

Delegation of the Russian Federation

**STATEMENT BY MR. ANDREY KELIN,
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AT THE 955th MEETING OF THE OSCE PERMANENT COUNCIL**

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On the amendments to the Law on Latvian Citizenship

Mr. Chairperson,

The safeguarding of the rights of national minorities, starting with the Helsinki Final Act in 1975, remains one of the OSCE's most important priorities in the human dimension. There can be no doubt that the successful resolution of problems connected with the integration of national minorities helps in many ways to safeguard stability and security in the OSCE region.

In this context, the actions of some Member States of the European Union, which go in exactly the opposite direction, give cause for alarm. Instead of facilitating the rapid integration of national minorities, they promote disunity and greater tension.

For example, the signature on 23 May this year by the President of the Republic of Latvia of changes to the Law on Latvian Citizenship provokes a twofold reaction. On the one hand, the simplification of the procedure for the acquisition of Latvian citizenship by the children of non-citizens by means of a registration procedure, the easing of language test requirements and the waiving of the written essay on a general subject for some categories are to be welcomed. Now they are fixed by law and not by decrees of the Cabinet of Ministers of the Republic of Latvia, as used to be the case. However, we are forced to observe that for non-citizens in essence nothing has changed. Most importantly, the problem of the automatic acquisition of citizenship by the children of non-citizens is not solved in this way either.

On the other hand, this law contains a number of new items that not only run counter to the recommendations of international organizations but also mark a continuation by the Latvian authorities of their policy of discrimination on ethnic grounds.

In particular, it is no secret that Latvia, a multi-ethnic country, has for the first time introduced into the law the concept of a nation State that applies only to Latvians and Livonians. They are automatically guaranteed citizenship, in contrast to other ethnic groups – even when they have lived in the country for a long time. In this way the idea of the predominance of one nation over another is fixed by law.

I should like to dwell briefly on the innovations regarding the right to dual citizenship. Latvian citizenship may be acquired only by ethnic Latvians who are citizens of the countries of the European Union, European Free Trade Association, NATO, Australia, New Zealand and Brazil, but the ethnic Latvians living in Russia, Israel or the countries of the Commonwealth of Independent States are not included in this privileged group.

Happily, the law provides a small concession for non-citizens wishing to become naturalized. Now they can leave the country for a whole year during the five years before naturalization. One may ask, however, why non-citizens born in the country have in principle to provide some kind of “evidence” regarding their place of birth. This requirement puts them on the same footing as citizens of third countries.

There are a number of other amendments that give cause for concern. For example, it used to be the case that persons convicted of anti-State activities could not become naturalized. Now it is not only the actions but also the behaviour of a person. An addition has been made to Article 11 of the law whereby behaviour that endangers national or public security or the democratic constitutional order can be invoked as a reason for refusing naturalization. Moreover, the assessment “on the basis of behaviour” will be issued not by the court but by some “competent establishment,” which under the new version of the law is to be appointed by the Cabinet of Ministers of the Republic of Latvia.

This allows great scope for interpretation. For example, in 2012 the Latvian security police considered the Russian Culture Days festival to be a threat to the country – because it allegedly spread Russian influence. Following this logic, all of the participants in the festival could be refused naturalization. It is now also impossible to appeal in court against such a refusal.

There are other innovations in the same vein, whereby the decision to deny Latvian citizenship for disloyalty to the State is pronounced not by the court but through an administrative procedure.

We urge the OSCE’s specialized institutions, first and foremost the High Commissioner on National Minorities, to turn their attention to these legislative initiatives and call on Latvia to heed the numerous recommendations of international organizations to reduce statelessness. We trust that the question of granting of automatic citizenship to the children of non-citizens will ultimately be resolved in a positive manner. We also hope that the Latvian authorities will bring the national law into line with the country’s Constitution, which clearly states that sovereign authority lies with the people and not with individual nations.