



Latvijas Republikas ārlietu ministrs
Minister of Foreign Affairs of the Republic of Latvia

Rīga, NOVEMBER 27, 2019

Dear Ms Tendayi Achiume, Ms Boly Barry, Mr Kaye,
and Mr de Vareennes,

I acknowledge receipt of your letter of 24 September 2019 addressing the introduction of the new Regulation No.716 of the Cabinet of Ministers of the Republic of Latvia on language requirements in preschool education.

In response, I would like to provide you with an analysis of Latvia's international obligations deriving from different international instruments allowing to conclude that measures taken by the Latvian Government in the context of reform of the education system and the new Regulation No. 716 on public preschool education are in line with these obligations.

The present response has been divided into two parts. The first part contains an overview of Latvia's international obligations relevant to the issue of national minority education focusing on the preschool level. The second part deals with the *de facto* situation in Latvia during and after the reforms.

Ms E. Tendayi Achiume, Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance

Ms Koumbou Boly Barry, Special Rapporteur on the right to education

Mr David Kaye, Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Mr Fernand de Vareennes, Special Rapporteur on minority issues

I. AN OVERVIEW OF LATVIA'S INTERNATIONAL OBLIGATIONS RELEVANT TO NATIONAL MINORITY EDUCATION

The International Convention on Elimination of All Forms of Racial Discrimination ('the ICERD') envisages the rights to education and training.¹ The rights to education without discrimination have also been stipulated in other international human rights treaties to which Latvia is a State Party. For example, the International Covenant on Economic, Social and Cultural Rights ('the ICESCR'); the International Covenant on Civil and Political rights ('the ICCPR'); the Convention on the Rights of the Child ('the CRC'); Article 2 of Protocol 1 of the European Convention on Human Rights and Fundamental Freedoms ('the ECHR'); and the Framework Convention on National Minorities ('the FCNM').²

I.1. The rights of persons belonging to minorities to education under the ICERD

I.1.1. The general application of the obligations set out in the ICERD regarding the rights to education

While General recommendations Nos. 27, 29, 34 and 35 adopted by the Committee on the Elimination of Racial discrimination ('the CERD') on the implementation of the ICERD address obligations imposed upon States in the context of Article 7 of the ICERD, references to 'intercultural bilingual education' can be equally applied to obligations set out in Article 5 of the ICERD as both explain States' obligations in ensuring the right to education³. Therefore in the present letter both Articles will be considered together.

The goal of Article 5 in conjunction with Article 7 of the ICERD is that States create a national educational system available to all without any direct or indirect discrimination either *de facto* or *de jure*⁴. In this regard, the ICERD provides a twofold approach. Namely, it recognises the right of individuals to education as an inalienable human right that is crucial to the realization of a wide array of other human rights and an indispensable agency for the expansion of human capabilities and the enhancement of dignity. It also imposes an obligation upon States to create an education system, which ensures that individuals can

¹ UN General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, 21 December 1965, UNTS, vol. 660, p. 195.

² UN General Assembly, *International Covenant on Civil and Political Rights*, 16 December 1966, UNTS vol. 999, p. 171; UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, 16 December 1966, UNTS, vol. 993, p.3; UN General Assembly, *Convention on the Rights of the Child*, 20 November 1989, UNTS, vol. 1577, p.3; Council of Europe, *European Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols Nos. 11 and 14*, 4 November 1950, ETS 5; Council of Europe, *Framework Convention for the Protection of National Minorities*, 1 February 1995, ETS 157.

³ UN CERD, *General Recommendation No.27: On discrimination against Roma*, adopted on 16 August 2000; UN CERD, *General Recommendation No.29: on Descent/Caste*; UN CERD, *General Recommendation No.34: On Racial discrimination of people of African descent*, UN Doc. CERD/C/GC/34, adopted on 3 October 2011; UN CERD, *General Recommendation No.35: On combating racist hate speech*. UN Doc. CERD/C/GC/35, adopted on 26 September 2013.

