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## **Report of the Working Group on the Universal Periodic Review\***

### **Latvia**

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\* The annex to the present report is circulated as received.

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## Introduction

1. The Working Group on the Universal Periodic Review (UPR), established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its eleventh session from 2 to 13 May 2011. The review of Latvia was held at the 7th meeting on 5 May 2011. The delegation of Latvia was headed by Andris Teikmanis, State Secretary, Ministry of Foreign Affairs. At its 11th meeting held on 9 May 2011, the Working Group adopted the report on Latvia.

2. On 21 June 2010, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Latvia: Hungary, Guatemala, Kyrgyzstan.

3. In accordance with paragraph 15 of the annex to resolution 5/1, the following documents were issued for the review of Latvia:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/11/LVA/1);

(b) A compilation prepared by OHCHR in accordance with paragraph 15 (b) (A/HRC/WG.6/11/LVA/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/11/LVA/3).

4. A list of questions prepared in advance by Belgium, Czech Republic, Denmark, Lithuania, Netherlands, Norway, Slovenia, Sweden, and the United Kingdom of Great Britain and Northern Ireland was transmitted to Latvia through the troika. These questions are available on the extranet of the UPR.

## I. Summary of the proceedings of the review process

### A. Presentation by the State under review

5. The head of delegation highlighted the importance of the UPR for human rights protection and promotion. He introduced the delegation which included various portfolios from the Government, and indicated that various other stakeholders, including the civil society, had been involved in preparing the national report.

6. Since the restoration of independence, Latvia started its path as a democratic and sovereign State and acceded to more than 50 international human rights instruments, including the core human rights treaties. Latvia was one of the first states to issue a standing invitation to United Nations special procedures and an active promoter of such standing invitations.

7. Latvia is a member of various European organizations promoting human rights, and regularly undergoes scrutiny of its human rights record, including through binding judgments of the European Court of Human Rights.

8. Latvia has developed modern comprehensive legislation and an institutional system for the protection of human rights. Its Constitution includes a chapter on fundamental rights, and individuals could file complaints with the Constitutional Court. Based on the previous national human rights office, the Office of the Ombudsman was created in 2007 in conformity with the Paris Principles. Within its mandate covering human rights and good governance, the Ombudsman also has the power to submit an application to the Constitutional Court and to a court of general jurisdiction.

9. Latvian society is multi-ethnic and has a long history of interethnic tolerance. Latvia guarantees cultural autonomy for all its national minorities and provides significant support for strengthening their identities. National minorities actively use their constitutionally guaranteed rights and Latvia financially ensures education in eight national minority languages.

10. Latvia referred to the 2001 State Program for Society Integration and indicated that it was currently elaborating new draft policy guidelines on integration. One example of successful integration policy, highlighted by the Council of Europe as a good practice, is the integration of the Roma into Latvian society with the recent development of a special programme of professional training for teacher assistants with Roma background.

11. Latvia has devoted much effort and resources to ensuring that persons belonging to national minorities and recent immigrants obtain good knowledge of the Latvian language. The results are encouraging and knowledge of Latvian is steadily improving in all segments of the society.

12. Given the specific demographic situation prevailing in the 1990s, Latvia granted the special temporary status of non-citizens to former USSR citizens residing in Latvia and who did not have any other citizenship. Non-citizens enjoy most of the rights guaranteed to Latvian citizens. A new citizenship law was adopted in 1994 and a naturalization procedure was introduced. Since then, the number of non-citizens has decreased by more than 50 per cent. Latvia remains committed to the process of civic integration.

13. Latvia considers cooperation between State and non-State actors essential, and State institutions and municipalities closely cooperated with NGOs through consultative institutions and mechanisms.

14. In response to advance questions, Latvia indicated that it had achieved remarkable results on gender equality, although further work was still needed to achieve full de facto equality. It continues to promote measures aimed at a better reconciliation of family duties and employment and at enhancing women's participation in political and economic decision-making. Latvia monitors progress achieved in this respect and is currently revising existing policy planning documents to incorporate newly emerging issues.

15. The Program for Eliminating Domestic Violence was implemented, notably through three priority activities: identification, prevention and institutional cooperation in the provision of assistance and rehabilitation services. Training, public information, access to psychological assistance and social rehabilitation services for child victims were some issues mentioned. Domestic violence is also included in the 2011 State Family Policy Guidelines and, since 2011, it is considered an aggravating circumstance in criminal law. Criminal procedure law also provides for restraining orders as a safety measure in cases of domestic violence. Latvia plans to introduce social rehabilitation for adults, victims of domestic violence soon.

16. Latvia indicated that the number and percentage of non-citizens continue to decrease steadily and currently stands at 14.5 per cent as compared to 29 per cent in 1995. Latvia continues to take measures to further facilitate the acquisition of citizenship.

17. Latvian Constitution and law prohibit discrimination on various grounds, including sexual orientation, and Latvia is in the process of transposing relevant European Union (EU) directives on non-discrimination.

18. Regarding hate crimes, in addition to specific provisions, the Criminal Law defines racial motivation as an aggravating circumstance and due attention is paid to the specifics of investigating racist or homophobic crimes. Police personnel, prosecutors and judges are trained on issues related to intolerance, racism and anti-Semitism. Topics relating to the Holocaust, anti-Semitism and xenophobia are included in school curricula.

19. Latvia is making significant efforts to improve conditions of detention and ensure compliance with international standards. Substantial efforts have been made to implement the Government policy on resocialization of inmates and efficient functioning of the Probation Service is a priority in order to extend the use of alternative sanctions.

20. Latvia indicated that the definition of torture was included in the Criminal Law in 2009. A special unit within the State police has been assigned to investigate allegations of ill-treatment by the police. Regular steps are also taken to improve the quality of investigation and training.

21. The procedure to amend the relevant legislation regarding the abolition of the death penalty in times of war is underway.

