



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Country:	Latvia
Title:	Accession to Istanbul Convention and other policy developments
Date:	24 March 2016
Expert:	Kristīne Dupate
<u>Context</u>	
Issue at stake:	Delay on accession to Istanbul Convention and other policy developments restricting women's rights
Ground of discrimination:	Sex
Source:	Policy development
Field:	Other

Content

Policy development: Latvia is one of few EU Member States that is still not a party to the Istanbul Convention. As reported before (in the report on Istanbul Convention), it was planned to bring Latvian legal regulation in line with the Convention and to introduce the necessary services (legal, social, rehabilitation) required by it. The process should have taken place by 30 December 2015 through the submission to the Cabinet of Ministers of a report on compliance of the situation of Latvia to the Istanbul Convention. However, in December 2015, the Ministry of Welfare, as well as other ministries including the Ministry of Justice, received an opinion from Dr.iur Baiba Rudevska, an individual who holds a doctoral degree in law sciences. In her opinion, Dr.iur Rudevska pointed out the hidden 'treats' that would apply to the Latvian legal system in case of accession to Istanbul Convention. In particular, Dr.iur.Baiba Rudevska stressed the fact that the Convention refers not only to the concept of 'sex' but also 'gender'. In her view, accession to Istanbul Convention would lead to the introduction of the concept of 'gender' in Latvian legal system, thus recognising, in substance, transsexualism and endangering the 'tradition values' of Latvian society and law.

The Ministry of Justice reacted immediately. By the letter of 11 January 2016, the deputy state secretary of the Ministry of Justice in legal policy matters required the Ministry of Welfare to reassess the possible impact of accession to Istanbul Convention on Latvian legal system.

As a result, the process of accession to Istanbul Convention, which was close to the finish line, is stalled.

Key points of analysis: The new government, formed in February 2016, holds far more conservative views than the previous one. The Ministry of Justice is led by a nationalistic and conservative minister. The development reported on the delay of the process of accession to Istanbul Convention is only one policy development among several relating restriction of women's rights. The Ministry of Justice currently actively requests opinions

from different institutions (including the University of Latvia Faculty of Law) on the necessity to ban coverage of a face in public places, which is explicitly targeted at Muslim women, irrespective of the fact that there is a very small number of immigrants from Muslims countries in Latvia. It is a step regarding how Latvia 'prepares' itself to 'welcome' its first 700 refugees from Greece and Italy. In addition, on 20 January 2016, the responsible parliament committee in third and final reading accepted the amendments proposed by the Minister of Health to the Law on Sexual and Reproductive health providing that only women who have given birth could become egg cell donors, unlike men donors to whom such restriction does not apply.

Internet link source:

The Order No.78 of the Cabinet of Ministers 'On the implementation of the envisaged actions by Laimdota Straujuma's Government Action plan' (*Valdības rīcības plānu Deklarācijas par Laimdotas Straujumas vadītā Ministru kabineta iecerēto darbību īstenošanai*), OG No.34, 18 February 2015, <http://likumi.lv/doc.php?id=272247>, accessed on 7 March 2016.

The committee of the Parliament concludes the work on amendments to the Law on Sexual and Reproductive Health (*Saeimas komisija noslēdz darbu pie izmaiņām Seksuālās un reproduktīvās veselības likumā*), press release of the Parliament available in Latvian at <http://saeima.lv/lv/aktualitates/saeimas-zinas/24311-saeimas-komisija-nosledz-darbu-pie-izmainam-seksualas-un-reproduktivas-veselibas-likuma>, accessed on 7 March 2016.

The lawyer sees the risks in relation to Istanbul Convention (Juriste saskata riskus saistībā ar Stambulas konvenciju), Dr.iur.Baiba Rudevska's opinion published at news site *apriņķis.lv*, available in Latvian at <http://www.apriņķis.lv/item/29005-stambula>, accessed on 7 March 2016.