

Latvia

Issues

- Latvia does not recognise the right to conscientious objection for professional soldiers.

Military recruitment

Conscription

On 7 June, 2005, the Latvian government approved the “*National Armed Forces Medium-Term Development Plan*” for the period 2005-2008, which envisaged the phasing out of conscription by the end of 2006¹. On 24 November 2006, the last conscripts finished their military service².

It is not clear whether all laws governing conscription have been amended or abolished³. According to the 2006 Defence White Paper, the conscription centre, responsible for the recruitment of conscripts, was planned to cease to exist by 1 January 2007⁴.

Professional soldiers

The Military Service Law of 2002⁵ provides the general framework for military service of any kind, including of professional soldiers. The minimum contract times are generally three years, but for officers the minimum is five years (Article 20 paragraph 3). A contract can be extended for the same time.

The NAF Recruitment and Selection Centre (RSC), which replaced the conscription centre, visits educational institutions including orphanages to “*promote comprehensive information on professional military service, as well as on education and career opportunities within the armed forces*”. In addition, the RSC promotes joining the Armed Forces at city festivals and through the mass media⁶.

Conscientious objection

Conscientious objection for conscripts

The right to conscientious objection was legally recognised by the 2002 Law on Alternative Service. The Law entered into force on 1 July 2002. Before 2002, the right to conscientious objection was not legally recognised.

The status of the law after the end/suspension of conscription is unclear. It has to be assumed that the law is no longer in force. It does no longer appear on the website of the Ministry of Defence.

1 NAF Medium-Term Development Plan for the period 2005-2008, http://www.mod.gov.lv/upload/nbs_videja_termina_attistibas_plans_en.doc, accessed 29 April 2008

2 Ministry of Defence: Female soldiers represented 17% of NAF personnel in 2007, 8 February 2008, <http://www.mod.gov.lv/AMI/jaunumi/aktualitates.aspx?gpath={479593DA-3DC2-4018-9EB0-EF70D70439F8}&lang=lv>, accessed 29 April 2008

3 I.e. article 13 of the Mobilisation Law 2002, last amended in 2004, still states: “*The conscription of Latvian citizens – reserve soldiers and reservists – into the active military service in case of mobilisation shall take place in accordance with the Mandatory Military Service Law according to procedures determined by the Cabinet of Ministers*” (<http://www.mod.gov.lv/Normativie%20akti/Likumi/Mobilizacijas%20likums.aspx>, accessed 29 April 2008). The Mandatory Military Service Law, however, is no longer available from the website of the Ministry of Defence.

4 Defence White Paper (Minister for Defence Report to the Parliament on National Defence Policy and National Armed Forces Development in 2006) 2006, http://www.mod.gov.lv/upload/balta_gram_2006eng.pdf, accessed 29 April 2008

5 Military Service Law 2002, <http://www.mod.gov.lv/Normativie%20akti/Likumi/Militara%20dienesta%20likums.aspx>, accessed 29 April 2008

6 Ministry of Defence: 548 soldiers conscripted to professional military service in 2006, 29 January 2007, <http://www.mod.gov.lv/AMI/jaunumi/aktualitates.aspx?gpath={5514C576-B0FF-47CF-BC70-FE9C0D930DE8}&lang=en>, accessed 29 April 2008



Conscientious objection for professional soldiers

There is no legal provision for conscientious objection by professional soldiers⁷.

According to Article 43 paragraph 1 of the Military Service Law, “*a professional service contract may be terminated before the end of the term at any time by agreement of the parties*”.

According to Article 44 paragraph 5 “*during an armed conflict, state of war or state of emergency and in case of mobilisation the retirement of soldiers shall be suspended except for cases where a soldier has become unfit for military service.*”

Draft evasion and desertion

No information available.

⁷ War Resisters' International: Refusing to bear arms, London, 1998, <http://wri-irg.org/co/rtba/archive/luxembourg.htm>, accessed 29 April 2008