



Weekly Briefing

Latvia external relations briefing:

UN assessment of the human rights protection development in Latvia

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Summary

From 11th till 14th May this year the 38th session of the UN (United Nations) Universal Periodic Review Working Group considered and adopted Latvia's national report on the human rights situation in the country. Latvia's National Human Rights Report covers the period from 2016 to 2020. The Latvian national delegation, consisting of representatives of line ministries and the Prosecutor General's Office, participated in the preparation and review of the report. During the hearing, the Head of the Latvian Delegation and State Secretary of the Ministry of Foreign Affairs presented Latvia's achievements in the field of human rights protection since 2016. Particular emphasis was placed on progress in ensuring gender equality, the integration of minorities and the promotion of public participation.

Introduction

In this briefing, the main points of UN evaluation of human rights protection certain suggestions for Latvia are analyzed. The main groups of people, on whose rights the accent was made in the Universal Periodic Review were women, children, persons with disabilities, minorities and indigenous people. It was a long way for Latvia since the first cycle of the Universal Periodic Review in 2011 and a lot of improvements have been made in the field of human rights protection. However, there is still great room for improvement in all of the aspects. In this briefing, the main issues and recommendations of the UN to Latvia are described.

Main findings of the Universal Periodic Review

The review of Latvia's report was attended by 87 UN member states, which assessed Latvia's achievements in the protection of human rights and made recommendations for further progress.ⁱ Member States welcomed the progress made on gender equality, social inclusion and non-discrimination. Besides, special mention was made of the adoption of Latvia's first National Action Plan to implement UN Security Council Resolution 1325 on Women, Peace and Security. Member States also assessed the 2019 law on the termination of non-citizen status for children, which provides for the automatic granting of citizenship to newborn children in non-citizen families from 2020 onwards.

Suggestions for equality and non-discrimination

Three main Committees have made their propositions to Latvia: The Committee on the Elimination of Discrimination against Women, the Committee on the Rights of Persons with Disabilities, and the Committee on the Elimination of Racial Discrimination. All three Committees recommended that Latvia include clear definitions of discrimination against women, discrimination on the basis of disability and racial discrimination in the country's legislation.

The main proposition from the Committee on the Elimination of Discrimination against Women is adopt a comprehensive gender equality law.ⁱⁱ The committee also recommended that Latvia adopts temporary special measures to advance the equality of women and men in all fields where women are underrepresented or disadvantaged.

The Committee on the Elimination of Racial Discrimination proposed to introduce a comprehensive anti-discrimination law. The Committee was concerned that hate crime and hate speech is higher according to unofficial data in comparison with official sources. Therefore, Latvia need to consider the adequacy of the legislation addressing racist hate speech and incitement to racial hatred.

Suggestions for civil and political rights

The Committee on the Elimination of Racial Discrimination pointed that large share of prisoners are from ethnic minorities, including ethnic Russians and Roma. The recommendation was made to conduct a proper analysis on the reasons of such statistics.

The Committee against Torture claimed that the definition of torture in Latvian legislation is not reflecting all necessary elements in accordance with the Convention against Torture. The Committee suggested that Latvia have to eliminate this issue. The same Committee recommended Latvia to include torture as a specific offence to the Criminal Law and to conduct mandatory training to ensure that all public authorities are acquainted with the Convention against Torture. The Committee on the Rights of the Child provided similar recommendations.

The Committee on the Rights of Persons with Disabilities was concerned about the accusations of violence against persons with disabilities and recommended to investigate all cases of death occurring in the institutions.

Suggestions for economic, social and cultural rights

Regarding working conditions, the Committee on the Elimination of Discrimination against Women pointed out that Roma women and women belonging to other ethnic minorities, women with disabilities, migrant women, women living in rural areas, and older women have difficulties in labour market. Also, it was mentioned that the problem of the gender pay gap still exists and Latvia needs to strengthen the principle of equal pay. The Committee recommended that Latvia ensure help with employment for persons with disabilities in the open labour market on an equal basis with other people.

