

**Comments by LASHOR [lə'ʃo:r],
the Association for Support of Schools with Russian Language of Instruction
in Latvia
on
Implementation of the Framework Convention for the Protection of National
Minorities in Latvia**

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LASHOR welcomes this opportunity to provide views to the Advisory Committee on the implementation of Framework Convention for the Protection of National Minorities (Convention) in Latvia in connection with the first Report submitted by Latvia Pursuant to Article 25, paragraph 1 of the Convention on implementation of the Convention (State Report).

LASHOR hopes the information provided below will be reflected in the Conclusion of the Advisory Committee on Latvia.

Our Comments relate to the implementation of Articles 12, 14 and 15 of the Convention.

Article 12

- 1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.**
- 2. In this context the Parties shall *inter alia* provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.**
- 3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.**

Education in minorities' languages

A dramatic reduction of instruction in Russian and the increase of instruction of children belonging to a Russian-speaking minority in the Latvian language were implemented by the state in 1998-2004 in Latvia.

The present composition of instruction languages in primary and secondary school is the consequence of the Programme of Education Transition to the State (Latvian) language that was developed by Ministry of Education and Sciences (MES) in 1998.

As the result of the transition the state-guaranteed right of persons belonging to national minorities to study in the native language was eliminated from the Education Law and from the Law on Languages. The legal status of schools with the Russian language of instruction was substituted for the status of schools with educational programmes for national minorities.

The instruction within the general secondary programmes for national minorities should be performed mainly in Latvian at present. It is according to the article 9, part 3 of the Education Law Transitional Provisions that "The State general secondary education standard, the State professional standard and the State professional secondary education standard shall specify that the acquisition of the content of studies in the official [here, Latvian] language shall be ensured for not less than three-fifths of the total teaching hour load in the academic year, including foreign languages, and shall ensure with the minority language, the acquisition of

identity and culture associated studies content in the minority language.”¹ It means that in secondary schools which in terms of the state statistics and the State Report are considered minorities’ school 60% of studies shall be implemented in Latvian, and up to 40% in minority language.

The bilingual education is experienced within general primary educational programmes for national minorities. A rising intensity of teaching in Latvian each time a student passes to the next class at the next primary education level supposes to ensure the ability of school students to study mostly in Latvian later in secondary school.

The paragraph 163 of the State Report misleads affirming that state-funded educational programmes in Latvia are implemented in eight national minority languages. In fact, there are only two of them that can be regarded as languages of instruction – Russian and Polish. The other six are taught predominantly at particular language lessons. Moreover, in both primary and secondary school an essential portion of instruction shall be provided at schools in Latvian as it was stipulated above.

Monitoring Quality of Education in Schools of Minorities

Monitoring the quality of general education became a priority of the state politics after the Constitutional Court in its decision in 2005 had found, that the existing control mechanism of bilingual instruction in minority schools was inadequate. A direct response to the challenge was the establishment of the National Agency for Monitoring Quality of General Education as it is mentioned in paragraph 175 of the State Report.

Yet, it is not true that one of the most important tasks of the Agency is “to follow up on the quality of implementing national minority curricula” (paragraph 175, bullet 1). Neither in its Statutes², nor in the Strategy of the Agency³ the quality of national minority education is even mentioned. Nor in practise it examines the results of transition of minorities’ education to the instruction in Latvian.

The influence of the transition of education to the Latvian language on the quality of education can be judged in the long run. Now, the conclusions may be made

¹ The Education Law is available at the web page Ministry of Education and Science (<http://izm.izm.gov.lv/laws-regulations/2093.html>)

² The Statutes of the National Agency for Monitoring Quality of General Education is available in Latvian at the web page (http://www.viknva.gov.lv/shared/public/VIKNVA/Normativie%20dokumenti/Nolikums/agent_nolikums.doc)

³ The Strategy of the National Agency for Monitoring Quality of General Education is available in Latvian at the web page (http://www.viknva.gov.lv/shared/public/VIKNVA/Strategija/VIKNVA%20strategija_gatava.doc)

about the aftermath that was effected in the late 90s when the education standard claimed to teach at least three subjects in secondary minorities' schools in Latvia.

