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## Dismantling of education in minority languages in Latvia

### Contents

[1] A historical and demographical background .....	1
[2] The reduction of the minority school network.....	2
[3] Particular Romani situation and general minority schools staff issues.....	3
[4] The diminishing use of minority languages in schools and discriminatory exam requirements.....	4
[5] Government plans to abolish public minority schools and pressure on private schools .....	6
[6] Conclusion.....	7

### [1] A historical and demographical background

Latvia has a long tradition of respecting linguistic diversity in education. After the founding of the Republic of Latvia in 1918, alongside Latvian-language schools, a wide network of public minority schools – both primary and (except Estonian) secondary – was created, comprising German and Russian (having existed before independence, too) as well as Jewish, Polish, Belarusian, Estonian and Lithuanian schools. The instruction there was conducted in minority languages, with exceptions for Latvian history and Latvian geography. The public bodies of tertiary education had Latvian as the language of instruction, but there were also private colleges working in German (Herder Institute) and Russian (Russian Institute of University-type Education).

During the ethno-nationalist dictatorship of Karlis Ulmanis (1934-1940), the network of minority schools was harshly reduced, and minority colleges were closed. During the World War II, the networks of Jewish and German schools were destroyed. Under Stalin's harsh rule after WWII, the last remaining Polish and Estonian schools were closed.

In later Soviet time between Stalinism and Gorbachev *perestroika* (1953-1988), there were two networks of education bodies in Latvia, one offering instruction in Latvian and another in Russian language. Both comprised all education levels from kindergartens to universities. In many schools and universities, there were so-called „dual streams” with part of students studying in Latvian and another part in Russian.

During *perestroika* and the first years of newly independent Republic of Latvia, schools of several smaller national minorities were re-established (Jewish, Polish, Belarusian, Lithuanian, Estonian) or created anew (one Ukrainian school). However, the instruction in a part of them is virtually completely conducted in Latvian or using Latvian and Russian.

In 1998, the current Education Law<sup>1</sup> was adopted. In its initial version, it had provided for elimination of instruction in languages other than Latvian in public tertiary education bodies (generally implemented by 1999, with some exceptions made for the EU official languages) and, by 2004, in grades 10-12 of public schools.

Notably, the reform was contrary to the continuing demand for education in Russian, even concerning tertiary education – as at 2015, 30 % of students of private tertiary education institutions studied in Russian.<sup>2</sup>

After wide protests of minorities – the biggest protests in Latvia since regaining independence<sup>3</sup>, – in 2004, the Education Law was amended. Now, it provides for bilingual education in minority public basic schools (grades 1 to 9) and for at least 60 % of the curriculum to be taughts in Latvian in grades 10-12 of minority public high schools (grades 10 to 12).

According to the population census of 2011, 37,2 % of the population (those having answered the question) use Russian language at home, 0.7 % use other minority languages.<sup>4</sup>

## [2] The reduction of the minority school network

The network of Russian and Polish minority schools (almost exclusively, those are public ones, and, therefore, already bilingual in their practice since 1990s) is being gradually abolished. According to the Ministry of Education and Science<sup>5</sup>, the reduction is as follows:

Academic year	Latvian-language only schools	“Dual stream” schools (Latvian-language only classes and bilingual classes with some instruction in Russian)	Russian minority schools (overwhelmingly – bilingual ones)	Polish minority schools (all bilingual)
1998/1999	728	145	195	5
2010/2011	646	73	103	5
2015/2016	620	60	94	4

Notably, the use of instruction in minority languages in virtually all of those schools (in all public schools) is limited, according to the aforementioned laws. The number of schools and „streams”

<sup>1</sup> Education Law (2015 version) [http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Education\\_Law.doc](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Education_Law.doc)

<sup>2</sup> The report on tertiary education in Latvia in 2015 [http://www.izm.gov.lv/images/izglitiba\\_augst/Parskats\\_2015.pdf](http://www.izm.gov.lv/images/izglitiba_augst/Parskats_2015.pdf) p. 67 (Latvian)

<sup>3</sup> Freedom in the World 2005 - Latvia <http://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=473c550523>

