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Human Rights Committee

Decision adopted by the Committee under article 5 (4) of the Optional Protocol, concerning *communication No. 3595/2019*,**

Communication submitted by:	V. K. (not represented by counsel)
Alleged victim:	The author and A.K.
State party:	Latvia
Date of communication:	19 July 2018 (initial submission)
Document references:	Decision taken pursuant to rule 92 of the Committee's rules of procedure, transmitted to the State party on 30 April 2019 (not issued in document form)
Date of adoption of decision:	19 July 2024
Subject matter:	Spelling of alleged victim's name according to Latvian orthography in identity documents
Procedural issues:	Failure to exhaust domestic remedies; level of substantiation of claims; lack of victim status
Substantive issues:	Right to private and family life; discrimination on the basis of language; right to use own language
Articles of the Covenant:	17, 26 and 27
Articles of the Optional Protocol:	1, 2 and 5 (2) (b)

1. The author of the communication is a V.K., a Latvian national born in 1971. He submits the complaint on his own behalf as well as on behalf of his minor son, A.K., born in 2011. The author claims a violation by the State party of their rights under articles 17, 26 and 27 of the Covenant. The Optional Protocol entered into force for the State party on 22 September 1994. The author is not represented by counsel.

* Adopted by the Committee at its 141st session (1-23 July 2024).

** The following members of the Committee participated in the examination of the communication: Tania María Abdo Rocholl, Wafaa Ashraf Moharram Bassim, Rodrigo A. Carazo, Yvonne Donders, Mahjoub El Haiba, Carlos Gómez Martínez, Laurence R. Helfer, Marcia V.J. Kran, Bacre Waly Ndiaye, Hernán Quezada Cabrera, José Manuel Santos Pais, Soh Changrok, Tijana Šurlan, Kobauyah Tchamdja Kpatcha, Teraya Koji, Hélène Tigroudja and Imeru Tamerat Yigezu.

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Facts as presented by the author

2.1 The author is a Latvian national of Russian ethnicity. His wife is a Latvian national of Belarussian ethnicity. Their son A.K. was born on 20 June 2011. On 18 July 2011, the author requested the Riga Ziemeļu district Civil Registry Office to record his son's name - first name and surname - transliterated from Russian to Latin script in the birth register and birth certificate, as an additional record in the registry. Such a possibility for an additional record exists under article 19 (2) of the 'State Language Law'. On 25 July 2011, the Civil Registry Office dismissed the author's application, finding that the name of the author's son could only be recorded in Latvian. The author's subsequent appeals of the decision to the District Administrative Court, the Regional Administrative Court, the Supreme Court, and the Constitutional Court were all dismissed on 8 January 2013, 27 June 2016, 18 January 2017 and 20 July 2017, respectively as concerning the transliteration of the author's son's first name. The Regional Administrative Court terminated the proceedings concerning the claim as to the transliteration of the author's son's surname, as by this point the author had received a birth certificate for his son with the surname transliterated, as per his request.

2.2 In its decision of 18 January 2017 the Supreme Court noted that under article 19 (2) of the State Language Law transliteration of a name is allowed if the applicant can verify the previous use of the name by documents. It noted that this possibility was intended to minimize the inconvenience caused to the person and to facilitate the identification of a person whose name entry in a personal identification document differed from that in another, previously issued, personal identification document of that same person. It noted that transliteration of a name was aimed at eliminating misunderstandings regarding the identification of a person and that under domestic legislation transliteration was not intended for any other purpose. It noted that the author had referred to the Committee's findings in *Raihman v. Latvia* but found that the facts differed between said case and the author's case, as in the former the name of the author had been used for a very long time in official documents in its original form, before being unilaterally changed by the authorities. The Supreme Court further found that the regulatory framework in the State party had a legitimate purpose, i.e., the protection of the role of the official language. The author subsequently submitted a constitutional complaint to the Constitutional Court. On 20 July 2017, the Constitutional Court decided to not initiate a case.