The same Committee welcomed the fact that pensions increase on a yearly basis and mentioned that in proportion women benefit from the pensions more than men. It happens because there are more women with lower pensions, who can use additional social benefits. Nevertheless, a decrease in the population and its ageing harm the social protection of women. It was also noted that almost one-third of Latvian women were at the risk of poverty or social exclusion. For those women the Committee recommended that Latvia need to implement envisaged income support system.

Living conditions problems

The Committee on the Rights of the Child remains concerned about the continued impact of austerity measures on children, high unemployment, rising income inequality and the alleged end of the emergency social safety net established under the stabilization program. The Committee recalled the recommendation of the Independent Expert on the implications of external debt and other relevant international financial obligations of states to establish a permanent protection system for children from vulnerable groups.

The Committee on the Rights of Persons with Disabilities recommended that Latvia ensure an adequate standard of living for people with disabilities and their families. In particular, the accent was made that social protection and poverty reduction programs should consider the additional costs associated with disability.

Healthcare system issues

The Committee on the Elimination of Discrimination against Women welcomed the fact that the country's health care system is based on the principle of universal coverage. However, the Committee also noted that the financial resources allocated to health care were

comparatively low. The same Committee noted the limited access of women to basic health services, including sexual and reproductive health services. Both the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child are concerned about the high rates of early pregnancy among Latvian women.

Besides, the Committee on the Rights of the Child was concerned that state financial control mechanisms were unable to verify the legality and effectiveness of the use of the health budget. The same Committee also expressed concern about disparities in the access of rural and urban children to specialized health services. Moreover, the Committee pointed out that in Latvia there are long waiting lists and limited specialized health services in the public health sector.

The Committee on the Rights of Persons with Disabilities mentioned that the extreme inadequacy and inaccessibility of general health services for all persons with disabilities in Latvia. Measures need to be taken to ensure equal accessibility to healthcare services for Latvian residents in every region.

Education system challenges

While welcoming various institutional and policy measures, the Committee on the Rights of the Child expressed concern about out-of-school children, particularly in rural areas where educational opportunities are limited. Moreover, a high rate of dropout is among girls. Besides, despite ongoing efforts to increase school attendance by girls from minority groups, their numbers remain stagnant.

Concern was expressed about the adoption of amendments to the Law on Higher Education and Preschool Education Ordinance No. 716; and proposed amendments to the Education Law regarding the way of teaching in basic and secondary education, which will harm the protection and promotion of minority rights in Latvia, especially the right to education without discrimination of minority students regarding the use of their mother tongue. It was recommended that Latvia ensure that there are no unreasonable restrictions on access to education in minority languages.

The Committee on the Rights of Persons with Disabilities was concerned that the majority of children with disabilities attend special schools or are encouraged to study at home, and urged Latvia to ensure that no child is denied admission to mainstream schools on grounds of disability.

In the coming months, Latvia must evaluate all the recommendations received and provide the UN with its opinion on them, before approving them in the Cabinet of Ministers.

Conclusion

Overall, Member States embraced the progress made on gender equality, social inclusion and non-discrimination in Latvia. For further development, 258 recommendations were made to Latvia regarding the issue of human rights protection. States called for further action in the fight against domestic violence, violence against women and children, hate crimes and all forms of discrimination. In addition, Member States emphasized the need for improvements in the rights of people with disabilities, including by improving access to education and preventing trafficking in human beings, significantly promote gender equality and reduce the pay gap between women and men. Member States recommended that Latvia consider acceding to several other important international human rights instruments, including ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

ⁱ Latvijas Republikas Ārlietu ministrija. (14.05.2021). ANO vērtē Latvijas sasniegto progresu cilvēktiesību aizsardzībā. Available at: <https://www.mfa.gov.lv/aktualitates/zinas/67956-ano-verte-latvijas-sasniegto-progresu-cilvektiesibu-aizsardziba>

ⁱⁱ United Nations General Assembly. (3-14 May, 2021). Working Group on the Universal Periodic Review. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/050/92/PDF/G2105092.pdf?OpenElement>