⁴ Thornberry P. *International Law and the Rights of Minorities*, Clarendon Press, 1991, Chapter 3; Thornberry P. *The International Convention on the Elimination of All Forms of Racial Discrimination*, Oxford: Oxford University Press, 2018, p.378.

obtain education in order to take part in socialization and gain support for community identity with respect to minority cultures.⁵

Latvia notes that practice of the CERD regarding the rights enshrined in Article 5(e)(v) and Article 7 of the ICERD is very limited⁶. In general, there is no prohibition towards States to conduct public education in the official language of the State whilst it continues to provide opportunities for persons belonging to minorities to learn their culture, traditions and language. However, in the *Minority schools in Albania* advisory opinion of the Permanent Court of International Justice ('the PCIJ') of 1935, the PCIJ confirmed that the minority rights to education do not prevent the State from requesting the official language to be made mandatory in public education institutions. Moreover, the obligations under Article 5(e)(v) of the ICERD must be balanced with the obligation to ensure the integration of minorities within the society and facilitate their knowledge of the official language of the State⁷. Yet, most of the CERD conclusions on education-related questions focus on issues other than those relevant for the present letter. The CERD has examined barriers to effective access to education in the case of Roma people; barriers arising from poverty; illiteracy; segregation of minorities in specified classes; minorities following a different curriculum than the majority of the students, etc.⁸ The CERD has found barriers to education arising from pedagogical practices which do not make adequate allowance for minority or indigenous languages to the disadvantage of children or other learners from those communities.⁹ For example, when minority languages are not taught in schools as such, thereby depriving children of minorities to learn their language *per se*.

I.1.2. The rights of persons belonging to minorities to use their language in education

The question of language in education is broader than the question of access to it; the context is characteristically that of finding a way forward for persons belonging to national minorities to preserve and sustain their own languages and cultures while accessing the language of the majority.¹⁰ The practice of the CERD suggests that bilingual or

⁵ *Minorities and the Right to Education*, Recommendations of the First Session of the Forum on Minority Issues, UN Doc. A/HRC/10/11/Add.1, 2009, para.1.

⁶ Thornberry P. *The International Convention on the Elimination of All Forms of Racial Discrimination*, Oxford: Oxford University Press, 2018, p.379.

⁷ UN CERD, *Concluding observation on Latvia*, UN Doc. CERD/C/LVA/CO/6-12, para.17; On intercultural coexistence see: UN CERD, *Concluding observations on Bolivia*, UN Doc. CERD/C/BOL/CO/17-20, para.11; UN CERD, *Concluding observations on Bosnia and Herzegovina*, UN Doc. CERD/C/BIH/CO/7-9, para.13; For now, the Committee has expressed the obligation of State to integrate minorities in their societies in regards to Roma children and travelling families, however, the obligations is wider. See: UN CERD, *Concluding observations on Bosnia and Herzegovina*, UN Doc. CERD/C/BIH/CO/6/Add.1, para.23; UN CERD, *Concluding observations on Norway*, UN Doc. CERD/C/NOR/CO/19-20, para.20; Compare to C. Lapresta, A. Huguet, *A model of relationship between collective identity and language in pluricultural and plurilingual settings: Influence on intercultural relations*, "International Journal of Intercultural Relations" 2008, no. 32, pp. 260–281 and K.D. Beiter, *The Protection of the Right to Education by International Law. Including a Systematic Analysis of Article 13 of the International Covenant on Economic, Social and Cultural Rights*, Leiden: Martinus Nijhoff, 2006, p. 430.

⁸ UN CERD, *Concluding observations on Namibia*, UN Doc. CERD/C/NAM/CO/12, para 13; UN CERD, *Concluding observations on the USA*, UN Doc. CERD/C/USA/CO/6, para. 17; UN CERD, *Concluding observations on Slovakia*, UN Doc. CERD/C/SVK/CO/9-10, para. 11; UN CERD, *Concluding observations on Austria*, UN Doc. CERD/C/AUT/CO/18-20, para.17; *Lavida and Others v. Greece* (application No.7923/10), judgment of the European Court of Human Rights of 30 May 2013.

⁹ UN CERD, *Concluding observations on Mauritius*, UN Doc. CERD/C/MUS/CO/15-19, para 20 and others.

