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**Organization for Security and Co-operation in Europe** ENGLISH only  
**Secretariat**

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**Department for Conference Services**

At the request of the OSCE High Commissioner on National Minorities, the attached letter dated 28 October 1996 to the Minister for Foreign Affairs of the Republic of Latvia, Mr. V. Birkavs, as well as the letter of reply, dated 10 December 1996, are being distributed to all OSCE delegations.

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**OSCE**  
**High Commissioner**  
**on National Minorities**

His Excellency  
Mr. V. Birkavs  
Minister for Foreign Affairs  
of the Republic of Latvia  
RIGA  
Republic of Latvia

Reference:  
No 1085/96/L

The Hague  
28 October 1996

Dear Mr. Minister,

May I first of all thank you once again for the kind reception you accorded to me during my last visit and for the excellent help provided by the staff of your Ministry in arranging a great number of appointments.

My visit enabled me to become better acquainted with the work of the National Human Rights Office. This independent state body can in my view play a very important role in promoting human rights, especially also by making recommendations on legislative questions which are related to human rights. I was also glad to note that the national programme for promoting training and education in the Latvian language is now coming into effect. It can be of special value for non-citizens who want to acquire the Latvian citizenship and who have to pass i.a. a language test in order to obtain it.

Regarding the naturalization process as a whole, I have noted that few persons who were born in Latvia and now are between 16 and 20 years old (who have the right to apply for citizenship from 1 January on the basis of article 14 para 1 sub. 1 of the Law in Citizenship) have actually applied. On the basis of the data available for the first nine months of 1996, the conclusion seems to be justified that by the end of 1996 less than 1,000 of this group of about 33,000 persons will actually have applied. Though reluctance to be called up for military service can be a factor, this can only be a part of the explanation, because the number of female applicants is also very low.

In my letter to you of 14 March I have tried to analyse, on the basis of opinion polls amongst non-citizens conducted by the Naturalization Board, why there is such a striking discrepancy between the interest shown by more than 2/3 of the group of non-citizens in Latvia to acquire Latvian citizenship, and the remarkably low number of applicants for citizenship. The most recent figures I just quoted clearly confirm this trend. The practical consequence is that, unless steps will be taken to stimulate the naturalization process, the percentage of the population of Latvia which does not have citizenship, presently above 28%, will remain well above 20% for many years to come. This even more likely because the overwhelming majority of non-citizens clearly want to stay in Latvia.

I am aware of the political difficulties standing in the way of major changes in the Law on Citizenship. But I do express the hope that a debate will develop on the stagnation of the naturalization process, especially also in various Standing Committees of the Saeima. The opinion polls conducted by the Naturalization Board do in my view provide very relevant information about this stagnation.

When the Law on Citizenship was being debated, fears that Latvia would not be able to absorb a great number of new citizens at the same time were clearly predominant. This also led to the introduction, apart from special categories of applicants, of the so-called window system which did not allow all those interested in citizenship to apply at the same time, but which have priority to those born in Latvia over those born outside Latvia, and priority to the younger age groups in each category over older ones. Thus, the right to apply for naturalization was spread over 7 years, beginning in 1996.

As so few applicants have made use of the window opened in 1996, it is clear that the problem confronting Latvia now is not the danger of being swamped by a great number of applicants at the same time, but the risk that the process of naturalization - an essential element of the process of integrating non-Latvians into Latvian society - is moving much too slowly. I hope therefore that due consideration will be given to the abolishment of the window system.

I learned from your letter to me of 22 April that the question of the reduction of the naturalization fee for several categories of residents might be discussed again in the Cabinet of Ministers in 1997. I hope very much that it will be possible to take a positive decision on that occasion. I also hope that the recommendation of the Naturalization Board to exempt persons over the age of 65 from at least the written part of the language test, received favourably by the Saeima.

The Naturalization Board informed me that there is still insufficient knowledge amongst non-citizens regarding the naturalization process and the various procedures related to it. I have asked the Foundation on Inter-Ethnic Relations in The Hague to provide funds for production of any information brochure to be distributed amongst non-citizens. They have replied positively.