22. Children have always been a priority for Latvia. An effective children's rights protection system is in place and the State Inspectorate for the Protection of Children's Rights is the main institution for monitoring compliance with children's rights. The delegation mentioned other institutions, such as the Orphans Courts as well as a hotline providing psychological support to children and teenagers. Latvia has developed a specific policy planning document to address the problem of juvenile delinquency. Local governments address the issue of availability of public kindergartens and the Government has made significant efforts to maintain the system of social benefits for families.

23. Latvia ratified the United Nations Convention on the Rights of Persons with Disabilities and its Optional Protocol in 2010, and adopted an action plan for its implementation. National law already prohibits discrimination based on disability. A special working group composed of Government institutions, the Office of the Ombudsman and NGOs worked on the draft guidelines for implementing the Convention. In 2011, there was a slight increase in the employment of disabled persons. Latvia mentioned various ongoing activities relating to environment accessibility for disabled persons.

24. Latvia has introduced a strategy and information campaigns for preventing human trafficking, including on the risks of marriages of convenience. The police work with the representatives of vulnerable groups at risk of being trafficked and border guards are trained to identify possible cases of trafficking. Victims of trafficking are provided psychological rehabilitation, legal and medical support through good cooperation with NGOs.

25. The Corruption Prevention and Combating Bureau (KNAB) is the leading specialized anti-corruption authority since 2002. Its aim is to fight corruption in a coordinated and comprehensive way. Several proposals to improve its efficiency have been recently submitted and a working group had been set up in this respect.

26. Although Latvia is determined to continue cooperation with international organizations, its current human and institutional capacity is limited. As such, Latvia is very cautious about ratifying new instruments. Although Latvia is proud of its human rights record and achievements, it understands that there is still room for improvement and development, as human rights are not static, but rather reflect the challenges faced by society at the given moment in time.

## **B. Interactive dialogue and responses by the State under review**

27. During the interactive dialogue, 43 delegations made statements. Recommendations made during the dialogue can be found in section II of the present report.

28. The Russian Federation stated that the documents submitted for the UPR testify to the continued discriminatory policy directed to Russian-speaking permanent residents in Latvia. 327,000 people, or 14 percent of the population, are "non-citizens". Non-citizens

are not recognized as national minorities by the legislation and put beyond the framework of the relevant international treaties. Thus, they were deprived of fundamental rights and freedoms. It stated that the Russian-language information and cultural-educational space was reduced. The Russian Federation expressed concern about the increase in neo-Nazism, xenophobia and anti-Semitism. It made recommendations.

29. Uzbekistan noted with appreciation the recent steps taken by Latvia to protect human rights and establish the Office of the Ombudsman. It expressed concerns about overcrowding in penitentiary institutions. It also referred to children with minor disabilities who were frequently institutionalized due to the lack of child-care capacity. Uzbekistan made a recommendation.

30. Poland expressed its appreciation for the continued efforts made by Latvia to strengthen its national human rights system. It welcomed all the pledges made by Latvia while seeking election to the Human Rights Council. It noted that in spite of efforts undertaken, including the launch of special programmes, inequalities in the enjoyment of human rights in some areas still persisted. Poland made recommendations.

31. The Republic of Moldova noted that Latvia was party to the main international human rights instruments. It recalled that the Special Rapporteur on the sale of children, child prostitution and child pornography had encouraged Latvia to allocate sufficient funds to all child protection programs. The Republic of Moldova also referred to the recommendations made by the Committee against Torture and the Committee on the Rights of the Child to continue adopting measures to prosecute and punish those responsible for trafficking in human beings and sexual exploitation. It made recommendations.

32. Algeria noted that the economic reforms and efforts undertaken by the Government had enabled Latvia to be among the first 50 countries in the Human Development Index. It welcomed the actions carried out by Latvia in the fields of social integration and the fight against discrimination. Algeria encouraged Latvia to step up its efforts to implement the Program for the Elimination of Domestic Violence and ensure wider education on the subject. Algeria made recommendations.

33. Estonia commended Latvia for the establishment of the National Human Rights Office in 1995 and the ratification of core international human rights instruments. It also welcomed the steps taken to combat human trafficking and the ratification of the Palermo Protocol, as well as the special attention given to the protection of women's rights. Estonia commended Latvia for its achievements in the naturalization process. It stated that the Government's integration strategy has resulted in the protection of ethnic minorities.

34. Canada commended Latvia for its initiatives in the field of human rights, such as its active engagement in combating human trafficking, labour exploitation and smuggling of illegal immigrants. It welcomed Latvia's ongoing efforts to improve the integration of immigrants and refugees. Canada praised the efforts to establish a system for the reintegration of convicts in places of imprisonment and to clients of the State Probation Service. Canada made recommendations.

35. France enquired about Latvia's intention to amend its Constitution and legislation in order to include the principle of gender equality and to strengthen its legislation to prohibit and repress all forms of discrimination, particularly on the basis of race and sexual orientation. France also requested whether Latvia considered defining new guidelines in its integration and national identity policy. France asked about the relevant stakeholders in the elaboration of the new programme on society integration. Finally, it stressed the high number of "non citizens and stateless persons" living in the country and enquired about the measures that Latvia intended to take to provide them with citizenship. France made recommendations.

36. Morocco highlighted the issue of human trafficking, referring to Latvia as a country of origin, and praised Latvia for its achievements in combating this scourge. It recalled the importance of international cooperation on this issue. Morocco also raised the issue of fictitious marriages that lead in certain cases to human trafficking or labour exploitation. It sought further information relating to the measures undertaken by Latvia to address this challenge and its expectations for international cooperation. It also enquired whether Latvia had included a human rights dimension in school curricula and about the training of judges, lawyers, security and police forces. Morocco made a recommendation.

