



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
31 July 2019

Original: English
English, French and Spanish only

Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined fourth to seventh periodic reports of Latvia*

General context

1. Please provide information and statistics on the current situation of women in the State party, disaggregated by sex, age, disability, ethnicity, national minority status and nationality, in order to monitor the implementation of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere. Please also provide information on measures taken to sign and ratify, or accede to, the Optional Protocol to the Convention and to accept the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee, in line with the Committee's previous concluding observations (A/59/38, part two, para. 75).

Visibility and dissemination of the Convention

2. In view of the information provided in the report (CEDAW/C/LVA/4-7, paras. 7–10),¹ please update the Committee on additional measures taken to implement the Committee's previous recommendations on disseminating information about the Convention, the Optional Protocol thereto and the Committee's general recommendations (A/59/38, part two, para. 48). In particular, please describe whether gender-based discrimination outside the labour law context is planned to be or has been included in training programmes organized by the Latvian Judicial Training Centre (para. 10) and for public administration officials (para. 12). Please elaborate on whether the State party envisages providing for more targeted and regular training activities on the Convention for lawyers other than those described in the report (para. 11). Please also provide information on measures taken to raise awareness of the Convention among women facing multiple and intersecting forms of discrimination.

Definition of discrimination against women

3. In line with article 1 of the Convention and the principle of equality of men and women enshrined in article 2 (a) of the Convention, and with target 5.1 of the Goals,

* Adopted by the pre-sessional working group for the seventy-fifth session (25 and 26 July 2019).

¹ Unless otherwise indicated, paragraph numbers refer to the fourth to seventh periodic reports of the State party.



please describe any efforts made by the State party to implement the Committee's previous recommendations (A/59/38, part two, para. 46) to include in the Constitution and the new anti-discrimination law or other appropriate national legislation, rather than relying on sectoral laws (para. 6), a comprehensive, stand-alone legal definition of discrimination against women in the public and private spheres, including direct and indirect discrimination, discrimination by association and multiple and intersecting forms of discrimination. Please elaborate further on the legal remedies and compensation available when the prohibition of discrimination is infringed (*ibid.*), in particular for women and girls who may be victims of multiple and intersecting forms of discrimination, such as women and girls in rural areas, migrant, asylum-seeking and refugee women and girls, women and girls belonging to national minorities, women and girls with disabilities or women and girls belonging to other groups in disadvantaged situations.

Constitutional and legislative framework

4. Please provide information on the main results achieved under the programme for the implementation of gender equality for the period 2012–2014 in relation to the reduction of gender roles and stereotypes, the promotion of healthy and environmentally friendly lifestyles for men and women, the promotion of economic independence for women and equal opportunities in the labour market, and the monitoring and evaluation of gender equality policy. Please also provide information on whether the new plan for safeguarding equal opportunities and the rights of women and men for the period 2018–2020 has been approved, indicating relevant measures thereunder and the human, technical and financial resources assigned for its implementation. Please also specify whether that new plan considers temporary special measures for the most vulnerable groups of women, such as women and girls in rural areas, migrant, asylum-seeking and refugee women and girls, women and girls belonging to national minorities, women and girls with disabilities or women and girls belonging to other groups in disadvantaged situations.

5. In view of the State party's admission that the national legal framework for the elimination of violence against women is incomplete (para. 24), please provide detailed information on any efforts to rectify the situation and when the State party intends to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, signed on 18 May 2016. Please provide updated information on the implementation of the Committee's previous recommendation that a comprehensive gender equality law be adopted (A/59/38, part two, para. 52).

Access to justice and legal complaint mechanisms

6. Please provide information on any cases in which the Convention has been invoked by individuals, applied directly or referred to in court proceedings in the State party and indicate the number, nature and outcome of all cases of discrimination against women, including multiple and intersecting forms of discrimination, the sanctions applied to perpetrators and the remedies, including compensation, provided to victims. Please clarify whether the ombudsperson has a mandate to accept complaints relating to all areas covered by the Convention (para. 18) and whether there are specialized complaint mechanisms available for women who have suffered from discrimination in the labour market or from harassment, including sexual harassment, in the workplace (paras. 150–151). Please also clarify whether legal aid is available only for women who are victims of violence, in particular domestic violence, and whether negative decisions by the legal aid administration are subject to appeal before the courts, supported by free legal assistance (para. 63). Please also provide information on measures taken to guarantee access to justice by the most

vulnerable groups of women, such as rural women and girls, migrant, asylum-seeking and refugee women and girls, women and girls belonging to national minority groups, women and girls with disabilities or women who are legally incapacitated, and on whether procedural and age-appropriate accommodations are available when required.

