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## Committee on Economic, Social and Cultural Rights

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### Replies of Latvia to the list of issues in relation to its second periodic report<sup>\*</sup>, <sup>\*\*</sup>

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\* The present document is being issued without formal editing.

\*\* The annexes to the present document may be accessed from the web page of the Committee.

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1. These are replies of Latvia to the List of issues before the examination of the second Periodic Report of Latvia on the implementation of the International Covenant on Economic, Social and Cultural Rights scheduled for the 68th session of the Committee on Economic, Social and Cultural Rights (the Committee).

## **I. General information**

### **Application of the Covenant in domestic legal system (Annex I)**

2. Between 2008 and 2017, domestic courts applied and interpreted domestic regulations in light of the Covenant and Committee's General Comments (GC). During the reporting period, the Constitutional Court (CC) has directly referred to the Covenant in more than 10 cases, while other courts in more than 20 cases. However, the Government notes that pursuant to Article 89 of Satversme, Latvia recognizes and protects fundamental human rights in line with international agreements binding upon Latvia, therefore even without a direct reference, the Covenant plays a significant role for the interpretation of the domestic legislation.

3. On 26 November 2009, the CC delivered a judgment regarding the obligation of a State to regularly review the State pension system. While the Court found that there was no obligation to annually review the State pension system, it referred to GC no.19 on the right to social security and concluded that the Covenant, inter alia, requires States to periodically review the amount of State pensions not to bar the beneficiaries from exercising other rights. On 7 January 2010, the CC delivered a judgment finding that the Cabinet of Ministers' (CoM) Regulation on reimbursement for the Medication and Medical devices for outpatient treatment in so far as it limited the reimbursement amount to 10,000 Latvian lats was compatible with Satversme. The CC referred to GC no.14 on the right to attain the highest attainable medical treatment. In 2010, the CC delivered a judgment regarding the Law on Social Security where it referred to Articles 9 and 11 of the Covenant and the GC no.19. In 2017, the CC delivered a judgment regarding noise pollution and referred to Article 12 of the Covenant, while in 2018, the CC delivered a judgment with respect to use of language in education and interpreted Article 113 of Satversme (right to education) in light of Article 13 of the Covenant and GC no.13.

### **Ombudsman's Office (Annex II)**

4. From 2014 to 2019, the support for the Ombudsman's Office has grown, both with respect to human resources and budget. Every year the Ombudsman's Office conducts researches, including on economic, social and cultural rights, rights of children, and rights of persons with disabilities, and replies to submissions regarding alleged human rights violations. In 2019, the Ombudsman's Office received 1623 submissions. The Ombudsman's Office also gives opinions and assessments during the legislative process in order to prevent human rights violations, and conducts researches.

### **Latvian language requirements (Annex III)**

5. The Law on State Language does not discriminate with respect to employment based on language. In accordance with the Law on State Language, employees must use the official language only in situations listed in the Law. In the private sector, only those employees, whose professional duties could affect the lawful interests of the public, and only on those instances must use the official language. The occupations and positions which, in accordance with Article 6, paragraph 2, of the Law on State Language, require the use of the official language are defined in CoM Regulation No. 733.

## **Legal aid (Annex IV)**

6. The Government ensures legal aid to Latvian citizens, non-citizens, stateless persons, EU citizens, who reside in Latvia legally, third-country nationals (including refugees and persons who have been granted alternative status in Latvia), if they legally reside in Latvia and have a permanent residence permit. The Government-ensured legal aid is available to persons recognized as low-income or needy persons; find themselves in a situation that prevents them from protecting their rights (force majeure, etc.); who are fully dependent on the Government. Partial Government-ensured legal aid in certain civil matters (cases concerning the recognition of decisions of shareholder or stockholder meetings as invalid, in cases arising from obligation rights, if the amount of claim exceeds EUR 150 000, and in cases regarding the protection of trade secrets,) is available to persons with income below national minimum monthly wage. The Legal Aid Administration provides legal aid in civil matters; administrative matters; in proceedings before the Constitutional Court; in cross-border civil matters; in criminal proceedings and special procedures for the provision of legal assistance to asylum seekers and foreigners, if they do not have sufficient resources. A whistle-blower can receive the Government-ensured legal aid in cases listed in the State Legal Aid Law without assessment of his/her income.