37. Azerbaijan noted with satisfaction Latvia's cooperation with United Nations human rights mechanisms. It noted the legal protection for the rights of women and the Program for Eliminating Domestic Violence 2008-2011. It welcomed the measures taken to promote children's rights and the efforts to protect the rights of persons with disabilities. Azerbaijan made recommendations.

38. Germany acknowledged Latvia's efforts to promote a peaceful coexistence of groups of different language origin. It asked whether Latvia planned to proceed with the ratification of Protocol No. 13 of the European Convention on Human Rights and Fundamental Freedoms. Germany also enquired about measures taken to address pretrial detention and the high risk of ill-treatment it entailed, and human trafficking.

39. Bulgaria commended Latvia for the establishment in 2007 of the National Human Rights Office in accordance with the Paris Principles and the implementation of the National Programme for the Promotion of Tolerance 2005-2009. It asked about the progress achieved in implementing the State Language Law and the recommendations of the European Commission against Racism and Intolerance on the implementation of this Law.

40. Norway was concerned about the capacity of the Ombudsman for human rights. It was pleased that Latvia offered protection and rehabilitation programs to victims of human trafficking. It expressed concern about the deterioration of children's rights as a result of the financial crisis. It was concerned about the large number of non-citizens and stressed that pro-active measures were needed to address this issue. Norway made recommendations.

41. Czech Republic welcomed Latvia's voluntary pledge as a candidate to the Human Rights Council to consider ratifying human rights treaties and avoiding reservations. Czech Republic made recommendations.

42. While encouraged about the reforms undertaken to reduce the number of non-citizens residing in Latvia, Austria enquired as to how Latvia ensured that these people enjoyed equal economic, social and cultural rights. Austria also inquired about the steps taken to ensure that all children born in Latvia from eligible non-citizens acquired Latvian citizenship. Austria asked about efforts made to reduce overcrowding in prisons and about the new model for the reintegration and employment of ex-convicts. Austria made recommendations.

43. Spain commended Latvia on its National Programme for the Promotion of Tolerance. It noted that Latvia was the only country in Europe that still maintained the death penalty in its legislation, though only for cases of murder in times of war. Spain welcomed Latvia's moratorium on the death penalty established in 2006. Spain made recommendations.

44. Argentina thanked Latvia for its information on measures implementing the principle of non-discrimination for children belonging to minority groups, especially the Roma, with regard to access to education services. Argentina enquired whether Latvia planned to implement measures aimed at ensuring greater participation of women in the

public sphere and better equal participation in the economic sphere. Argentina made recommendations.

45. Brazil acknowledged the important role of Latvia in promoting the issuance of a standing invitation to special procedures. It referred to the concerns expressed by United Nations human rights mechanisms and civil society at the persistence of the issue of non-citizens. It acknowledged Latvia's efforts to promote the rights of persons living with HIV/AIDS. Brazil asked Latvia to comment on the impact that the financial crisis had on the enjoyment of social, economic and cultural rights. Brazil made recommendations.

46. Lithuania noted the efforts undertaken by Latvia in guaranteeing human rights principles, although it acknowledged that some challenges remained. It welcomed Latvia's initiative to prepare cross-regional statements at the Human Rights Council concerning standing invitations to the special procedures. Thanking the delegation for their replies to their advance questions, Lithuania made recommendations.

47. Australia commended Latvia on its actions to combat discrimination and promote tolerance and on acceding to core human rights treaties. It expressed concern that the death penalty remained at the domestic level. While noting that Latvia has significantly decreased the number of non-citizens, Australia encouraged Latvia to take steps to decrease further the number of non-citizens and improve social and political rights of non-citizens. Australia made recommendations.

48. Chile commended the measures taken by Latvia to promote and protect human rights, such as the adoption of a program to prevent trafficking in persons, the increase in school enrolment of boys and girls and the fact that treaties are part of the domestic legal order and have primacy. It noted the main national priorities for Latvia, particularly the measures aimed at eliminating hate crimes through information and education and early detection and definition of these crimes. Chile made recommendations.

49. Hungary commended Latvia on its steps to combat human trafficking. It welcomed the moratorium on the death penalty in addition to the abolition of capital punishment for crimes committed in peacetime, but noted that the Criminal Code still contains provisions on the death penalty during wartime. Hungary enquired whether strengthening of the Ombudsman's office would provide additional tools to protect victims of domestic violence. Hungary made recommendations.

50. The Netherlands noted that Latvia was one of the first states to issue a standing invitation to human rights special procedures. It stated that lesbian, gay, bisexual and transgender (LGBT) people may suffer discrimination and be subject to hate speech. It also highlighted the high number of non-citizens, representing about 15 per cent of the population and the concerns raised by the Committee on Economic, Social and Cultural Rights, the Committee against Torture, the Office of the United Nations High Commissioner for Refugees (UNHCR) and the Special Rapporteur on racism, among others, about the integration of non-citizens. The Netherlands made recommendations.

51. Palestine noted with appreciation Latvia's close cooperation with United Nations human rights mechanisms and the Office of the United Nations High Commissioner for Human Rights (OHCHR). It also noted that Latvia is party to the main international human rights instruments, including the Palermo Protocol that has become part of the national legal system. Palestine made recommendations.

52. Mexico acknowledged Latvia's efforts to improve the legal and institutional framework by, inter alia, the establishment of the Ombudsman and the adoption of a law to combat discrimination against persons with disabilities. It encouraged Latvia to give priority to the development and consolidation of the work done by the Ombudsman, as well

as the full enforcement of existing human rights standards to which Latvia is a party. Mexico made recommendations.

53. Belarus noted with satisfaction a number of measures taken by Latvia to combat trafficking in human beings. It asked about Latvia's experience in implementing the national programme for combating human trafficking, 2004–2008 and whether Latvia planned to adopt a new strategy in this area. It noted the need for Latvia to engage more effectively in the preparation of thematic reports by special procedures. Belarus made recommendations.

