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*Working Session 1*

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## Dear participants of conference!

In 2011 20 years will be carried out from the day of acceptance by Supreme Soviet of Latvian Republic of decision "About renewal of rights of citizenship and basic terms of naturalization", on which the over 700 thousand residents of country appeared deprived political rights.

As a result of creation of institute of non-citizens in Latvia a political situation changed radically, terms for returning of undemocratic political ideology and practices which existed to 1940 were created. At the same time the Latvian state did actually impossible process of the real integration of society and forming of effective and single civil society.

Creation of institute of non-citizens negatively told not only on rights for national minorities. As a result of realization of ununiversal elections and forming of untimority and antisocial state ideology and policy were made decision, which are directed not only against non-latvians but also against title nation.

Among these decisions is liquidation of industry and agricultural production, radical narrowing of the system of social defence of population. Among these decisions and the officially proclaimed course on the revision of results of Second world war and criminal proceeding those, who was at war with nazis, and vice versa, political rehabilitation those, who attended to the nazis and actively participated in the period of nazi occupation in the genocide of peaceful population.

### **An institute of non-citizens is not legal, but political institute**

An institute of non-citizens is not legal, but political institute. His primary purpose is political discrimination of national minorities and forming of such legislation, directly affecting national minorities, which would push slightly them to assimilation or to emigration from a country. But, providing forming of the system of preferences for a new political elite, the institute of non-citizens already from the first minutes of the existence became a brake for development of entire country, for development both Non-latvians and Latvians.

Confirmed absence of legal ground of status of "non-citizens" in the determination and the Constitutional court of Latvia (Court of Satversme), which, analysing status of non-citizens, on acknowledged March, 7, 2005, that Latvian non-citizens it is impossible to equate with none of those statuses of physical person, which are envisaged in international legal acts. A court specified that non-citizens it is impossible to consider neither citizens, nor foreign citizens nor persons without citizenship. It is persons with the "special legal status". Status of non-citizens is not the variety of Latvian citizenship and he can not be considered such.

A court considered also, that in his plenary powers does not enter to give elucidations to the concept of " non-citizens ", as it not so much legal, how many political question.

### **PACE: In Latvia is an of long duration deficit of democracy**

On November, 8, 2002 the Special committee of the Parliamentary assembly of CE, estimating taking place in October, 2002 elections in 8th Sejm, acknowledged that from abstention in elections of non-sitizens there was an long - term democratic deficit in Latvia. About existence in Latvia of "deficit of democracy" talked also in the Final lecture on parliamentary elections in Latvia of 2002, which on was November, 20, 2002 presented by Bureau on the institutes of democracy and human rights of OSCE.

After elections of 9th Sejm the Limited mission on watching elections of Bureau on democratic institutes and human rights of OSCE and Limited short-term mission on watching elections of the Parliamentary assembly of OSCE in the statement for the press from October, 8, 2006 marked also, that "approximately 400 000 persons, or about 18 percents of population, still save status of "non-citizens". Non-citizens have no authority to vote on any elections in Latvia. Circumstance that substantial part of adult population does not have the right to vote, testifies to continuing to take place deficit of democracy".

Realization of elections in the conditions of deficit of democracy had the investigation a decline of level of trust to their results from the side of international structures. Leader of the Limited mission on watching elections of 9th Sejm from Bureau on democratic institutes and human rights of OSCE an ambassador Boris Frlec in this connection marked: The "large impression on me was produced by a wide public trust which is used by the process of elections in Latvia. *However this trust can be full, while citizenship, including voting right, remains a question for considerable part of population*".

### **What is essence of deficit of democracy in Latvia?**

Acceptance by Supreme Soviet of Latvian Republic of October, 15, 1991 decision "About renewal of rights of citizens and basic terms of naturalization" did impossible for considerable part of population of country participating in political life of the state, i.e. in elections of Sejm and local authorities. Thus, when talked about considerable part of population, there are first of all national minorities, because exactly they lost possibility at the level of legislative and executive power and to participate in life of the state, and effectively defend the rights. Thus, in basis of policy of limitation in political rights for considerable part of residents of Latvia ethnic principle lies exactly: citizens are Latvians, and non-citizens – non-latvians. on April, 2, 2008 on listening in Committee on petitions of European Parliament, where suing was examined for the grant of non-citizens of right for participating in local elections, exactly the ethnic aspect of problem of citizenship in Latvia became main for

lodging a special request in created in Vienna on the base of Center on racism Agency of fundamental rights.

However the decision of Supreme Soviet of Latvian Republic from October, 15, 1991 limited in rights not only persons without citizenship. For that part of national minorities, which found rights for the citizens of Latvian Republic, realization of this decision also resulted in limitation in rights. It clear evidently and on the example of activity of Cabinet of Ministers, where during all 19 years of existence of the Second Latvian Republic were not a single representative of national minorities, and on the example of activity of Sejm, where ruling coalition categorically refuses to co-operate with deputies from parties of national minorities and blocks absolute majority of their suggestions.

Thus, essence of long "duration deficit of democracy" in that a decision to divide the population of Latvia on citizens and persons without Latvian citizenship created bases for realization of not general and undemocratic election in Sejm and local authorities, and after entering of Latvia into EC of May, 1, 2004 - and in European Parliament. By this decision the Latvian ruling elite not only beforehand provided to itself victory on elections, conducted after 1991 but also created terms for the acceptance of ethnic legislation and claim of undemocratic ideology.

