

APPROVED

by the Deputy Ombudsman
of the Republic of Latvia
Ineta Pilāne
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Effective as of 1 August 2025

Bylaws of the Ombudsman's Office

Riga

No. 2

Issued pursuant to
Section 18(2) of the Ombudsman Law

I. General Provisions

1. The Ombudsman's Office of the Republic of Latvia (hereinafter referred to as the Office) has been established to ensure functioning of the Ombudsman.
2. The Office has a state budget account in the State Treasury.
3. Operation of the Office is governed by the Ombudsman Law, these Bylaws, and other applicable regulatory enactments.
4. The key principles of operation of the Office are justice, independence, accessibility, transparency, and responsibility. The Office is guided by the principle of good governance in its operation.
5. The Office is an authority committed to foster equal treatment pursuant to:
 - 5.1. Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin
 - 5.2. Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)
 - 5.3. Council Directive No 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services
 - 5.4. Council Directive No 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation
 - 5.5. Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC
 - 5.6. Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU
 - 5.7. Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies (Text with EEA relevance)

- 5.8. Council Directive (EU) 2024/1499 of 7 May 2024 on standards for equality bodies in the field of equal treatment between persons irrespective of their racial or ethnic origin, equal treatment in matters of employment and occupation between persons irrespective of their religion or belief, disability, age or sexual orientation, equal treatment between women and men in matters of social security and in the access to and supply of goods and services, and amending Directives 2000/43/EC and 2004/113/EC
- 5.9. Directive (EU) 2024/1500 of the European Parliament and of the Council of 14 May 2024 on standards for equality bodies in the field of equal treatment and equal opportunities between women and men in matters of employment and occupation, and amending Directives 2006/54/EC and 2010/41/EU.
6. Pursuant to Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) the Office performs the functions of a fundamental rights protection authority in the field of artificial intelligence.
7. Pursuant to Section 3 of the Law on the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment the Office the office performs the tasks of the national preventive mechanism for the prevention of torture in the Republic of Latvia.
8. Pursuant to Section 2 of the Law on the Convention on the Rights of Persons with Disabilities the Office monitors the implementation of the Convention.
9. Pursuant to Section 50.⁷ of the Immigration Law the Office ensures monitoring of compulsory extradition of individuals.
10. Pursuant to Section 16(2) of the State Civil Service Law the Office evaluates requests of heads of institutions on the conformity of the order or task with the principle of good governance.
11. Pursuant to Section 65.² of the Law on the Protection of the Children's Rights the Office implements the competence enshrined in the Law.

II. Structure of the Office

12. The Office consists of the following structural units:
- 12.1. Civil and Political Rights Division
 - 12.2. National Preventive Mechanism Division
 - 12.3. Social, Economic and Cultural Rights Division
 - 12.4. Children Rights Division
 - 12.5. Discrimination Prevention Division
 - 12.6. Administrative Division, including Chancery as a structural unit
 - 12.7. Communication and International Cooperation Division including Information Centre as a structural unit.

13. The Ombudsman approves the list of positions in accordance with the established structure.

III. Organisation of Work of the Office

14. The work of the Office is managed by the Ombudsman.
15. In his absence, functions and tasks of the Ombudsman pursuant to Section 16 of the Ombudsman Law are performed by the Deputy Ombudsman – the Head of the Civil and Political Rights Division.
16. Heads of divisions are directly subjected to the Ombudsman. The position of Deputy Heads of Division is established in certain divisions, considering the scope of competence of the structural unit.
17. In the absence of heads of divisions, they are replaced by deputy heads of the division or an official assigned by the Ombudsman's decree.
18. The duties, rights and responsibilities of the heads of divisions and their employees are described in their job descriptions and employment contracts.

IV. Tasks, Competences and Powers of Structural Units

19. The tasks of **Civil and Political Rights Division** are:
- 19.1. performance of the Ombudsman's tasks listed in the Ombudsman Law, subject to the goals and priorities defined in the Ombudsman's strategy, in the field of protection and promotion of civil and political rights, including:
- 19.1.1. the right to life
 - 19.1.2. prohibition of torture, inhuman and degrading attitude, and punishment
 - 19.1.3. the right to liberty and security
 - 19.1.4. the right to fair trial
 - 19.1.5. the right to inviolability of privacy and family life
 - 19.1.6. the right to free movement in the territory of the State
 - 19.1.7. the right to leave freely and return to the State
 - 19.1.8. the right of individuals to a legal status
 - 19.1.9. the freedom of thought, conscience, and religion
 - 19.1.10. the freedom of speech and expression
 - 19.1.11. the freedom of association
 - 19.1.12. the freedom of assembly
 - 19.1.13. the right to vote and to be elected
 - 19.1.14. the right to perform public service
 - 19.1.15. prohibition of return of an individual

19.1.16. procedural guarantees to foreigners in case of return

19.2. participation in the monitoring of the process of forced return of an individual pursuant to the Immigration Law

19.3. promotion, protection and monitoring of the implementation of the UN Convention on the rights of persons with disabilities in the field of civil and political rights

19.4. supervision of the implementation of international norms binding upon Latvia as well as implementation of national regulatory enactments in the field of civil and political rights, including regarding the protection and promotion of the principle of equal treatment and prevention of discrimination in the field of civil and political rights.

