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Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1

Latvia*

The present report is a summary of 6 stakeholders' submissions¹ to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

* The present document was not edited before being sent to United Nations translation services.

I. Background and framework

A. Scope of international obligations

1. The World Coalition against the Death Penalty (WCADP) indicated that a draft law on the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (2002) had not been yet adopted. WCADP urged Latvia to ratify the instrument.²

2. The Latvian Human Rights Committee (LHRC) recommended that Latvia sign and ratify the Optional Protocols to the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of All Forms of Discrimination against Women; and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment as well as the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families³ and the International Convention for the Protection of All Persons from Enforced Disappearance.⁴ LHRC and the European Commission against Racism and Intolerance (CoE ECRI) further recommended that Latvia recognize the competence of the Committee on the Elimination of Racial Discrimination to receive and consider communications from individuals.⁵

B. Constitutional and legislative framework

3. While noting that anti-discrimination provisions were added to a number of laws, LHRC indicated that the anti-discrimination amendments to the Civil Law had been pending before the Parliament since 2004. This implied that the prohibition of discrimination did not apply to transactions between private individuals who were not engaged in business activities and in such cases, only the general discrimination prohibition set in the Constitution could be used. LHRC recommended that legislation should prohibit discrimination in all spheres.⁶ Furthermore, CoE ECRI encouraged Latvia to adopt a comprehensive body of civil and administrative legislation prohibiting racial discrimination in all fields of life.⁷

C. Institutional and human rights infrastructure

4. CoE ECRI reported that the National Human Rights Office, on 1 January 2007, became the Ombudsman.⁸ LHRC indicated that the Ombudsman was an independent official who was elected by the Parliament with the task to protect human rights and promote good administration. However, its human and financial resources were reduced in 2009.⁹ CoE ECRI recommended that Latvia continue to provide support to the Office of the Ombudsman and provide it with sufficient funds and human resources.¹⁰

5. CoE ECRI indicated that the Ombudsman was competent for all issues related to equal treatment and violation of the principle of non-discrimination, in cases between individual and public authorities or between two parties. While noting the statutory competence and leadership role of the Ombudsman in combating racial discrimination, CoE ECRI noted that the anti-discrimination unit of the institution should be given the necessary means to continue its work.¹¹

6. The Latvia Centre for Human Rights (LCHR) reported that since the elimination of both the Ministry for Social Integration and the Ministry for Children and Family Affairs only a department within the Ministry of Justice was responsible for social integration, non-

discrimination and minority rights.¹² LCHR recommended that Latvia, despite the economic crisis, assign the responsibility for effective implementation of human rights to a Minister.¹³

7. The Council of Europe Commissioner for Human Rights (CoE Commissioner) welcomed the creation of the State Inspectorate for Protection of Children's Rights, which could deal with complaints or conduct investigations *ex officio*, as well as the establishment of Family Crisis and Assistance Centres.¹⁴

D. Policy measures

8. CoE ECRI reported on the Society Integration Policy Basic Principles 2008-2018, a state policy planning framework document in the area of societal integration, which was drafted in consultation with NGOs.¹⁵ CoE ECRI recommended that Latvia maintain and reinforce all its efforts in favor of the integration of society, on a long-term basis. It suggested that particular emphasis could be put on promoting inter-ethnic relations and on reception of immigrants, including newcomers, as well as asylum-seekers and refugees.¹⁶

9. Referring to the National Programme for the Promotion of Tolerance in Latvia (2005–2009), CoE ECRI recommended that Latvia continue and reinforce its efforts to promote diversity in school education.¹⁷

10. The European Committee on Social Rights (CoE ECSR) noted that the revised national HIV/AIDS program for 2009–2013 included prevention measures such as public awareness-raising about how the virus was transmitted and how this could be prevented as well as providing increased access to HIV testing.¹⁸

II. Promotion and protection of human rights on the ground

Implementation of international human rights obligations

1. Equality and non-discrimination

11. While noting the increase in the general level of awareness of the problem of racial discrimination in recent years, CoE ECRI found it necessary to further inform the legal community as well as the general public of the existence of legal provisions prohibiting racial and other forms of discrimination in all fields. It also encouraged Latvia to ensure that the issues of mutual respect, racism and racial discrimination were properly addressed in school curricula, noting that textbooks should not contain any racist prejudice or stereotypes concerning any minority groups.¹⁹

