



# International Covenant on Civil and Political Rights

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## Human Rights Committee

### List of issues in relation to the fourth periodic report of Latvia\*

#### Constitutional and legal framework within which the Covenant is implemented (art. 2)

1. Please provide information on: (a) the mechanisms in place for the implementation of the Committee's concluding observations and its Views under the first Optional Protocol to the Covenant; (b) the progress made in raising awareness among judges, prosecutors, lawyers, law enforcement officers and the public of the rights enshrined in the Covenant, of their applicability under domestic law and of the complaint procedure available under the first Optional Protocol; and (c) examples of cases in which provisions of the Covenant have been invoked or referred to in national courts.
2. With reference to the Committee's most recent concluding observations on the third periodic report of the State party (para. 5)<sup>1</sup> and the information supplied by the State party in its fourth periodic report,<sup>2</sup> please describe the measures taken to bring the Office of the Ombudsperson fully into line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), in particular with regard to the process for the selection and appointment of staff members and the dismissal of the Ombudsperson. Please include information about the status and material scope of any planned amendments to the Law on the Ombudsman, including in relation to the tenure of the Ombudsperson, protection from criminal and civil liability and the organizational structure of the Office and its role as the national preventive mechanism for the prevention of torture, and report on measures taken to ensure that the Office is provided with adequate financial and human resources to carry out its mandate effectively. Please also report on the steps taken to ensure the prompt implementation, by public authorities, of the Ombudsperson's recommendations.

#### Anti-corruption measures (arts. 2 and 25)

3. Please provide information on the measures taken to prevent and combat corruption effectively, in particular in the public sector, including through: (a) the implementation of the Corruption Prevention and Combating Action Plan 2023–2025; and (b) the improvement of the institutional framework, in particular with regard to the measures taken to ensure efficient investigations of corruption-related cases, in terms of the mandates and coordination of the State party's anti-corruption bodies, the role of the Corruption Prevention and Combating Bureau and the funding of these bodies. Please include information on the implementation of the law on the disclosure of interest representation (lobbying). Please also provide statistical information on the number of investigations, prosecutions, convictions of those found responsible and sentences handed down in corruption cases during the reporting period, in particular in cases involving high-level public officials and members of the judiciary.

\* Adopted by the Committee at its 142nd session (14 October–7 November 2024).

<sup>1</sup> Unless otherwise indicated, paragraph numbers in parentheses refer to CCPR/C/LVA/CO/3.

<sup>2</sup> CCPR/C/LVA/4, paras. 7–9.



### **Non-discrimination (arts. 2, 19, 20 and 26)**

4. Bearing in mind the Committee's most recent concluding observations (para. 19) and the information supplied by the State party in its periodic report,<sup>3</sup> please indicate the progress made during the reporting period in implementing and/or amending criminal law provisions aimed at combating racially motivated crime to include incitement to violence on grounds of sexual orientation or gender identity as a criminal offence. Please describe the efforts made during the reporting period to prevent and effectively punish hate crime, hate speech and other acts of discrimination, stigmatization and violence, and provide updated statistics on criminal proceedings. Please also describe the efforts made to address the use of racist discourse in politics and in the media and to encourage the reporting of such acts. Please further describe any training activities and public awareness-raising campaigns that have been carried out to promote and ensure the effective implementation of the guidelines to identify and investigate hate speech, and describe the concrete impact the guidelines have had.

5. In the light of the Committee's most recent concluding observations (paras. 7 and 21) and with reference to the information provided in the State party's report,<sup>4</sup> please provide information on the measures taken to ensure the full and equal enjoyment of the rights in the Covenant by non-citizen residents and members of linguistic minorities, including information on the legislative changes made to the Immigration Law requiring Russian citizens to pass a Latvian language test in order to renew their permanent residence permits. In this regard, please provide disaggregated data on the number of Russian citizens residing in the State party affected by said legislative changes and liable to be deported, and describe the protection measures available for them. Please also describe the measures taken and specific programmes adopted to effectively address the barriers faced by Roma in accessing all the rights under the Covenant without discrimination, including with regard to education, housing, healthcare and employment.

### **State of emergency (art. 4)**

6. Please provide information on national legislation regarding the declaration of a state of emergency and on how such laws comply with the requirements of article 4 of the Covenant and general comment No. 29 (2001). In that regard, please provide information about Order No. 518 of the Cabinet of Ministers on the declaration of an emergency situation, adopted on 10 August 2021 to address the influx of migrants and refugees at the country's borders, and about any measures implemented pursuant to Order No. 518. In particular, please specify whether such measures derogate from the State party's obligations under the Covenant, and if so please specify whether the measures were strictly required by and proportional to the exigencies of the situation and were limited in duration, geographical coverage and material scope.