54. While expressing its appreciation for the efforts undertaken by Latvia to protect human rights, the Islamic Republic of Iran expressed concerns about various issues, such as racially motivated statements in the media targeting immigrants, asylum-seekers, refugees and certain ethnic groups, overcrowding in prisons and the situation of certain minorities, especially the Roma. It made recommendations.

55. The United States of America commended Latvia for working to promote tolerance and an integrated society. It encouraged Latvia to continue its efforts to promote respect for the human rights of all and to continue implementation of the National Program for the Promotion of Tolerance. The United States urged Latvia to strengthen its legal framework to combat hate crimes and discrimination and to take steps to address the obstacles in integrating members of the Russian-speaking minority. It expressed concern about the prolonged periods of pretrial detention, ill-treatment and deplorable conditions in detention facilities. The United States made recommendations.

56. Paraguay highlighted the implementation of the action plan to reduce unregistered employment, 2010–2013 aimed at consolidating sustainable and long-term employment. It also expressed interest in the setting-up of a rehabilitation system for inmates that promotes parole programmes and the development of specific instruments of rehabilitation for inmates. It asked for further information in this regard. Paraguay made recommendations.

57. Latvia thanked all the delegations for their comments and recommendations. The delegation recalled that Latvia has experienced a severe economic crisis in recent years and the Government has had to take severe measures to cut budget and salaries, while at the same time safeguard social protection. Latvian economy has started to recover. Due to increased unemployment, a special system of social safety measures was introduced to cope with this situation. Various structural reforms have been undertaken in the areas of health care and education, such as the reform of the medical-care system, aimed at improving operational efficiency and reducing costs.

58. Regarding integration, the Latvian delegation stated that the conceptual framework for a new integration programme has been put forward for public discussion. The programme encompasses several issues relating to civic integration such as civil society and democratic participation, the development of Latvian language skills, strengthening the sense of belonging to the country and attracting Latvian nationals living abroad. It referred to an old diaspora who left Latvia after the Second World War, and a new diaspora who left Latvia because of the recent economic crisis. The programme is also aimed at maintaining links with these diasporas.

59. Latvia pays particular attention to the preservation of the Latvian language, as the proportion of Latvians living in Latvia has decreased from 77 per cent in the 1930s to 52 per cent in 1989. However, translation is provided in specific circumstances.

60. The Citizenship Law adopted in 1994 takes into account the figures and was designed in collaboration with regional organizations. Further to a referendum held in 1998, the law was amended and the naturalization procedure was facilitated. Non-citizens could become Latvian citizens by simply passing a language test. Older people are only required

to pass an oral exam and naturalization fees are very low. Information campaigns have been organized. However, according to a survey, the economic situation is more important than obtaining Latvian citizenship. Non-citizens enjoyed most of the rights of citizen and may even travel to the Russian Federation without paying for a visa, unlike Latvian citizens.

61. Regarding children of non-citizens, the Ministry of Interior has just proposed new provisions to ease their registration as citizens. Such children could already become citizens by simple registration; the new measures ease the process even more.

62. Latvia condemns in absolute terms all totalitarian ideologies, including Nazism and neo-Nazism. The delegation referred to several criminal cases involving expression on the Internet. There were no Nazi marches in Latvia.

63. Latvia recalled that the Constitution guarantees the principle of non-discrimination, and criminal law criminalizes all forms of discrimination and all acts of racial hatred and intolerance. Racist motivation was considered as an aggravating circumstance. Marital rape was already criminalized.

64. Although the death penalty is still applicable in wartime, the four relevant commissions in Parliament held a debate in 2011, and all explicitly supported its abolition. The Ministry of Justice has initiated the process for the ratification of relevant treaties and amendment to the criminal law.

65. Since the establishment of the Probation Service, alternative sanctions are increasingly used and more crimes can be punished through such sanctions. New major criminal law reforms are intended to decrease the use of detention while increasing the use of alternative sanctions. Rehabilitation of inmates is also at the forefront of the reforms. A new detention centre for juvenile prisoners has been created and about 5 million Euros has been allocated for renewing existing prisons. Furthermore, public-private partnerships are under consideration to build new prisons.

66. The Constitution and a number of laws guarantee gender equality. The Ministry of Welfare together with relevant stakeholders, including NGOs, have been working on the elaboration of a new planning policy document on gender equality and domestic violence for the next two years.

67. A large number of women are political leaders or hold managerial positions in enterprises. Child development in the family is a national priority. Latvia assists families of disabled children through various services. In 2011, Latvia discussed a reform on the legal capacity of mentally disabled persons pursuant to a decision of the Constitutional Court.

68. Equal access to education is provided for ethnic minorities and Latvia finances education in eight minority languages. In response to demographic challenges, a number of schools have been closed; more Latvian-language schools than minority schools have been closed. The State provides funds on an equal basis for students in minority and Latvian schools. Respect for diversity, civic education and ethics, among others, are included in school curricula and in continuing education curricula for teachers.

69. With regard to human trafficking, since 2000, Latvia has had in place an effective system to combat human trafficking. To date, only a few cases have been reported. Latvia went beyond the Palermo Protocol in that the use of force against potential victims of sexual exploitation is not a precondition for instituting a criminal case against traffickers. Latvia has a system to identify victims and a budget is allocated for the identification and rehabilitation of victims.

70. Regarding society integration, the Ministry of Culture supports ethnic minorities through various financial instruments. Latvia engages, at different levels, various consultative bodies representing ethnic minorities. Funds are also provided to combat

intolerance. The development of language skills is a tool to enhance employment and education.

71. Slovenia noted with appreciation that Latvia has ratified the majority of core human rights instruments, including the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. It also welcomed the fact that the definition of torture has recently been incorporated into the Criminal Code. Slovenia made recommendations.