¹⁰ UN, *Guidance Note on Racial Discrimination and Protection of Minorities*, November 2014, para.50. Available: <https://www.ohchr.org/Documents/Issues/Minorities/GuidanceNoteSG.pdf>.

multicultural education programmes may be a mechanism for achieving a non-assimilationist objective, whereas their abolition, especially in the case of threatened languages, may be treated as a matter of serious concern.¹¹ In its General Recommendation No. 35 the CERD stated that Article 7 of the ICERD calls for States to create appropriate educational strategies in line with the requirements of Article 7 – to “*include intercultural education, including intercultural bilingual education, based on equality of respect and esteem and genuine mutuality.*”¹²

It can be observed that the CERD has continuously considered the questions of minority languages in a public education system through both minority rights to practice their language as a part of their right to culture and identity and the 5A scheme (initially the scheme has been adopted by the ICESCR Committee)¹³. According to the 5A scheme, a State has fulfilled its obligations under Article 5 (e)(v) of the ICERD if the education is available, accessible, acceptable, adaptable and appropriate for minorities. Namely, it must be assessed whether there are functioning educational institutions in the State party including private schools; whether these educational institutions are accessible without any discrimination; whether the curriculum is relevant, culturally appropriate and of good quality; whether it is flexible for the needs of students in diverse cultural settings; and whether it respects cultural differences and individuals, including minorities¹⁴.

I.1.3. The rights of persons belonging to minorities to use their language in preschool education

As already mentioned, the practice of the CERD on the rights enshrined in Article 5(e)(v) and Article 7 of the ICERD is very limited, especially regarding the preschool level. However, the CERD has concluded in its observations on Uzbekistan that States must take measures to promote the use of minority languages, including their rights to education in minority languages at all levels, including preschool education.¹⁵ Whereas, in its concluding observations on Montenegro, the CERD explained that States must facilitate the enrolment of children of national minority origin in preschool education institutions to ensure their knowledge of the official language of the State¹⁶, it clearly follows that the obligations entailed by Articles 5 and 7 of the ICERD are confined to ensuring bilingual instruction to children of national minority origin in the primary steps of the learning process and providing them with a possibility to study national minority cultures and languages in further steps of education.

¹¹ Thornberry P. *The International Convention on the Elimination of All Forms of Racial Discrimination*, Oxford: Oxford University Press, 2018, p.382.

¹² UN CERD, *General Recommendation No.35: On combating racist hate speech*. UN Doc. CERD/C/GC/35, adopted on 26 September 2013.

¹³ The 5A scheme was initially the 4A scheme, which translates rights into discrete but interconnected elements in order to clarify obligations deriving from them, facilitate their analysis, and measure the extent of their implementation. The 4A scheme included the rights in terms of their availability, accessibility, acceptability, and adaptability. The 5th A represents appropriateness, which derived from the General Comment by the ICESCR on *The Right to Take Part in Cultural Life*. UN ICESCR, *General Comment on the rights to Education (Article 13)*. UN Doc. E/C.12/1999/10.

¹⁴ UN ICESCR on *The Right to Take Part in Cultural Life*. UN ICESCR, *General Comment on the rights to Education (Article 13)*. UN Doc. E/C.12/1999/10; Thornberry P. *The International Convention on the Elimination of All Forms of Racial Discrimination*, Oxford: Oxford University Press, 2018, p.396; Saul B., Kinley D., Mowbray J. *The International Covenant on Economic, Social, and Cultural Rights: Commentary, Cases, and Materials*, Oxford: Oxford University Press, 2014, p.1096.

¹⁵ UN CERD, *Concluding observations on Uzbekistan*, UN Doc. CERD/C/UZB/CO/8-9.

¹⁶ UN CERD, *Concluding observations on Montenegro*, UN Doc. CERD/C/MNE/CO/2-3.

I.2. The rights of persons belonging to minorities in the context of rights to education and rights to culture under other international instruments

The rights to education are enshrined in Article 13 of the ICESCR and Articles 26 and 27 of the ICCPR; the rights to culture are encompassed by Article 15 of the ICESCR.