7. Before the amendments to the Civil Procedure Law of 2016, every party to the case (except for legal persons), irrespective of financial situation, had the right to become acquainted with the materials of the case and participate in procedural actions, using the assistance of an interpreter. The problematic aspect with this regulation was that parties often abused this right, even if a person had a representative who understood Latvian or were himself/herself a citizen of Latvia who understood Latvian. Now, litigants who receive Government-ensured legal aid or are exempted from the payment of court expenses are still ensured with a right to become acquainted with the materials of the case and to participate in procedural actions, using the assistance of an interpreter free of charge. The most vulnerable litigants (employees in employment disputes, applicants in cases regarding legal capacity issues, etc.) are exempted from the payment of court expenses. If these vulnerable parties do not understand Latvian, an interpreter is granted free of charge. Moreover, if a person by a court's decision is exempted from the payment of court expenses, the interpreter is granted to him/her without charge.

## **Paris Agreement (Annex V)**

8. Latvia's obligations in the context of the Paris Agreement derive from the obligations of the EU's nationally determined contribution. It sets out a joint commitment by EU Member States to reduce greenhouse gas (GHG) emissions by at least 40% by 2030. The individual 2030 GHG emission reduction target of each EU Member State for activities not included in the EU Emissions Trading Scheme, and thus the actual contribution to the implementation of the Paris Agreement, is set by the EU Regulation No.2018/842 on binding annual greenhouse gas emission reductions to be achieved by EU Member States in 2021–2030. According to latest report on policies and measures, Latvia will reach its GHG reduction targets for 2030. Latvia has committed to reach climate neutrality at national level by 2050. The Government recently approved the number of documents essential for the climate change agenda: Latvia's Climate neutrality strategy for 2050; National Energy and Climate Plan until 2030 and Latvian National Plan for Adaption to Climate Change until 2030.

## **II. General provisions of the Covenant**

### **Maximum available resources (Annex VI)**

9. In 2018, social protection expenditures were 15.2% of the GDP, up 0.3 percentage points compared to 2017 (14.9%). With the help of European Social Funds (ESF) the MoW

commissioned the OECD to carry out a country review *Connecting People with Jobs: Latvia* to evaluate how activation policies have contributed to the development of a more inclusive labour market. The review focuses on activation strategies and measures strengthening the participation of unemployed people in labour market. The OECD review primarily focused on the situation in the labour market and the impact of strategies on labour market outcomes of long-term unemployed people and those at risk of long-term unemployment.

10. Guidelines for the Corruption Prevention and Combating 2015–2020 set main policy priorities – switching the anti-corruption and anti-fraud policy from external control to internal control; openness in the selection of human resources in public administration and ensuring ethical, motivated and competent staff in public administration and the judiciary; reduction of public tolerance of corruption. KNAB is drafting the Corruption Prevention and Combating Guidelines for the next period, coupled with the assessment of the previous period. KNAB has developed the Operational Strategy of the KNAB for 2020–2022 detailing the course of action to achieve the policy objectives in detection and investigation of criminal offences; monitoring activities of public officials; control of financing of political parties; educating and informing the public on anti-corruption issues; etc. To implement these policy objectives, in 2018–2019 KNAB drafted several rules, regulations and guidelines.

11. In 2018 and 2019, KNAB organized 107 and 113 workshops for nearly 6000 participants annually, on anti-corruption, prevention of conflict of interest, public administration ethics and development of plans for prevention of internal control corruption risks, and implementation of anti-corruption measures. The educational seminars organised by KNAB were attended by civil servants, chairpersons, deputy chairpersons and executive directors of municipalities, lawmakers, members of procurement commissions, foreign students and others. Regarding cases of corruption involving high-level officials who have been convicted, in Annex V KNAB provides information on different cases illustrating the range of corruption crimes investigated by KNAB.