12. LHRC noted that Criminal Law sanctioned activities which were deliberately aimed at the incitement of national, ethnic or racial hatred. It underlined however, that due to the high standards of evidence required, there were a limited number of cases before the courts.²⁰ LHRC recommended that law enforcement bodies should be trained in order to effectively tackle the issue of hate speech and hate crime.²¹ CoE ECRI also recommended that police and judicial authorities fully investigate and prosecute racially motivated offences by acknowledging and taking into account the racist motivation of an offence.²²

13. CoE ECRI mentioned reports of anti-Semitic acts against property belonging to Jewish communities, including several cases of vandalism of Jewish cemeteries and deliberate destruction of a religious monument.²³

14. CoE Commissioner reported that a law had been adopted to combat discrimination against persons with disabilities. In addition, the Labour Law had been amended in order to

promote the adoption of the principle of equal rights in relation to persons with disabilities.²⁴ Both documents provided that access to buildings by persons with disabilities must be facilitated which, however, was ignored and the persons with disabilities had great difficulty accessing to public and private buildings. Furthermore, CoE Commissioner indicated that the action plan prepared in 2005 by the Ministry of Welfare to assist persons with disabilities had achieved no tangible results.²⁵

15. CoE ECRI was pleased that the Labour Code was amended in 2004 to introduce a clear prohibition of discrimination.²⁶ In this respect, Joint Submission 1 (JS1) noted that sexual orientation was a prohibited ground of discrimination only in the Labour Law.²⁷ JS1 reported that recent surveys indicated the extent of the negative attitude of the population against LGBT people.²⁸ JS1 recommended that Latvia take all necessary legislative, administrative and other measures to eliminate and prohibit discrimination on the basis of gender identity in public and private employment.²⁹

16. JS1 and CoE-ECRI reported that racial motivation was introduced into the list of aggravating circumstance in the Criminal Code in 2006.³⁰ JS1 recommended that Latvia recognize homophobic and transphobic motivation as an aggravating circumstance in the criminal law.³¹

2. Right to life, liberty and security of the person

17. LCHR and WCADP reported that a moratorium on the death penalty had been in place in Latvia since 1996. While the death penalty for crimes committed in peacetime was abolished in 1999, Criminal Law still provided for the death penalty for murder with aggravating circumstances during wartime.³² LCHR noted the lack of progress on the complete abolition of the death penalty and indicated that high level officials had given public support at various times to the reinstatement of death penalty in peacetime.³³ WCADP urged Latvia to abolish the death penalty in the Criminal Code for all crimes, including in times of war.³⁴

18. LHRC reported that incidents of violence against minorities (Africans, Roma) had increased in recent years.³⁵ CoE ECRI echoed these concerns and stated that there seemed to be cases of police harassment of members of minorities who had come to police stations to bring a complaint. It noted the denial of the problem of racist violence both on the part of the public and the authorities.³⁶ CoE ECRI recommended that Latvia monitor the situation as regards the presence and activities of right wing extremist and skinhead groups and urged Latvia to make further efforts to adopt a more comprehensive approach to the phenomenon of racist violence, that does not focus exclusively on the promotion of tolerance and which includes the implementation of criminal law provisions aimed at combating racist violence.³⁷

19. JS1 attributed the small number of reported attacks against LGBT people to the fact that such victims would not risk disclosing their identity by turning to the police or label an attack as a homophobic hate crime. JS1 recommended that Latvia take all necessary measures to impose appropriate criminal penalties for violence, threats of violence, incitement to violence and related harassment, based on the actual or perceived sexual orientation or gender identity of any person or group of persons and to prevent and provide protection from all forms of violence and harassment related to sexual orientation and gender identity.³⁸

20. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CoE CPT) indicated that there had been an improvement in the treatment of persons who had been in police custody by the police but reported on a number of allegations of physical ill-treatment by the police, mainly at the time of or immediately following apprehension, and also during police questioning.³⁹ CoE CPT recommended that

Latvia redouble its efforts to combat ill-treatment by the police and train police officers in preventing and minimizing violence in the context of an apprehension.⁴⁰ In addition, CoE CPT considered the complaint procedures ineffective and recommended that Latvia carry out a thorough review of those procedures.⁴¹

