

Ref: CommHR/DM/sf 023-2022

Mr Kristaps EKLONS
Minister of the Interior of Latvia

Strasbourg, 29 July 2022

Dear Minister,

I am writing to you in connection to the situation at Latvia's border with Belarus which I have been following since August 2021. The human rights of refugees, asylum-seekers and migrants are a central aspect of my work as Council of Europe Commissioner for Human Rights. In this respect, the reports of refugees, asylum-seekers and migrants having been violently prevented from entering Latvia, held in inhumane conditions in the forest, denied access to the asylum procedure, and forced into signing voluntary return declarations, leading also to the submission of complaints to the European Court of Human Rights, are of significant concern to me.

Given the serious allegations of misconduct by Latvian state border guards and special border patrol units, I urge the Latvian authorities to ensure that an independent and thorough investigation into the treatment of people who have attempted to enter Latvia from Belarus be conducted as soon as possible, resulting in full accountability for any abuses that may have occurred.

I further call on the Latvian authorities to guarantee full access to the border areas by representatives of civil society, relevant international organisations, such as the UNHCR, and the media to ensure that adequate humanitarian assistance and legal aid can be provided to all people in need of help and to facilitate the public's scrutiny over the human rights situation in the region. The state of emergency, which was declared in the four municipalities bordering Belarus on 11 August 2021 and remains in force, currently until 10 August 2022, has not only prevented effective transparency and accountability for measures taken in the border region, but has also significantly restricted the important work of organisations engaged in protecting the human rights of refugees, asylum-seekers, and migrants.

I would like to stress that, while Latvia faces significant challenges in relation to irregular border crossings, it remains bound to protect its borders in a manner that fully complies with its obligations under the European Convention on Human Right and in particular with the prohibition of torture or inhuman or degrading treatment and the obligation of *non-refoulement*. This core obligation is not called into question by recent caselaw of the European Court of Human Rights. My Recommendation '[Pushed beyond the limits: four areas of urgent action to end human rights violations at Europe's borders](#)' sets out what Council of Europe member states can and must do to fully secure the human rights of all those arriving at its borders, including those who attempt to cross in an irregular manner. I hope you will find this document and the recommendations contained therein useful in addressing the issues set out above in a structural manner.

Yours sincerely,



Dunja Mijatović