<sup>4</sup> At home Latvian is spoken by 62% of Latvian population; the majority – in Vidzeme and Lubāna county <http://www.csb.gov.lv/en/notikumi/home-latvian-spoken-62-latvian-population-majority-vidzeme-and-lubana-county-39158.html>

<sup>5</sup> See “pa plusmam” (“by streams”). “Latviešu”=“Latvian”, “Krievu”=“Russian”, “Poļu”=“Polish” [http://www.izm.gov.lv/images/statistika/visp\\_izgl/2015\\_2016/Vs\\_skolu\\_sk\\_15.xlsx](http://www.izm.gov.lv/images/statistika/visp_izgl/2015_2016/Vs_skolu_sk_15.xlsx) (Latvian)

working in Latvian language only is decreasing, too, due to demographic issues, but, as the data above show, it is much slower.

As a result of the changes, minority schools are now virtually unavailable in the smaller towns and rural areas of Western and Northern Latvia.

In particular, using the current administrative division, as used on MES website (5 regions and 9 cities), the numbers for Russian-language schools and „streams” are as follows in three from five regions:

Academic year	Vidzeme region (except cities)	Zemgale region (except cities)	Kurzeme region (except cities)
2009/2010 <sup>6</sup>	7	8	1
2015/2016	3	3	0

An example receiving attention of the European Commission against Racism and Intolerance was the closing of the last minority (Russian-language) classes in the town of Tukums<sup>7</sup>, unsuccessfully contested before courts<sup>8</sup>.

Besides, in some cases minority schools are downgraded. E.g., the only Estonian minority school was turned from a high school to a basic one in 2011.<sup>9</sup> Notably, the use of Estonian language was already quite limited there, at it has been mostly working according to programmes of Latvian-language schools, just with some Estonian-related subjects added – therefore, the school did not appear as a separate entity in the ministry statistics on schools by language of instruction (above).

### [3] Particular Romani situation and general minority schools staff issues

Despite an ECRI recommendation<sup>10</sup>, the tertiary education system does not provide schools with teachers specifically taught to teach in minority schools, using minority languages as language of instruction (except teachers of languages themselves). An additional obstacle is the fact that the government establishes mandatory Latvian language requirements for all teachers, irrespective of the language of instruction.<sup>11</sup>

<sup>6</sup> See “pa plusmam” (“by streams”). “Latviešu”=“Latvian”, “Krievu”=“Russian”, “Poļu”=“Polish” [http://www.izm.gov.lv/images/statistika/visp\\_izgl/2009\\_2010/02.xls](http://www.izm.gov.lv/images/statistika/visp_izgl/2009_2010/02.xls) (Latvian)

<sup>7</sup> Report on Latvia (fourth monitoring cycle) CRI(2012)3 <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Latvia/LVA-CbC-IV-2012-003-ENG.pdf> Para. 73, footnote

<sup>8</sup> Decision of the Administrative Regional Court of 05.11.2009. in case No. A7023109 (AA-43-2680-09/16), not published

<sup>9</sup> Nepietiekama skolēnu skaita dēļ divās Rīgas skolās šogad neatvērs 10.klasi <http://www.kasjauns.lv/lv/zinas/92386/nepietiekama-skolenu-skaita-del-divas-rigas-skolas-sogad-neatvers-10klasi> (Latvian)

<sup>10</sup> Report on Latvia (fourth monitoring cycle) CRI(2012)3 <http://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/Latvia/LVA-CbC-IV-2012-003-ENG.pdf> Para. 72

<sup>11</sup> Cabinet regulations No. 733 of 7 July 2009. Annex 1. Rows numbered as 2320-2342. <http://likumi.lv/doc.php?id=194735> A partly-outdated English translation available at [http://www.vvc.gov.lv/export/sites/default/docs/LRTA/MK\\_Noteikumi/Cab\\_Reg\\_No\\_733\\_-\\_Regulations\\_Regarding\\_the\\_Amount\\_of\\_the\\_Knowledge\\_of\\_the\\_Official\\_Language.doc](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/MK_Noteikumi/Cab_Reg_No_733_-_Regulations_Regarding_the_Amount_of_the_Knowledge_of_the_Official_Language.doc)

