

**Information for the media and
an open letter to representatives of public organisations and civil society
regarding the initiation of criminal proceedings against the representatives of the
organization "I Want to Help Refugees"/ "Gribu palīdzēt bēgļiem"**

"I want to help refugees" information about criminal proceedings against its representatives

On 11 January 2023, representative of "I Want to Help Refugees" Ieva Raubiško received a letter addressed to her from the European Court of Human Rights regarding the decision in the case "M.A. and others v. Latvia". With this decision, the court on interim measures: namely, that it has instructed the Latvian government not to deport several Syrians from the territory of Latvia until 8 February 2023, as well as to provide them with food, water, clothing, adequate medical assistance and temporary housing.

Considering that these Syrian citizens had previously approached "I Want to Help Refugees" because their lives and health were in danger, representatives of the organization went to the border of Latvia and Belarus to make sure that the decision of European Court of Human Rights will be implemented and that Syrian citizens will receive the humanitarian aid they need.

Upon meeting Syrians who were mentioned in the decision of European Court of Human Rights in the territory of Latvia, a representative of the organization immediately contacted the Emergency Medical Service, and also reported what was happening to the State Border Guard, whose representatives shortly arrived at the scene. The publicly released information that the representatives of "I want to help refugees" were in the territory of Belarus is not true.

The State Border Guard has initiated criminal proceedings against the representatives of "I Want to Help Refugees" according to Section 285, Part 2 of the Criminal Law, namely for moving persons across the border. The initiated criminal proceedings prevent the representatives of "I want to help refugees" from providing more information about what happened.

Open letter of representatives of public organizations and civil society

The association "I Want to Help Refugees" and other Latvian humanitarian aid, human rights and civil society organisations and civil society representatives who have signed this letter, express their bewilderment and condemnation of the first case in the history of Latvia when criminal proceedings have been initiated against representatives of one of the leading human rights organisations in Latvia for the fact that representatives of the organization fulfil the humanitarian and human rights mission of the organisation. This is a dangerous precedent, which is more characteristic of authoritarian countries than of a consolidated democracy, which Latvia is. We emphasize that the organisation provided assistance in accordance with the norms of international law binding on Latvia and the decision issued by the European Court of Human Rights. Such criminalization of legitimate human rights activities is questionable from the point of view of the international legal order, the stability of which is the cornerstone of Latvia's independence.

The Court of Justice of the European Union, ruling in a similar case on Hungarian laws, the content of which created a theoretical risk for human rights activists to be criminally punished for helping border crossers to apply for asylum, recognized such laws as incompatible with the European Union law, drawing attention to the fact that even purely theoretically possible criminal penalties have a harmful effect on protection of human rights (16 November 2021, case No. C-821/19).

The European Commission has also been clear in its position that the provision of humanitarian assistance to asylum seekers who cross the EU's external border should not be criminalised. This

has also been the consistent position of the European Union in defending human rights defenders in third countries. According to the Universal Declaration of Human Rights, respect for human rights is not only a right, but also a duty of individuals, groups and societies, which is also the reason why the state must especially support and protect human rights and humanitarian aid organisations independent of state power against all kinds of repression.

We hereby invite the Latvian Ombudsman, the Judicial Council, the Human Rights and Public Affairs Committee of the Saeima, as well as other Latvian human rights opinion-forming institutions to explain to the law enforcement authorities the reasons why criminal proceedings in a democratic country are not an acceptable method of targeting representatives of human rights and humanitarian organizations in circumstances where they fulfil the existential mission of these organizations, which is to help people in distress.