### **Comprehensive non-discrimination law (Annex VII)**

12. In addition to information in Chapter III of the Common Core Document and measures listed in paragraphs 17 to 23 of the Periodic report, Latvia informs that on 2 January 2013, the Law on the Prohibition of Discrimination against Natural Persons – Performers of Economic Activities entered into force. The law improves the legal framework by stating that difference in treatment in the private and public area of a natural person, who is willing to perform or performs independent activity for remuneration, is prohibited on the ground of the gender, race and ethnical belonging, disability, sexual orientation and political, religious or other opinion.

13. As noted in Chapter III of the Common Core Document, in 2014 the Criminal Law was amended. Article 48 envisages as aggravating circumstances reasons for committing criminal offence related to racial, national, ethnic or religious discrimination. Article 78 of the Criminal Law foresees criminal liability for incitement of national, racial, religious or ethnic hatred; Article 149<sup>1</sup> of the Criminal Law – for discrimination of persons for racial, national, ethnic, religious or other grounds if it leads to significant harm. One of the circumstances aggravating the liability is if the person committing these criminal offences is an official of the State, person of authority in an enterprise or organisation, if the crime has been committed by a group of persons or using an automatized data processing system. Article 150 of Criminal Law foresees criminal liability for actions intended to incite hatred based on age, gender, sex, disability or other grounds including sexual orientation, if it has caused significant harm to the victim. Statistical data on cases regarding hate speech are provided in Annex VI. However, Latvia does not maintain data on different grounds for alleged discrimination.

## **Non-citizens (Annex VIII)**

14. The number of Latvian non-citizens continues to decrease. In 2018, there were 233 393 non-citizens registered in the Population Register of Latvia, in 2019 the number dropped to 224 670; on 1 July 2019 there were 220 491 non-citizens registered. The total number of non-citizens decreases annually for around 10 000 persons. Around 1500 non-citizens each year receive citizenship of Latvia or other third country. An average of 1000 people per year wish to naturalize in Latvia.

15. In 2019, the new Law on the Discontinuation of the Non-Citizen's Status for Children entered into force providing that children born to non-citizens parents after 1 January 2020 are automatically recognized as citizens of Latvia. This law likewise applies to children born to parents one of whom is a non-citizen and the other is unknown, a citizen of a third State or a stateless person. To promote the naturalization process, the Office of Citizenship and Migration Affairs (OCMA) continues to make the naturalization process available to vulnerable groups. According to the statistics of the OCMA, in the first six months of 2019 citizenship of Latvia was granted to 472 persons.

16. Latvia continues to provide reduction of naturalization fee or exemption from the fee to low-income, unemployed, retired and other socially vulnerable categories, while politically repressed and disabled persons, orphans and persons from social care institutions can take the exam free of charge. In 2019, 41% of the applicants payed reduced fee or were exempted from paying naturalization fee. OCMA continues to organize citizenship information days in various regions of Latvia informing about the procedures to acquire citizenship and offering consultations. In 2017 – 105 in 2018 – 109 such activities took place, up until 30 June 2019, 61 activity was organised. In April 2019, OCMA launched "Improvement and Development of Supporting Information Systems of Naturalization and Related Processes". One of the aims of the campaign is to increase awareness of the target audience about the possibility of obtaining Latvian citizenship through naturalization and self-testing of the knowledge necessary to pass the naturalization exam with the help of an electronic tool.

17. The Government reiterates that Latvian non-citizens are not stateless persons. Therefore, the Government recalls the information provided in paragraph 28 of its Periodic Report on the implementation of the Covenant that non-citizens of Latvia enjoy the same economic, social and cultural rights as citizens of Latvia.

## **Asylum seekers (Annex IX)**

18. The differences between the rights of different groups of persons with respect to social assistance benefits, social care and social rehabilitation services depend on the status of their residence permits. Persons with refugee status receive a permanent residence permit in Latvia, and are entitled to the same municipal social assistance benefits, social care and social rehabilitation services as nationals of Latvia. Beneficiaries of subsidiary protection in Latvia are granted alternative status and a temporary residence permit, which can be extended. They are entitled to guaranteed minimum income benefit, municipal and night shelter services, and information and consultations from the municipal social service. They may be granted a municipal housing allowance. The municipality is entitled to offer other types of social services suitable for persons with alternative status. Children who have acquired alternative status have the right to receive all social care and rehabilitation services.

