Latvia - Declaration on the Renewal of Independence

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{ Editor's Note:
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[Preamble]
The independent state of Latvia, founded on 18 November 1918, was granted international recognition in 1920 and became a member of the League of Nations in 1921. The Latvian Nation's right to self-determination was implemented in April 1920, when the people of Latvia gave their mandate to the Constituent Assembly chosen by universal, equal, direct and proportional elections. In February 1922, the Assembly adopted the Constitution of the Republic of Latvia, which is still in effect de jure. The ultimatum of 16 June 1940, from the Stalinist government of the USSR to the Latvian Government asking for its resignation, and the following military aggression, constitute international crimes, which resulted in the occupation of Latvia and the liquidation of its statehood. The new government of Latvia was formed by the dictate of the government of the USSR. According to international law, this government did not represent the executive authority Or the sovereign Republic of Latvia since it represented the interests of the USSR instead of those of Latvia.

The elections of 14 and 15 July 1940, to the Parliament of occupied Latvia were held under conditions of political terror after an illegal and unconstitutional election law had been adopted. Of the 17 lists of candidates submitted, only one was permitted in the elections -- the list of the Working People's Bloc. The pre-election platform of this bloc did not include any demand to establish Soviet power in Latvia or to join the Soviet Union. Moreover, the results of the elections were falsified. Thus, the illegally and fraudulently formed Parliament did not represent the will of the Latvian people. It had no constitutional powers to change the governmental system and liquidate the sovereignty of Latvia. Only the people had the right to decide on these matters, but no referendum was held. Hence, according to international law, the incorporation of Latvia into the Soviet Union is invalid. Accordingly, the Republic of Latvia continues to exist de jure as a subject of international law and is recognized as such by more than 50 nations of the world.

Taking into account the "Declaration on the Sovereignty of the Latvian State" adopted by the Supreme Soviet of the Latvian SSR on 28 July 1989; the "Declaration on the Question of the Independence of the Latvian State" adopted by the Latvian Supreme Soviet on 15 February 1990; and the "Appeal of the All-Latvia Meeting of People's Deputies" of 21 April 1990; Observing the will of the inhabitants of Latvia, which was unmistakably expressed by the election to the Latvian Supreme Soviet of a majority of deputies who had expressed the determination to restore the independence of the Republic of Latvia;

1 Source: http://www.servat.unibe.ch/law/icl/
Being determined to restore de facto the free, democratic, and independent Republic of Latvia, The Supreme Soviet of the Latvian SSR decides:

**Section 1**

To recognize the supremacy of the fundamental principles of international law over national law and to consider illegal the treaty of 23 August 1939 between the USSR and Germany, and the subsequent liquidation of the sovereignty of the Republic of Latvia on 17 June 1940, which was the Soviet military aggression.

**Section 2**

To declare null and void from the moment of inception the decision of 21 July 1940, by the Parliament of Latvia: "On the Republic of Latvia's Joining the USSR".

**Section 3**

To re-establish the authority of the Constitution of the Republic of Latvia, adopted by the Constituent Assembly on 15 February 1922, in the entire territory of Latvia. The official name of the Latvian state is "The Republic of Latvia", abbreviated as "Latvia".

**Section 4**

Until the adoption of a revised constitution, to suspend the Constitution of the Republic of Latvia, except for the articles expressing the constitutional and legal foundation of the Latvian state, which, according to Article 77 of the Constitution, can be changed only by popular referendum. The application of Article 6 will follow the renewal of those state and administrative structures of Latvia, which guarantee free elections.

**Section 5**

To set a transition period for the re-establishment of the de facto independence of the Republic of Latvia, which will conclude with the convening of the Parliament of Latvia. During the transition period, supreme state power in Latvia is held by the Parliament of Latvia.

**Section 6**

During the transition period, to implement those constitutional and other legal acts of the Latvian SSR which are in effect in Latvia when this Declaration is adopted, insofar as they do not contradict Articles 1, 2, 3, and 6 of the Constitution of the Republic of Latvia. Conflicts of
law are resolved by the Constitutional Court of Latvia.

Section 7

To form a commission for revising the Constitution of the Republic of Latvia, so that corresponds to the present political, economic, and social situation in Latvia.

Section 8

To guarantee citizens of the Republic of Latvia and those of other nations permanently residing in Latvia social, economic, and cultural rights, as well as those political rights and freedoms which are defined in international human rights instruments. To apply these rights also to those citizens of the USSR who express the desire to continue living in the territory of Latvia.

Section 9

To develop relations between Latvia and the USSR in accordance with the Peace Treaty between Latvia and Russia of 11 August 1920, which is still in force and which recognizes the independence of Latvia for all time. To establish a Government Commission for conducting negotiations with the USSR.