

Maria Curie Skłodowska University in Lublin

Faculty of Law and Administration

Paweł Siejak, MA

**The Influence of the Council of Europe on the Legal Position
of National Minorities in the Republic of Latvia**

This dissertation is devoted to the problem of the legal protection of national minorities in the Republic of Latvia since its regaining of independence in 1991 until present day. The aim of the dissertation is to present the influence of the Council of Europe on the process of developing the legal position of national minorities in the Republic of Latvia. The issue of the protection of national minorities in Europe remains crucial and complex in terms of the protection of human rights and safety in Europe.

The protection of national minorities constitutes an integral part of human rights. National minorities, both in the past and nowadays, face legal discrimination. The organization which contributes most to changes in the objective matter in Latvian legislation is the Council of Europe.

Chapter 1. pertains to the general characterisation of the Council of Europe and institutions important in terms of the protection of national minorities. The topic of this chapter is i.a. description of institutional system of the protection of human rights in the Council of Europe, explanation of significance of the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities, and the mechanisms of enforcing the protection of the rights of national minorities in the Council of Europe's system.

Chapter 2. presents the question of the protection of the rights of national minorities in the phase of striving for membership in the Council of Europe, i.e. the accession procedure. The subject of contemplation is the problem of national minorities as an element of a threshold requirements for the membership of the Republic of Latvia in the Council of Europe and actions undertaken by the Republic of Latvia.

In Chapter 3., there are presented the actions undertaken by the Republic of Latvia in its legislation under the influence of the monitoring procedure conducted with regard to the membership in the Council of Europe. In particular, there is analysed the monitoring procedure conducted by the Advisory Committee on the Framework Convention for the Protection of National Minorities, the European Commission against Racism and Intolerance and the Commissioner for Human Rights. The analysis of the case-law of the European Court of Human Rights and its influence on the change of the Latvian legislation is conducted.

Chapter 4. is devoted to cooperation of the Council of Europe with other international organizations in terms of the protection of the rights of national minorities in the Republic of Latvia. It presents cooperation, synergy, and correlation of actions conducted in the objective matter with the United Nations Organization, the European Union and the Organization for Security and Co-operation in Europe, and changes which occurred as a result of these actions in the legal system of the Republic of Latvia.

In summary, the research hypotheses are verified and there is proposed postulate *de lege ferenda* concerning improvement of the monitoring procedure.

Key words: the Republic of Latvia, the Council of Europe, national minorities, Russians in Latvia, national minorities in Baltic Countries, monitoring of human rights, human rights, non-citizens, citizenship, language rights.