21. CoE-CPT reported on allegations of ill-treatment by prisons' officers and expressed concern on the level on inter-prisoner violence at Jēkabpils Prison.⁴² CoE CPT recommended that Latvia conduct a review of the procedures currently used to process prisoners' complaints.⁴³

22. LCHR and LHRC reported on the high and increasing incarceration rate in Latvia.⁴⁴ CoE CPT acknowledged efforts to reduce the prison population and noted some improvements with regard to prisoners in remand, for which the general legal standards had been increased from 2.5 to 3 m², whereas the standards for sentenced prisoners remained unchanged. CoE CPT reiterated its recommendation that the existing legal standards on living space for prisoners be raised without delay and that official capacities and occupancy levels of cells in prisons be revised accordingly.⁴⁵

23. Furthermore, LCHR indicated that detention conditions remained a concern in the twelve prisons of the country.⁴⁶ LHRC extended such concerns for other closed institutions, such as psychiatric/social welfare establishments.⁴⁷ CoE CPT expressed serious concern about the almost total failure to improve the conditions under which life-sentenced prisoners were being held.⁴⁸ LCHR reported that, in January 2010, Latvia closed several punishment cells, which CoE-CPT had deemed unfit. It also referred to the judgment of the European Court for Human Rights whereby Latvia was ordered to pay compensation to a prisoner on the account of the conditions of his detention.⁴⁹ CoE CPT made a series of recommendations to improve the conditions in prisons and in punishment cells.⁵⁰ LHRC recommended that Latvia increase its financial support for prisons and other closed institutions in order to ensure adequate standard of treatment and use alternatives to detention and individual probation.⁵¹

24. LCHR reported that the prison population included a high percentage of Russian speakers. As stipulated by the State Language Law, the state and municipal bodies accepted and considered documents submitted in the state (Latvian) language only, except for emergencies and a few other specific cases.⁵² The prisoners can submit complaints to the Ombudsman's Office in Latvian and Russian. However, Latvian Prison administration and the Ministry of Justice had, on occasions, allegedly refused to respond to prisoners' complaints submitted in Russian on the basis of the State Language Law. LCHR reported that Latvian language training remained limited and no translation services were provided in prisons which had resulted in prisoners being denied effective protection of their rights owing to their lack of Latvian language proficiency.⁵³

25. CoE CPT also expressed concerns at the material conditions of police detention facilities it visited and recommended Latvia to improve them without delay.⁵⁴

26. CoE Commissioner indicated that the Code of Criminal Procedure recognised domestic violence as a specific crime and introduced protection orders. However, it did not define domestic violence and failed to recognise marital rape as a specific offence. CoE Commissioner also reported that much still had to be done in terms of prevention and rehabilitation. CoE Commissioner encouraged a genuine substantive debate on domestic violence, as well as broader awareness campaigns for law-enforcement agencies, judges, law officers and welfare workers who were in direct contact with the victims.⁵⁵

27. While welcoming initiatives to address human trafficking, CoE Commissioner stressed that efforts must be stepped up for the rehabilitation of victims.⁵⁶

3. Administration of justice and the rule of law

28. LHRC reported that proceedings in courts sometimes lasted long. Although the Criminal Procedural Code stipulated the termination of the proceedings if a reasonable time could not be guaranteed, the legislation did not provide for any compensation if the proceeding did not finish within reasonable time.⁵⁷ LHRC recommended that Latvia increase financial resources for courts so to ensure fair trial within a reasonable time and compensation in the event this is not respected.⁵⁸

29. CoE CPT noted the legal measures guaranteeing the right of persons deprived of liberty to inform a close relative or another third party of their choice of their situation, the right of access to a lawyer, and the right of access to a doctor, but indicated that they were not respected in practice. CoE CPT recommended that Latvia ensure the enjoyment of these rights from the very outset of deprivation of liberty.⁵⁹

30. Furthermore, CoE CPT referred to a number of allegations which indicated that ex officio lawyers had no contact with the detained persons until the first court hearing.⁶⁰ CoE Commissioner also reported on the ineffectiveness of the legal assistance provided under the Code of Criminal Procedure.⁶¹ CoE CPT recommended that appropriate steps be taken to ensure the effectiveness of the system for free legal representation through the criminal procedure including at the initial state of police custody.⁶²

