



OMBUDSMAN OF THE REPUBLIC OF LATVIA

25 Baznīcas street, Riga, LV – 1010, Latvia; Tel.: +371 67686768; Fax: +371 67244074; E-mail: tiesibsargs@tiesibsargs.lv

Riga

June 13, 2013

Nr.1-5/163

European Council

Rue de la Loi 175
B-1048 Bruxelles, Belgique

European Parliament

Rue Wiertz 60
B-1047 Bruxelles, Belgique

For information:

European Commission

Rue de la Loi 170
B-1049 Bruxelles, Belgique

RE: Enforcement of human rights in Latvia

Latvia, as well as the other Member States of the European Union, has undertaken international obligations not only in the sphere of economics and finance, but also in protection of human rights and fundamental freedoms. As a Member State of the European Union and the Council of Europe, Latvia has not only ratified a number of international treaties on human rights, but also accepted an obligation to ensure that the standards laid out in those instruments are implemented in practice. The European Convention for the Protection of Human Rights and Fundamental Freedoms, European Social Charter, the Treaty on the Functioning of the European Union, the Charter of Fundamental Rights of the European Union and more than 50 other international documents create an obligation for Latvia to take concrete actions in order to guarantee the implementation of human rights standards.

Europe's growth strategy for this decade is aimed at developing the European Union as a smart, sustainable and inclusive economy. In order to reach this objective the European Union and its Member States have set five priority targets. These targets not only promote the economic growth, but are also aimed at ensuring that such growth serves as a basis for reduction of poverty, social exclusion and unemployment. Economic growth should also promote education, research and development policies in the Member States.

On 29 May 2013 the European Commission adopted a recommendation for a Council Recommendation on Latvia's 2013 national reform programme. The draft recommendation indicates a number of shortcomings in areas directly related to fundamental rights and freedoms. Taking into account the interest of the European Union in implementation of the country-specific recommendations and targets of Europe 2020 strategy as a whole, I would like to draw

your attention to several urgent human rights issues that Latvia needs to address in the process of implementing the existing national strategies, as well as in planning further policy documents. A short description of these urgent issues is attached to this document.

Latvia's success in reaching the economic targets is undeniable, but unfortunately they are achieved in complete ignorance of other priorities such as human rights and social security. In my opinion, both priorities need to be balanced and economic growth may not be achieved at the expense of vulnerable groups. A situation where economic growth takes priority over fundamental rights should not be permitted. Such situation would be contrary to the very objective Europe 2020 is trying to achieve – creation of Europe that is not only economically prosperous, but is also sustainable, smart and inclusive for its citizens. A Member State's determination to treat human rights as equally important objective should be reflected in both the policy documents and the practical measures taken to implement such policies. Only a simultaneous demonstration of political will and practical action can create a sense of security in the members of our society.

Thus far the government of Latvia has directed its activities at the fulfilment of only one of its priorities – the targets of economic growth, failing to take into consideration the public opinion, the social reality in the state and the opinion of international organizations.

While participating in several events devoted to human rights issues on a European and international level, I have had the opportunity to reflect on the role of an ombudsman in creation of legal policies. As the Ombudsman of Latvia, my prime responsibility is protection of human rights and supervision of efficient use of state powers. I believe that a situation where the national government follows a single objective of fulfilling the requirements of an article in an international treaty, ignoring at the same time other equally important obligations under the same treaty is impermissible. That is especially so, when those other obligations are related to protection of human rights.

The European Union and its Member States have clearly defined their guiding principles – economic growth that protects the universal values, which lie at the basis of the European Union – freedom, democracy, rule of law and human rights and fundamental freedoms. Considering the common efforts of the European Institutions in promoting human rights not only within the European Union, but also beyond its borders, I invite the officials of the European Institutions in fulfilling their mandate to require full responsibility and demand concrete action from the Latvian government in implementation of the human rights standards not only in a declarative manner, but also by showing a concrete and tangible result.

Annex: A short descriptions of most urgent human rights issues in Latvia on 4 pages.

The Ombudsman
of the Republic of Latvia

Juris Jansons