



## OMBUDSMAN OF THE REPUBLIC OF LATVIA

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**Secretariat of the Human Rights Council Advisory Committee**  
Office of the United Nations High Commissioner for Human Rights  
Palais Wilson, Room 4-065  
United Nations Office at Geneva  
CH-1211, Geneva 10, Switzerland

Dear Madam/Sir,

On 16 September 2013 the Ombudsman of Latvia received a questionnaire from the Secretariat of the Human Rights Council Advisory Committee regarding the impact of corruption on enjoyment of human rights. The questionnaire contains six questions on current practice and experience of the national human rights bodies, as well as call for proposals on the possible involvement of human rights bodies, both national and international, in fighting the problem. Please find the answers to your questions below.

1. In our experience, the impact of corruption on enjoyment of human rights can take various forms. Corruption may have an immediate and direct effect on enjoyment of human rights in cases where corruption is involved in adoption of individual decisions. The enjoyment of social, economic and cultural rights is most vulnerable to this kind of effect. In case of Latvia, the right to housing and right to state-guaranteed healthcare are vulnerable to effects of corruption due to long queues to receive housing offered by the municipality, or long queues to state-financed surgeries caused by lack of adequate financing. Although in theory these risks are not limited to any specific social group, in practice, the groups most affected by effects of corruption in these cases would be persons who are unable to bear the costs of housing or medical expenses of surgeries required by their state of health.

Corruption may also have an indirect effect on enjoyment of human rights in cases of management of public funding. Decisions affected by corruption in cases like public procurement can result in long and costly judicial disputes that result in payment of fines and major loss of state's financial resources. In the long run, the effects of such loss can result in increased budgetary cuts and inability to increase social benefits for most vulnerable groups – the elderly, young families, children, persons with disability etc.

2. Increased transparency in decision-making and strengthening of the capacity of supervising authorities can definitely reduce the effects of corruption on enjoyment of human rights in certain areas. At the same time the transparency and effective functioning of the supervision mechanisms also needs to be ensured.

3. In Latvia the cooperation between the anti-corruption bureau (the Corruption Prevention and Combating Bureau) and national Ombudsman is based on a general reporting obligation. In case Ombudsman's investigation into human rights violations has uncovered potential cases of corruption, the Ombudsman is obliged to report to the Corruption Prevention and Combating Bureau.

The Ombudsman's Office is not specifically involved into investigation of corruption cases, however its mandate includes promotion of good administration. Therefore though its day-to-day activities, the Ombudsman contributes to the public knowledge and understanding of the basic principles of good administration.

4., 5. and 6. The solution for corruption cannot be sought solely by review of a supervising authority on case-by-case basis. In my view, in addition to effective control, supervision and transparency-promoting legislation, increased access and presence of civil society in decision-making processes should be promoted where appropriate.

Another important tool in ensuring good governance and accountability would be human rights education. Although this would not be helpful as a short-term solution, human rights education can be a useful tool in strengthening democratic tradition within society as a whole in the long run. Democratic tradition and knowledge of basic principles of human rights and good governance is a precondition to reduction of issues like corruption and bad administration. Work involving education and prevention should be directed to both, members of society in general, as well as civil servants.

Cooperation between United Nations, civil society organizations (e.g. non-governmental organizations) and national human rights bodies organization of/participation in informative and educational campaigns through the local contact points and experts would contribute to the long-term approach of fighting corruption in states like Latvia.

Yours sincerely,

The Ombudsman  
of the Republic of Latvia



Juris Jansons