72. The United Kingdom of Great Britain and Northern Ireland was pleased to note the establishment of the Ombudsman's Office and encouraged strengthening its capacity and seeking its accreditation. The United Kingdom enquired about national responses to allegations of all forms of discrimination. It welcomed the work to update the State programme for society integration and proposed new policy guidelines. It requested further details on measures planned and the revised programme to strengthen the integration of minority groups. It enquired about the steps taken to prevent human trafficking and fictitious marriages abroad. It made recommendations.

73. Italy commended Latvia for its active collaboration with the United Nations and for its advocacy role in favour of a standing invitation by other countries to United Nations special procedures. It encouraged Latvia to facilitate the naturalization of non-citizens and enquired about the possibility of automatically granting citizenship to those born in Latvia. Italy called on Latvia to continue to cooperate with the Organization for Security and Co-operation in Europe and the Council of Europe on minority issues, and encouraged Latvia to intensify its efforts to facilitate the full social integration of national minorities.

74. Sweden enquired about Latvia's intentions to ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights. It expressed concern about the shortcomings in prisons and detention centres, referring to allegations of ill-treatment by staff, poor material conditions and insufficient outdoor exercise. Sweden made recommendations.

75. China appreciated the progress made in the protection of human rights and welcomed the accession by Latvia to core human rights treaties. It noted Latvia's commitment to protect the rights of women and children, and the cultural traditions of minorities, as well as to combat discrimination against Roma. China made a recommendation.

76. Ecuador noted the efforts made by Latvia to implement international human rights standards. Ecuador made recommendations.

77. Slovakia noted the progress made by Latvia in advancing its human rights record in recent years. It took positive note of the ratification of the main international human rights instruments by Latvia and the standing invitation issued to United Nations special procedures. Slovakia made recommendations.

78. Georgia welcomed the positive measures taken by Latvia to protect the rights of national minorities. It noted with satisfaction that non-citizens enjoyed most rights guaranteed to Latvian citizens, and also noted that since the simplification of the naturalization process, the number of non-citizens has considerably decreased. It requested information about the Concept Paper on Resocialization of Convicted Persons. Georgia expressed concern that some states are trying to politicize the UPR process of Latvia. Georgia made a recommendation.

79. Costa Rica recognized Latvia's action relating to human rights and, in particular, the establishment of a national human rights institution and its steadfast promotion of the issuance of standing invitations to special procedures. It also recognized the measures taken on various issues, such as ethnic minorities, gender equality and the elimination of domestic violence. Costa Rica made recommendations.

80. While commending Latvia on its efforts in promoting women's rights, Ukraine asked about the measures taken by Latvia to implement recommendations by the Committee on the Elimination of Discrimination against Women regarding the wage gap between men and women, high unemployment of women, occupational segregation and concentration of women in low-wage occupations. Ukraine commended Latvia for providing State-funded support to minority education programmes and encouraged Latvia to provide further financial support to education in minority languages. Ukraine made a recommendation.

81. Belgium enquired about women's rights, measures taken to incorporate gender equality in the Constitution and domestic legislation, and the full participation of women in the labour market and political life. It also noted that the death penalty was no longer practised, although Latvia had not officially ratified the Protocols aimed at abolishing this practice. Belgium made recommendations.

82. Ireland welcomed Latvia's efforts to eliminate domestic violence and to combat human trafficking. It referred to the recommendations of the Committee Against Torture that Latvia intensify its efforts to combat discrimination against and ill-treatment of vulnerable groups. Ireland asked about efforts undertaken to follow up on this recommendation and to strengthen legislation to protect members of the LGBT community. It made a recommendation.

83. Finland welcomed the emphasis put on the development of national legislation and institutions aimed at enhancing the protection of human rights. It enquired about measures to ensure the rights of LGBT persons. Finland made recommendations.

84. Djibouti noted the establishment in 2007 of the Ombudsman's Office and the ratification of the Convention on the Rights of Persons with Disabilities and its Additional Protocol in March 2010. Djibouti made recommendations.

85. Latvia pointed out a mistake in paragraph 45 of the UPR compilation (A/HRC/WG.6/11/LVA/2) as the information mentioned therein had been checked with the relevant United Nations institutions and not confirmed. Latvia asked that the paragraph be deleted.

86. Latvia recalled that the Office of the Ombudsman fully complies with the Paris Principles, but that it has not yet requested accreditation with the International Coordination Committee.

87. The Constitution and national laws prohibit discrimination based on gender, ethnicity or sexual orientation, and remedies are provided for in case of violation of this principle.

88. Regarding ratification of new instruments, Latvia remains cautious, given its current limited human and institutional capacity. However, it follows developments at the international level so as to identify any gaps which might necessitate any new ratification.

89. Finally, corporal punishment is prohibited through the criminalization of domestic violence and Latvia does not see the need for specific additional legislation.

90. Latvia thanked all the delegations and committed to reflect on the recommendations made, stating that many of them are already in the course of implementation.