One can rely upon the information provided by MES on the results of centralised examinations. These exams are organised on the basis of similar tasks offered to students of all schools regardless of the instruction language and are held at the end of the acquisition of the general secondary education programme. MES data prove that the evaluation marks at the centralised examinations in minorities' schools have been lower than those in the Latvian schools right in the subjects that had been chosen for teaching in Latvian. Usually, those subjects were History of Culture, Economic Basics of Business and Geography, which school administration probably considered being 'easy' ones.

In 2003 and 2004, good marks were received at the centralised examinations both in Latvian and in non-Latvian schools more or less equally in all subjects except of those mentioned above. So, in 2003, 53% of students in Latvian schools and 36% of students in non-Latvian schools received good marks in History of Culture. Accordingly, in 2004, 67% of students in Latvian schools and 47% in non-Latvian schools did. Economic Basics of Business: 65% of students of Latvian schools and 50% of students of non-Latvian schools got good marks in 2003. In 2004, 59% and 48% did. Geography: 46% and 29% in 2003, 64% and 45% in 2004. The difference between evaluation marks in Latvian schools and in Russian schools is evident.

Closure of schools

Due to the birth rate reduction in 80s and 90s the number of school students decreases in Latvia and consequently schools are getting closed. It relates to both majority and minorities' schools (See Table 1 below).

Meanwhile, the statistics of MES proves that the overall amount of schools with Latvian language of instruction (Latvian schools) remains more or less the same, whereas the number of schools with Russian language of instruction (Russian schools) every year gets fewer (See Table 2 below).

It happens because Latvian schools are established anew either by dividing of the existing schools or by allocating new schools out of them. Nothing similar happens with Russian schools.

The reason is that a legal determination of Latvian and non-Latvian schools is different. The Education law ensures that "Education shall be acquired in the official [Latvian] language in State and local government education institutions" (Article 9, part 1). "Education may be acquired in another language in State and local government educational institutions in which educational programmes for ethnic minorities are implemented." (Article 9, part 2, paragraph 2). Therefore, it is a local government that takes a decision whether a minority school is necessary. Please take into account that a large number of persons belonging to minorities in

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Latvia are so called “non-citizens” (“alien passport” holders), who do not have rights to vote and to be elected to municipalities and to the Saeima, consequently, they are not politically represented in power and cannot influence the decision taking by the authorities.

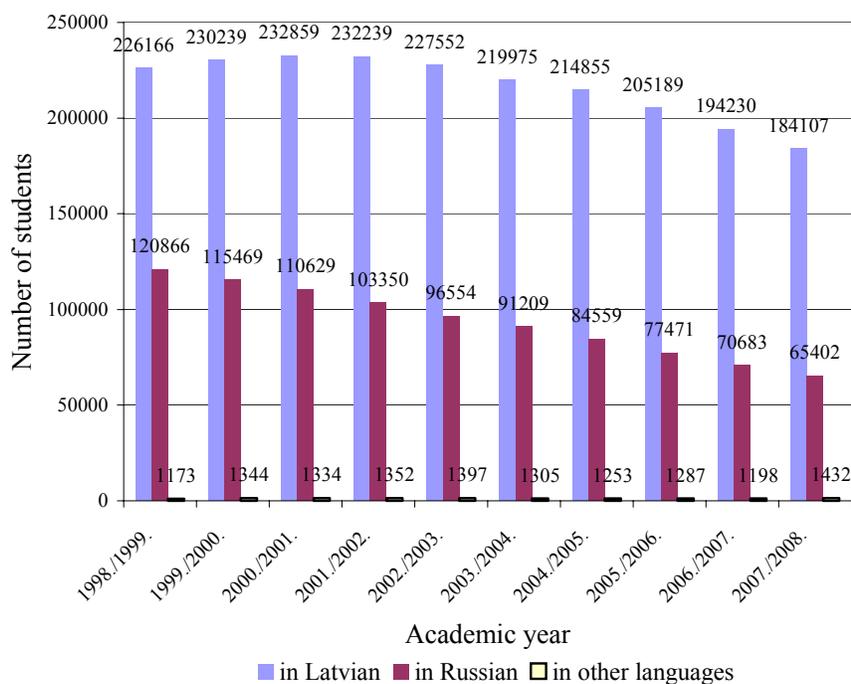
The reduction of the number of school students who study in Russian has been determined by the choice of their parents, too. Minority parents prefer to send their children to Latvian schools sometimes in order to provide the command of the Latvian language undoubtedly for them rather than to experience in the Russian school under reformation.