Notably, the Ombudsman's office, after a study in minority schools in 2013, has informed the State Language Center (under the Ministry of Justice) on several teachers allegedly not using Latvian good enough, and 6 of them were later fined by SLC.<sup>12</sup> Ombudsman's criticism of the teachers' Latvian skills was met with objections not only by trade union<sup>13</sup>, by also by the Ministry of Education and Science.<sup>14</sup>

The Roma minority remains in an especially difficult situation. According to 2000 census, only 0.4 % of Romanis aged 15 and older had had higher education. According to 2011 census, the value is 0.8 %.<sup>15</sup>

#### [4] The diminishing use of minority languages in schools and discriminatory exam requirements

On August 12, 2014, Cabinet regulations No. 468 were adopted.<sup>16</sup> Their annex No. 25 provides for minority public schools in grades 7 to 9 to teach at least 60 % of the curriculum in Latvian language or to follow one of government-developed models with similar proportions. This provision is applied since 2015.

In February, 2016, the new Cabinet led by Mr. Kučinskis has announced in its declaration that "A plan must be developed and launched for the transition to a unified education standard in the state language in state and local government funded educational institutions".<sup>17</sup>

Starting with 2008/2009 academic year in 10th grade and by 2010/2011 academic year in 12th grade of minority schools tuition in the subjects of Latvian language and literature should follow the curriculum of Latvian-language schools. The first unified exam of Latvian language and literature (also applicable to private minority schools) was in 2012, and since that time, the publication of exam results for Latvian schools and minority schools as separate groups was discontinued. However, the results of every particular school are still published<sup>18</sup>. After generalization, the results of 2013 exam are as follows:

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<sup>12</sup> Латвийский омбудсмен наслал Центр госязыка на русские школы! <http://ru.focus.lv/node/89123> (Russian)

<sup>13</sup> Профсоюз: Янсонс ошибся, обвинив учителей в незнании латышского языка <http://rus.delfi.lv/news/daily/politics/profsoyuz-yansons-oshibsy-a-obviniv-uchitelej-v-neznanii-latyshskogo-yazyka.d?id=43930112> (Russian)

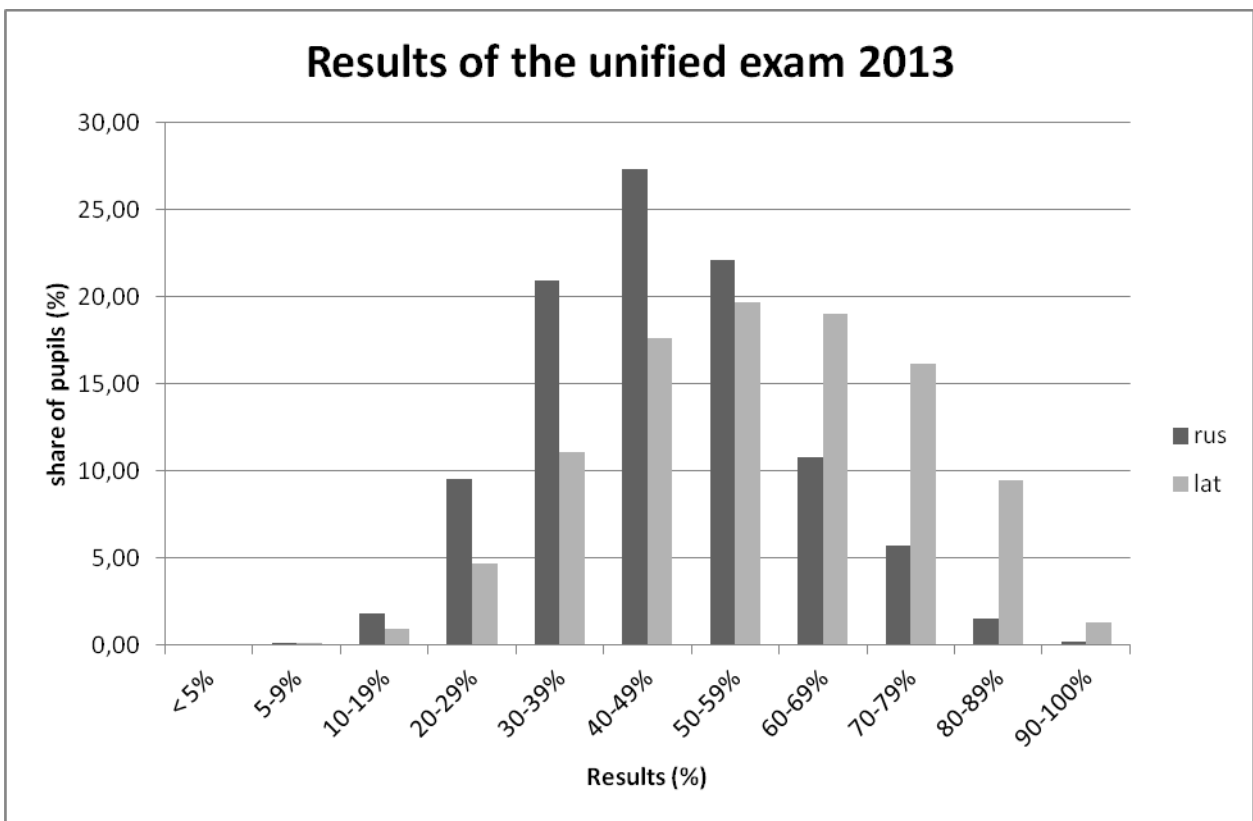
<sup>14</sup> Минобразования ответило на претензии Янсонса к русским школам <http://www.d-fakti.lv/ru/news/article/79616/> (Russian)