## **II. Conclusions and/or recommendations**

91. **The recommendations formulated during the interactive dialogue and listed below enjoy the support of Latvia:**

- 91.1. Gradually consider the ratification of outstanding international human rights instruments (Chile);
- 91.2. Consider acceding to human rights instruments to which it is not yet party, particularly the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Costa Rica);
- 91.3. Ratify step by step the outstanding core international instruments, namely the Second Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Slovenia);
- 91.4. Consider the possibility of ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina);
- 91.5. Seek accreditation for the Office of the Ombudsman with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (United Kingdom of Great Britain and Northern Ireland);
- 91.6. Consider raising the Ombudsman as a national institution for human rights accredited with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (Algeria);
- 91.7. Accredite the Ombudsman to ensure its conformity with the Paris Principles (Moldova);
- 91.8. Further continue its efforts in the field of protection and promotion of human rights (Georgia);
- 91.9. Continue to earmark sufficient funds for all child protection programs (Moldova);
- 91.10. Continue to carry out measures in the field of child rights protection (Azerbaijan);
- 91.11. Contribute to the implementation of the recently adopted Human Rights Council resolution on children living and working on the streets (Hungary);
- 91.12. Continue its positive actions for further promoting the rights of disabled people (Azerbaijan);
- 91.13. Consider taking measures to implement its international commitments pertaining to the rights of persons with disabilities and, in particular, take appropriate measures to address the issue of accessibility (Costa Rica);
- 91.14. Continue efforts to improve and protect the rights of women and children by implementing recommendations made by the United Nations mechanisms and its related special procedures (Palestine);
- 91.15. Reiterate the commitments expressed on the occasion of its election to the Human Rights Council and continue its cooperation with treaty bodies, particularly by submitting its periodic reports in due time (Djibouti);

- 91.16. Continue cooperation with treaty monitoring bodies and United Nations special rapporteurs (Azerbaijan);
- 91.17. Take steps to implement the recommendations of treaty bodies (Slovenia);
- 91.18. Continue to strengthen the national mechanism on gender equality, as recommended by the Committee on the Elimination of Discrimination against Women (Chile);
- 91.19. Establish a comprehensive plan on gender equality, especially stressing prosecution of sexual exploitation and prevention of gender violence (Spain);
- 91.20. Continue efforts to advance gender equality and continue tackling the gender equality issues indicated in the national report (Lithuania);
- 91.21. Further adopt and implement policies and legislation to combat gender discrimination and to promote the empowerment of women, including equal job opportunities and equal remuneration for work of equal value (Brazil);
- 91.22. Step up efforts to combat discrimination against vulnerable groups and minorities, in accordance with internationally established standards (Argentina);
- 91.23. Within the framework of the policy on promoting tolerance, strengthen measures towards interethnic harmony and cultural diversity (Belarus);
- 91.24. Intensify measures to tackle racism and hate crimes (Australia);
- 91.25. Actively engage in the fight against racially motivated crimes (Czech Republic);
- 91.26. Ensure prompt, impartial and effective investigations into all allegations of ill-treatment committed by law enforcement officials (Czech Republic);
- 91.27. Make further efforts to reduce overcrowding in penitentiary institutions, including through the use of alternative measures, and improve conditions in detention facilities (Uzbekistan);
- 91.28. Continue efforts to decrease the number of prisoners and take action to improve the conditions in prisons and detention centres (Sweden);
- 91.29. Improve overall conditions in detention and prison facilities and combat overcrowding in these facilities (Czech Republic);
- 91.30. Continue reforms to improve conditions of detention and make increased use of non-custodial measures as suggested by treaty bodies (Austria);
- 91.31. Reduce the prison population (Islamic Republic of Iran);
- 91.32. Intensify its efforts to prevent, punish and eliminate all forms of violence against women (Argentina);
- 91.33. Further continue its efforts to combat domestic violence, including through raising public awareness (Azerbaijan);
- 91.34. Provide specific training to law enforcement staff to enable them to better understand and prevent domestic violence (Hungary);
- 91.35. Continue taking measures to eliminate human trafficking (Czech Republic);

- 91.36. Continue to take the necessary measures to end trafficking in human beings, including through the implementation of the national program on combating trafficking in human beings (Palestine);
- 91.37. Pursue its efforts to combat trafficking in human beings, especially women and children (Algeria);
- 91.38. Step up efforts to combat trafficking in human beings, including developing international cooperation with interested governments, international organizations and NGOs (Belarus);
- 91.39. Continue its efforts to combat trafficking in human beings, and pay special attention to its victims (Costa Rica);
- 91.40. Continue to adopt appropriate measures to prosecute and punish perpetrators of trafficking in human beings and develop effective systems for the timely prevention of sexual exploitation and trafficking in children (Republic of Moldova);
- 91.41. Prioritize the implementation of human trafficking protection and rehabilitation programmes (Norway);
- 91.42. Further develop and strengthen its programs and services to promote the rehabilitation of victims of trafficking (Canada);
- 91.43. Prioritize training for the judiciary and the police on how to treat victims of trafficking as well as domestic violence (Norway);
- 91.44. Introduce legislation that allows for partial or segmented transfer of the legal capacity of a disabled person (Netherlands);
- 91.45. Consider the possibility of strengthening focused social assistance to poor families with children (Belarus);
- 91.46. Continue its efforts to promote the full integration of ethnic minorities into Latvian society and facilitate the naturalization and acquisition of citizenship, especially in the case of children (Costa Rica);
- 91.47. Take measures to further facilitate the naturalization of non-citizens (Netherlands);
- 91.48. Consider further facilitation of the acquisition of citizenship and increased efforts to promote the registration of newborns (Brazil);
- 91.49. Do more to promote the value of citizenship among all groups, thereby encouraging naturalization of the remaining non-citizens (United States of America);
- 91.50. Continue pursuing society integration policies aimed at uniting the country's inhabitants in areas such as State-language learning, promotion of cultural identity and cultural interaction, with particular attention to Latvia's "non-citizens" who represent around 15 per cent of the population (Slovakia);
- 91.51. Step up efforts to improve the integration of ethnic and minority linguistic groups, including welcoming migrants, asylum-seekers, refugees and stateless persons (Ecuador);
- 91.52. Improve the living conditions of asylum-seekers and refugees (Islamic Republic of Iran);
- 91.53. Enhance the training of border guards, immigration personnel and judges in the field of international refugee law with a view to ensuring

protection and full respect for the rights of all refugees and asylum-seekers (Canada);

91.54. Build on existing efforts to facilitate integration of immigrants and refugees, including by fully implementing its multiyear program for the integration of third-country nationals (Canada).