National machinery for the advancement of women

7. Please elaborate on the delimitation of the mandates and functions of the Social Policy Planning and Development Department and the Gender Equality Committee of the Ministry of Welfare and the high-level officials nominated by all ministries to implement the provisions of the Convention in all sectoral policies (paras. 16–17 and 209) and provide more details on the human, technical and financial resources available for those tasks. Please also provide information on the body with overall coordinating responsibility for gender policymaking and gender mainstreaming in sectoral policies as described in paragraphs 13 and 25. Please clarify how the State party is applying a gender-responsive approach to public budgeting following the study visit on gender mainstreaming in budget-making processes conducted by officials of the Ministry of Welfare to Nordic countries (para. 12).

Temporary special measures and political participation of women

8. In view of the indication by the State party in the report (para. 26) that temporary special measures, such as quotas, may not be the most appropriate solution owing to low public support and the very low proportion of women at the decision-making level in elected and appointed governmental bodies, which has stagnated and even decreased in recent years (paras. 115–117), please provide information on any relevant studies and surveys carried out, as well as on any efforts that have been made to raise awareness of the concept of temporary special measures for the implementation of the Committee's previous recommendations (A/59/38, part two, paras. 52 and 62) and to adopt such measures to accelerate the achievement of substantive equality between women and men in political and public life, in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures. Please also provide data on the representation of women in the foreign service, the European Parliament and the judiciary.

Discriminatory gender stereotypes and harmful practices

9. With regard to the Committee's previous recommendations (*ibid.*, para. 54), please provide information on measures taken since 2014, including awareness-raising and educational campaigns, to address discriminatory gender stereotypes with regard to women and girls, including those experiencing multiple and intersecting forms of discrimination relating to ethnicity, age, disability or other characteristics. Please also provide information on any evaluation of the impact of such efforts and those described in paragraphs 29 to 34 and 130 to 139 of the report. Please elaborate on how the need to eliminate discriminatory gender stereotypes with regard to women and girls, including those experiencing multiple and intersecting forms of discrimination, has been included in the State family policy guidelines for 2011–2017. Please indicate whether the guidelines have been renewed for the period beyond 2017, and if they have, provide more detail on their key features (para. 30). Please indicate whether there are plans to extend the duration of paternity leave, including through the possibility of more shared parental leave, childcare leave and flexible working arrangements between mothers and fathers (para. 32) and whether steps have been taken to increase the number of childcare facilities.

10. Please provide information on efforts to project positive and non-sexualized images of women and eliminate stereotypical images and attitudes regarding the roles of women and men in the family and society in the mass media.

Gender-based violence against women

11. With reference to the Committee's previous concluding observations (A/59/38, part two, para. 56), please provide further data, disaggregated by sex, age, disability, ethnicity, national minority status and nationality, and information on instances of gender-based violence against women and girls, including sexual violence and domestic violence, and how the cases have been resolved (paras. 35–51 and annex 6), including the cases in which temporary protection measures have been imposed by the police and/or courts since 2018 (para. 48) and criminal proceedings under article 168 of the Criminal Code for infringements of court-ordered temporary protection measures (para. 47). Please elaborate on the concept of "events qualified as 'family conflict'" (annex 6, p. 13), in addition to specifying the number of prosecutions, convictions and sentences imposed, indicating the relationship of the perpetrator to the victim. Please provide information on the measures taken by the State party to train the police and security forces in the proper implementation of the regulations on protection from domestic violence.

