INTERNATIONAL FELLOWSHIP OF RECONCILIATION (IFOR)
and
CONSCIENCE AND PEACE TAX INTERNATIONAL (CPTI)

Submission to the 110th Session of the Human Rights Committee

LATVIA

(Military service, conscientious objection and related issues)

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Basic information

Along with the fellow Baltic States Lithuania and Estonia, Latvia declared independence from
the Soviet Union in 1991 and was admitted to the UN in that year.

Population (November 2012, estimated1)  5,486,000

Military service: The last conscripts completed their service on 24th November,
2006, and military service has subsequently been completely voluntary..

Conscientious objection: Recognised in the Law on Alternative Service which entered into
force on 1st July 2002.

Minimum recruitment age2: 18

Males reaching “militarily significant age”3: 54,212

Armed forces active strength, November 20124: 10,500
as a percentage of the number of men reaching “military age”: 19.4%

Military expenditure (US $ equivalent), 20125 $27.4m
Per capita $5
As % of GDP 0.8%

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1 Source: The Military Balance 2013 (International Institute of Strategic Studies, London), which bases its estimate
on “demographic statistics taken from the US Census Bureau”.
2 Source: Child Soldiers International (formerly Coalition to Stop the Use of Child Soldiers), Louder than words: an
defines “militarily significant age” as 16. However its estimates have not been updated since 2010 and therefore
relate to the cohort of the male population reaching 19 (a more common recruitment age in most countries) in 2013.
This figure is more meaningful than total population in assessing the comparative impact of military recruitment in
different countries.
Abolition of conscription

In its concluding observations on Latvia's Second Periodic Report under the International Covenant on Civil and Political Rights, “The Committee notes with satisfaction that in 2002, a new law on alternative service entered into force, which provides for the right to conscientious objection. However, the Committee remains concerned that, pending a change in the conscription law, the duration of alternative service is up to twice that of military service and appears to be discriminatory (Article 18).”, and it recommends “The State party should ensure that the alternative service is not of a discriminatory duration.”

No direct action was taken in response to this recommendation, but under the “National Armed Forces Medium-Term Development Plan” for the period 2005-2008, approved on 7th June 2005, conscription was phased out to make way for a fully professional army from the beginning of 2007. In fact the final conscripts finished their military service on 24th November 2006.7 In many States, the transition to professional armed forces has entailed the suspension rather than the abolition of conscription, with the relevant legal provisions, including those covering arrangements for conscientious objectors, remaining in place so that they can readily be reapplied if desired at a time of war or national emergency. By contrast, the statement in Latvia's Third Periodic Report “The Republic of Latvia would like to inform, that both, the Law on Compulsory Military Service and the Law on Alternative Military Service have been declared null and void.”8 seems to indicate quite unambiguously that conscription has been definitively abolished.

Although the minimum age for voluntary recruitment into the armed forces is 18, the Ministry of Defence runs the Youth Guard, tasked with “the patriotic education of youth and the acquisition of military skills” with the specific objective of maintaining the level of military enlistment. “It had 6,500 members in early 2004. Membership was open to citizens with a good command of the Latvian language, and training was arranged for two age groups. Juniors, aged 12 – 15, learned the basics of military training and about the history, structure and functions of the armed forces. Their programme included militarised competitions and hiking. A senior group, aged 16 – 18 underwent a basis course in national defence, similar to the one followed by privates in the army. This included lessons in weaponry and shooting doctrine, drill, tactics, first aid and topography, and training in national security policy and integration in NATO. The course was designed to last three years and awarded an academic diploma that would ensure fast-track entry into the military professions. The Ministry of Defence also ran Youth Guard courses as a voluntary option in the civilian schools' curriculum, for those eligible to take it and with the agreement of specific institutions. Specially trained instructors were provided by the Ministry.”9

It seems likely that as in some other countries the move to all-volunteer armed forces may have been accompanied by an intensification of military recruitment activities in schools. It is reported that the National Armed Forces Recruitment and Selection Centre visits educational institutions and orphanages to “promote comprehensive information on professional military service, as well as on education and career opportunities within the armed forces.”10

While not explicitly prohibited under the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (OPAC), weapons training for persons aged under 18, the involvement of military personnel in the school education system, and activities within schools geared towards promoting military recruitment, particularly if not paralleled by equal publicity for civilian careers opportunities, are all contrary to the spirit of the OPAC.

7 Professional soldiers and the right to conscientious objection in the European Union (Information against war, repression, and for another society No. 5 – Documentation produced for Tobias Pflüger MEP (Vereinigte Europäische Linke / Nordische Grüne Linke (GUE/NGL) Parlamentsfraktion Europäische Parlament), Brussels, October 2008, p34.
8 CCPR/C/LVA/3, 9th October 2012, para 452.
10 Professional soldiers and the right to conscientious objection in the European Union, op.cit.
Release on grounds of conscience of professional members of the armed forces

As far as is known, Latvia has no provisions permitting the early release of professional members of the armed forces who develop conscientious objections. Latvia is however a member of the Council of Europe, whose Committee of Ministers recommended in 2010:

“42. Professional members of the armed forces should be able to leave the armed forces for reasons of conscience.

43. Requests by members of the armed forces to leave the armed forces for reasons of conscience should be examined within a reasonable time. Pending the examination of their requests they should be transferred to non-combat duties, where possible.

44. Any request to leave the armed forces for reasons of conscience should ultimately, where denied, be examined by an independent and impartial body.

45. Members of the armed forces having legally left the armed forces for reasons of conscience should not be subject to discrimination or to any criminal prosecution. No discrimination or prosecution should result from asking to leave the armed forces for reasons of conscience.

46. Members of the armed forces should be informed of the rights mentioned in paragraphs 41 to 45 above and the procedures available to exercise them.”

Latvia did not respond to the Council of Europe's follow-up questionnaire which was circulated early in 2012. The question might therefore be put to it of what measures it has put in place, in accordance with this Recommendation to deal with the eventuality that a serving member of the armed forces might seek to be released on grounds of conscientious objection.

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11 Ibid
12 CM/Rec(2010)4, 24th February 2010