Article 13 of the ICESCR recognizes the rights of persons belonging to national minorities to learn their language as a first language within the initial stages of education. Such a necessity is explained with the need to secure their rights to communicate among themselves in their mother tongue, thereby indicating that children in preschool and primary education institutions ought to learn their mother tongue or receive instruction in it.¹⁷

Within the context of Article 27 of the ICCPR, the Human Rights Committee (case *Mavlonov and Sa'di v. Uzbekistan*) has emphasised that education in a minority language is a fundamental part of minority culture, however, “[..] *the question whether Article 27 has been violated is whether the challenged restriction has an impact [..] [so] substantial that it does effectively deny to the [complainants] the right to enjoy their cultural rights [..]*.”¹⁸

In light of the above mentioned, a conclusion can be drawn that as long as State provides instruction in national minority language for children in primary steps of education, as well as provides the opportunity to learn national minority cultures and languages, the national minority rights to use and practice their language are respected.

As to the minority rights to culture, the general approach of Article 15 of the ICESCR recognises the rights of persons belonging to national minorities to practice their language including a general need to preserve minority languages, including, in particular indigenous and endangered languages.¹⁹ In addition, Article 27 of the ICCPR recognises two types of obligations – to ensure the possibility to use the mother tongues of minority groups within their society and the necessity to ensure instruction to children in their mother tongue in the primary steps of their education.²⁰ That is so as to ensure that these languages do not disappear, and minorities would be allowed to continue the preservation of their language and culture.²¹

¹⁷ UN Human Rights Council, *Report of the Special Rapporteur on the Right to Education on the Promotion of Equality of Opportunity in Education*, UN Doc. A/HRC/17/29 (2011), para.63; *Recommendations of the Forum on Minority Issues*, UN Doc. A/HRC/10/11/Add.1 (2009), para.58.

¹⁸ UN Human Rights Committee, *Mavlonov and Sadi v. Uzbekistan* (Communication No.1334/04), decision of 19 March 2009, para.8.7.

¹⁹ UN ICESCR, *Concluding observations on Canada*, UN Doc. E/C.12/CAN/CO/4 (2006), para.33; UN ICESCR, *Concluding observations on Australia*, UN Doc. E/C.12/AUS/CO/4 (1999), para.33; Saul B., Kinley D., Mowbray J. *The International Covenant on Economic, Social and Cultural rights: Commentary, Cases and Materials*. Oxford: Oxford University Press, 2014, p.1197.

²⁰ UN Human Rights Committee, *Concluding observations on Sudan*, UN Doc. CCPR/CO/C/79/Add.85; to compare, see *Ballantyne and others v. Canada* (communication No. 359,385/89), decision passed in 1993.

²¹ UN ICESCR, *Concluding observations on Cambodia*, UN Doc. E/C.12/KHM/CO1, para.34; UN ICESCR, *General comment No.20: Non-discrimination in economic, social and cultural rights (art.2, para.2 of the International Covenant on Economic, Social, and Cultural rights)*, UN Doc. E/C.12/GC/20, para.21.

The United Nations Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities takes an explicit reciprocity approach: States should, where appropriate, take measures in the field of education, in order to encourage knowledge of the history, traditions, language and culture of the minorities existing within their territory. However, by the same token, persons belonging to minorities should have adequate opportunities to gain knowledge of the society as a whole.²² This position is upheld by Article 12 of the FCNM – ‘[S]tates parties shall, where appropriate take measures in the field of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.’. This provision obliges State Parties to take measures in the field of education to foster knowledge of the culture of their national minorities as well as of the majority.²³ Furthermore, the European Court of Human Rights in the *Belgian linguistics* case has explained: ‘[t]o interpret the two provisions [Article 2 of the 1st Protocol and Article 14 of the ECHR] as conferring on everyone within the jurisdiction of a State a right to obtain education in the language of his own choice would lead to absurd results, for it would be open to anyone to claim any language of instruction in any of the territories of the [States].’²⁴

Articles 28 and 29 of the CRC oblige the States to ensure the rights of a child to education, however, the CRC is silent on language requirements in different levels of education. General Comment No.1 to the CRC provides that when addressing issues regarding the right to education of children belonging to minorities, the obligation of States is limited to providing a possibility to obtain education and access to it.²⁵

Considering the conclusions of the CERD, as well as the practice of the Human Rights Committee, the ICESCR Committee and the European Court of Human Rights, I conclude that international obligations arising from relevant international instruments impose an obligation on States to provide instruction to children of national minorities in their mother tongue in the initial stages of education. There is no obligation to uphold a system of public education in a national minority language. International instruments require States to provide possibilities for persons belonging to national minorities to learn about their culture, traditions and practice their language. In compliance with these mentioned obligations, States must balance the necessity to integrate persons belonging to national minorities and ensure a proper command of the official language with their rights to pursue their cultural distinctiveness through their language.