12. Please provide information on the definitions of: (a) rape, including marital rape, in article 159 of the Criminal Code (A/59/38, part two, para. 56) and whether it places the lack of free consent of the victim at the centre of the definition; (b) personal harassment, psychological violence and female genital mutilation in the Criminal Code (paras. 24 and 37); and (c) physical, sexual, psychological or economic violence of a spouse against the other spouse in article 74 (1) of the Civil Law as grounds for the breakdown of marriages and whether a court may dissolve the marriage on any of those grounds only if the spouses have lived separately for fewer than three years (paras. 43 and 213).

13. In view of its high prevalence in the State party (paras. 49–51), please provide further information on the steps taken to prevent and combat gender-based violence against women and girls, including on the action plans pursuant to the State party's family policy guidelines for 2011–2017, the plan for safeguarding equal opportunities and rights for women and men for 2018–2020 and the national development plan for 2014–2020 (paras. 53–54). Please also provide the Committee with the key features of the annual informative reports drawn up by the Ministry of Welfare about the prevalence of gender-based violence against women and girls since 2014 (para. 52). With regard to the Committee's previous recommendations (A/59/38, part two, para. 56), please provide information on: (a) the number of victims of violence, as well as perpetrators, disaggregated by sex, age, disability, ethnicity, national minority status and nationality, who have received social rehabilitation services since 2017 (paras. 57–61); (b) the number of crisis centres or other centres and shelters available to victims of violence; (c) the human, technical and financial resources and geographical distribution of such establishments (para. 55); (d) whether the services are available and accessible to all women and girls who are victims of gender-based violence, in particular women belonging to ethnic minority groups, migrant, asylum-seeking and refugee women, rural women and women with disabilities, without discrimination; (e) whether the toll-free helplines are gender-responsive; and (f) whether there are any plans to make the helplines available around the clock (paras. 64–65).

Trafficking and exploitation of prostitution

14. Please provide updated data, disaggregated by sex, age, disability, ethnicity, national minority status and nationality, on the number of cases reported since 2018

of trafficking in persons in which women and girls were victims and the State party was the country of origin, including the number of prosecutions and convictions and the sentences imposed on perpetrators. Please also indicate the countries of transit and destination (paras. 84–87 and annex 6). Please provide information on such cases since 2017 in which the State party's police force has cooperated internationally (para. 76).

15. Please provide updated information on any measures taken to combat trafficking in persons, in particular since 2017 and in addition to the legislative and preventive measures mentioned in the report (paras. 70–75 and 77–83), including: (a) whether the guidelines for the prevention of trafficking in persons for 2014–2020 have replaced the State programme for 2004–2008 and the action programme for the prevention of trafficking in persons for 2009–2013 (paras. 81–82) and specific preventive measures taken under the guidelines; and (b) specific measures taken in line with the law on social services and social assistance relating to victims' assistance (para. 88). Please clarify whether recognition as a victim of trafficking is dependent upon cooperation as a witness in criminal proceedings against the perpetrators, in addition to the number of victims so recognized and compensated under the law on State compensation to victims (para. 89). Please indicate whether a formal national mechanism for the identification of victims of trafficking has been established, as recommended by the ombudsperson in the research paper mentioned in paragraph 99 of the report.

16. Please provide updated information on: (a) the legislative and policy framework for the prevention of exploitation of women and girls in prostitution, in particular whether the draft law on prostitution has entered into force (para. 103); (b) mechanisms other than those described in paragraph 104 of the report for the protection of girls exploited in prostitution; and (c) programmes, in all regions, to support women who wish to leave prostitution and pursue alternative means of livelihood (A/59/38, part two, para. 60). Please also provide information on measures taken to raise awareness of the health and safety risks of prostitution and to discourage demand for it (*ibid.*, para. 60).

