

**Responses to Recommendations**

**LATVIA**

Review in the Working Group: 5 May 2011  
 Adoption in the Plenary: 22 September 2011

**Latvia's responses to recommendations (as of 20.01.2012):**

<b>In the Report of the Working Group:</b>	<b>In the Addendum:</b>	<b>During the plenary:</b>	<b>Summary:</b>
71 recs. accepted (among which 17 are considered as already implemented or in process of implementation); 7 rejected; 44 pending	Out of the 44 pending, 18 recs. accepted; 6 partially accepted (underlined in blue); 6 rejected; 3 partially rejected (underlined in red) and 15 pending <sup>1</sup>	The delegation commented the issues contained in the 44 recs. pending from the working group stage and reiterated their responses contained in the addendum	Accepted: 95 Rejected: 16 No clear position: 0 Pending: 15

**List of recommendations contained in Section II of the Report of the Working Group A/HRC/18/9:**

A - 91.1. Gradually consider the ratification of outstanding international human rights instruments (Chile);

A - 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);

A - 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);

A - 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

<sup>1</sup> Recommendation n° 93.21 was partially accepted but as the delegation clearly explained which part could be accepted and which part could not, we split the recommendation into two, one accepted and one rejected. The total number of recommendations is now 126 as 3 were split.

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);

A - 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);

A - 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);

A - 91.7. Accredit the Ombudsman to ensure its conformity with the Paris Principles (Moldova);

A - 91.8. Further continue its efforts in the field of protection and promotion of human rights (Georgia);

A - 91.9. Continue to earmark sufficient funds for all child protection programs (Moldova);

A - 91.10. Continue to carry out measures in the field of child rights protection (Azerbaijan);

A - 91.11. Contribute to the implementation of the recently adopted Human Rights Council resolution on children living and working on the streets (Hungary);

A - 91.12. Continue its positive actions for further promoting the rights of disabled people (Azerbaijan);

A - 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);

A - 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);

A - 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);

A - 91.16. Continue cooperation with treaty monitoring bodies and United Nations special rapporteurs (Azerbaijan);

A - 91.17. Take steps to implement the recommendations of treaty bodies (Slovenia);

A - 91.18. Continue to strengthen the national mechanism on gender equality, as recommended by the Committee on the Elimination of Discrimination against Women (Chile);

A - 91.19. Establish a comprehensive plan on gender equality, especially stressing prosecution of sexual exploitation and prevention of gender violence (Spain);

A - 91.20. Continue efforts to advance gender equality and continue tackling the gender equality issues indicated in the national report (Lithuania);

A - 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);

A - 91.22. Step up efforts to combat discrimination against vulnerable groups and minorities, in accordance with internationally established standards (Argentina);

A - 91.23. Within the framework of the policy on promoting tolerance, strengthen measures towards interethnic harmony and cultural diversity (Belarus);

A - 91.24. Intensify measures to tackle racism and hate crimes (Australia);

- A - 91.25. Actively engage in the fight against racially motivated crimes (Czech Republic);
- A - 91.26. Ensure prompt, impartial and effective investigations into all allegations of ill-treatment committed by law enforcement officials (Czech Republic);
- A - 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);
- A - 91.28. Continue efforts to decrease the number of prisoners and take action to improve the conditions in prisons and detention centres (Sweden);
- A - 91.29. Improve overall conditions in detention and prison facilities and combat overcrowding in these facilities (Czech Republic);
- A - 91.30. Continue reforms to improve conditions of detention and make increased use of non-custodial measures as suggested by treaty bodies (Austria);
- A - 91.31. Reduce the prison population (Islamic Republic of Iran);
- A - 91.32. Intensify its efforts to prevent, punish and eliminate all forms of violence against women (Argentina);
- A - 91.33. Further continue its efforts to combat domestic violence, including through raising public awareness (Azerbaijan);
- A - 91.34. Provide specific training to law enforcement staff to enable them to better understand and prevent domestic violence (Hungary);
- A - 91.35. Continue taking measures to eliminate human trafficking (Czech Republic);
- A - 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);
- A - 91.37. Pursue its efforts to combat trafficking in human beings, especially women and children (Algeria);
- A - 91.38. Step up efforts to combat trafficking in human beings, including developing international cooperation with interested governments, international organizations and NGOs (Belarus);
- A - 91.39. Continue its efforts to combat trafficking in human beings, and pay special attention to its victims (Costa Rica);
- A - 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);
- A - 91.41. Prioritize the implementation of human trafficking protection and rehabilitation programmes (Norway);
- A - 91.42. Further develop and strengthen its programs and services to promote the rehabilitation of victims of trafficking (Canada);
- A - 91.43. Prioritize training for the judiciary and the police on how to treat victims of trafficking as well as domestic violence (Norway);
- A - 91.44. Introduce legislation that allows for partial or segmented transfer of the legal capacity of a disabled person (Netherlands);
- A - 91.45. Consider the possibility of strengthening focused social assistance to poor families with children (Belarus);