Complaint

3.1 The author claims a violation of his and his son's rights under article 17 of the Covenant. He refers to the Committee's jurisprudence[1] and notes that the right to retain one's name and have that name officially recognised as part of one's identity is an integral part of the right to privacy and family life. He argues that the lack of official recognition of minority first names, not even in the form of an additional indication on personal documents, gives rise to doubts over the respect of minority identities. He argues that the unilateral modification of his son's first name amounts to an arbitrary interference with their right to privacy and that said interference does not pursue a legitimate aim. While he notes that interference in the form of adaptation of a name on the main form of a document could be argued to be necessary to protect the Latvian language and its proper functioning as an integral system, there is however no legitimate aim in denying the possibility to indicate the name as transliterated elsewhere on the document. The author further submits that domestic legislation regarding the transliteration of names is also arbitrary. Whether his son can have his first name transliterated as an additional record on his birth certificate, does not affect other individuals being able to freely use Latvian in their daily lives. He additionally claims that the refusal to transliterate his son's first name creates inconveniences in their daily lives caused by the difference between the first name on identity documents and the name as used by the family, which may raise problems and doubts when his son is required to prove his identity.

3.2 The author also claims a violation of his and his son's rights under article 26 of the Covenant. He notes that even if the State party considers domestic legislation to be neutral,

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[1] *Raihman v. Latvia* (CCPR/C/100/D/1621/2007) and *Bulgakov v. Ukraine* (CCPR/C/106/D/1803/2008).

it can still result in discrimination on the grounds of language and ethnicity. Persons belonging to the Russian language minority do not have the possibility to indicate their first name even as an additional, transliterated version on official records, as the authorities require additional evidence that is impossible to provide if the person concerned is born in Latvia and has a Latvian birth certificate. He notes that this rule has a negative impact on the Russian linguistic community which makes up one third of the population.

3.3 The author further claims a violation of his and his son's rights under article 27 of the Covenant. He argues that the refusal to accept the transliteration of his son's first name amounts to a denial of the right to use their own language with other members of the community. He argues that a name, including a first name and the spelling of it, is an essential element in the culture of many ethnic, religious or linguistic communities, indicating a person's ethnic, religious or linguistic identity. He argues that the State party is required to create a system of transliteration, which would allow maintaining and officially using the first name of a person belonging to a minority, even if it is not integrated into the grammatical system of the official language.

State party's observations on admissibility and merits

4.1 On 30 October 2019, the State party submitted its observations on the admissibility and merits of the communication. It submits that the author's claims should be found inadmissible for failure to exhaust domestic remedies, as insufficiently substantiated and for lack of victim status.

4.2 The State party notes the author's claim that the refusal of the State party authorities to include an additional entry in the birth register of his son, reflecting the version of the original Russian name as chosen by the author and transliterated with Latin alphabet letters amounts to a violation of articles 17, 26 and 27 of the Covenant. It notes that on 18 July 2011, the author requested the Riga Ziemeļu Civil Register Office to add the Latin transliteration of the original form of his son's first name and surname in the birth register. On 25 July 2011, the Civil Register Office refused the request, noting that article 6 of the 'Civil Status Documents Law' and article 8 of the 'State Language Law' provides that entries in the civil register are to be made in the official language. The State party informs that the decision further noted that no document had been submitted which proved the original name of the author's son and therefore rejected the application. The author subsequently noted in further proceedings that part of his claim had been resolved, as he had been able to have his son's surname transliterated and recorded in the Civil Register. He however appealed the refusal by the Civil Register Office to transliterate his son's first name as an additional record in the birth register. On 27 June 2016, the Administrative Regional Court rejected the appeal.

4.3 The judgment of the Administrative Regional Court was upheld by the Supreme Court on 18 January 2017. The Supreme Court noted that a prohibition to transliterate a personal name by itself would not constitute a violation of the right to privacy; however, it found that account must be taken of the fact that the author and his son belonged to a national minority, and that his child's name in Latvian was reproduced phonetically and adapted to the grammatical rules of Latvian. The Supreme Court recalled that the possibility to transliterate original names was introduced in the legislation of Latvia with the aim to reduce as far as possible inconveniences caused by the reproduction of personal names. The Supreme Court noted that with his claim, the author wanted to achieve another function for transliteration, and it therefore found it necessary to examine whether there was an obligation to provide such transliteration of a personal name. Recalling the case law of the European Court of Human Rights, the Supreme Court noted that States have a wide margin of appreciation in relation to regulations governing the reproduction of personal names. The Supreme Court continued that Latvia, in exercising its margin of appreciation, chose to reproduce foreign personal names phonetically, simultaneously incorporating them into the Latvian language system. To preserve the significance of the Latvian language, no parallel forms were allowed. The Court concluded that the State was not obliged to provide national minorities with an additional possibility to reproduce personal names in a transliterated form, and in the case at hand it found that the author and his family did not suffer from particular inconveniences. The author's son's first name was reproduced phonetically, taking into account the grammatical rules of the Latvian language, and simultaneously the use of a minority name

