

## **Latvia's context**

– historically developed networks of German and Russian minority schools. Peak of diversity during the 1918-1940 independence. Limitations under USSR, regrowth under perestroika. – a demographic “elephant in the room” of some 36 % Russian-speakers.

Gradual language use restrictions – in 1992 for universities, in 1995 for schools, in 1998 for universities. Nonviolent resistance in 2003-2004 - concessions. Meanwhile – minority rights enshrined in the constitution since 1998, Framework Convention for the Protection of National Minorities ratified in 2005, Convention against Discrimination in Education in 2009.

## **The current problem**

– a series of amendments adopted in 2018. Envisaging education mostly in Latvian in older groups of kindergartens and in schools since grade 1. Since grade 10 – only mother tongue and some unspecified ethno-cultural lessons allowed in one's native language. Private schools impacted as well. Some exceptions for EU official languages.

Criticism – from the UN (CERD and Special Rapporteurs), Council of Europe (Advisory Committee on the Framework Convention, the Commissioner for Human Rights), OSCE High Commissioner on National Minorities, EU Parliament.

Pressure – criminal proceedings and “2. Protection of the constitutional order 2.1. Russia's compatriot policy The most significant development in the past year in the sphere of “defending the rights” of Russian compatriots were the protests and related activities such as petitions against the gradual transition to Latvian as the language of teaching in general educational institutions [...] the absurd accusation that Latvia is planning the forced assimilation of Russian-speakers” - Security Police annual report for 2017,. “3. Protection of the constitutional order 3.1. Russia's influence activities and their manifestations against Latvia [...] 3.1.2. So-called “defence of rights” [...] Also notable in this sphere in 2018 were protests organised by the unregistered body “Russian School Defence HQ” [...] against amendments to laws passed by the Saeima [Parliament] initiating a gradual transition to instruction in the state language at all secondary schools” State Security Service annual report for 2018

Constitutional Court in 2019 – approves language restrictions concerning schools, both public and private.

## **Why relevant internationally?**

Legislative exchange – with Estonia and Ukraine in particular

Lack of respect to international law – Constitutional Court ignores CERD and Framework Convention Advisory Committee by saying they don't have full information available. “The Constitutional Court finds that the considerations included in the aforementioned opinions could be expressed on the basis of information available to the experts. As noted by the Ombudsman at the court hearing, he had had to conclude that these committees do not have full and comprehensive information and legal reasoning at their disposal [...] The representatives of the M FA also drew the Court's attention to this fact [...] The Constitutional Court subscribes to this opinion”

Rhetorics of legislators and courts – “segregation”, conditioning minority rights on their perception by the society as a whole, alleged self-sufficiency of minority languages as obstacle to integration, “democratic discourse”, confusing learning a language and learning in it, invoking former restrictions on the now-dominant language, one-size-fits-all regulation, no limits on requirement for official language skills, “state nation” concept, media silent on criticism.

## **Recommendations**

Clearly stating that freedom of choice is the opposite of segregation

Not reducing the existing guarantees

Minority schools as a part of minority culture

Choice between minority language learning and learning in a minority language – based on minority demand and on resources available

Translating UN documents on minority rights in local languages, dissemination