



Aizsardzības ministrija

MINISTRY OF DEFENCE OF THE REPUBLIC OF LATVIA

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No. MV-N/2980
Ref. No. b/n

28.10.2024.

Rīga, 20-11-2024

*Answers to the Questionnaire
for EBCO's Report 2024 (Latvia)*

Dear Mr Brett,

It is a great pleasure to provide you information for EBCO's Annual Report 2024 on Conscientious Objection in Europe. In the sections below you will find answers to your questions, but should you need any further information, please do not hesitate to contact Ms. Agneta Liepiņa (Phone: (+371) 67335433, E-mail: Agneta.Liepina@mod.gov.lv), Senior Desk Officer of the Draft Planning Section at Ministry of Defence of the Republic of Latvia.

A. Status of conscription

1. Is conscription into obligatory military service currently applied?

Yes, on April 5th 2023, the Latvian parliament (Saeima) approved the National Defence Service (NDS) Law, therefore reintroducing the conscription in Latvia. The first draft was announced on 1 July, 2023 primarily targeting volunteers. Military service in Latvia is compulsory since 1 January 2024.

B. Countries with conscription:

2. If so, what are the legislative provisions that govern the procedures?

The conscription is primarily regulated by National Defence Service Law (currently available with official English translation) and other Cabinet Regulations.

3. What is the minimum age for conscription?

Citizens can apply and be randomly selected for the NDS after reaching 18 years of age.

4. What is the duration of military service?

There are three types of NDS available for volunteers in Latvia that differ in length and acquired skills: Service in National Armed Forces (Duration: 11 months), Service in National Guard (5 years, annual 28-day training), Reserve officer programme for university and college students (5 years, total number of training days: 180).

5. What provision is there for the exemption of conscientious objectors?

The law also provides the right for conscientious objectors to replace military service by serving in the national defence civil service (alternative service). The duration of the military and alternative service is 11 months.

6. What proportion of conscripts sign up for subsequent voluntary service?

The first two recruitments for the NDS consisted of 253 (July 2023) and 125 (January 2024) volunteers. On 1 December 2023, the application period for the July 2024 NDS (third recruitment) ended with 515 Latvian citizens volunteering, while the shortfall was filled by a random selection of 300 citizens, which took place on 23 January 2024. The third recruitment begun their service in July 2024, consisting of around 378 volunteers and 64 conscripts, totalling 442 people.

7. What reservist obligations apply, what is the call up procedure for reserve service?

After NDS, recruits are discharged and become part of the reserve forces. They are required to be ready to undergo up to seven day-long regular annual training at any time in the next five years following the discharge. After this five-year period, recruits, who have completed NDS and are discharged into army reserve, are registered for additional training according to general procedures for reserve forces.

8. How many persons were prosecuted in recent years for evasion/refusal of military service? How many of these had declared conscientious objections? What were the outcomes, and what sentences were imposed?

According to the NDS Law, for the failure to arrive at the (health) examinations specified for a recruit at the place and time indicated in the summons of the Ministry of Defence without a justifying reason, a warning or a fine of up to seventy units of fine shall be imposed on a recruit. Arrival at the place of service shall be ensured by the Military Police in accordance with the procedures laid down in the Administrative Procedure Law, if the conscript fails to do so.

C. (Skip if not applicable) Countries without conscription

D. School system

9. Is attendance at any days of introduction to the armed forces or military careers or other programmes which could be seen as preparatory to military recruitment an obligatory part of the secondary education curriculum?

Yes, starting from 01.09.2024. State Defense Subject (SDS) is a mandatory subject for every pupil in secondary education curriculum. SDS could potentially be seen as preparation to military recruitment and an introduction to the armed forces.

In addition, students can choose to study at Colonel Oskars Kalpaks Military High School, which focuses on military education in order to obtain the junior instructor qualification.

10. Do the armed forces have access to personal data of students?

No, however, educators and personnel responsible for the students, have limited access to personal data (such as names and surnames) through educational platforms (e-education system).