was not denied. Finally, as regards the conclusions of the Committee in the case of *Raihman v. Latvia*, referred to by the author in his appeal, the Supreme Court stated that the circumstances of said case were different from the author's case. Namely, it considered that the crucial factor in the *Raihman* case was that the preferred form of personal name in that case had been used on official documents for a long period, until state authorities changed it, while the author's case concerned the initial entry in the Civil Register of his son's first name. On 20 July 2017, the Constitutional Court refused to initiate the constitutional complaint submitted by the author, finding that the argumentation in the author's complaint was not sufficient to initiate a case.

4.4 The State party provides information on the domestic legislation and it notes that article 4 of the Constitution stipulates that "[t]he State language in the Republic of Latvia is Latvian language" while article 114 provides that "[p]ersons belonging to ethnic minorities have the right to preserve and develop their language and their ethnic and cultural identity." Names are regulated in article 19 of the State Language Law which stipulates that: "(1) Names of persons shall be presented in accordance with the traditions of the Latvian language and written in accordance with the existing norms of the literary language, observing the provisions of paragraph two of this Section"; and (2) "There shall be set out in a passport or birth certificate, in addition to the name and surname of the person presented in accordance with the existing norms of the Latvian language, the historic surname of the person, or the original form of the personal name in a different language, transliterated in the Roman alphabet, if the person or the parents of a minor person so wish and can verify such by documents".

4.5 The State party submits that the author's claims should be declared inadmissible for failure to exhaust domestic remedies as it argues that he did not make full use of the constitutional complaint procedure. It notes that if the Constitutional Court has refused to initiate a case due to insufficient legal reasoning, the person concerned can remedy the shortcomings indicated by the Panel of the Constitutional Court in the decision on the refusal to initiate a case by submitting a new complaint to the Constitutional Court. This mechanism is regularly used, on average 40-50 times per year. The State party notes that in the present case the author applied to the Constitutional Court twice. The first application was submitted while administrative proceedings were pending before the Administrative Regional Court. In a decision of 2 September 2016, the Constitutional Court noted that the author had not yet exhausted available general remedies and therefore rejected the complaint. Within such decision, the author's arguments were carefully examined, including a detailed analysis of the structure of the author's constitutional complaint and giving sufficient guidance regarding the parts of the complaint that needed to be amended or expanded.

4.6 The State party notes that the author's second amended constitutional complaint was rejected by the Constitutional Court on 20 July 2017, due to insufficient argumentation as to the claims raised in his complaint. The Panel of the Constitutional Court in its decision noted that the author had exhausted available general mechanisms for the protection of his rights. Turning to the evaluation of the legal reasoning, the Court noted that the author indicated the comparable groups to argue the alleged incompatibility of the challenged domestic provisions with the Constitution., However it found that the reasoning provided was not sufficient to show why these groups were in similar and comparable situations. The Constitutional Court also noted that the author had not provided reasons as to why the alleged restrictions in his case had not been proportional. In addition, the Court pointed out that the author had failed to provide the reasons as to why he was convinced that the factual circumstances of his case were comparable with the factual circumstances in the case of *Raihman v. Latvia*. In this context, the State party notes that the second constitutional complaint submitted by the author only contained minor amendments to the text of the first constitutional complaint, expanding argumentation regarding the alleged violation of the prohibition of discrimination. It argues that the author did not do everything he could to duly amend his constitutional complaint, in order to comply with the guidance received from the Court when his first complaint was rejected, a fact which was also noted in the second decision of the Constitutional Court of 20 July 2017. The State party notes that it is therefore compelled to question the author's intentions to make full use of the available mechanisms at the domestic level, before submitting his complaint to the Committee. In this regard, the State party recalls that the European Court of Human Rights has recognised the Constitutional Court as an effective

domestic remedy in the examination of individual complaints where the constitutionality of the provisions of national legislation is called into question[2]. A decision by the Constitutional Court and its interpretation of a legal provision is binding on the State authorities. Therefore, even if the Constitutional Court finds a legal provision to be compatible with the Constitution, it may give it a different interpretation than the one previously adopted by the State authorities, thereby remedying the situation in question.