### **Gender equality (arts. 3 and 26)**

7. With reference to the Committee's most recent concluding observations (para. 6) and the information supplied by the State party in its periodic report,<sup>5</sup> please explain whether steps have been taken to adopt a comprehensive gender equality law, and describe the role and activities of the Gender Equality Committee. Please also provide information on: (a) the implementation and impact of the plan for the promotion of equal rights and opportunities for women and men, 2021–2023, and the status of the development of a new plan; (b) the measures taken to narrow the gender pay gap, including information on the implementation and impact of the Inclusive Employment Guidelines, 2015–2020; and (c) the measures taken to address stereotypes and biases concerning the social and family roles of women and men.

<sup>3</sup> Ibid., paras. 102 and 124–126.

<sup>4</sup> Ibid., paras. 4–6, 10, 11 and 152–162.

<sup>5</sup> Ibid., paras. 12–19.

### **Violence against women and domestic violence (arts. 2, 3, 6, 7 and 26)**

8. With reference to the Committee's previous concluding observations (para. 9) and the information provided in the State party's report,<sup>6</sup> please provide further information on the efforts made to eradicate gender-based violence, including intimate partner violence, spousal rape and other sexual violence and femicide. In this respect, please provide information on awareness-raising campaigns for society, as well as the training provided for public officials, including judges, prosecutors and law enforcement and other officials. Please indicate the steps taken to establish a comprehensive law on gender-based violence against women and to recognize intimate partner violence and spousal rape as specific crimes in the State party's criminal law.

9. Please report on the steps taken to encourage the reporting by victims of cases of violence against women. Please describe the steps taken to ensure that cases of gender-based violence are thoroughly investigated and that the perpetrators are prosecuted and, if convicted, punished with appropriate sanctions, and provide updated disaggregated data in this regard. Please indicate whether a special investigations unit for cases involving gender-based violence has been established. Please report on the steps taken to provide appropriate psychological, social, legal and rehabilitative services for victims and their families, in particular to address the concerns relating to the lack of specific shelters for victims of violence, including sexual violence.

### **Right to life (art. 6)**

10. With reference to the information provided in the State party's report<sup>7</sup> and in the light of the Committee's most recent concluding observations (para. 10), please provide updated statistical data on the number of deaths in places of detention, as well as in psychiatric institutions, and on the number of investigations carried out and criminal proceedings initiated in connection with such deaths and their results. Please indicate whether steps have been taken, including through the amendment of the Law on the Protection of the Body of Deceased Human Beings and Use of Human Tissues and Organs in Medicine, to ensure that all deaths in psychiatric institutions are subject to an independent review and examination. Please provide further information on the measures taken to reduce the risk of suicidal behaviour among prisoners, including information on the implementation and impact of the "Be Identified" programme and the suicide risk-assessment-scale, and among individuals in psychiatric institutions.

### **Prohibition of torture and other cruel, inhuman or degrading treatment or punishment and treatment of persons deprived of their liberty (art. 7)**

11. In the light of the information provided by the State party,<sup>8</sup> please provide further information on the progress made in ensuring that torture is prohibited as a specific offence in the State party's criminal law and that the definition of and penalties for torture are in line with the Covenant and other relevant international standards. Please describe the functions of the Internal Security Bureau, established pursuant to article 4 of the Law on the Internal Security Bureau in 2015, and the safeguards in place to ensure that the Bureau is fully independent and can conduct its investigations into cases of torture and ill-treatment committed by law enforcement officials without undue influence. Please report on the efforts undertaken to encourage the reporting of torture and ill-treatment committed by law enforcement officials and to ensure that all individuals in detention are protected against reprisals and adequately and effectively informed of the complaints procedure, and provide updated statistical data on the number of complaints of torture and ill-treatment received and the number of investigations, prosecutions and convictions for such acts, and on the penalties and disciplinary measures imposed.

12. With reference to the Committee's previous concluding observations (para. 16), please report on measures taken to offer adequate community-based or alternative social care

<sup>6</sup> Ibid., paras. 33–46.

<sup>7</sup> Ibid., paras. 23–29.

<sup>8</sup> Ibid., paras. 30–32 and 84–87.

services for persons with psychosocial and mental disabilities in order to provide less restrictive alternatives to forcible confinement, including information on the specific measures taken within the context of the action plan for the improvement of mental health services in Latvia for 2023–2025. Please also describe the steps taken to promote psychiatric care with a view to preserving the dignity of patients, both adults and minors, including through the increase of adequate socio-therapeutic and recreational activities and daily outdoor activities in social care centres, and by ensuring an adequate number of qualified staff. Please report on the legal safeguards in place regarding voluntary placement in psychiatric institutions to ensure that individuals are not *de facto* deprived of their liberty.