4. Right to privacy, marriage and family life

31. SOS Children's Village Association of Latvia (SOS-LV) stated that policy and procedures did not provide support for effective preparation for children leaving the alternative care system and after care services. It noted a lack of specialized workers who could provide and facilitate the necessary support to young people leaving the out-of-home care systems.⁶³ SOS-LV recommended that Latvia develop clear framework to support and promote the delivery of effective practices in after-care preparation and after-care services. SOS-LV further recommended that Latvia continue efforts to de-institutionalize the care system and to develop an appropriate range of alternative care options.⁶⁴

32. JS1 recommended that Latvia take necessary and adequate measures to make the procedure for changing the name and gender in the personal documents of a transgender/transsexual/intersex person clear and non-bureaucratic.⁶⁵

33. JS1 indicated that the legislation did not recognise same-sex marriage or any other form of same-sex partnership or cohabitation, nor did it offer legal recognition for the relation between children and co-parents in LGBT families. JS1 recommended that Latvia recognise the diversity of forms of family in its legislation and policies and ensure that children of homosexual parents would not be discriminated against.⁶⁶

5. Freedom of expression, association and peaceful assembly and right to participate in public and political life

34. CoE ECRI reported on racist speech geared towards immigrants, asylum seekers and refugees, certain ethnic groups such as Roma and religious minorities including Jews and Muslims, as well as that related to the interethnic relations between Latvians and the Russian-speaking population. CoE ECRI reports that some politicians and the media expressed stereotypes and prejudices and, in some cases, outright hate speech, towards these minority groups, trying to stir up interethnic tensions, mainly to attract voters and / or readers. While noting with interest the measures taken to promote tolerance, CoE ECRI recommended steps to counter the use of racist discourse in politics and in the media.⁶⁷ CoE ECRI also recommended that Latvia review and finetune criminal law provisions aimed at combating racism, notably by introducing provisions on racist speech, as the law currently addressed only incitement to racial hatred.⁶⁸

35. JS1 reported that incidents of hate speech against LGBT people were not uncommon but that Latvian criminal law did not recognise hate speech related to homophobia and transphobia.⁶⁹ JS1 recommended that Latvia define homophobic and transphobic speech and incitement to homophobic and transphobic violence as a criminal offence.⁷⁰

36. CoE ECRI expressed concerns at the considerable separation existing between Latvian-language and Russian-language media, as this run counter to efforts to favour the mutual integration of all groups constituting Latvian society.⁷¹

37. JS1 reported that the pride parade was banned on three occasions in Riga in 2005, 2006 and 2009, but that domestic courts overturned this decision every time.⁷² LHRC recommended that information be widely disseminated on the opportunity to claim both pecuniary and non-pecuniary damages for illegal decision to prohibit an assembly.⁷³ CoE Commissioner strongly urged Latvia to honour its international commitments regarding freedom of expression and assembly, actively combat all forms of intolerance, guarantee the security and safety of sexual minorities, and ensure the conditions for developing associations representing them.⁷⁴

38. CoE Commissioner highlighted that the overwhelming majority of non-citizens belonged to minorities, but that this status debarred them from participating in the political life of their country. CoE Commissioner also hoped that Parliament will soon adopt a law improving the participation of non-citizens in political and social life.⁷⁵ Similarly, CoE ECRI recommended that Latvia ensure the participation of ethnic minorities in the political process, in political elected bodies and in public service.⁷⁶

6. Right to work and to just and favourable conditions of work

39. CoE ECRI reported that all studies on discrimination in employment showed that language was the main factor of discrimination in the workplace.⁷⁷

7. Right to social security and to an adequate standard of living

40. SOS-LV indicated that the number of persons living in poverty increased in 2010 and that 39 percent of those receiving the State's guaranteed minimum income were children.⁷⁸ SOS-LV added that available services were not sufficient to provide necessary support to all vulnerable families.⁷⁹

