



Mr. Valdis Dombrovis, Prime Minister of Latvia  
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cc: Mr. Valdis Zatlers, President of Latvia  
[chancery@president.lv](mailto:chancery@president.lv)

Mr. Janis Birks, Mayor of Riga  
[secretariats@riga.lv](mailto:secretariats@riga.lv)

May 14, 2009

Dear Prime Minister,

I am writing in response to a call from Amnesty International to express the concern of the International Gay and Lesbian Human Rights Commission over the challenges to the Baltic Pride march, scheduled to take place in Riga on May 16, 2009. We seek your support for the protection of the rights to free expression and association of everyone, without discrimination based on sexual orientation or gender identity.

The Latvian NGO Mozaika, along with three other LGBT organizations from the Baltic region, are organizing the march. The Riga City Council's Commission on Meetings, Marches and Demonstration authorized the march on May 8, 2009, after the Executive Director, Andris Grinbergs, representatives of the police, and the city council agreed on the location and security measures.

Despite following the procedure and having a legal right to march, on May 13, 2009, 34 of the 60 Riga City Councilors sent an open letter to the Executive Director Andris Grinbergs demanding that he reverse his agreement on the grounds that the march was offensive to public decency and posed a threat to public security.

These challenges are very concerning, as they conflict with the fundamental rights to free expression and assembly that Latvia needs to protect without discrimination.

As a member of the Council for Europe, Latvia needs to implement the European Convention of Human Rights, including the decision of the European Court of Human Rights in *Baczowski and Other v. Poland* (2007). The European Court found Poland in violation of the European Convention because the Mayor of Warsaw did not authorize a LGBT march (violations of Art. 11 on freedom of association and assembly, Art. 13 on the right to an effective remedy, and Art. 14 on non-discrimination). In *Plattform Artze fur das Leben v. Austria* (1985), the European Court explicitly stated its principled position that: "A demonstration may annoy or give offense to persons opposed to the ideas or claims that it is seeking to promote. The participants must, however, be able to hold the demonstration without having to fear that they will be subjected to

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physical violence by their opponents; such a fear would be liable to deter associations or other groups supporting common ideas or interests from openly expressing their opinions on highly controversial issues affecting the community.”

As for the European Union, discrimination based on sexual orientation is explicitly prohibited in Art. 13 of the Treaty of the European Community (Amsterdam) and Art. 21(1) of the Charter of Fundamental Rights in the European Union.

Demonstrations, marches, and other public events are organized by LGBT people and supporters in many parts of the world, as a means to claim their space in civil society and to draw attention to the human rights violations they regularly confront. This exercise of free expression, assembly, and association has become a core vehicle for social change for LGBT people. Through such public events the majority in society learns about differences in general, and different sexualities and gender identities in particular. Little by little, prejudice and misconceptions about LGBT people diminish. On the other hand, by witnessing such public events, LGBT people who live in fear because of their difference can see not only that their opponents may voice ideas in the street, but also that their supporters may exercise the same rights; this way, LGBT people can regain their confidence, dignity, and hope. They take part in building their community.

As the European Court stated, the reasons of public order, public morality, public health or public security should not be used to restrict any peaceful assembly, simply because it affirms the diversity of sexual orientations and gender identities.

We count on your support for ensuring that the rights to free expression and assembly of everyone, including LGBT people and their supporters, will be respected and protected.

Sincerely,

A handwritten signature in black ink that reads "C. A. Johnson". The signature is written in a cursive style with a large, looped initial "C".

Cary Alan Johnson  
Executive Director