Finally, Mr. Minister, allow me to say how much I welcome the initiative of President Ulmanis to establish a Consultative Council on Nationalities. In my view this could be an important forum to discuss the moral and human aspects of the integration process, which, in my view, requires effort on both sides, i.e. non-Latvians actively seeking to integrate, and Latvians trying to extend a helping hand. It is my hope that the consultative Council will be used, as you formulated it in your letter to me of 20 August, to gain comprehensive information concerning various ethnic groups in Latvia, and to discuss their most essential problems so as to promote their solution at the level of executive powers. In my view, a discussion on ways to remove the causes of the stagnation process could also be of great value in this context.

These were the recommendations I wanted to submit to you, Mr. Minister. I am looking forward with great interest to your reply.

Yours sincerely,

[signature]  
Max van der Stoep  
OSCE High Commissioner  
on National Minorities

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MINISTRY OF FOREIGN AFFAIRS

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REPUBLIC OF LATVIA

No 31/1003-7767  
24 December 1996

H.E. Mr. Max van der Stoel  
OSCE High Commissioner  
on national Minorities  
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Excellency,

I have the honour to refer to your letter of 28 October 1996. may I confirm that it was a true pleasure for me and the staff of my Ministry to host your visit to Latvia. Your advice and assistance are very important for Latvia at this stage of transformation of our society.

I would like to take this opportunity to inform you about several important developments in Latvia.

The international assistance project for the implementation of the National programme for Latvian Language training was signed on 6 December 1996. It was developed by the UNDP and supported by a number of bilateral donors. I would like to express our gratitude for your support to the project. It is indeed a very important initiative as knowledge of State language is one of the most important preconditions for social integration. I hope that improved knowledge of the Latvian language will facilitate also the process of naturalisation, as the level of knowledge of Latvian is insufficient for a number of applicants to pass the Naturalisation test.

The Law on the Human Rights Office was adopted on 5 December 1996. The Law guarantees the independent status of the Office and its right to investigate individual cases, as well as the activities of state institutions. provisions are made to guarantee confidential treatment of information received from individuals. Thus the Office has all the necessary powers to be truly independent and effective in the sphere of protection of human rights.

The United nations General Assembly at its 51 session decided to conclude consideration of the question on the situation of human rights in Latvia and Estonia, thus rejecting the initiative by the Russian Federation for a United Nations resolution on this issue.

I would also like to thank you for your active involvement in the preparation of the information brochure on the naturalisation process. As knowledge regarding the naturalisation process has proved to be insufficient amongst persons eligible for naturalisation, I am sure that the brochure will serve to activate those who are interested in acquiring Latvian citizenship.

With regard to the possible reduction of the naturalisation fee for several categories of residents I would like to note that the issue could be discussed in the Cabinet of Ministers in 1997, with orientation towards the state budget for 1998. The Saeima confirmed the state budget for 1997 on 12 December. This is a budget without deficit, thus the proportion of resources and spending are carefully planned and balanced for the next year.

The negotiations on amendments to the Law on Citizenship - both to abolish the "window" system and to simplify some procedures of the tests - have not taken place yet. As our rightly mention in your letter, political difficulties remain in this regard.

However, consideration of issues of mutual interest continues in the President's Consultative Council on Nationalities. Challenging discussions also take place in mass media. Various, often opposing views are manifested and discussed. Any discussion leads to some conclusion, and there is usually some point at which even the most opposing views meet.

The recently released opinion of the National Human Rights Office (NHRO) on Differences in Rights of Citizens and Persons Without Latvian Citizenship is the focus of attention of many discussions at present. The opinion was sent to your office earlier this week, and I believe that it will be carefully studied by the institutions of Government and the Parliament of Latvia, with a view to follow-up issues taken up by the NHRO.

I remain truly thankful for your latest recommendations and your contribution to seeking ways of promoting the process of integration in Latvia.

Yours sincerely,

[signature]

Valdis Birkavs  
Minister for Foreign Affairs  
of the Republic of Latvia