41. LHRC noted that the Parliament cut significantly a number of pensions and benefits, which undermined the enjoyment of the right to social security, and indirectly, the right to housing and the right to health care.⁸⁰ LHRC recommended that austerity measures and public spending cuts should not significantly affect pensions and benefits.⁸¹ CoE ECSR also concluded that the level of social assistance benefits was inadequate and the granting of social assistance benefits to non-nationals was subject to an excessive length of residence requirement.⁸² Similarly, CoE ECSR concluded that access to social services by nationals of other States Parties of the European Social Charter was subject to an excessive length of residence requirement.⁸³

42. SOS-LV indicated that without adequate and comprehensive support, family problems in most cases deepened and often led to a situation where the children's physical and psycho-emotional well-being was at risk, noting that children might have to be removed from their families.⁸⁴ SOS-LV added that, due to financial shortcomings and limited number of employees, there were difficulties to realize social rehabilitation programmes.⁸⁵ SOS-LV recommended that Latvia review the implementation of existing law and policy and ensure the necessary financial and material resources to deliver effective social welfare services according to the needs of vulnerable children and families.⁸⁶

43. CoE ECSR reported that the 2007-2013 National Development Plan placed particular emphasis on the need to improve public health and the health care system.⁸⁷

44. CoE ECSR expressed concerns at life expectancy and mortality rate, and concluded that the rates were not decreasing sufficiently.⁸⁸

45. JS1 indicated that there was no legal recognition of the needs of LGBT patients in the health system with very little reliable and official data, investigating the health and sexuality issues specifically relevant to LGBT persons.⁸⁹

46. LHRC reported that owing to the denationalisation process, tenants in denationalised houses, unlike tenants in state or municipal houses, were not able to privatise the rented apartments.⁹⁰ Furthermore, the state and municipal assistance aimed at making tenants in denationalised houses able to purchase a property only partially covered the costs.⁹¹ CoE Commissioner welcomed the adoption of measures to help persons renting housing that has been denationalised. However, he noted that only a small percentage of the 25,000 individuals identified were in receipt of the assistance. CoE Commissioner strongly urged the Latvia to address this matter and attempt to identify a lasting means of helping low-income tenants to find suitable new housing.⁹² LHRC recommended the introduction of a system of compensations for the lack of opportunities to privatise a rented apartment.⁹³

8. Right to education

47. LHRC reported that, although public primary and secondary schools may implement education programmes in minority languages, at least 60 percent of the curricula in secondary must be in Latvian and all state examinations shall be passed in Latvian.⁹⁴ CoE Commissioner indicated that the education reform that began in 2004 was geared to making Latvian the main teaching language in secondary schools. It also noted that the reform encountered a number of problems, especially the lack of textbook in some subjects, the quality of the materials, and the lack of training for non-Latvian teachers in Latvian language.⁹⁵ CoE ECRI recommended that adequate room be left in minority schools for teaching minority languages and cultures, while maintaining efforts to improve education in Latvian for children of ethnic minorities, particularly Russian-speaking children, in order to guarantee equal access to higher education and employment.⁹⁶

48. CoE Commissioner welcomed the setting up of the Agency for the Quality of Education, but reported that it checked the textbooks in Latvian, which were all standardised, but not those in minority languages, most of which were published outside Latvia. CoE Commissioner invited it to reconsider its strategy and to devote the same attention to all schools and all textbooks which it was mandated to supervise.⁹⁷

49. CoE ECRI reported that the school drop-out rate among Roma children was very high. While regretting de facto segregation of Roma children in schools, it noted that initiatives had been taken to encourage mainstream school attendance by Roma children. CoE ECRI recommended Latvia to encourage regular school attendance by Roma children and to tackle the problem of the high school drop-out rate.⁹⁸

50. JS1 reported that the educational curriculum was strictly gender biased, representing strong hetero-normative and sexist role of the man and the woman, and excluding LGBT people. JS1 recommended that Latvia ensure that education methods, curricula and resources serve to enhance understanding of and respect for, *inter alia*, diverse sexual orientations and gender identities.⁹⁹

9. Minorities

51. LHRC reported that, as of 1 January 2010, 40.6 per cent of the population were belonging to ethnic minorities. According to the 2000 census, 39.6 per cent said their native

language was Russian, while 2.2 per cent mentioned another language as their first language. The current State Language Law stipulated that all other languages, except the Latvian language, were defined as foreign languages with no exceptions for minority languages.¹⁰⁰