20. The task of the **National Preventive Mechanism Division** are:

20.1. performance of the Ombudsman's tasks listed in the Ombudsman Law, subject to the goals and priorities defined in the Ombudsman's strategy, in all the fields of securing, protecting and fostering the rights included in the competence and authorisation of the Office, for the purposes of preventing risks of torture and other cruel, inhuman or degrading treatment or punishment by paying regular and preventive visits to the institutions, where freedom of persons might be restricted

20.2. promotion, protection and monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities within the competence and mandate of the division.

21. The tasks of the **Social, Economic and Cultural Rights Division** are:

21.1. performance of the Ombudsman's tasks listed in the Ombudsman Law, subject to the goals and priorities defined in the Ombudsman's strategy, in the field of protection and promotion of social, economic and cultural rights, including:

21.1.1. the right to employment and fair remuneration

21.1.2. the right to property

21.1.3. the right to social security

21.1.4. the right to housing

21.1.5. the right to health protection

21.1.6. the right of persons with disabilities to recognition of disability, social security and medical and social rehabilitation

21.1.7. the right to education

21.1.8. the freedom of scientific, artistic and other creative work

21.1.9. the right to enabling environment

21.1.10. the rights of minorities to ethnic and cultural specificity

21.2. promotion of the principle of good governance in public administration

21.3. pursuant to Section 16(2) of the State Civil Service Law the Office evaluates requests of heads of institutions and director of the State Chancellery on the conformity of the order or task with the principle of good governance.

- 21.4. promotion, protection and monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities in the field of social, economic and cultural rights
- 21.5. monitoring of the implementation of international norms binding upon Latvia as well as implementation of national regulatory enactments in the field of social, economic and cultural rights.

22. **Children Rights Division** operates in the provision, protection and promotion of the rights of children. The tasks of the division are:

- 22.1. performance of the tasks listed in the Ombudsman Law, subject to the goals and priorities defined in the Ombudsman's strategy, in the field of the rights of children, including:
 - 22.1.1. child's right to identity
 - 22.1.2. child's right to grow up in family
 - 22.1.3. child's right to education
 - 22.1.4. child's right to means of maintenance
 - 22.1.5. the rights of orphans and children left without parental care
 - 22.1.6. child's right to be heard
 - 22.1.7. child's right to recreation and leisure time
 - 22.1.8. provisions of Paragraphs 19 to 21 and 23 of the Bylaws whenever protection of the rights and interests of children are involved
- 22.2. monitoring of the implementation of the UN Convention on the Rights of the Child, the UN Convention on the Rights of Persons with Disabilities and other international norms binding upon Latvia as well as implementation of national regulatory enactments in the field of the rights of children.

23. Tasks of the **Discrimination Prevention Division** are:

- 23.1. performance of the tasks listed in the Ombudsman Law, subject to the goals and priorities defined in the Ombudsman's strategy, in all fields of promotion, protection and monitoring of rights within the competence and mandate of the Office with the aim to prevent discrimination and promote public awareness on it
- 23.2. if a violation of the prohibition of discrimination is detected, to provide independent legal assistance to victims of discrimination
- 23.3. monitoring of the implementation of the UN Convention on the Rights of Persons with Disabilities and other international norms binding upon Latvia as well as implementation of national regulatory enactments regarding discrimination prevention.