4.7 The State party additionally submits that the author's claims should be found inadmissible for lack of victim status as it argues that the claims are formulated hypothetically, relying on an assumption that there could be situations in the future related to the incorrect understanding or transliteration of his son's first name.

4.8 The State party also submits that the author's claims should be found inadmissible for failure to substantiate the claims for purpose of admissibility. It submits that the author has failed to explain how the absence of the transliterated version of his son's first name in the birth register has interfered with his and his son's private lives in violation of article 17 of the Covenant. It notes that the author has referred to general considerations regarding the use of a name by which society identifies an individual. It however argues that neither before the national authorities, nor in the present communication has the author explained how the absence of the transliterated version of his son's first name in the birth register has created sufferings and hardship in the family's everyday lives. It notes that the author describes possible situations of inconvenience, but without providing further explanations as to whether such situations have actually occurred.

4.9 Should the Committee nonetheless decide that there has been an interference with the right to private life, the State party maintains that the author has not substantiated how the absence of a transliterated form of his son's first name on his birth certificate has interfered with their right to private life. It submits that nothing in contemporary human rights law prevents States from creating legislation in order to protect and promote the official language[3]. The State party refers to the jurisprudence of the European Court of Human Rights that States are "at liberty to impose and to regulate the use of [their] official language",[4] and it submits that this conclusion is fully valid also for the purposes of the present communication. As regards the author's argument that article 19 (2) of the State Language Law interferes with his family's right to private life, the State party submits that said argument is contradictory, and it emphasises that precisely because of this provision, the transliterated form of the author's and his son's surnames have been added to the civil records. In addition, it submits that due regard must be taken to the conclusion of the domestic courts that the existence of several forms of personal names in official documents increase the possibility of difficulties and misunderstandings. The State party further reiterates its argument that the author has not provided any example of an alleged difficulty or hardship arising from the lack of an additional transliterated record in the birth register of his son. It submits that the author has therefore failed to substantiate that there has been an interference in his and his son's right to family life and that likewise he has failed to provide any arguments as to why an alleged interference has been arbitrary. The State party therefore submits that the complaint is manifestly ill founded and should be found inadmissible. Should the Committee find the claim admissible, the State party submits that there has been no violation of article 17 of the Covenant.

4.10 The State party notes that in his complaint the author refers to the Committee's jurisprudence in *Raihman v. Latvia* and *Bulgakov v. Ukraine*. The State party emphasizes that in contrast to said cases, the author in the present communication has not raised any objections to the fact that the name of his son is written in official documents according the orthography rules of the State language, namely Latvian. In addition, it argues that the cases of *Raihman* and *Bulgakov* concerned the main records of personal names in passports that were issued following a prolonged use of said personal names in identity documents. The present case on the other hand concerns a dispute of the additional record of a first name in

[2] European Court of Human Rights, *Grišankova and Grišankovs v. Latvia*, application No.36117/02, 13 February 2003.

[3] *Raihman v Latvia*, para. 8.3.

[4] European Court of Human Rights, *Mentzen v Latvia*, application no.71074/01, 7 December 2004.

the Civil Register, concerning a person born in the State party. Accordingly, there are no other officially recorded forms of said name in another language, as was the case in *Raihman* and *Bulgakov*.

4.11 As an additional ground for non-interference under article 17 of the Covenant, the State party argues that, according, to the provisions of the State Language Law, the use of language is not regulated in unofficial communication, in internal communication of national and ethnic groups, or in services, ceremonies, rituals and other religious activity of religious organisations. This means that in important spheres of a person's private life, for example, when interacting with other members of society, or in family, the author and his family are free to use the language and writing of their choice. Likewise, any person is free to choose and use in unofficial communication diminutive or shortened forms of his or her personal name of any origin, as well as nicknames and pseudonyms. The State party argues that the freedom to use different forms of a personal name in unofficial communication in Latvia is established also by the fact that the baptism certificate of the author's son, issued by the religious organization to which the author belongs, is written in the language that is used in the author's family.