Education

17. Please provide further data, disaggregated by age, disability, ethnicity, national minority status and nationality, and information on: (a) the percentage of women in academic leadership positions in addition to the information provided in the report (para. 120 and annex 2); (b) the percentage of women teachers in primary and secondary education; and (c) women enrolled in, and graduating from, universities and colleges, since 2017 (annex 1). With reference to the Committee's previous recommendations (A/59/38, part two, para. 66), please also provide information on measures taken to eliminate gender stereotyping in relation to educational choices of girls and boys in addition to those described in the report (paras. 130–141). Please also provide information on measures taken to: (a) eliminate discriminatory gender stereotypes in all textbooks; (b) promote human rights education in schools, including with a focus on the Convention and the empowerment of girls; and (c) encourage women and men to choose non-traditional fields of training and education, including by promoting access by girls to training and education in the fields of science, technology, engineering and mathematics. Please provide data on the enrolment and dropout rates of Roma girls in primary and secondary education and on the participation of Roma women and girls in higher education.

Employment and economic empowerment

18. Please provide statistical data on the percentage of women in economic decision-making positions in public and private companies as a result of the measures

described in the report (para. 121), as well as other measures. Please elaborate on the amendments to the labour law with a view to strengthening equal treatment in employment and any practical achievements in that regard (para. 150). Please provide detailed information on the results achieved since the adoption of the inclusive employment guidelines for 2015–2020 for the promotion of equal opportunities in the labour market for all persons regardless of age, gender or disability (para. 152), in particular in addressing the persistent horizontal and vertical occupational gender segregation in the labour market, the gender pay gap between women and men, and the gender imbalances in reconciling family and working life, as well as the distribution of family responsibilities (*ibid.*). Please further specify whether the objective of the guidelines – improving employment opportunities for underrepresented groups – also specifically targets migrant women, Roma women and single mothers (*ibid.*).

19. Please provide information on the outcome of any labour inspections undertaken to monitor the implementation of the equal rights of women and men pursuant to applicable labour law regulations, the number of cases filed relating to discrimination against women in the workplace, such as wage discrimination and harassment, including sexual harassment, and the outcome of such cases, indicating the sanctions imposed on employers and other liable persons (paras. 150–151).

Health

20. Please provide information on the impact of the objective to reduce the morbidity of women and girls with infectious diseases, as defined in the public health guidelines for 2014–2020 and the corresponding programmes and action plans (para. 178). Please indicate whether access to safe and legal abortions and modern contraceptives, in particular by girls and women belonging to the most disadvantaged groups, is covered by health insurance or provided free of charge (para. 178). Please also elaborate on the gender-responsiveness of the system of family doctors and nurses as primary health-care providers (paras. 203–204).

HIV/AIDS

21. With reference to the Committee’s previous concluding observations ([A/59/38](#), part two, para. 72), please provide data on the percentage of women living with HIV/AIDS receiving antiretroviral therapy (para. 196) and information on measures taken to combat the high prevalence of HIV among women in the State party in addition to those mentioned in the report (paras. 177–180 and 186–197), in particular on: (a) any plans to decentralize the medical care of women living with HIV and women living with AIDS (para. 186), given that some affected expectant mothers do not avail themselves of the services available in the capital of the State party (para. 193); (b) whether the HIV/AIDS-related programmes mentioned in paragraph 187 of the report have been updated; (c) the results of any studies conducted on the high prevalence of HIV in the State party (para. 191); and (d) the status of the HIV prevention station network that is in development (para. 195).

Marriage and family relations

22. Please provide data, disaggregated by sex, age, disability, ethnicity, national minority status and nationality, on the annual number of marriages in which one of the spouses is a child. Please also provide information on measures taken by the State party to repeal articles 32 and 33 of the Civil Law, whereby people who are 16 years of age are able to marry with the consent of their parents or guardians if they marry a person of the age of majority, in order to ensure that the minimum age of marriage is, without exception, 18 years. Please also provide data, disaggregated by sex, age, disability, ethnicity, national minority status and nationality, on the total number of

forced or fictitious marriages recorded (paras. 79 and 81), including on prosecutions, convictions and sentences imposed under the new article 285 of the Criminal Code (para. 90). Please provide information on measures taken by the State party to combat the practices of forced or fictitious marriages.

23. Please provide information on whether non-traditional families, including de facto unions and same-sex couples, are fully encompassed in the notion of family used in the State party's laws, policies, programmes and strategies, in line with the Committee's general recommendation No. 21 (1994) on equality in marriage and family relations and general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, respectively.