²² Article 3(4): *Commentary on the United Nations Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities*, UN Doc. E/CN.4/AC.5/2001/2; Thornberry P. *Education*. In: Weller M., *Universal Minority Rights: A Commentary on the Jurisprudence of International Courts and Treaty Bodies*, Oxford: Oxford University Press, 2007, pp.325-362.

²³ Beiter K.D. *The Protection of the Right to Education by International Law: Including a Systematic Analysis of Article 13 of the International Covenant on Economic, Social and Cultural Rights*. Leiden: Martinus Nijhoff Publishers, 2005, p.179.

²⁴ *Case relating to Certain Aspects of the Laws on the Use of Languages in Education in Belgium (No.2)* (applications Nos. 1474/62, 1677/62, 1691/62, 1769/63, 1994/63, 2126/64), judgment of the European Court of Human Rights of 23 July 1968.

²⁵ Report of the Working Group on a Draft Convention on the Rights of the child. Commission on Human Rights on its 41st session, Agenda Item No.13, UN Doc. E/CN.4/1985/64, 3 April 1985, paras.75 and further.

II. EDUCATION REFORMS IN PRESCHOOL EDUCATION IN LATVIA: OBJECTIVES, IMPLEMENTATION AND DATA

II.1. The aim of the amendments to the national legislation in the framework of the reform of the education system

The reform of the education sector ('the Education reform') aims to create a system where young adults can successfully enter into the labour market with an equal command of the Latvian language. The Education reform prevents any form of discrimination and promotes a cohesive society with equal opportunities for all school graduates. Considering that the Education reform within a single level of studies would be useless, the Education reform encompasses adjustments in all levels of education – from preschool education institutions to tertiary level of education – and is implemented gradually until 2022.

The implementation of the Education reform goes hand-in-hand with overall structural adjustments in the education content. Namely, the Education reform strives to introduce a competence-based education content and promote a sustainable learning process.

Furthermore, it should be emphasized that the Education reform is a stage in a long-term reform focused on the transition to Latvian language as the primary language of public education in Latvia to eliminate the consequences of the vast Russification policy instituted during the Soviet occupation. This reform was initiated in 1996 and has continued over the last 23 years with very positive results. Already in 2014, more than 94% of persons belonging to national minorities knew and understood Latvian language to a fair degree. The results were especially good amongst the young – 77% of them had a good or a very good command of Latvian language.²⁶ Throughout the reform process, persons belonging to national minorities have taken advantage of the opportunity to continue learning their language. The transition to Latvian language as the primary language in education has been steady, gradual and proportionate over the last two decades and has proven to be sufficient in increasing the command of the official language and ensuring the continued preservation of the languages spoken by national minorities, as public schools and other education institutions continue to provide subjects on national minority cultures and languages.

The compatibility of the Education reform with Latvia's international obligations has been challenged before the Constitutional Court of the Republic of Latvia with references to language requirements in primary and secondary levels of education.²⁷ In the case No. 2018-12-01, the Constitutional Court conducted a thorough analysis of the international obligations incumbent upon Latvia regarding minority rights to education, and concluded that the Education reform is compatible with these obligations. It stressed not only the historical status of the Latvian language, which was negatively impacted by Russification during the Soviet occupation, but also established that the international obligations emanating from several international treaties do not demand States to provide persons belonging to national minorities with education with their languages as primary languages

²⁶ Council of Europe, *Third Report submitted by Latvia pursuant to Article 25, paragraph 2, of the Framework Convention for the Protection of National Minorities*. 6 December 2016, No.ACFC/SR/III(2016)001, para.151; The study "Piederības sajūta Latvijai" (The Sense of Belonging to Latvia) is accessible at: http://providus.lv/article_files/2682/original/ataskaite_piederiba_08_2014.pdf

²⁷ Judgment of the Constitutional Court of the Republic of Latvia in the case No. 2018-12-01 on the amendments to the Law on Education and Law on General education. Available: http://www.satv.tiesa.gov.lv/web/viewer.html?file=/wp-content/uploads/2018/07/2018-12-01_Spriedums.pdf#search=.

of instruction. I would like to underline that the proceedings before the Constitutional Court serve as an important procedural safeguard in monitoring the implementation of the Education reform and its compatibility with Latvia's international obligations.