The closure of Russian schools is going to remain an irreversible process in Latvia until legal guarantees are given to instruction in Russian and the institution of non-citizenship is abolished.

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Table 1. Students of general education day-time schools of Latvia by languages of instruction⁴

| Academic year | Total number of students | Study in Latvian | % | Study in Russian | % | Study in other languages | % |
|---------------|--------------------------|------------------|-------|------------------|-------|--------------------------|------|
| 1998./1999. | 348 205 | 226 166 | 64.95 | 120 866 | 34.71 | 1 173 | 0.34 |
| 1999./2000. | 347 052 | 230 239 | 66.34 | 115 469 | 33.27 | 1 344 | 0.39 |
| 2000./2001. | 344 822 | 232 859 | 67.53 | 110 629 | 32.08 | 1 334 | 0.39 |
| 2001./2002. | 336 941 | 232 239 | 68.93 | 103 350 | 30.67 | 1 352 | 0.40 |
| 2002./2003. | 325 503 | 227 552 | 69.91 | 96 554 | 29.66 | 1 397 | 0.43 |
| 2003./2004. | 312 489 | 219 975 | 70.39 | 91 209 | 29.19 | 1 305 | 0.42 |
| 2004./2005. | 300 667 | 214 855 | 71.46 | 84 559 | 28.12 | 1 253 | 0.42 |
| 2005./2006. | 283 947 | 205 189 | 72.26 | 77 471 | 27.28 | 1 287 | 0.45 |
| 2006./2007. | 266 111 | 194 230 | 72.99 | 70 683 | 26.56 | 1 198 | 0.45 |
| 2007./2008. | 250 941 | 184 107 | 73.37 | 65 402 | 26.06 | 1 432 | 0.57 |