19. From 2018 until 31 May 2020, the Government received 401 requests for asylum; 62 persons were recognized as refugees, and 41 person – the alternative status. According to Article 59 of the Immigration Law a foreigner who has violated the rules for immigration, residence or transit in Latvia can be detained by the State Border Guard. They are detained in separate areas, away from persons detained for alleged criminal offences. Article 59 prohibits detention of vulnerable persons – minors, disabled persons, persons who according to Latvian domestic law would have reached the age to receive old-age pension; pregnant women; single-parent families, and victims of psychological, sexual or physical violence.

20. According to the Health Care Financing Law, refugees, persons with alternative status and asylum seekers can receive State paid medical assistance minimum. CoM Regulation Procedures for Performing Health and Sanitary Examination of an Asylum Seeker, and for Registering the Results Thereof prescribes procedures for ensuring health and sanitary examination of asylum seekers. Asylum seekers receive information about actions to be taken in case of an illness, the possibility to receive health care services, and recommended preventive measures. If a group of asylum seekers includes a person with obvious signs of infectious diseases, this person is accommodated in a separate room. If an asylum seeker is not accommodated in the accommodation centre or on the accommodation premises, an institution where the asylum seeker submits an application for granting refugee or alternative status refers him or her to the health examination. An asylum seeker who has received the referral undergoes health examination in a medical institution where a family doctor provides health care services.

### **Roma population (Annex X)**

21. At the end of 2019, 490 unemployed Roma were registered in the State Employment agency (SEA), representing almost 1% of the total number of registered unemployed persons, 564 Roma were unemployed in 2018 (1% of the total number of registered unemployed people). Unemployed and job-seeking Roma persons registered in the agency may participate in any employment promotion measure if they meet the criteria for the target group of a specific measure (e.g. age) (Annex XI).

### **LGBTI+ rights**

22. In 2019, the CoM sent a letter to the Ombudsman's Office outlining the Government's position on recognition of different forms of family recalling Article 110 of the Constitution, which provides that the State shall protect and support marriage – a union between a man and a woman, family, the rights of parents and rights of the child. Thus, marriage as a union between a man and a woman enjoys specific status and protection at the constitutional level. The CoM has concluded in its letter to the Ombudsman that the regulatory framework does not foresee any other union outside marriage, therefore introduction into legal system of same sex or opposite sex registered partnerships is a matter of political will. However, the CoM emphasized that it is at the discretion of every person to freely form his or her private life.

23. In 2019, the draft law "Law on Cohabitation" was submitted to the Parliament. It regulated personal and property relations between cohabiters with a cohabitation agreement, but the draft law was rejected by the Parliament. On 16 December 2019, the CC received a constitutional complaint regarding Article 155 of the Labour Law which provides that the father of a child is entitled to a leave of 10 days; leave to the father of a child is granted immediately after the birth of the child, but not later than within two months from the birth of the child. The applicant considers Article 155 of the Labour Law unconstitutional insofar as this Article does not provide the same rights to same sex couples. This case will be decided on 6 October 2020. At the same time, according to Criminal Procedure Law same sex partners can refuse to testify against each other. Criminal Law defines as aggravated circumstances the criminal offence related to violence or threats of violence, or the criminal offence against morality and sexual inviolability was committed against a person to whom the perpetrator is or has been in continuous intimate relationships, or against a person with whom the perpetrator has a joint household (which includes same sex partners). Civil Procedure Law grants protection from domestic violence to the same sex partners or ex same sex partners.

### **Equal rights of men and women (Annex XI)**

24. Several examples illustrate the results of an integrated approach to gender equality. Policy priorities and measures in the medium term are defined by the Plan for the

Promotion of Equal Rights and Opportunities for Women and Men for 2018–2020. The objective of the Plan is to promote an integrated, purposeful and efficient implementation of sectorial policies, facilitating practical implementation of equal rights and opportunities. Five directions of activities are set for achieving the goal. A range of measures within the Plan are aimed at promoting comprehensive understanding of the fundamental principles of equality among experts involved in education, labour and economic policy. To implement gender-mainstreaming approach in budget processes, a study Analysis of gender impact in State and municipality budget processes was conducted in 2017 concluding that data disaggregated by gender is often lacking to analyse the impact and employee knowledge.