4.12 Regarding the author's claims under article 26 of the Covenant the State party submits that the author has failed to provide any further explanation as to the grounds for the alleged discrimination, or to provide any substantial reasoning in support of his complaint. It notes that the Constitutional Court, in its decisions on the author's applications, found that he had not provided sufficient arguments in support of his claim of alleged discrimination. The State party further argues that the provisions of the State Language Law are applied equally to all.[5]

4.13 Regarding the author's claims under article 27 of the Covenant the State party refers to the Committee's jurisprudence in *Raihman v. Latvia* in which the Committee recalled that States may regulate activities that constitute an essential element in the culture of a minority, provided that the regulation does not amount to a *de facto* denial of this right.[6] It submits that accordingly, as long as the national regulation does not deprive persons belonging to linguistic minorities from the right to freely use their language within their community or disproportionately infringe upon those rights, the State is acting in conformity with article 27 of the Covenant. The State party therefore submits that the author has failed to explain how the absence of the additional record in his son's birth register interfered with their right to use his Russian name in their community. The State party notes that this part of the author's complaint before the Constitutional Court was rejected due to insufficient reasoning, and it observes that the author has not provided any additional arguments in his complaint to the Committee in order to support his claim.

Author's comments on the State party's observations on admissibility and merits

5.1 On March 2022, the author submitted his comments on the State party's observations. He maintains that the communication is admissible.

5.2 The author notes the State party's argument that he has failed to exhaust domestic remedies by not doing everything that could be expected in the preparation of proceedings before the Constitutional Court. He notes that the Constitutional Court may decline to initiate a case if it considers that an applicant has failed to provide sufficient legal reasoning as to the claims raised in a complaint, and that this was the ground on which his second constitutional complaint was dismissed. He notes that in the second constitutional complaint he had expressly claimed a violation of his and his son's right to private life and a violation on the prohibition of discrimination caused by the impossibility of having his son's first name transliterated as an additional record on official identification documents. He submits that

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[5] The State party refers to a judgment by the Supreme Court, Case No. A420243915, in which the applicant, a woman, following marriage and change of her surname requested her new surname to be entered in the Civil Register with an ending that according to Latvian grammar rules is possible only for men, as was the tradition in her family. The Supreme Court dismissed the applicant's request finding that pursuant to the legislation in force, a feminine ending needed to be added to the surname of a woman. The State party submits that this example proves that Latvian speakers are in the same position as linguistic minorities in needing to accept and follow the contemporary rules of Latvian grammar.

[6] *Raihman v. Latvia,* dissenting opinion, para. 8.6.

considering this he has in substance raised all the claims of his complaint, which is now before the Committee, also before domestic authorities up to the highest authority.

5.3 The author further notes the State party's argument that he has failed to substantiate his claims for purpose of admissibility. He refers to the Committee's jurisprudence in *Raihman v. Latvia* and argues that the unilateral modification of a name on official documents amounts to arbitrary interference in privacy and subsequently an author does not have to demonstrate any additional suffering and hardships as once there is unilateral modification the interference is evident. Regarding the State party's argument that there is a lack of victim status the author notes that he has applied for his son's first name to be transliterated on official records as an additional record, which has been rejected by the domestic authorities and consequently they are both directly impacted by said decisions.

5.4 The author reiterates his argument that the inability to have his son's first name transliterated with Latin letters as an official record on identification documents amounts to a violation of articles 17 and 26 of the Covenant, impacting them as members of a minority community. Regarding his claims raised under article 27 of the Covenant the author argues that the inability to have his son's first name transliterated amounts to assimilation pressure in violation of their rights under article 27 of the Covenant. He argues that his son's given name remains only for private use, with even any limited recognition being denied by the authorities, which goes against the right to choose a name.[7]

Issues and proceedings before the Committee

Consideration of admissibility

6.1 Before considering any claims contained in a communication, the Committee must decide, in accordance with rule 97 of its rules of procedure, whether the communication is admissible under the Optional Protocol.

6.2 The Committee has ascertained, as required under article 5 (2) (a) of the Optional Protocol, that the same matter is not being examined under another procedure of international investigation or settlement.

6.3 The Committee notes the State party's submission that the author's claims should be found inadmissible for lack of victim status as the claims are formulated hypothetically. The Committee recalls its jurisprudence that any person claiming to be a victim of a violation of a right protected under the Covenant must demonstrate either that a State party has, by act or omission, impaired the exercise of his or her right or that such impairment is imminent, basing the arguments for example on legislation in force or on a judicial or administrative decision or practice.[8] In the present case, the Committee notes that the author applied to have his minor son's first name transliterated on official records as an additional record, claiming that the lack thereof violated his and his son's right to privacy and family life. It further notes that the author pursued this claim up to the highest available authority, thus the son being directly and personally affected by the State party authorities' decisions to reject said application, as well as the author being affected due to him acting on behalf of his minor son in pursuit of the alleged violation of their right to privacy and family life. The Committee therefore finds that it is not precluded under article 1 of the Optional Protocol, from examining the present communication.