11. Do military institutions offer temporary programs to students aged under 18 to learn more about military careers?

During the learning process of SDS, students have the opportunity to voluntarily participate in the SDS summer camp. The purpose of the SDS and these camps is to promote civic awareness and patriotism, as well as to provide an opportunity to learn basic military skills and abilities, creating citizens who are civically responsible. The SDS camps last 2 weeks and give students and opportunity to participate in practical outdoor activities that focus on. survival skills.

In addition to that, youth starting from 4th grade up to 9th grade have to opportunity to join the Cadet Force.

The learning process in the Cadet Force is voluntary, free and is organized once a week after school.

12. Are military personnel involved in teaching classes at schools, on a temporary or long-term basis?

Yes, military personnel are involved in teaching classes at schools. According to the SDS law, instructors of the Cadet Force are professional service soldiers, national guard members, or

reserve soldiers. On the other hand, Colonel Oskars Kalpaks Military High School instructors are professional service soldiers

E. Voluntary recruitment into military service

- 13. What incentives or measures are used by the national armed forces to encourage voluntary recruitment? (financial incentives, scholarships, career prospects, advertising, etc.)**

NDS troops who have chosen voluntary service and will be assigned to National Armed forces (NAF) for 11 months will have the monthly pay of 600 euro for everyday needs, whereas those selected for NDS on mandatory basis will receive 300 euros. After 11 months of service in the NAF or the National Guard, citizens who have volunteered for NDS and completed it will be able to study free of charge at state universities and colleges.

- 14. What is the minimum age for recruitment?**

18 years.

- 15. What was the total first-time military recruitment in recent years? Please disaggregate by age, gender and (if appropriate) whether as conscripts or volunteers.**

The first two recruitments for the NDS consisted of 253 (July 2023) and 125 (January 2024) volunteers, mostly male.

- 16. What legislation governs voluntary recruitment into military service?**

Voluntary recruitment, similarly to the conscription process is primarily regulated by National Defence Service Law (currently available with official English translation) and other Cabinet Regulations.

- 17. What is the duration of service initially required?**

There are three types of NDS available for volunteers in Latvia that differ in length and acquired skills: Service in National Armed Forces (Duration: 11 months), Service in National Guard (5 years, annual 28-day training), Reserve officer programme for university and college students (5 years, total number of training days: 180).

- 18. What proportion of recruits sign up for a second period of the same length or longer?**

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- 19. How many persons were called up for reserve service, and of what duration?**

Reserve service training is not applicable yet as the first NDS soldiers finished their service in at the end of May of 2024.

F. Application process for recognition of conscientious objectors

- 20. What process is used to decide upon applications for the recognition of conscientious objectors?**

If your beliefs, convictions or religion is incompatible with conscription service and you cannot join the military service to defend Latvia, person can apply for alternative service at the National Defence Service Recruitment Control Commission. Application must indicate and contain documents describing reasons for choosing alternative service.

All recruits, including those who applied for alternative service instead of military duty, are required to respond to NDS draft notification by completing an online form at www.klustikaravirs.lv (or send the completed form via mail or sign it with digital signature and send to e-mail address on www.klustikaravirs.lv) and complete the medical examination when appointed.

- 21. What information is provided to conscripts regarding the possibility of applying for recognition?**

Information about alternative civilian service can be found in National Defence service law, as well as on the official website of Ministry of Defence.

22. What body is responsible for deciding upon applications?

The National Defence Service Recruitment Control Commission controls and reviews the decisions taken by the Ministry of Defence and also shall take decisions on conscription into the alternative service.

23. Who sits in the responsible body?

For the period of operation of the National Defence Service Recruitment Control Commission, members of this commission are released from the fulfilment of duties at the place of primary employment with retention of remuneration. At least half of the composition of the Control commission shall consist of the people who are not employed by the National Armed Forces, the Ministry of Defence, and the institutions subordinate thereto.

24. In recent years, how many applications were received? How many were successful on first consideration; how many unsuccessful applications were appealed, and with what results?

There were small number of applications received but only one met criteria set in National Defence Service law and binding Cabinet regulations.

25. Are you able to indicate on which grounds any were rejected?

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26. How can the decision be appealed?