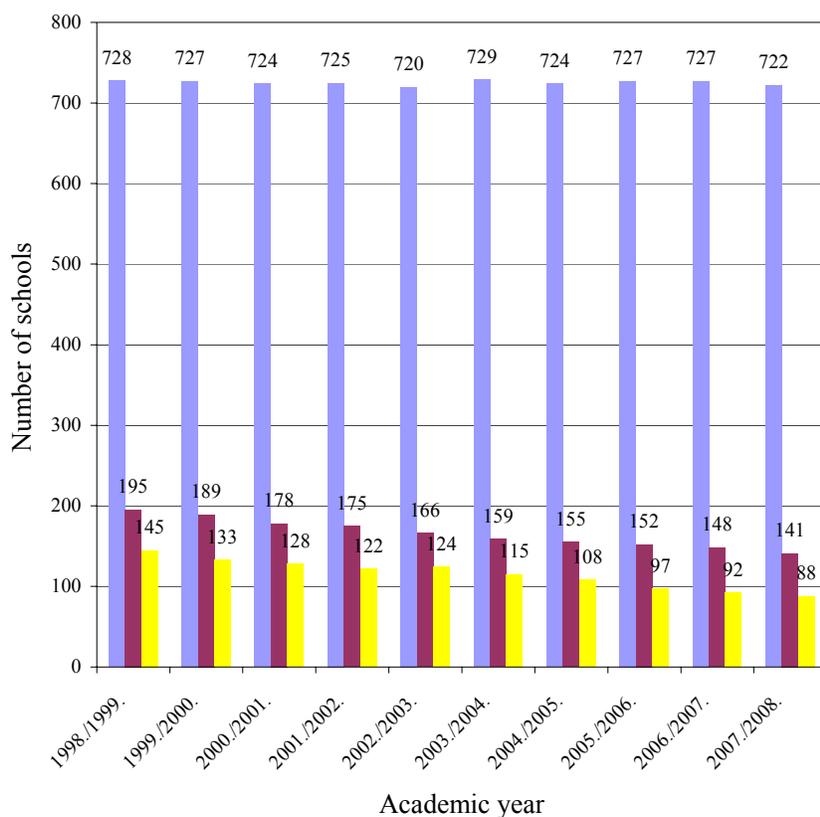


⁴ Statistics of Ministry of Education and Sciences
(http://izm.izm.gov.lv/upload_file/Izglitiba/Vispareja_izglitiba/Statistika/2007/apmac_val_skoleni_07.xls)

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Table 2. General education day-time schools of Latvia by languages of instruction⁵

| Academic year | Total | Latvian | Russian | Latvian & Russian | Polish | Ukrainian | Byelorussian (* incl. 1 Lithuanian school) | English |
|---------------|-------|---------|---------|-------------------|--------|-----------|--|---------|
| 1998./1999. | 1074 | 728 | 195 | 145 | 5 | 1 | 0 | 0 |
| 1999./2000. | 1057 | 727 | 189 | 133 | 5 | 1 | 2* | 0 |
| 2000./2001. | 1037 | 724 | 178 | 128 | 5 | 1 | 1 | 0 |
| 2001./2002. | 1029 | 725 | 175 | 122 | 5 | 1 | 1 | 0 |
| 2002./2003. | 1017 | 720 | 166 | 124 | 5 | 1 | 1 | 0 |
| 2003./2004. | 1009 | 729 | 159 | 115 | 4 | 1 | 1 | 0 |
| 2004./2005. | 993 | 724 | 155 | 108 | 4 | 1 | 1 | 0 |
| 2005./2006. | 983 | 727 | 152 | 97 | 4 | 1 | 1 | 1 |
| 2006./2007. | 974 | 727 | 148 | 92 | 4 | 1 | 1 | 1 |
| 2007./2008. | 958 | 722 | 141 | 88 | 5 | 1 | 1 | 0 |



⁵ Statistics of Ministry of Education and Sciences
(http://izm.izm.gov.lv/upload_file/Izglitiba/Vispareja_izglitiba/Statistika/2007/skolu_sk_07.xls)

Article 14

- 1. The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.**
- 2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.**
- 3. Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.**

Persons belonging to national minorities in Latvia are instructed in both the native language and Latvian. The transition to education in the Latvian language was performed without consultations and discussions with parents of children who attended general education schools. Nor the means and terms of transition were discussed with them. LASHOR was established to oppose undemocratic and unfair reform of minority school as well as to develop an alternative reforming that would suppose the maintenance of teaching in Russian, the tie of children with the country of ethnic origin and their integration in the society of Latvia. The State report does not regard the topic of ‘sufficient demand’ for receiving instruction in the mother tongue at all. However the response to the activities of LASHOR being a part of a broader public movement proves such a demand.

Our association held three conferences of the parents of schoolchildren attending schools with Russian language of instruction (25 November, 2000 – 500 participants; 24 November, 2001 – 1300 participants; 14 September, 2002 – 900 participants). Each of the conference assembled participants from all towns and districts of Latvia where children were taught in Russian. The conferences adopted the draft documents that LASHOR introduced. They suggested demands and proposals. Their principal motto was “To study in the native language!”. Meanwhile, Mr. Karlis Greishkalns, the Minister of Education and Science ignored them then and reproached us for an alleged attempt to politicise the problem whereas everybody in Latvia supposedly accepted the transition of education to the Latvian language.

To foster the demonstration of the demand of taxpayers for receiving instruction in the native language LASHOR with the assistance of other NGOs standing for education in Russian held a mass rally under a slogan “For a Free Choice of the Language of Instruction!” in the centre of Riga on 23 May, 2003. About 10 thousand people from Riga and elsewhere in Latvia participated in the rally. That meeting was held under the state banners and was absolutely loyal to the state. Still, LASHOR met public accusations of anti-state activities from leading figures of the government and political elite.

