



CLSF Latvijas Cilvēktiesību komiteja F.I.D.H. Latvian Human Rights Committee

МФПЛ Латвийский комитет по правам человека

Reg. No. 40008010632, address: 102a, Dzirnavu Str. Riga, LV1050, Latvia. Phone +371 26420477

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New evidence of discrimination on political grounds against human rights activist Dr Engel

In February-March 2015, prominent Jewish anti-discrimination and human rights activist, citizen of the Russian Federation Dr Valery Engel was again subjected to persecution by Latvian authorities. Latvian Human Rights Committee (LHRC) had already noted that in September 2014 Dr Engel's application for an extension of temporary residence permit was rejected under false pretext, and the consideration period of his application was extended to 10 months in total.

Dr Engel's ability to reside in Latvia has a direct effect on his family life. He lives in Riga with his wife and daughter, both citizens of Latvia, but works in Moscow, where he also takes care of his elderly mother. Therefore, the rejection to extend his temporary residence permit was detrimental to his right to family life and right to work. While being allowed to stay in Latvia during the consideration period, Dr Engel is not allowed to cross the border. To defend his rights, Dr Engel filed a complaint in court regarding the excessively long period of consideration of his case. On 9 March 2015, Riga Administrative Court dismissed the case, referring to a request of some "competent authorities". Despite the fact that in such circumstances the law requires an explanation, the court found that existence of a "request" from security services is a sufficient reason for restricting his rights. Thus, this case establishes a dangerous precedent where a formal decision or conclusion of intelligence agencies is no longer required to restrict subject's family life and the right to work. Instead, a written or oral request resistant to judicial review is sufficient.

It is important to note that the trial had established that the aforementioned request of "competent authorities" is the only reason for delaying the decision on extending Dr Engel's residence permit. This and other facts indicate that the human rights activist is subjected to persecution and discrimination for his political views.

Further evidence testifying to this conclusion is the tax audit of organisations directly or indirectly related to Dr Engel soon after his residence permit case went to court. On 10 February 2015, the court requested the Office of Citizenship and Migration Affairs (OCMA) explain its decision. On February 18, the State Revenue Service organised tax audits of a non-governmental organisation *European Center for Democracy Development*, presided by Dr Engel, as well as a private company and a NGO presided by his wife, Dzeneta Dzeiranashvili. Interestingly, the date by which all organisations had to file the requested documents was exactly the same as the date of the court hearing – 9 March 2015. As of now, the audit continues.

Political motivations behind Dr Engel's case are evidenced by the reaction of Latvian authorities to his request for a long-term visa, so that he can return to Latvia for multiple visits while his

application is being considered. Originally, OCMA rejected Dr Engel's request, informing him that he could only be granted a visa if he abandons his second citizenship of Israel and provides the Latvian migration office with proof that he notified the Russian Federal Migration Service of his dual citizenship. Thus, the strange requirement to abandon citizenship of Israel and check his compliance with Russian domestic legislation became an obstacle to Dr Engel receiving a visa on short notice. The decision on the merits was made only after Engel provided OCMA with the requested proof and after 9 March 2015, when the court had ruled that a long-term visa is an appropriate compensation for legal restrictions that arose during the consideration period. The Office made a formal decision on 11 March 2015. However, instead of a multiple entry visa, Valery Engel was provided with a single visa for the remaining four-month period, which essentially disregards the court decision.

Latvian Human Rights Committee believes that persecution on political grounds is evident in this case. It is related to a publicised position of Latvian intelligence agencies regarding problems with the country's image abroad. According to this position, criticism of xenophobia, anti-Semitism and the revival of Nazism in Latvia is undermining its position on the international arena. It is well-known that Dr Valery Engel was involved in the publication of *White Papers of Hate* – a book dedicated to issues of xenophobia and discrimination in 20 countries in Europe. While Dr Engel was editor and co-author of the chapter dedicated to Russia, the book also has several pages dedicated to Latvia, which probably displeased many politicians and Latvian intelligence services. It is possible that one of the reasons for persecution was Dr Engel's previous post as Vice President of *World Without Nazism* human rights movement, which had also repeatedly criticised the Latvian government.

Clearly Latvian intelligence agencies continue to 'settle scores' with the human rights activist, resorting to unseemly forms of pressure. Dr Engel is subjected to discrimination by Latvian authorities for his political beliefs and his wife finds herself hostage in this war against him. Thus, methods that the Latvian government readily condemns in other countries are actively used in Latvia against its own dissidents – in this case, against a senior activist of the Jewish independent movement in the former USSR, who also fought for the Latvian independence. Thereby the Latvian authorities continue to violate Article 91 of the Latvian Constitution (prohibition of discrimination), as well as Article 8 of the European Convention on Human Rights and Article 17 of the International Covenant on Civil and Political Rights.

Latvian Human Rights Committee demands a stop to the persecution and pressure against Jewish and human rights activist Dr Valery Engel as well as his family. We intend to continue monitoring the situation and inform the broad international community of any developments.