52. CoE ECRI noted that the Russian-speaking population remained separate from the Latvian-speaking population for linguistic and other reasons. While some initiatives had been taken by the authorities and private parties to foster dialogue and mutual understanding between the two populations, many more measures were required to achieve a fully integrated society.¹⁰¹

53. LHRC reported that employees of state and municipal institutions and enterprises must know and use the state language to the extent necessary for the performance of their professional duties, while, in the private sector, employers set their own requirements. However, the Government set requirements in respect of those employees, whose activities affect the legitimate interests of the society.¹⁰²

54. LHRC described how national legislation requires the use of the State language for personal names, place names, street names and other topographical indications. It does not guarantee the right to use minority languages for communication with the authorities and expressly prohibits the use of other languages in written communications with official bodies across the country. LHRC notes that the State Language Centre supervised how the law was implemented carried out checks and imposed fines.¹⁰³ In this regard, CoE Commissioner referred to the declarations accompanying the ratification of the Framework Convention for the Protection of National Minorities by Latvia that appeared to confirm a position that Latvian was the only language that could be used for official documents.¹⁰⁴

55. LHRC recommended that the status of minority languages be explicitly recognised in the legislation, providing the opportunity to use personal names, place names, street names and other topographical indications in minority languages, as well as the right to contact the authorities in minority language on the territories where a significant part of population belongs to minorities. LHRC recommended that sanctions for violations of the language legislation and professional state language proficiency requirements be reviewed, taking into account the principle of proportionality. It also recommended that the right to qualitative education in the language of minorities should be guaranteed, and that the administration of educational institutions should have the right to choose independently the proportion of different languages in their educational programmes.¹⁰⁵

56. CoE ECRI recommended that Latvia take all necessary measures to ensure a balanced implementation of the State Language Law by the State language inspectors, give priority to constructive and non-obligatory measures, and take care to preserve and encourage the use of minority languages without infringing on the status and teaching of the official language.¹⁰⁶ CoE Commissioner also recommended that Latvia facilitate the use of minority languages in the administration, particularly in written correspondence between persons belonging to the national minorities and administrative staff.¹⁰⁷

57. LHRC noted that the citizenship policy was based on the concept of state continuity, with only those persons who had been citizens of independent Latvia in 1940 and their descendants having their citizenship restored. LHRC reported that the 1995 Law on *the Status of Former USSR Citizens who do not have the Citizenship of Latvia or that of any Other State* introduced a special legal status of non-citizens. LHRC reported that non-citizens constituted about 15 percent of the population and that almost all of them were persons belonging to ethnic minorities.¹⁰⁸ CoE Commissioner reported that about 30 percent of non-citizens were over the age of 60 years, while over 13,000 children were still non-citizens and, children were still being born as non-citizens.¹⁰⁹

58. LHRC indicated that non-citizens had the right to reside in Latvia without visas or residence permits. However, LHRC reported that non-citizens were not entitled to some political, social and economic rights.¹¹⁰ CoE ECRI made similar observations and noted that access to various professions within the civil service and in the private sector linked to judiciary remained closed to non-citizens.¹¹¹

59. LHRC reported that, in recent years, the naturalisation had declined and more applicants could not pass naturalisation tests.¹¹² CoE ECRI stated that the naturalisation process had been facilitated on several occasions, either by reducing the fee for some social groups or by affiliating the exam procedure for some people. However, it referred to complaints by non-citizens that the procedure remained cumbersome and time-consuming and noted that many people did not apply for naturalisation for various reasons. CoE ECRI indicated that the naturalisation process was slow.¹¹³

60. LHRC recommended that Latvia ensure effective naturalisation through free training courses for the naturalisation examinations and exempt from these examinations people who reached the age of retirement, persons with disabilities and people having studied in Latvia. LHRC further recommended that children born in Latvia after 21 August 1991 should receive citizenship together with their birth registration.¹¹⁴ CoE ECRI made similar recommendations.¹¹⁵

61. While referring to the three-year National Action Plan on Roma (2007–2009), CoE ECRI reported that the Roma communities continued to suffer from racism and discrimination, notably in the labour market.¹¹⁶ CoE Commissioner made similar observations.¹¹⁷ CoE ECRI noted allegations that the police discriminated against Roma, particularly in stops and controls of identity and in the field of combating drug-related criminality.¹¹⁸ CoE ECRI recommended, among others, that Latvia consider adopting an all-encompassing long-term national strategy to combat the social exclusion of Roma.¹¹⁹