After the manifestation LASHOR and other NGOs collected about 107000 signatures under the Declaration “For a Free Choice of the Language of Instruction!” which was introduced to Mr. Karlis Shadurskis, the Minister of education and sciences in September, 2003. However he neglected the Declaration as he confirmed that for legal consideration the signatures should have been certified by a notary. We regarded his reaction as nothing but imitation of dialogue. And later also, under the excuse of the provocative attempt of Russian radicals to burn down the door at the entrance to the building of MES, the same Minister accused LASHOR of incitement of ethnic clashes.

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

Consultative bodies

The Consultative Councils were widely advertised by statesmen as a form of cooperation between state institutions of Latvia and NGOs in the field of national minorities’ issues. LASHOR has participated in three of them: The Consultative Council for Minority Education Issues established by MES, the Consultative Council of Nationalities and Social Integration, and the Council of Minority NGOs’ Representatives established by the Secretariat of the Special Assignment Minister for Integration of Society.

All three have been arranged under the auspices of the state institutions. The goal of all three is considered to take decisions on issues of integration of national minorities in Latvia. The institutions that established the Councils pose members of the Councils as representatives of communities. However, all except for, maybe, the Council of Minority NGOs’ Representatives, are the Councils of experts who can represent nobody but themselves. Officers of ministries have many times displayed Consultative Councils to international observers as a testimony of the dialogue, whereas such attempts rather camouflaged the absence of real activities.

The closer is the agenda of the Consultative Council to political issues of the integration of society, the stronger is the control of the state officers upon taking the decision by the Council.

Still, the positive meaning of Councils used to be the actualisation of problems as those of the mainstream politics of Latvia. Sometimes, it was due to the presentations made at the meetings of the Councils that the society became informed about the positions and initiatives of NGOs.

MES Consultative Council for Minority Education Issues

The mentioned trends can be most evidently traced in the activities of MES Consultative Council for Minority Education Issues. It was MES that implemented the crucial project of domestic policy in Latvia – the transition of minorities' education to the Latvian language of instruction. As the transition had been launched without consultations with the civic society, the task of the Council was to fill in this gap.

The Council was established in February 2001. Eight civil servants and seven schoolmasters made up a majority in the total of 22 Council members. Please note, that according to the Article 17, part 3, paragraph 2 of the Education Law schoolmasters are appointed to their positions with agreement of MES. Therefore the decisions of the Council were absolutely foreseeable. As a result of LASHOR initiative, the composition of the members of the Council slightly improved in favour of NGOs in December, 2004. Yet, it remained dependent on MES.

After a new restructuring of the Council in January, 2007 the presence of MES-controlled figures in the Council became even more imposing. There are 16 members in MES Council at present. It includes 11 schoolmasters, one ministry officer, two officers of education institutions and two NGO representatives. So, the state has ensured a strong majority in case of any voting.

The dialogue with the Ministry of Education and Sciences

LASHOR was a member of MES Consultative Council since the establishment of the latter. Our task was to actualise, by means of the Council, the problems of the school reform as well as introduce to public an alternative reformation of minorities' education.

We introduced a draft programme of primary and secondary education of national minorities to the attention of the Council in 2001. The draft was worked out according to the ministerial requirements. The Council announced that it could be implemented by schools if licensed with MES. Meanwhile, MES officers warned the schoolmasters that the programme had not been prepared enough and did not provide sufficient knowledge of Latvian. Practically, they gave 'black spot' to the LASHOR programme. It was estimated high by an international expertise in 2001⁶. Methodological assistance on the part of MES for making necessary provisions would have been most appreciated, but did not follow.

LASHOR has introduced an alternative reformation of minority education system in Latvia and offered relevant amendments for Education Law and General Education

⁶ Bilingual Education in Latvia: A report by international experts, 2002, Pieter Batelaan, Ludmila Choumak, Mark Diachkov, Francois Grin, Alex Housen, Alan N. Crawford, Karen M. Pedersen, Ekaterina Protassova, Irene Schwob, Iveta Silova. Soros Foundation - Latvia

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Law to the Consultative Council for further examination in the working group. Instead, the amendments were discussed briefly at the meeting of the Council and rejected.