***Exactly on this basis a ruling elite actually without difficulty carries out building in the multinational state of so-called "Latvian Latvia", i.e. pursues a policy of limitation of rights for national minorities, sent in final analysis to their forced assimilation or creation of such terms of life, when they would consider for blessing to leave from a country. This revanchist policy is related the closest character to the policy of revision of results of Second world war and political rehabilitation of former nazi collaborationists.***

Without a return to general election, changing this political progress of Latvia trend is practically impossible. Maintenance of practice of realization of ununiversal elections in Latvia will continue to weaken positions of national minorities and title nation in these countries and, vice versa, strengthen positions of followers of undemocracy. As a result not only development, but even maintenance here of national minorities already in a visible prospect appears under a question. In addition, development and strengthening of democratic principles at building of the state system in Latvia also appear impossible.

### **Non-citizens of Latvia and elections of Octobers, 2, 2010**

On Octobers, 2 next elections of national parliament will pass in Latvia. According to data of Register of habitants on January, 2010, in Latvia 344 095 non-citizens (15,26 % habitants) live today, from them 65,9 % are Russians (36,5 % Russians of Latvia), and all the representatives of national minorities - 99,6 %.

Non-citizens does not have the right to vote, although their absolute majority or were born in Latvia, or live here 20-30 and more than years. Thus the citizens of other states of European Union, living in Latvia no less than three months, can take part in the election local authorities. Really is it not nonsense? And it that non-citizens mainly live in large cities. So, on beginning of 2010 they were 24,6 % population of Riga, 22,2 % - Liepaja, 20,4 % - Daugavpils. A population of these three largest cities of country is 39,8 % population of country, but 62,4 % non-citizens lives in them.

It is necessary also to mark that a deputy seating capacity for Latvia at elections of European Parliament (EP) settles accounts coming from the quantity of all population, rather than just citizens, that allows a ruling elite to get additional places in EP due to non-citizens.

Non-citizens is limited also in professional activity: can not serve in an army, law enforcement authorities, guard of prisons, work as officials, advocates, notaries, judicial assessors, workers of Service of state profits and registry Offices of and other. Also there are limitations in social and economic rights: in acquisition of the real estate, in rights on privatization certificates, in the count of pension experience (for example, matter of "Andrejeva against Latvia"), in a right for carrying arm or weapons and other.

At the same time Latvia increases the number of non-citizens. In January, 2007 Management in matters of citizenship and migration, answering upon request of NGO's "Union of citizens and non-citizens" and "Humanitarian prospect", promulgated the numbers of non-citizens given about a height in a country. Appears, from May, 1, 2004 (a date of entry of Latvia is in EC) to December, 1, 2006 the passports of non-citizens got 54 284 men. From them there are 8 142 men (about 15%) - first. It is young people, born in Latvia 16 years back and finishing high school in the period of independence.

### **That to do?**

To liquidate the institute of non-citizens legal facilities it is impossible. Removing him is possible only as a result of political decision.

Realizing it, structures of civil society of Latvia, i.e. public organizations of national minorities, since 2005, pull out a requirement to provide a return to realization of general and democratic election. However these efforts without active support from the side of democratic Europe while do not allow to begin serious conversation on a theme about pseudoelections in Latvia, and also in Estonia and, as a result, about character of those political modes which was formed in these countries after 1991. And this conversation is extremely needed, as the most actual task of today is forming in Europe of opinion of impermissibility of further maintenance in Latvia and Estonia of long duration deficit of democracy.

Maintenance of practice of ununiversal elections is in Latvia and Estonia, and it must be underlined, presents a direct and obvious threat to bases of democracy in Europe, as legitimates actual application of double standards to realization of elections in different countries.

For providing of return to realization of general election in the organs of power 3th conference of organizations of the Russian compatriots of Latvia, taking place on June, 26, 2010, and Advice of NGO's of Latvia it is suggested to organize at an international level wide informative campaign in support a requirement to liquidate the institute of non-citizens in Latvia and Estonia and provide realization in these countries of the first after 1991 general election in local authorities, national parliaments and European Parliament.

A necessity and actuality of realization of such campaign become obvious in the light of statement of chairman of European Parliament Hedgeshogs of Jezy Buzek, which on Junes, 22, 2010, answering the step of press-conference in Moscow on a question of correspondent of the internet application to the federal weekly the "Russian news" of Riga.Rosvesty, about that, his attitude is which toward a situation, when non-citizens Latvia and Estonia are not had right to vote

on elections in European Parliament, declared that he not in a course that, who such " non-citizens ". And asked a correspondent to explain to him, what it after status.

### **Aim and maintenance of informative campaign**

*Aim of informative campaign - to show out the discussion of problem of non-citizens in Latvia and Estonia on an international level and through publications in MASS-MEDIA in the different countries of the world, and also addresses to scientific public and political elite to come into the notice of world association to the necessity of the immediate POLITICAL decision of problem of non-citizens. In other words: to call to immediate liquidation of institute of non-citizens in Latvia and Estonia.*

I offer OSCE conference to accept a statement in support a requirement to liquidate the institute of *non-citizens* in Latvia and Estonia and provide realization in these countries of the first after 1991 general election in local authorities, national parliaments and European Parliament.

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