#### **Liberty and security of the person (art. 9)**

13. With reference to the Committee’s previous concluding observations (para. 13) and the information provided in the State party’s report,<sup>9</sup> please describe the measures taken to reduce the length and frequency of pretrial detention on remand and to compile reliable data on the length and frequency of pretrial detention. In that regard, please provide updated statistical data on pretrial detention (the number of detained persons and the period of detention), and information on non-custodial alternatives to pretrial detention and the application of these alternatives in practice. Please also report on: (a) the measures taken to ensure that all detained persons are fully informed of their rights under the Covenant and have effective access to a lawyer from the outset of their deprivation of liberty, including individuals who are provided with *ex officio* legal representation; and (b) whether the State party has implemented additional safeguards against the ill-treatment of detained persons, including the electronic (audiovisual) recording of all police interviews.

#### **Elimination of slavery, servitude and trafficking in persons (arts. 2, 7, 8 and 26)**

14. In the light of the information provided in the State party’s report,<sup>10</sup> please describe the efforts made to prevent and combat trafficking in persons, including children, sexual exploitation of children and labour exploitation of migrant and undocumented workers. In this regard, please describe the efforts made to increase training for law enforcement officials and other professionals to improve their capacity to identify and assist victims of trafficking, as well as the awareness-raising campaigns implemented and the measures taken to provide effective remedies, including protection, rehabilitation and compensation for victims. Please report on the progress made in the implementation of the plan for the prevention of trafficking in human beings for 2021–2023 to develop the necessary regulatory framework for the prevention of trafficking in persons, including the establishment of a centralized national referral mechanism and a national independent rapporteur.

15. With reference to the Committee’s most recent concluding observations (para. 8), please describe the measures taken to promptly, effectively and impartially investigate, prosecute and punish all acts of trafficking in persons and labour exploitation, and provide updated and detailed information about the number of complaints, investigations, prosecutions and convictions in cases of forced labour and trafficking in persons during the reporting period, as well as the remedies, including compensation, provided to victims. Please include information about the severity of the criminal or administrative penalties imposed on perpetrators. Furthermore, please report on the steps taken to improve labour inspection standards, victim identification and the measures of protection and assistance provided to victims, including effective recovery and reflection periods, and the efforts made to ensure that the services provided to victims are sufficiently funded.

#### **Treatment of aliens, including migrants, refugees and asylum-seekers (arts. 7, 9, 12, 13 and 24)**

16. With reference to the information provided in the State party’s report<sup>11</sup> and in the light of the Committee’s most recent concluding observations (para. 14), please provide information on the legislative measures adopted since 2021 to create an “enhanced border

<sup>9</sup> Ibid., paras. 67–70.

<sup>10</sup> Ibid., paras. 55, 56, 62 and 109.

<sup>11</sup> Ibid., paras. 89–104.

regime”, including by granting border guards the power to prevent the irregular entry of foreigners, and discuss the compatibility of this regime with the State party’s obligations under international law, including full respect for the principle of non-refoulement. Please also respond to reports of summary returns and ill-treatment of individuals seeking, or in need of, international protection who have been apprehended at the border, detained without access to asylum procedures or denied their right to have their protection claims examined, and were subsequently returned to their countries of origin in violation of the principle of non-refoulement. Please provide updated information, disaggregated by age, sex and country of origin, on the number of asylum-seekers, refugees and stateless persons in the State party, and on the number of individuals, particularly children, among groups held in detention, including at the border, and provide information on the duration of their detention and the safeguards in place to ensure effective access to legal representation and appeal procedures against decisions concerning asylum and deportation.

#### **Statelessness and deprivation of citizenship (arts. 2, 16, 24 and 25)**

17. Please report on measures taken to prevent and reduce statelessness within the State party, including through the implementation of the 2019 law terminating the granting of non-citizen status to children and the Citizenship Law, and provide updated data, disaggregated by age, sex and ethnicity, on the number of stateless persons and “non-citizen” residents, including children. Please clarify whether there are plans to establish a procedure to facilitate the naturalization of stateless persons and, with reference to the Committee’s most recent concluding observations (para. 7), describe the measures taken to ensure the full enjoyment of the rights in the Covenant by “non-citizen” residents and stateless persons. Please provide information on the amendment to the Citizenship Law adopted in April 2022 that allows the government to revoke the citizenship of individuals who support countries or people responsible for war crimes, and report on the number of persons whose citizenship has been revoked since the adoption of the amendment.