24. Divisions listed in Paragraphs 19 to 23 of the Bylaws, perform their tasks by:

- 24.1. handling submission concerning potential infringements of human rights and the principle of good governance
- 24.2. consulting individuals on the matters of human rights

- 24.3. investigating the circumstances of potential infringements of human rights and the principle of good governance
- 24.4. reporting on the need to initiate a verification procedure at the Ombudsman's initiative if there are reasonably suspected infringements of human rights and the principle of good governance
- 24.5. handling verification procedures initiated by the Ombudsman
- 24.6. performing monitoring visits to state and local government institutions
- 24.7. drafting legal opinions, statements or reports on the issues in question
- 24.8. facilitating conciliation between the parties to the dispute
- 24.9. drafting recommendations if infringements of human rights have been identified
- 24.10. drafting recommendations to the Parliament (Saeima), the Cabinet of Ministers, local governments and other institutions regarding issuing or amending regulatory enactments
- 24.11. drafting opinions and applications to the Constitutional Court
- 24.12. defending the rights and interests of a private individuals before an administrative court if that is necessary in the public interest
- 24.13. upon termination of a verification procedure and establishment of a violation, applying to a court in such civil cases where the nature of the action is related to a violation of the prohibition of discrimination
- 24.14. conducting research in the field of human rights
- 24.15. promoting public awareness and understanding of human rights and the principle of good governance; mechanisms established to protect these rights, and activities pursued by the Ombudsman, by means of educational and informational events, surveys, and participating in the events organised by other institutions and non-governmental organisations
- 24.16. cooperating with national and international organisations in the field of protection of human rights
- 24.17. participating in meetings convened to manage setting and amending of the goals and priorities according to Ombudsman's strategy
- 24.18. drafting reviews, reports and annual reports on activities of the division within the procedures and time limits set by the Ombudsman.
- 25. When implementing their official duties, employees of the divisions listed in Paragraphs 19 to 23 of the Bylaws shall exercise the rights provided for by Section 21 of the Ombudsman Law within the scope of their competence.
- 26. Heads of the divisions specified in Paragraphs 19 to 23 of the Bylaws and, in their absence, deputy heads of the divisions shall be authorised to do the following on behalf of the Ombudsman:
 - 26.1. to sign replies to submission, notifications of refusal to initiate verification procedures, letters forwarding submissions to other institutions competent to handle the matters in question, cover letters, as well as documents drafted in

relation to verification procedures drafted by their division: requests for information; notices of institution of verification procedures; notices of extension of the deadline for verification procedures; requests for control of fulfilment of recommendations;

26.2. to participate in the meetings and work groups of Parliamentary Committees, the Cabinet of Ministers, and inter-institutional meetings; to express opinion, subject to prior conceptual approval by the Ombudsman

26.3. to authorise any employee of the division to participate in the meetings and work groups of Parliamentary Committees and the Cabinet of Ministers; and inter-institutional meetings, to express opinion, subject to prior conceptual approval by the Ombudsman

26.4. to conduct research, survey, project managements within the scope of the division.

27. The **Administrative Division** shall ensure administrative activities of the Office. The tasks of the division are:

27.1. monitoring the work of the Chancellery

27.2. performing the human resource management function

27.3. planning of financial resources

27.4. planning of performance indicators

27.5. keeping the accounting records

27.6. ensuring internal control procedures

27.7. drafting reports

27.8. ensuring and economic maintenance of operations of the Office.

28. The tasks of the **Chancellery** are:

28.1. scheduling and coordinating daily routine of the Ombudsman

28.2. ensuring circulation of information between the Ombudsman and the staff; between the Ombudsman and public administration authorities, natural and legal persons (visitors), and cooperation partners

28.3. drafting of internal regulations and instructions regarding core activities

28.4. keeping internal records of organisational and directional documents

28.5. arranging reception of visitors

28.6. organising circulation of documents

28.7. organising handling, saving and archiving of clerical records

28.8. keeping the list of files.

29. The **Head of the Administrative Division** shall be authorised to do the following on behalf of the Ombudsman:

29.1. to approve funding plans, estimates and applications of the Office to the State Treasury

29.2. to approve financial and statistical reports of the Office

- 29.3. to log in to service provider portals, confirm contracts, submit information
- 29.4. confirm and coordinate information and applications in the resource management system Horizon and the employee self-service portal Visma Hop
- 29.5. confirm and coordinate procurements in the Electronic Procurement System and the Publication Management System (PMS) of the Procurement Monitoring Bureau.

30. The tasks of **Communication and International Cooperation Division** are:

- 30.1. drafting and implementation of communication strategy
- 30.2. organisation of public events including ensuring publicity of the content
- 30.3. cooperation with the media in reflecting activities of the Ombudsman
- 30.4. conducting research, surveys and projects in the fields of operation of the Office
- 30.5. creating communication events, information materials and campaigns in the fields of operation of the Office
- 30.6. developing internal communication
- 30.7. ensuring international cooperation to the Ombudsman and the Office
- 30.8. ensuring and coordination of operation and activities of the Information Centre of the Office
- 30.9. administration and maintenance of the Ombudsman's website.

V. Final Provisions

- 31. With the present Bylaws entry into force the Bylaws No 1 of the Ombudsman's Office of 2 January 2024 shall cease to be in force.