II.2. The new regulation on preschool education and education models therein

On 21 November 2018, the Cabinet of Ministers of Latvia passed the Regulation No. 716 *On guidelines and standards for the organization of State preschool education* ('Regulation No. 716'). It came into force on 1 September 2019.

To alleviate concerns regarding the alleged lack of a public consultation process, I would like to emphasize that the text of Regulation No. 716 was discussed with state institutions (Ministry of Justice, Ministry of Health, and Ministry of Welfare), with social partners and NGOs (Latvian Association of Local and Regional Governments, Latvian Trade Union of Education and Science Employees, association "Parents' Alliance"), etc. Thus, opinions and interests of all parties involved were duly considered.

Regulation No. 716 replaces the Cabinet of Ministers' Regulation No. 533 *On guidelines for the organization of State preschool education*²⁸ of 2012, as part of the greater Education reform. Following the aims set out in the policy-planning document *Guidelines on the development of education 2014-2020*, preschools as a part of the general education system have to comply with the priorities set out in the guidelines.

At a preschool education level, the most important task is to ensure that children belonging to national minorities acquire the necessary proficiency in Latvian language whilst maintaining their minority culture and language. It is particularly important to learn Latvian language starting from the early stages of education and acquire the necessary proficiency to sufficiently ensure that children are ready for further education levels according to the choice of their parents in any general education institution and programme provided by the State.

Similarly to the previous regulations, Regulation No. 716 allows children belonging to national minorities to learn their language at a preschool level. Latvia has created four standards for preschool education: (1) the general preschool education model; (2) the general preschool education model for national minority education programmes; (3) the specialized preschool education model for children with special needs; and (4) the specialized preschool education model for children belonging to national minorities with special needs.

Both models for national minority education – the one in Regulation No. 533 *On guidelines for the organization of State preschool education* and the model in Regulation No. 716 *On guidelines and standards for the organization of State preschool education* - establish an obligation to conduct the education process bilingually. The only difference between both models is the use of Latvian language as the primary language of the education process from the age of 5. Nevertheless, children belonging to national minorities will be taught national minority languages and cultures in their own language, as set out in Article 9 of the Regulation No. 716.

²⁸ Cabinet of Ministers' Regulation No.533 *On guidelines for the organization of State preschool education*.

Regulation No. 716 sets out requirements to ensure that after graduating from preschool, children have a basic knowledge of the Latvian language so as to be able to (1) answer questions about things they have previously seen and heard; (2) ask questions to obtain information; (3) express his/her needs; (4) take part in conversations about issues related to day-to-day activities and the process of education. It should be emphasized that such requirements are set out particularly for national minority programmes and differ from those in general preschool education, thereby allowing children belonging to national minorities to gradually improve their knowledge of Latvian whilst also fostering their knowledge of national minority languages and traditions.

In light of these considerations, I conclude that the Education reform, *inter alia*, in regards to preschool education, complies with the 5A scheme supported by the ICERD and ICESCR. It is evident that the Education reform ensures that children have access to educational institutions, both public and private, regardless of whether they belong to a national minority or not, and therefore it complies with the *accessibility* and *availability* criteria. Furthermore, the curriculum is based on the competence learning model, improvement of the command of the official language and learning of national minority languages/cultures respecting their distinctiveness; hence compliance is maintained with regard to the *acceptability* and *appropriateness* criteria. Lastly, the Education reform is flexible towards students belonging to national minorities, providing opportunities to recognize their talents and strengths and obtain in-depth education in the area of their interests, including national minority languages; in other words, it is *adaptable*.