<sup>15</sup> Romu izglītības līmeni un nodarbinātību raksturojošie rādītāji Latvijā [http://www.km.gov.lv/lv/doc/ministrija/saliedeta\\_sabiedriba/Romi/Romi\\_Statistika.pdf](http://www.km.gov.lv/lv/doc/ministrija/saliedeta_sabiedriba/Romi/Romi_Statistika.pdf) (Latvian)

<sup>16</sup> Regulations No. 468, 07.07.2009. <http://likumi.lv//ta/id/268342> (Latvian)

<sup>17</sup> Declaration of the Intended Activities of the Cabinet of Ministers Headed by Māris Kučinskis [http://www.mk.gov.lv/sites/default/files/editor/deklaracija\\_en.pdf](http://www.mk.gov.lv/sites/default/files/editor/deklaracija_en.pdf) See p. 12.

<sup>18</sup> Website of the National Centre for Education - <http://visc.gov.lv/> (most information in Latvian)



It has to be noted that many post-secondary education bodies use Latvian language school exam for admissions. Thus the exam has an impact on the possibility to receive tertiary education, especially the free one – in publicly-funded universities and colleges. The lack of distinction in requirements for pupils having learned in Latvian only and bilingually, in the present situation, may amount to discrimination.

The significant differences in exam grades (in various subjects – some other subjects also show that newly teaching mostly in Latvian turns out to be less efficient for minority high schools) are summarised by our NGO in a study available in Russian.<sup>19</sup> The disparities in the Latvian language exam had been also recognized by authorities in 2012.<sup>20</sup>

It should be noted that there is some disparity in the percentage of those having obtained higher education among ethnic Latvians (23.8 % of those aged 15 and older, according to 2011 census) and ethnic minorities (22.0 %), mostly Russian-speakers<sup>21</sup> The disparity cannot be explained by the level of urbanization, because the minority population is more urbanised than the ethnic Latvians.