10. Migrants, refugees and asylum-seekers

62. Noting the negative attitude towards migrants in Latvia, CoE ECRI recommended that Latvia reinforce its efforts to adopt, inter alia, measures to promote the integration of immigrants.¹²⁰

63. While noting that Latvia adopted a new Law on Asylum in 2009 aimed at meeting the minimum requirements stemming from EU directives, LCHR stressed that a large proportion of asylum seekers were detained because of vague legal norms on grounds for detention of asylum seekers. LCHR also noted that detention conditions in the irregular migrants camp ‘Olaine’ were poor.¹²¹

64. LCHR reported that, in practice, asylum seekers were not provided information on their rights nor legal aid, and that decisions by State Border Guards or courts were not translated from Latvian and interpretation was severely limited.¹²²

65. LCHR described the particular situation of asylum seekers, who had been denied asylum while their identity was not clearly identified, and the consequent impossibility to determine the State where they will be expelled. LCHR noted that these persons had no legal basis for presence in Latvia, or an established legal personality, and were detained under the expulsion procedure regardless the maximum detention period provided for by law.¹²³

III. Achievements, best practices, challenges and constraints

N/A

IV. Key national priorities, initiatives and commitments

N/A

V. Capacity-building and technical assistance

N/A

Notes

- ¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org. (One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council.)

Civil society

JS1 Joint Submission 1: International Lesbian, Gay, Bisexual, Trans and Intersex Association-Europe (ILGA-Europe)*; Mozaika, the Alliance of Lesbians, Gays, Bisexuals, Transgendered People and their Friends; Brussels, Belgium; Riga, Latvia;

LCHR Latvian Centre for Human Rights, Riga, Latvia;

LHRC Latvia Human Rights Committee, Riga, Latvia;

SOS-LV SOS Children's Village Association of Latvia, Riga, Latvia;

WCADP World Coalition Against the Death Penalty, Châtillon, France.

Regional intergovernmental organization

CoE Council of Europe

- CoE-ECSR: European Committee on Social Rights, Conclusions XIX-2(2009)(Latvia), Articles 11, 13 and 14 of the Charter, January 2010;
- CoE-CPT: Report to the Latvian Government on the visit to Latvia carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 27 November to 7 December 2007, CPT/Inf(2009)35, 15 December 2009;
- CoE-ECRI: European Commission against Racism and Intolerance, Third report on Latvia, adopted on 29 June 2007, published on 12 February 2008, CRI(2008)2;
- CoE-Commissioner: Memorandum to the Latvian Government, assessment to the progress made in implementing the 2003 recommendations of the Council of Europe Commissioner for Human Rights, 16 May 2007, CommDH(2007)9.

² WCADP, paras. 2–3.

³ LHRC, para. 2: See also CoE ECRI, para. 8.

⁴ LHRC, para. 2; see also CoE ECRI, para. 8.

⁵ LHRC, para. 2; CoE ECRI, para. 10.

⁶ LHRC, paras. 12–13.

⁷ CoE ECRI para. 36.

⁸ CoE ECRI, para. 40.

⁹ LHRC, para. 3.

¹⁰ CoE ECRI, para. 43; see also LHRC, para. 5.

¹¹ CoE ECRI, para. 40.

¹² LHRC, para. 4.

¹³ LHRC, para. 5.

¹⁴ CoE Commissioner, paras. 72–76.

¹⁵ CoE ECRI, para. 44.

¹⁶ CoE ECRI, para. 45.

¹⁷ CoE ECRI, paras. 46–49.

¹⁸ CoE ECSR, p. 9.

¹⁹ CoE ECRI, paras. 35, 48 and 49.