The recruit may appeal the decision of the National Defence Service Recruitment Control Commission on before a court in accordance with the procedures laid down in the Administrative Procedure Law.

27. What are the legal provisions for those who also refuse to perform alternative service?

The Ministry of Defence shall ensure timely arrival of the citizen conscripted in the national defence military service or alternative service at the place of service, issuing the decision on conscription into the NDS to him or her against a signature or sending it to the official electronic address or declared address of the place of residence not later than three months before the date when he or she must appear at the place of service. Compulsory enforcement of the administrative act referred to in Paragraph one of this Section shall be ensured by the Military Police in accordance with the procedures laid down in the Administrative Procedure Law.

G. Terms of alternative service

28. If alternative service is / would be required of conscientious objectors, under what authority are the arrangements administered?

If your beliefs, convictions or religion is incompatible with conscription service and you cannot join the military service to defend Latvia, you must apply for alternative service at the National Defence Service Recruitment Control Commission. Application must indicate and contain documents describing reasons for choosing alternative service.

29. What is the duration of alternative service?

11 months

30. To what duration of military service would the objector otherwise have been liable?

Mandatory military service is 11 months long as well.

31. What is the rate of remuneration?

People in alternative service will also be entitled to NDS pay in the amount of 400 euros. Those in alternative service are not entitled to free meals.

32. How does the rate of remuneration compare to that of military conscripts?

NDS troops who have chosen voluntary service and will be assigned to NAF for 11 months will have the monthly pay of 600 euro for everyday needs, whereas those selected for NDS on mandatory basis will receive 300 euros.

33. Which bodies offer alternative service placements?

The alternative service shall be performed for 11 months in the civilian institutions subordinate to the Ministry of Defence.

34. Are conscientious objectors assigned to placements, or do they have a free choice?

When determining the location for the performance of the alternative service, the control commission shall take into account the personal traits, education, and declared place of residence of the performer of the alternative service. Alternative service shall commence from the day when the performer of alternative service has arrived at the location of the performance of service specified in the decision of the control commission.

35. Is it possible to perform alternative service while continuing to live at one's permanent address?

Yes.

H. Conscientious objection during military service of conscripts/volunteers

36. What legislation or regulations would apply to the case of a serving member of the armed forces who applied for release having developed conscientious objection?

Currently there is no established procedure to change national defence military service to alternative service during performance of military service.

37. What procedures are followed in the event of an application?

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38. What information is available to serving personnel about the right of conscientious objection and the means of applying for release?

Information about alternative civilian service can be found in National Defence service law, as well as on the official website of Ministry of Defence.

39. Have any such cases been recorded in recent years? Please give details of the number of applications, the number of acceptances.

No, there have not been such cases.

40. Give details, if relevant, of the grounds for any rejections.

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41. How many persons were prosecuted for desertion? Were any of these persons who had declared themselves conscientious objectors? What was the outcome, and what sentences were imposed?

No, there have not been such cases.

I. Conscientious objection after military service

42. What legislation or regulations would apply to the case of a reservist who applied for recognition as a conscientious objector?

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43. Have any persons sought to refuse reserve service on this basis in recent years? With what results?

No, there have not been such cases.

J. Asylum for conscientious objectors

44. Would it be possible for you to obtain statistics on approvals/rejections of those asylum applications in your country that were citing conscientious objection?

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K. Developments since last year

45. What legislative changes have happened within the last year?

Since last year, work has been started on amendments to the NDS Law, as well as work on other regulatory acts related to the issue of higher education for NDS soldiers. Amendments to the Military Service Law have entered into force in October 2024. These amendments introduce the right for reserve soldiers who cannot perform military service due to his thoughts,

conscience or religious beliefs to apply for inclusion in the reservists. The National Defence Service Recruitment Control examines the applications of reserve soldiers for inclusion in the reservists in accordance with the established procedures.

46. Is there any legal initiative undergoing at the Parliament or any other state body which concerns the military service, the right to conscientious objection, or related issues?

Amendments to the NDS Law are currently passed to the Parliament.



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