitant of the municipality to take part in the decision making process, a number of municipalities have established the Non-citizens Consultative Boards.</p>
<p>Problems relating to the integration of the Russian – speaking population into the Latvian society</p> <p>73-75</p>	<p>In October 2001, the Integration Foundation started its work. The Foundation is supervised by the Council of the Foundation. The Council consists of ministers, representatives from the municipalities and also NGOs. National minorities are represented in the Foundation by the Archbishop of the Orthodox Church, the President of Latvian Roma National Cultural Society, the Chairman of the organization “Western Russians”.</p> <p>In November 2001 the Integration Foundation approved 22 integration projects for financing and allocated 127.000 Lats for their implementation.</p> <p>The supported projects were of two kinds: social integration projects (54%) and ethnic integration projects (46%), that can be divided in language projects (75%), culture projects (22%) and other projects (4%). The culture projects include ethnic minority promotion projects and projects introducing the ethnic minorities with the Latvian culture. From the ethnic integration projects largest financing has been granted to the Latvian language training projects such as language training for the naturalisation applicants and for transition to education in the state language in secondary schools.</p>
<p>Problems relating to the integration of the Russian – speaking population into the Latvian society</p> <p>76</p>	<p>In 2002 the Government has allocated 426 000 Lats for the Programme.</p>