92. The following recommendations enjoy the support of Latvia, which considers that they have already been implemented or are in the process of implementation:

92.1. Strengthen the Ombudsman's capacity to investigate and act on allegations of discrimination in all its forms (United Kingdom);

92.2. Support the Office of the Ombudsman and recognize its competency in all matters relating to equal treatment for all inhabitants, and comply with the principle of non-discrimination (Ecuador);

92.3. Take all necessary measures to establish a national human rights institution according to the Paris Principles (Czech Republic);

92.4. Establish its national human rights institution to be fully adapted to the Paris Principles, with a broad and clear legal mandate and sufficient financial resources (Spain);

92.5. Integrate all groups that constitute Latvian society in national socio-economic plans (Islamic Republic of Iran);

92.6. Take into account human rights education and training in its national education and training programs (Morocco);

92.7. Take advantage of the substantial expertise that civil society represents, and enter into regular consultations with NGOs on human rights-related issues, including the follow-up of the recommendations of the various United Nations treaty bodies (Norway);

92.8. Include provisions in domestic legislation to prohibit discrimination in all areas, including especially discrimination based on national origin, ethnicity, language or linguistic groups; adopt necessary civil and administrative measures to guarantee the elimination of all forms of discrimination against all persons, especially those from ethnic or linguistic groups, who constitute more than one third of the population of Latvia (Ecuador);

92.9. Adopt specific economic, social and cultural measures to combat discrimination and promote equal opportunities for disadvantaged and marginalized individuals and groups (Islamic Republic of Iran);

92.10. Codify the prohibition of the propaganda for xenophobia, anti-Semitism, neo-Nazism, and provide for criminal liability for such acts and establish racism as an aggravating circumstance (Russian Federation);

92.11. Strengthen its criminal legislation on domestic violence to notably make sure that such violence is considered as an aggravating circumstance (France);

92.12. Adopt the necessary legislative measures in the Criminal Code to define domestic violence and criminalize marital rape as a specific crime (Mexico);

92.13. Develop an early-warning system by raising public awareness of the risks associated with migration and fictitious marriages (United Kingdom);

- 92.14. **Adopt the necessary legislation to explicitly prohibit violence against children, including corporal punishment (Finland);**
- 92.15. **Maintain State preschool and general education institutions with education/teaching in minority languages, including the Russian language (Russian Federation);**
- 92.16. **Guarantee respect for human rights of foreign citizens, regardless of their immigration status, especially those from vulnerable groups, such as refugees, asylum-seekers and stateless persons; and guarantee respect for the principle of non-refoulement established in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (Ecuador);**
- 92.17. **Take measures to ensure the availability of adequate facilities for refugee children, including access to legal counsel, medical care and education (Poland).**
93. **The following recommendations will be examined by Latvia, which will provide responses in due course, but no later than the eighteenth session of the Human Rights Council in September 2011:**
- 93.1. **Accede to or ratify the following international instruments: the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination Against Women; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International Convention for the Protection of All Persons from Enforced Disappearance (Ecuador);**
- 93.2. **Accelerate the process of ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, the Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment, and the Second Optional Protocol to the International Covenant on Civil and Political Rights (Czech Republic);**
- 93.3. **Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; and the Second Optional Protocol to the International Covenant on Civil and Political Rights (Brazil);**
- 93.4. **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Second Optional Protocol to International Covenant on Civil and Political Rights; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (France);**
- 93.5. **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights; the Second Optional Protocol to International Covenant on Civil and Political Rights; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and the International**

**Convention for the Protection of All Persons from Enforced Disappearance (Spain);**

93.6. **Ratify the Second Optional Protocol to International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Lithuania);**

93.7. **Continue the work towards the abolition of the death penalty under all circumstances and accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (Sweden);**

93.8. **Ratify at the earliest the Second Optional Protocol to International Covenant on Civil and Political Rights as well as Protocol No. 13 to the European Convention on Human Rights concerning the abolition of the death penalty (Belgium);**

93.9. **Ratify at the earliest the International Convention for the Protection of All Persons from Enforced Disappearance and fully recognize the competence of the Committee on Enforced Disappearances, as provided for in articles 31 and 32 of the Convention (France);**

93.10. **Consider the possibility of ratifying the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Palestine);**

93.11. **Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Paraguay);**

93.12. **Ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Belgium);**

93.13. **Accede to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (Ukraine);**

93.14. **Sign and ratify the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (Ireland);**

93.15. **Accede to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, and take the necessary steps to remove the death penalty from Latvia's justice system (Australia);**

93.16. **Recognize the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals (Ecuador);**

93.17. **Enlarge the mandate and allocate sufficient resources to the Office of the Ombudsman, as a human rights institution, and ensure that it complies with the Paris Principles (Poland);**

93.18. **Strengthen the mandate, functions and resources of the Ombudsman's office in accordance with the Paris Principles, particularly by endowing it with means to act and investigate, and apply for its accreditation with the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (France);**

93.19. **Empower the Office of the Ombudsman by providing enough resources to ensure its effectiveness and full compliance with the Paris Principles (Norway);**