6.4 The Committee further notes the State party's submission that the author's claims should be declared inadmissible for failure to exhaust domestic remedies as he did not make full use of the constitutional complaint procedure by not amending his second constitutional complaint in accordance with the guidance provided by the Constitutional Court in its decisions. It however notes the author's claims that he pursued his claims up to the highest available authority in the State party, namely the Constitutional Court, and that in his constitutional complaint he expressly claimed a violation of his and his son's right to private

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[7] The author refers to the Committee's concluding observations the third periodic report of Latvia, (CCPR/C/LVA/CO/3), para. 7]

[8] *Rabbae v. Netherlands* (CCPR/C/117/D/2124/2011), para. 9.5, citing *Andersen v Denmark* (CCPR/C/99/D/1868/2009), para. 6.4, and *A.W.P. v. Denmark* (CCPR/C/109/D/1879/2009), para. 6.4.

and family life and a violation on the prohibition of discrimination caused by the impossibility of having his son's first name transliterated as an additional record on official identification documents. Taking this into account the Committee therefore considers that it is not precluded by article 5 (2) (b) of the Optional Protocol from considering the present communication.

6.5 The Committee finally notes the State party's submission that the author's claims under article 17, 27 and 26 should be found inadmissible for lack of substantiation. It notes the author's claims that the rejection of an additional transliteration of his son's first name on identification documents, implying a lack of official recognition of his minority status, amounts to an arbitrary interference with his and his son's right to privacy and family life and to discrimination on the basis of language, in violation of their rights under articles 17 and 26 of the Covenant. It further notes the author's claim that the refusal to accept the transliteration of his son's first name amounts to a denial of his and his son's right to use their own language with other members of their community in violation of their rights under article 27 of the Covenant.

6.6. The Committee further notes the author's argument that his case is similar to that of *Raihman v. Latvia* in which the Committee considered the unilateral change by State party authorities of the author's first and surname on official documents, following new legal requirements imposing a Latvian spelling for names on official documents, to amount to a violation of article 17 of the Covenant. In said case the Committee found that such measures, taken after 40 uninterrupted years of the author's use of his original name, resulted in a number of daily constraints, such as failed banking transactions, delays in immigration controls at airports, as well as other inconvenience in daily life for the author, which were not proportionate to the aim sought of protecting the Latvian language and therefore in violation of article 17 of the Covenant.[9] The Committee observes, however, that in the present communication, the issue before it does not concern a unilateral change of an original name – first and surname - having been used by an author for a long period of time, but rather a request to have an additional transliterated record of the author's son's first name added to official documents. The Committee also notes in this regard that the author's request to have his son's surname transliterated on official records was approved by the State party authorities. The Committee notes that the author has claimed that the refusal to transliterate his son's first name may cause inconveniences in their daily lives, which may raise problems and doubts when his son is required to prove his identity. The author has however not provided any specific example or arguments to substantiate this claim as to how he or his son have been or could be adversely affected by the refusal of the State party authorities to include an additional transliteration of his son's first name on identification documents. In the absence of such information and argumentation, the Committee finds his claims under articles 17 and 26 of the Covenant inadmissible for lack of sufficient substantiation under article 2 of the Optional Protocol.

6.7 As regards article 27, the Committee notes the State party's argument that the State party regulation does not deprive persons belonging to linguistic minorities from the right to freely use their language within their community. It further notes that the author has not provided any specific information or argumentation as to how the refusal to transliterate his son's first name on official records would amount to denial of his and his son's right to use their own language with other members of their community. The Committee therefore finds this claim to be insufficiently substantiated and therefore inadmissible under article 2 of the Optional Protocol.

7. The Committee therefore decides:

(a) That the communication is inadmissible under article 2 of the Optional Protocol;

(b) That the decision shall be communicated to the State party and to the author.

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[9] Ibid. paras. 3.1 and 8.2, see also *Bulgakov v. Ukraine*, paras. 7.2-7.3.