25. Women have already taken the highest public positions in Latvia. In the 13th election of parliament (2018), 31% the elected persons were women. In February 2019, the CoM consisted of 14 ministers (4 women). The proportion of women elected in local elections of 2017 was 33.7%. While the proportion of women in senior civil servants' positions in Latvia is uneven – the higher the position, the smaller the proportion of women. The highest proportion of women exists in the lowest groups of positions (specialists, unit managers and deputies), which is gradually decreasing, while the lowest proportion exists in the highest level of positions – State secretaries. There are three women among the seven judges of the CC, and a woman is the President. In 2018, 65.7% of the Supreme Court judges were women. However, since 1992 only men have been presidents of the Bank of Latvia, and in 2019 there were 20 women in the Board and Council.

### **Right to work (Annex XII)**

26. At least once a year, the MoW and the SEA select training and educational programmes on offer in line with labour market analysis (short-term labour market forecasts). The SEA offers training programmes to the unemployed that are created to improve basic skills and competencies (e.g. languages, drivers' courses). The SEA provides job search assistance, career consultations and other help. Effectiveness of these courses is shown by the placement results after their completion. More than 40% of the participants of trainings have found a job within six months.

27. A person with a disability similar to any other person registered with SEA has the right to receive support. However, there are separate measures created just for persons with disabilities (sign language interpreter, ergotherapy specialist, adjustments in the workplace, or increased support – scholarships for young people with disabilities, longer time in the subsidised working places). The SEA offers several measures aimed at the integration/reintegration of the unemployed with disabilities into the labour market: subsidised employment opportunities; vocational and non-formal education; on-the-job training; paid temporary public work; mentoring support for starting a small business or self-employment; support for regional mobility; etc.

28. Measures for the most vulnerable groups include financial support for employing unemployed persons for a period up to 12 months (for persons unemployed at least for 12 months, aged 55+, refugees and persons with alternative status), up to 24 months (for disabled). Support includes monthly wage subsidy for unemployed persons (50% of the total wage costs, but not exceeding the minimum monthly wage set by the government (430 EUR in 2019)). If the employer employs persons with disabilities, monthly wage subsidy cannot exceed 1.5 minimum monthly wage. Additional expenses for work supervisors (50% of statutory minimum wage), working place adaptation for persons with disabilities (a single grant up to 711 EUR), the involvement of different experts (assistants, sign language experts etc.) are covered by the SEA. Since 2017, once a year the SEA organizes the Open-door Day for persons with disabilities aiming to support the inclusion of persons with disabilities into the labour market by providing the opportunity to get acquainted with the working environment in a company. The Law on Social Services and Social Assistance requires the Government to ensure vocational training for persons with disability or predictable disability, citizens and non-citizens of Latvia, aliens and stateless persons, who have been assigned personal identity number and who have received a permanent residence permit, and their family members free of charge. To provide persons with disabilities the best services and acknowledge their actual needs the SEA staff regularly cooperates with

NGOs and participates in workshops, seminars and other exchange and training events dedicated to the topic.

29. The employment rate of people aged 50–64 years in Latvia is growing and is higher than the EU average. The retirement age is increasing, enabling labour market to respond to the economic and social consequences of population ageing. To reduce the risk of becoming unemployed and pursue targets set in the Active aging strategy for longer and better working lives Latvian, the ESF co-funded project to retain the ability to work and encourage employment of older workers was started in 2017. Measures for older workers include vocational guidance, up-skilling, consultations by doctors, guidance to employers on adaptation of the workplace, workplace adjustment costs will be covered if needed, etc. Social Enterprise Law of 2018 was created to improve the quality of life and to promote employment for groups at risk of social exclusion, through social entrepreneurship. 49 companies were registered in the Social Enterprise Register within first year. All of the above measures have allowed the unemployment rate to decrease in the last years in all age groups.