- 93.20. Elevate the Ombudsman to an A-status national human rights institution in accordance with the Paris Principles (Canada);
- 93.21. Strengthen the capacity of the State Inspectorate for the Protection of Children's Rights and consider establishing an Ombudsman for children (Norway);
- 93.22. Follow up on the recommendation of the Committee on the Elimination of Discrimination against Women in order to strengthen its national system relating to women's rights (Djibouti);
- 93.23. Adopt a comprehensive gender equality law (Poland);
- 93.24. Promote the inclusion in the Constitution and national legislation of the definition of discrimination against women, as well as the principle of equality between men and women (Mexico);
- 93.25. Continue to strengthen efforts to combat discrimination against vulnerable groups, in accordance with the recommendations of the Committee against Torture (Chile);
- 93.26. Improve the relevant legislation to further combat racial discrimination and incitement to racial hatred in order to effectively protect the rights of ethnic minorities (China);
- 93.27. Intensify its efforts to combat discrimination on the basis of sexual orientation and gender identity (Spain);
- 93.28. Increase efforts to combat discrimination on the grounds of sexual orientation (United Kingdom);
- 93.29. Provide general information about anti-discrimination and reform the school curricula to regularly emphasize information about gender equality, lesbian, gay, bisexual and transgender people and ethnic minorities (Norway);
- 93.30. Adopt legislation that recognizes homophobic and transphobic motivation as an aggravating circumstance in the Criminal Law (Finland);
- 93.31. Amend the Criminal Law to recognize hate speech against lesbian, gay, bisexual and transgender persons (Norway);
- 93.32. Further strengthen measures to prevent and combat discrimination and hate crimes against ethnic minorities and other vulnerable groups, including lesbian, gay, bisexual and transgender persons (Brazil);
- 93.33. Consider legislative and administrative measures to recognize violence on the basis of gender identity or sexual orientation as a hate crime (United States);
- 93.34. Engage in awareness-raising activities such as stressing diversity in school curricula in order to alleviate discrimination against lesbian, gay, bisexual and transgender persons (Finland);
- 93.35. Abolish the death penalty in the Criminal Code for all crimes and in all times, including war (Hungary);
- 93.36. Completely abolish the death penalty in the Criminal Code for all crimes, including in times of war (Austria);
- 93.37. Incorporate necessary reforms for the complete abolition of the death penalty (Ecuador);

- 93.38. **Completely abolish the death penalty (Spain);**
- 93.39. **Recognize and ensure in the legislation the right of national minorities to receive information in the State and municipal sectors in their national/mother language in the places of their compact residence (Russian Federation);**
- 93.40. **In accordance with the recommendations of international human rights institutions, grant to non-citizens, without delay, the right to participate in the political life of the country, including in municipal elections, and the opportunity to enjoy all economic, social and cultural rights (Russian Federation);**
- 93.41. **Prevent violence against Roma women and girls, including harassment and abuse at school, and address the gaps in their formal education (Islamic Republic of Iran);**
- 93.42. **Revise its legislation to provide automatic acquisition of citizenship by children born to non-citizens after 21 August 1991 (Canada);**
- 93.43. **Follow through on the proposal to change the Citizenship Law to provide citizenship automatically to newborn children of non-citizen parents, unless the parents refuse it (Norway);**
- 93.44. **Seek to further decrease the number of non-citizens and to improve the social and political rights of non-citizens (Australia).**
94. **The recommendations below did not enjoy the support of Latvia:**
- 94.1. **Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);**
- 94.2. **Consider the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families pursuant to recommendation 1737 of 17 March 2006 of the Parliamentary Assembly of the Council of Europe, of which Latvia is a member (Algeria);**
- 94.3. **Promote long-term programmes and initiatives to effectively promote full national integration and combat structural discrimination, for example by including minority languages in official procedures and documents, as well as including prohibition of discrimination in the Civil Code (Mexico);**
- 94.4. **Adopt a specific programme to safeguard the rights of victims of torture and ill-treatment (Islamic Republic of Iran);**
- 94.5. **Introduce legislation that recognizes the diversity of forms of families and that provides same sex couples with the same rights and social security as couples of the opposite sex (Netherlands);**
- 94.6. **Adopt effective steps to promptly eliminate an unacceptable system of non-citizenship. As a priority and urgent step, simplify the naturalization process for persons who have reached retirement age, as well as grant children of non-citizens the right to automatically acquire citizenship at birth (Russian Federation);**
- 94.7. **Effectively comply with the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness and pay particular attention to the 326,906 persons considered as non-citizens,**

**and therefore stateless persons. Pay special and urgent attention and provide a solution to this severe and current humanitarian problem (Ecuador).**

95. **All conclusions and recommendations contained in the present report reflect the position of the submitting States and the State under review. They should not be construed as endorsed by the Working Group as a whole.**

## Annex

### Composition of the delegation

The delegation of Latvia was headed by Mr. Andris TEIKMANIS, State Secretary, Ministry of Foreign Affairs, and composed of the following members:

- Mr. Jānis MAŽEIKS, Ambassador, Permanent Representative of the Republic of Latvia to the United Nations Office in Geneva;
  - Mr. Uldis LIELPĒTERS, Deputy State Secretary, Ministry of Culture;
  - Ms. Laila MEDINA, Deputy State Secretary, Ministry of Justice;
  - Ms. Inga REINE, Representative of the Government of the Republic of Latvia before International Human Rights Organizations;
  - Mr. Jānis CITSKOVSKIS, Deputy Head of the Office of Citizenship and Migration Affairs, Ministry of Interior;
  - Mr. Dimitrijs TROFIMOVŠ, Director of the Sectoral Policy Department, Ministry of Interior;
  - Mr. Valerijs ROMANOVSKIS, Deputy Permanent Representative of the Republic of Latvia to the United Nations Office in Geneva;
  - Mr. Dmitrijs KUIŠS, Deputy Director–Head of the Lifelong Learning Division, Policy Coordination Department, Ministry of Education and Science;
  - Ms. Ineta TĀRE, Deputy Director of the European and Legal Affairs Department, Ministry of Welfare;
  - Mr. Gatis ŠVIKA, Head of the Cooperation and Development Bureau of the Central Administrative Department of the State Police, Ministry of Interior;
  - Ms. Inese FREIMANE-DEKSNE, Head of the Human Rights Division, Ministry of Foreign Affairs;
  - Ms. Jūlija MURARU-KĻUČICA, Legal Adviser, Division of Judicial Cooperation, Ministry of Justice;
  - Ms. Anita KLEINBERGA, Senior Desk Officer, Society Integration Department, Ministry of Culture.
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