As the 1 September, 2004, the date of transition of secondary education to the Latvian language approached, the government of Mr. I.Emsis envisaged the growth of tension in the society and, encouraged by left centrist politicians in the Saeima favoured the dialogue. LASHOR used that opportunity, offered its proposals once again and received a positive response that time. A working group on improvement of minorities' educational programmes on the basis of LASHOR draft programmes was established in MES. Another working group on the draft Law on National Minorities' Educational Institutions was established in MES, too. Both groups enrolled LASHOR representatives. The experts who worked out the draft Law made use of most of LASHOR proposals on alternative reforming of national minorities' education. However, on the eve of the government crisis and under the excuse of it the activities of the group on the draft have been interrupted in September, 2004.

The dialogue about the issues of transition of education to the Latvian language has been actually suspended under the government of Mr. A.Kalvitis that was put to power in December, 2004. The Minister of Education and Science Ms. I.Druviete let the public know that she regarded the draft Law on National Minorities Educational Institutions unnecessary.

During 2005, in spite of reiterated reminding by our association, MES refused to keep on the activities of the working group on the improvement of the existing curriculum on the base of proposals of LASHOR; on 14 December 2005, MES, with reference to the Consultative Council attempted to recognise the activities of this team as inexpedient.

Since 2005, MES has suspended the consultations with NGO within the Consultative Council. Important decisions on the minority education were adopted by MES without consideration in the Council. Neither the draft government regulations on the minimal and highest possible amount of pupils in a school class that determine the maintenance of minority classes were worked out, nor a new subject History of Latvia was included in the curriculum of primary schools with consultations in the Council. LASHOR introduced its proposals to MES on both issues, but wasn't invited for their considerations.

No invitation for participating in the meetings of the Council came in 2006. In February, 2007, LASHOR was expelled from the list of members of the Council with no explanations and comments. We learnt about the expulsion from newspapers.

The willingness of LASHOR to keep dialogue with MES was met with irritation and suspicions among Russian radical political figures in Latvia as all of them

placed reliance in bearing pressure upon the state as the only way to achieve rights of national minorities. Bitter critics and accusations of treason aimed at compromising LASHOR among Russian-speakers in Latvia. An inconsistent and hypocritical tactics of politicians in the government and officers of MES gave more fuel for the cynicism and destruction of the dialogue as well as indirectly justified those who blamed LASHOR.

Participation in making amendments in draft policy documents

In May, 2006 LASHOR developed a set of proposals for the draft of education standard for the general secondary school. The key proposal was the introduction of the mandatory test of national minority language and literature that concludes acquisition of secondary education. The government regulations offer the procedure for consideration of draft policy documents. In the course of a year, LASHOR passed all stages of it while participating in discussions on the proposal in the Centre for Curriculum Development and Examinations (CCDE, the Latvian acronym ISEC is also used) administered by MES and at a meeting held by State Secretaries of Ministries. And later, when ISEC found no essential objections against the proposal, the issue was passed for the political consideration of the Committee of the Cabinet of Ministers that consider draft policy documents, for which no agreement was reached at the State Secretaries' meeting and which are not coordinated among institutions. However, the issue had been taken out of the agenda ten minutes before the meeting of the Committee began. Though we were noted that LASHOR would be informed about the next meeting later, the draft document was considered right at the sitting of the government without any notification of it to LASHOR and without regarding our proposal.

About LASHOR

Established in 1996, LASHOR is a non-governmental organization engaged in the field of education of Russian-speaking population of Latvia and integration of the society of Latvia. There are 20 members of the organisation in the towns of Riga, Yelgava and Ventspils now.

LASHOR believes, that the primary and secondary school education exercised through the medium of the family language serves as the means of development of the native language and self-esteem of the students. It is the principal means of maintenance of national minorities' cultural and national identity. In the meantime we are confident that the maintenance of the Russian language and culture in Latvia can be provided only in interrelation and balance with the maintenance of the Latvian language and culture as well as the languages and cultures of other ethnic and linguistic groups of Latvia.