- 20 LHRC, para. 10.
21 LHRC, para. 11; see also CoE ECRI, para. 29.
22 CoE ECRI, para. 28.
23 CoE ECRI, para. 91.
24 CoE Commissioner, para. 63.
25 CoE Commissioner, para. 63.
26 CoE ECRI, para. 32.
27 JS1, p. 1.
28 JS1, p. 2.
29 JS1, p. 5.
30 JS1, p. 3; CoE ECRI, para. 18.
31 JS1, p. 3.
32 LCHR, para. 1; WCDAP, para. 1.
33 LCHR, paras. 3–4.
34 WCADP, para. 3.
35 LHRC, para. 10.
36 CoE ECRI, paras. 91, 92, 93 and 95.
37 CoE ECRI, paras. 96–97.
38 JS1, p. 3.
39 CoE CPT, para. 11.
40 CoE CPT, para. 12.
41 CoE CPT, paras. 13–20.
42 CoE CPT, paras. 38 and 40.
43 CoE CPT, para. 100.
44 LCHR, paras. 8–9; LHRC, para. 6.
45 CoE CPT, para. 36.
46 LCHR, para. 10; see also CoE CPT, paras. 34–36.
47 LHRC, para. 6; see also CoE CPT, paras. 107–111.
48 CoE CPT, para. 61, see also CoE CPT 62–72.
49 LCHR, paras. 10–11.
50 CoE CPT, paras. 74–95; see also CoE Commissioner, paras. 24–28.
51 LHRC, para. 7.
52 LCHR, para. 12.
53 LCHR, para. 13.
54 CoE CPT, para. 31; see also CoE Commissioner, para. 17.
55 CoE Commissioner, paras. 67–70.
56 CoE Commissioner, para. 71.
57 LCHR, para. 8.
58 LHRC, para. 9.
59 CoE CPT, paras. 21–27.
60 CoE CPT, para. 25.
61 CoE Commissioner, para. 15.
62 CoE CPT, para. 25.
63 SOS-LV, p. 3.
64 SOS-LV, p. 3.
65 JS1, p. 5.
66 JS1, pp. 5–6.
67 CoE ECRI, paras. 100, 101 and 106.
68 CoE ECRI, paras. 19 and 22.
69 JS1, pp. 3–4.
70 JS1, p. 4.
71 CoE ECRI, para. 131.
72 JS1, p. 2; see also LHRC, para. 19; CoE Commissioner, paras. 87–89.
73 LHRC, para. 20.
74 CoE Commissioner, para. 89.
75 CoE Commissioner, para. 43.

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- 76 CoE ECRI, para. 133.
77 CoE ECRI, para. 121.
78 SOS-LV, p. 1.
79 SOS-LV, p. 1.
80 LHRC, para. 21.
81 LHRC, para. 22.
82 CoE ECSR, pp. 12–14.
83 CoE ECSR, pp. 17–18.
84 SOS-LV, p. 2.
85 SOS-LV, p. 2.
86 SOS-LV, p. 1.
87 COE ECSR, pp. 6–8.
88 CoE ESCR, pp. 4–5 and 8.
89 JS1, p. 2.
90 LHRC, para. 23.
91 LHRC, para. 24.
92 CoE Commissioner, paras. 78–83.
93 LHRC, para. 24.
94 LHRC, para. 25; see also CoE ECRI, paras. 50–54.
95 CoE Commissioner, paras. 52–53.
96 CoE ECRI, paras. 55–56.
97 CoE Commissioner, paras. 55–58.
98 CoE ECRI, paras. 70–71 and 76.
99 JS1, p. 4.
100 LHRC, para. 25.
101 CoE ECRI, para. 131.
102 LHRC, para. 26.
103 LHRC, paras. 27–28; see also CoE ECRI, paras. 119–124 and CoE Commissioner, para. 44.
104 CoE Commissioner, paras. 40–42.
105 LHRC, para. 29.
106 CoE ECRI, paras. 125–127.
107 CoE Commissioner, para. 44.
108 LHRC, paras. 14–16; see also CoE ECRI, para. 110.
109 CoE Commissioner, paras. 33 and 38.
110 LHRC, paras. 17.
111 CoE ECRI; para. 115.
112 LHRC, para. 15.
113 CoE ECRI, paras. 111–113.
114 LHRC, para. 18.
115 CoE ECRI, paras. 117–118.
116 CoE ECRI, paras. 68–69.
117 CoE Commissioner, paras. 90–91.
118 CoE ECRI, paras. 72–73.
119 CoE ECRI, para. 77.
120 CoE ECRI, paras. 58–60.
121 LCHR, para. 5.
122 LCHR, para. 6.
123 LCHR, para. 7.
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