A - 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);

A - 91.47. Take measures to further facilitate the naturalization of non-citizens (Netherlands);

A - 91.48. Consider further facilitation of the acquisition of citizenship and increased efforts to promote the registration of newborns (Brazil);

A - 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);

A - 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);

A - 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);

A - 91.52. Improve the living conditions of asylum-seekers and refugees (Islamic Republic of Iran);

A - 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);

A - 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:**

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

A - 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);

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

A - 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);

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

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

A - 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);

A - 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);

A - 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);

A - 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);

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

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

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

A - 92.14. Adopt the necessary legislation to explicitly prohibit violence against children, including corporal punishment (Finland);

A - 92.15. Maintain State preschool and general education institutions with education/teaching in minority languages, including the Russian language (Russian Federation);

A - 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);

A - 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:

A - the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty;

R - the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

P - 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);

P - 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);

P - 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);

P - 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

P - the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights;  
A - the Second Optional Protocol to International Covenant on Civil and Political Rights;  
P - 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);

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

A - 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);

A - 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);

P - 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);

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

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

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

P - 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);

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

A - 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);

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

A - 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);

A - 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);

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

A - 93.20. Elevate the Ombudsman to an A-status national human rights institution in accordance with the Paris Principles (Canada);

A - 93.21. Strengthen the capacity of the State Inspectorate for the Protection of Children's Rights and

R - consider establishing an Ombudsman for children (Norway);

A - 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);

R - 93.23. Adopt a comprehensive gender equality law (Poland);

R - 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);

A - 93.25. Continue to strengthen efforts to combat discrimination against vulnerable groups, in accordance with the recommendations of the Committee against Torture (Chile);

R - 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);

A - 93.27. Intensify its efforts to combat discrimination on the basis of sexual orientation and gender identity (Spain);

A - 93.28. Increase efforts to combat discrimination on the grounds of sexual orientation (United Kingdom);

A - 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);

P - 93.30. Adopt legislation that recognizes homophobic and transphobic motivation as an aggravating circumstance in the Criminal Law (Finland);

P - 93.31. Amend the Criminal Law to recognize hate speech against lesbian, gay, bisexual and transgender persons (Norway);

A - 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);

P - 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);

A - 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);

A - 93.35. Abolish the death penalty in the Criminal Code for all crimes and in all times, including war (Hungary);

A - 93.36. Completely abolish the death penalty in the Criminal Code for all crimes, including in times of war (Austria);

A - 93.37. Incorporate necessary reforms for the complete abolition of the death penalty (Ecuador);

A - 93.38. Completely abolish the death penalty (Spain);

R - 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);

R - 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);

A - 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);

R - 93.42. Revise its legislation to provide automatic acquisition of citizenship by children born to non-citizens after 21 August 1991 (Canada);

R - 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);

A - 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:**

R - 94.1. Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Paraguay);

R - 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);

R - 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);

R - 94.4. Adopt a specific programme to safeguard the rights of victims of torture and ill-treatment (Islamic Republic of Iran);

R - 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);

R - 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);

R - 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).

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