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**STATEMENT BY MR. ALEXANDER LUKASHEVICH,
PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION,
AT THE 1267th MEETING OF THE OSCE PERMANENT COUNCIL
VIA VIDEO TELECONFERENCE**

14 May 2020

On the violation by Latvia of the educational and linguistic rights of national minorities during the coronavirus pandemic

Mr. Chairperson,

We have repeatedly drawn attention, notably at the meetings of the Permanent Council, to unprecedented cases in which Latvia has violated the educational and linguistic rights of national minorities. On this occasion we are obliged to address the situation with regard to the education of schoolchildren and preschool children of members of the Russian-speaking minority in connection with the declaration of a state of emergency in the country due to the spread of the coronavirus.

Since 13 March, all educational institutions in Latvia have been closed, and on 23 March, i.e. after the spring holidays, classes in schools and universities were switched to a remote format. At the same time, according to numerous reports, one of the problems of this “new reality” is the technical support for the remote education process. Thus, according to recent surveys, more than 60 per cent of schoolchildren are now spending more time studying than when in full-time education, and the involvement of parents in this process has significantly increased.

Against this background, of particular concern is the educational process for students from the Russian-speaking minority, who have had to adapt to two changes – both to distance learning and to the fact that most assignments under the new teaching system are being distributed only in Latvian. As a result, students have to be assisted with translations and explanations by their parents, many of whom continue to work and do not have time for this. In addition, the quality of such teaching raises questions from all sides.

In response to such realities, representatives of the Latvian Russian Union party sent an open letter to the government stressing that, in emergency and distance-learning situations, teaching in bilingual schools should be conducted entirely in the child’s mother tongue. Their wishes, however, were ignored.

Educational support tools in Latvia are also being developed without consideration of the needs of ethnic minorities. For example, the television channel “Tvoi Klass”, which was specially created to support distance learning, broadcasts programmes in Latvian only, even for primary school students. The only subject adapted for the children of minorities is the State language.

In this regard, we recall that the OSCE High Commissioner on National Minorities Lamberto Zannier, in his recommendations of 17 April, called on the OSCE participating States, in the face of COVID-19, to “ensure that the education system continues to balance learning in and out of the State or official language(s) with adequate opportunities for pupils to learn their minority language or receive instruction in this language”. We also agree that countries “may need to tailor home learning to the needs of various communities”.

According to opinion polls, education in Latvia is described as “mediocre” by about half of the population. Even before the pandemic, local experts had indicated that the rights of minorities in education had been virtually eliminated. As you know, the Cabinet of Ministers of Latvia had approved amendments to the education legislation as early as January 2018, according to which, from the 2021/2022 school year, teaching in primary and secondary schools would be provided entirely in Latvian.

Amendments to the Law on Education have also affected private educational institutions. Representatives of Russian-language non-governmental organizations had tried to preserve at least that right, but their attempts had not been successful. We had already drawn attention in the Permanent Council last year to the decision of the Constitutional Court of Latvia of 14 November 2019, which was ambiguous from the point of view of international law, that ruled that the introduction of the new language ratio in private schools was allegedly legal and in accordance with constitutional norms.

Moreover, in September 2019, the parties of the government coalition agreed to also switch preschool education to Latvian.

The importance of preserving education in the languages of Latvia’s national minorities has been consistently pointed out by international organizations, while expressing “deep concern” at the attempts of the State to completely curtail it. Unfortunately, however, Latvia also ignores them.

It should be recalled that the discriminatory steps taken by the Latvian Government violate a number of obligations under international law. For example, Article 27 of the International Covenant on Civil and Political Rights, according to which, “persons belonging to such minorities shall not be denied the right [...] to enjoy their own culture [...] or to use their own language”. Article 5 of the International Convention on the Elimination of All Forms of Racial Discrimination, which states that “States Parties undertake to prohibit and to eliminate racial discrimination in all its forms [...] without distinction as to [...] national or ethnic origin, to equality before the law, notably in the enjoyment of [...] the right to education and training”. Article 5 of the Convention against Discrimination in Education of the United Nations Educational, Scientific and Cultural Organization, which recognizes “the right of members of national minorities to carry on their own educational activities, including [...] the use or the teaching of their own language”. Articles 29 and 30 of the Convention on the Rights of the Child, which provide that “the education of the child shall be directed to [...] the development of respect for the child’s parents, his or her own cultural identity, language and values”, and that “a child belonging to [...] a minority [...] shall not be denied the right [...] to enjoy his or her own culture [...] or to use his or her own language”. The Government of Latvia is also failing to comply with the United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992), not to mention the national Constitution.

The amendments made by Latvia also run counter to the OSCE High Commissioner on National Minorities’ Hague Recommendations regarding the Education Rights of National Minorities.

In January 2018, serious concerns about the educational reform in Latvia were also expressed by the UN Special Rapporteurs on minority issues, on the right to education, and on the promotion and protection

of the right to freedom of opinion and expression. As they pointed out in their general report, such amendments “will have a negative impact on the protection and promotion of the rights of minorities” and “represent unnecessary and disproportionate restrictions to the right to freedom of expression as access to language is a necessary component for the ability to receive and impart information”.

Serious concerns about Latvia’s education policy have also been expressed by the UN Committee on the Elimination of Racial Discrimination, which in its concluding observations of 25 September 2018 unequivocally stated that the ongoing “Latvianization” of schools and kindergartens was discriminatory. It noted that “the current language policies discriminate against ethnic minorities in the fields of education”. The Committee also recommended that the Latvian Government “take measures to ensure that its language policy and laws do not create direct or indirect discrimination or restrict the rights of ethnic minorities to access education”. This body also recommended that the Government: “Ensure that there are no undue restrictions on access to education in minority languages. Reconsider the necessity of amendments to the Law on Education that create further restrictions on the number of lessons of minority language in public and private schools.”

Furthermore, as early as this year, the UN Forum on Minority Issues clearly stated that: “All States, international organizations, non-governmental organizations, civil society and other entities working on the rights of minorities should make efforts to raise awareness about the benefits of education in, and the teaching of, the mother tongue, as well as the benefits of multilingualism.” “States should provide access to education in, and the teaching of, minority languages, in order to ensure equality among people from different linguistic backgrounds.” “States should provide access to education in, and the teaching of, minority languages, in order to ensure equality among people from different linguistic backgrounds.” “States should avoid any restrictions on education in, and the teaching of, minority languages. States should refrain from forced assimilation of minorities, *inter alia*, through the prohibition of education in, or the teaching of, the mother tongue of minorities.”

We once again urge the Latvian Government to ensure a favourable and effective environment for minorities in the educational process, notably under the conditions of a state of emergency. We call on High Commissioner Zannier and the Director of the Office for Democratic Institutions and Human Rights, Ingibjörg Sólrún Gísladóttir, to monitor Latvia’s compliance with its human rights obligations.

I should like to take this opportunity to briefly touch upon the case of national minority rights activists in Latvia. We were pleased to learn that the criminal proceedings initiated by the Latvian Government against the organizers of the All-Latvian Parents’ Assembly back in March 2018 were dismissed in April on the grounds of lack of evidence that a crime had been committed. One thing is clear: from the very beginning there were no legal grounds to initiate this process. This, together with other disreputable stories about national minorities, shows that the Latvian authorities are using the judicial system to pursue defenders of Russian-language education under far-fetched pretexts.

Thank you for your attention.