#### **Access to justice, independence of the judiciary and fair trial (arts. 2, 9 and 14)**

18. With reference to the Committee’s previous concluding observations (para. 17) and the information provided in the State party’s report,<sup>12</sup> please describe the measures taken to ensure, both in law and in practice, the full independence and impartiality of judges and prosecutors and to increase the resources for the judiciary, and provide information on the progress made in establishing a new centralized training centre for judges, prosecutors and investigators. Please comment on reports of ongoing politicization and corruption in the judicial system, and describe the measures taken to improve trust in the justice system and to implement adequate safeguards, such as independent oversight bodies, against undue political influence in the appointment of judges, in particular with regard to appointments to the Supreme Court. Please also report on the measures taken to ensure, in law and in practice, respect for fair trial guarantees, as set out in article 14 of the Covenant, in particular with regard to the timely issuance of judgments.

19. Please describe the legal framework and mechanisms in place to ensure that minors in conflict with the law are treated in a manner that promotes their integration into society, and provide information about the types and lengths of sentences applied to such minors during the period under review. Please report on the steps taken to guarantee the effective protection of minors in conflict with the law, including by guaranteeing that the detention of minors is used only as a measure of last resort and for the shortest possible time.

#### **Conscientious objection to military service (arts. 2, 18 and 26)**

20. In the light of the State Defence Service Law adopted in April 2023 to reintroduce conscription in 2024, please provide information on the opportunities for alternative service for all conscientious objectors, explain whether such service is compatible with international standards and is not punitive or discriminatory in its nature or duration in comparison with military service, and clarify whether the State party provides for the early release of professional members of the armed forces who later become conscientious objectors. Please

<sup>12</sup> Ibid., paras. 105–108 and 110.

indicate the conditions necessary to qualify for alternative service, the duration of the alternative service and the number of requests for alternative service made since the reintroduction of conscription, as well as whether there are judicial or administrative remedies against a negative decision of the special commission that evaluates the applications for alternative service. Please report on the measures in place to ensure that children under 18 years of age are not exposed to military training involving the use of firearms, in particular through the “Youth Guard” programme and the National Defence Course in secondary schools.

#### **Freedom of expression (arts. 19 and 20)**

21. With reference to the Committee’s most recent concluding observations (para. 18) and the information provided in the State party’s report,<sup>13</sup> please describe the measures taken to ensure the safety of journalists, media outlets and human rights defenders and to protect them from arbitrary actions, such as the revocation of broadcast licences, as well as attacks and intimidation, including online, and provide updated information on the pending criminal proceedings related to the attack in 2012 against the journalist Leonids Jakobsons. Please report on measures taken to ensure an enabling environment for all independent journalists and media outlets, and comment on reports of: (a) the revocation of the broadcast licence of TV Rain, an independent Russian channel operating in Latvia; (b) amendments to the Electronic Mass Media Law imposing limitations regarding content that is not in an official language of a country in the European Union or the European Economic Area; and (c) the approval of the National Security Concept, which states that, from 1 January 2026, all content created by public media must be in Latvian or a language belonging to the “European cultural space”, effectively prohibiting the production in the State party of television and radio content in Russian.

#### **Participation in public affairs (arts. 25 and 26)**

22. Please describe the steps taken to ensure the participation of national minorities, persons with disabilities and women in the electoral process. In this regard, please provide information on: (a) the legislative amendments to the Pre-Election Campaign Law prohibiting pre-election campaigns in any language other than Latvian; (b) the steps taken to increase the accessibility of polling stations in order to facilitate the autonomous participation of persons with disabilities and to provide campaign materials and events in accessible formats or with sign language interpretation; and (c) the measures taken to achieve equitable representation of women in political and public life, in particular in legislative and executive bodies at the national, regional and local levels. Please report on the progress achieved in this regard, and provide up-to-date statistics.

#### **Rights of minorities (art. 27)**

23. In the light of the Committee’s most recent concluding observations (para. 20) and with reference to the information in the State party’s report,<sup>14</sup> please describe the measures taken to prevent negative effects on linguistic minorities of the transition to Latvian as the exclusive language of instruction, in particular in the light of recent legislative amendments accelerating the transition and eliminating Russian as a second language in schools and preschools beginning in 2026. Please describe the steps taken to ensure the effective and meaningful participation of affected minorities in these transition processes. Please also provide information on the steps taken to ensure that teachers who lack sufficient Latvian language skills have adequate access to training in the Latvian language.

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<sup>13</sup> Ibid., paras. 119–123.

<sup>14</sup> Ibid., paras. 141–150, 163 and 164.