<sup>19</sup> Сравнительная оценка успеваемости выпускников латышских классов и классов с частичным обучением на русском языке по результатам централизованных экзаменов [http://www.lhrc.lv/axiv/Comparative\\_grades.pdf](http://www.lhrc.lv/axiv/Comparative_grades.pdf) (Russian)

<sup>20</sup> Даугавпилс: у школьников снизился уровень знаний госязыка (Daugavpils: the level of command of the official language has lowered among the pupils) <http://rus.delfi.lv/news/daily/latvia/daugavpils-u-shkolnikov-snizilsya-uroven-znaniij-gosyazyka.d?id=42533710> (Russian)

<sup>21</sup> <http://www.csb.gov.lv/en/statistikas-temas/population-census-30761.html> Choose “Population census 2011”, then “English” as language and “Final Results of the Population and Housing Census 2011”. Data compiled from TSG11-19

## [5] Government plans to abolish public minority schools and pressure on private schools

The most pressing concern with relation to linguistic discrimination is the intention of authorities to abolish instruction in minority languages in public education, with a possible exception of the subjects connected with the minorities' identity.

In February, 2016, the new Cabinet led by Mr. Kučinskis has announced in its declaration that “A plan must be developed and launched for the transition to a unified education standard in the state language in state and local government funded educational institutions”.<sup>22</sup>

Also, the Ombudsman J. Jansons has called to introduce education in Latvian language only (save the minority language, literature and culture) for pupils after 5 or 6 years of having been educated in Latvia. The main reason included in his letter to the President in January 2014 is mistranslation of the OSCE Hague recommendations regarding the education rights of national minorities. While the recommendations on secondary school (which starts in Latvia since grade 10, not 6 or 7) read as follows: „13 (..) the number of subjects taught in the State language, should **gradually** be increased. Research findings suggest that the **more gradual** the increase, the better for the child”<sup>23</sup>, the Ombudsman cites them as saying „In secondary schools, the number of subjects taught in the State language, should be increased **essentially**. Research findings suggest that the **bigger** the increase, the better for the child”. In the same time, the Ombudsman fully omits the beginning of the same para. 13., reading „13. In secondary school, a substantial part of the curriculum should be taught through the medium of the minority language”.<sup>24</sup>

Notably, a study conducted by Ombudsman's Office itself, in 2013, shows that only a quarter of minority school pupils surveyed wish to study in Latvian only.<sup>25</sup>

In May, 2016, a long-functioning Russian-language private school *Innova* has been refused renewal of accreditation, based on claims (according to media reports, originating from Security Police) that some of the schools founders and teachers don't foster the cohesion of society, sense of belonging and loyalty to Latvia.<sup>26</sup> The founder of the school, Dr Zeļcermans, is known as a critic of education

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<sup>22</sup> Declaration of the Intended Activities of the Cabinet of Ministers Headed by Māris Kučinskis [http://www.mk.gov.lv/sites/default/files/editor/deklaracija\\_en.pdf](http://www.mk.gov.lv/sites/default/files/editor/deklaracija_en.pdf) See p. 12.

<sup>23</sup> The Hague recommendations regarding the education rights of national minorities <http://www.osce.org/hcnm/32180?download=true>

<sup>24</sup> Quotation in the Ombudsman's letter, in Latvian: “Vidusskolās mācību priekšmetiem, kas tiek pasniegti valsts valodā, ir jātiek **būtiski** palielinātiem. Pētījumu rezultāti norāda uz kopsakarību, jo **izteiktāks** ir palielinājums, jo labāk bērnam”.

[http://www.tiesibsargs.lv/files/content/vestules/Bilingvala\\_izglitiba\\_Vestule\\_Valsts\\_prezidentam\\_14012014.pdf](http://www.tiesibsargs.lv/files/content/vestules/Bilingvala_izglitiba_Vestule_Valsts_prezidentam_14012014.pdf) A correct Latvian translation, reading as follows: “13 (..) Šajā periodā būtu **pakāpeniski** jāpalielina valsts valodā mācāmo priekšmetu skaits. Pētījumi liecina – jo **pakāpeniskāks** ir šis process, jo labāk bērniem” is available at the website of the Human Rights Institute of the University of Latvia <http://www.humanrights.lv/doc/regional/hagrec.htm>

<sup>25</sup> [http://www.tiesibsargs.lv/files/content/konference\\_2013/1\\_tema\\_A\\_Ilves\\_Bilingvala\\_izglitiba\\_LV.pdf](http://www.tiesibsargs.lv/files/content/konference_2013/1_tema_A_Ilves_Bilingvala_izglitiba_LV.pdf) (Latvian)