II.3. Capacity building of educators within the context of the Education reform

An essential part of the Education reform is ensuring that educators have the appropriate competences and language skills to work in a changing and linguistically diverse environment.

Educators who work in preschool education institutions that implement national minority programmes are a specific target audience for the activities of the Latvian Language Agency ('LLA'). The LLA provides the development of professional Latvian language skills for 150 persons each year since 2013.

Furthermore, within the European Social Fund project on the development of a competency-based education approach, intensive support to educators working in a diverse linguistic environment has been provided. The target audience includes, *inter alia*, teachers who work in education institutions implementing preschool national minorities' education programmes. Thus far support has been provided to 4710 teachers and is comprised of (1) Latvian language courses for professional development and improvement of language knowledge up to Level C2 (120 h programme, 1350 teachers participated); (2) Methodological courses (36 h programme, 430 teachers participated) to ensure that preschool teachers have the appropriate knowledge and competence to introduce the new competence-based education content; (3) Methodological courses (36 h programme, 360 teachers participated), providing necessary professional competence in accordance to the modern education process; (4) Intensive summer courses for Latvian language and cultural studies for teachers working in different regions of Latvia (210 teachers).

In addition, five methodological manuals have been developed for teachers working with national minorities in preschools and general education institutions. The manuals cover

both theoretical and practical issues, presenting the experience of other countries in acquiring language and culture. LLA's webpage (www.valoda.lv) contains more than 600 useful materials for the learning of Latvian. The number of users is increasing: in 2014 the homepage was visited more than 110 000 times (824 000 page views), in 2018 – 238 000 times (1 449 103 page views). The target audience consists, *inter alia*, of educators who work in a diverse linguistic environment in preschool education institutions.

II.4. Disaggregated data no children affected by Regulation No. 716

According to the data provided by the Ministry of Education and Science, on 1 September 2019 (i.e., at the moment Regulation No. 716 came into force) a total of 457 educational institutions in Latvia implemented preschool education programs in Latvian. 113 general education institutions implemented a preschool education programme both in Latvian as well as a national minority education programme in Russian. 62 educational institutions implemented a national minority education program (Russian language of instruction) and one educational institution implemented a national minority education program with Polish as the language of instruction.

Out of the 62 preschool educational institutions with Russian as the language of instruction, 11 were private educational institutions. Out of 113 general education institutions implementing dual-stream education programmes (both general and national minority programmes), 10 were private preschool education institutions.

National minority educational institutions (Russian language of instruction) are attended by 7583 children, while the 113 educational institutions that implement a preschool education programme both in Latvian and Russian were attended by 21306 children. 133 children attend preschool institutions with the Polish as the language of instruction.

III. CONCLUSIONS

The above analysis clearly demonstrates that children in Latvia during their preschool education as a part of primary education level have the right to receive instruction bilingually, and their continued education on minority culture and language is to be carried out throughout their study process. Considering that the Regulation No. 716 and both models for national minority education programmes therein provide for bilingual instructions until the age of 5 and includes an obligation to conduct lessons and playtime on national minority culture and language in the national minority language, the requirements set out by the relevant international instruments are fulfilled.

Furthermore, as the transition to the Latvian language as the primary language in the education process has been gradual over 23 years, it has allowed the persons belonging to national minorities to adjust to the language requirements and improve their command of the official language of Latvia. Not only is the bilingual education retained at the preschool level, but the transition to higher requirements was not rushed or spontaneous.

Lastly, as the underlying aim of the rights to education is to ensure that children and the young can successfully continue their lives, integrate in the society and be successful in the labour market, proper command of the official language is necessary. In view of this aim, the Education reform sets a goal to ensure a proficient command of the official language to facilitate an easier realization of these rights.

I hope that you will find the information provided in this letter useful and sufficient to assure you that the Education reform is implemented gradually and diligently, with full account of Latvia's international commitments and in the best interest of every individual member of Latvia's society.

Please accept the assurances of my highest esteem and consideration.

Yours sincerely

A handwritten signature in blue ink, reading "Edgars Rinkēvičs". The signature is written in a cursive style with a prominent initial 'E' and a long, sweeping tail.

Edgars Rinkēvičs