<sup>26</sup> Newspaper: report PB Riga school denied accreditation because of disloyalty <http://bignews2day.com/en/news/breaking-news-gazeta-posle-otcheta-pb-rizhskoj-shkole-otkazali-v-akkreditatsii-iz-za-nelojalnosti> See also <http://www.la.lv/atsaka-akreditaciju-aizdomigai-privatskolai-innova/> (in Latvian) & <http://rus.delfi.lv/news/daily/latvia/gazeta-posle-otcheta-pb-rizhskoj-shkole-otkazali-v-akkreditacii-iz-za-nelojalnosti.d?id=47559767> (in Russian)

policies of Latvian authorities. Concerning the bridge-building, he took part in organising the "Immortal Regiment" event in Riga to commemorate the Allies soldiers of the WWII. The "Immortal Regiment" originates from Russia and, while initially a civic initiative, had been also used by Russian authorities. Mr Zeļcermans has been criticised for the participation in organising the event by the Security Police in its 2015 annual report.<sup>27</sup> Notably, Dr Zeļcermans has been a target of a recent Anti-Semitic attack by a MP from co-ruling Union of Greens and Farmers.<sup>28</sup>

On September 30, the State Education Quality Service (SEQS) has also denied renewal of licence for "Innova". Some of the grounds named seem to be neutral – a specially-equipped room for physical education is lacking. Some are peculiar to Latvian restrictive laws – some teachers are considered to have insufficient skills in Latvian. All this is suspicious already – earlier, the school had received the licence, so it was obviously considered to meet all the necessary conditions. But the SEQS decision and comments by its officials also mention unspecified law enforcement information about "lack of loyalty" by some unnamed teachers.<sup>29</sup> It is not specified, which teachers are blamed and for which actions. Thus, the school can neither fire the suspect teachers nor present specific objections against the vague accusations.

### [6] Conclusion

By closing minority schools and reducing the use of minority languages in the remaining ones, the Republic of Latvia does not fulfil its acceptance of a recommendation received during the first round of the Universal Periodic Review in 2011 – "Maintain State preschool and general education institutions with education/teaching in minority languages, including the Russian language".<sup>30</sup>

It also acts against the Latvia-ratified UNSECO Convention against Discrimination in Education and Article 4 of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, which Latvia supported.

Moreover, relevant regional standards – OSCE Hague recommendations regarding the education rights of national minorities and Articles 13 and 14 of the Framework Convention for the Protection of National Minorities – are ignored.

Efforts to solve the particular educational problems of Romani minority remain insufficient.

Therefore, the educational and linguistic rights of more than a third of population (mostly, but not exclusively Russian-speakers) are severely curtailed, and the plans of the current government include even harsher restrictions.

Aleksandrs Kuzmins, LL.M., secretary-executive

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<sup>27</sup> <http://www.dp.gov.lv/en/?rt=documents&ac=download&id=15> See p. 14.

<sup>28</sup> [http://www.tvnet.lv/zinas/latvija/604813-saeimas\\_slepenaka\\_komisija\\_apspriz\\_serzanta\\_izteikumus\\_par\\_ebrejiem](http://www.tvnet.lv/zinas/latvija/604813-saeimas_slepenaka_komisija_apspriz_serzanta_izteikumus_par_ebrejiem) (in Latvian) <http://vesti.lv/news/deputat-serzhants-nazval-desyaty-vragov-latvii/print> (in Russian). See also an English-language text about the beginning of the incident, yet without mentioning Mr Zeļcermans' name, at <http://www.lsm.lv/en/article/politics/government-mp-clever-jews-undermining-national-security.a173119/>

<sup>29</sup> <http://www.bbc.com/russian/features-37694628> & <http://rus.delfi.lv/news/daily/latvia/nepravilnaya-shkola-kto-stal-pervoj-zhertvoj-borby-za-loyalnost-uchitelej.d?id=47984993> (in Russian)

<sup>30</sup> A/HRC/18/9, para. 92.15.