30. According to Article 7 of the Labour Law, everyone has an equal right to work, to fair, safe and healthy working conditions, to fair remuneration without any direct or indirect discrimination irrespective of a person's race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances. Article 29 of the Labour Law provides that differential treatment is prohibited when establishing employment relationships, and during employment relationships (promotion, determining of working conditions, remuneration or occupational training, further education, notice of termination of employment contract). In case of a dispute, if an employee indicates conditions which may serve as a basis for his or her direct or indirect discrimination based on language, the employer has the burden of proof to establish that the differential treatment has been based on objective circumstances and not the language proficiency of the employee, or that proficiency of a specific language is an objective requirement for the performance of the respective job. The function of the State Labour Inspectorate (SLI) is the supervision and control of the observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection. In case of violation of the employee's rights, he/she has the right to apply to the SLI or the court.

### **Right to just and favourable conditions of work (Annex XIII)**

31. There is a decentralised wage setting system in Latvia – one minimum wage level that is binding to all employers; accordingly the minimum wage is not set by a formula. As a part of the Tax Reform, in 2017, the CoM issued Amendments to the CoM No.656 Regarding Amount of the Minimum Monthly Wage within the Framework of Normal Working Time and Calculation of the Minimum Hourly Wage Rate, stipulating that as from 2018, the minimum monthly wage is 430 EUR. In 2019 and 2020, the minimum wage remained the same. Since 2017, the Government identifies additional aspects that must be considered when changing the minimum wage (e.g. productivity changes), and must discuss the proposals with social partners. Social partners may specify other wage levels (including higher minimum wages) in company or industry level collective agreements, upon fulfilment of specific criteria, industry-level collective agreements can be extended to all sector, and Labour Law prohibits discrimination of persons who have concluded a collective agreement.

32. According to Article 60 of the Labour Law, an employer has an obligation to pay equal remuneration for men and women for the same kind or equal value work. Otherwise the employee has a right to request remuneration that the employer normally pays for the same or equal value work by bringing an action to court within three-months from the day he/she learned of the violation. Considering that collective agreements are private agreements and the Government does not participate in their drafting, there is no publicly available information in this regard. In 2015, the CoM approved the Inclusive Employment Guidelines for 2015–2020 aiming at the promotion of equal opportunities for everybody in the labour market, regardless of age, gender or disability, and attempt to improve

employment opportunities for different groups of the population. Reducing the pay gap between women and men is one of the defined policy objectives.

33. To improve working conditions, and to reduce risks of occupational diseases and accidents at work, a variety of measures are taken (informational materials, leaflets, posters, video tips and short films, seminars, workshops in Riga and other regions of Latvia). All information regarding these measures can be found on the website: [www.stradavesels.lv](http://www.stradavesels.lv). To improve the situation of health and safety at work in the companies in dangerous sectors, consultative support is available, which includes a workplace risk assessment. The project includes training of employees and development of the OIRA tool (electronic risk assessment tool).<sup>1</sup> According to the statistical data of the SLI, the number of first-time patients with an occupational disease has slightly grown. To prevent such diseases occupational physicians conduct and take part in seminars, trainings. SLI examines only the complaints it receives regarding any alleged failure to comply with the recommendations made by the doctor of occupational diseases.

34. Strengthening the capacity of SLI inspectors is ensured by increasing their wages, renewing technical equipment and IT solutions and training. When starting their professional duties as SLI inspectors, new inspectors participate in a five-week training course on labour rights and protection issues. Specialised sectoral training is regularly provided for others to improve theoretical and practical knowledge about labour protection in specific sectors (construction, food production, the reduction of illegal employment, hospitals, social care centres, etc.). Inspectors are also provided with further training in order to maintain and develop professional, social and methodical skills.

### **Trade union rights (Annex XIV)**

35. Law on Trade Unions prohibited employers from restricting rights of an employee because of his/her membership in a trade union, and creating adverse effects in case an employee exercises his/her rights as an employee, including participation in a trade union. Domestic courts in their practice have expressly acknowledged that discrimination of an employee due to his/her membership in a trade union by way of demotion, dismissal or relocation is a violation of the prohibition of discrimination and calls for awarding a compensation. The domestic courts have also acknowledged that employers are prohibited to treat differently towards their employees because of their membership in different trade unions, and<sup>2</sup> an employer cannot refuse to conclude employment relations because of a person's membership in a trade union.

36. To improve sectoral collective bargaining, in 2017 the Government started the project Development of Social Dialogue to Improve the Business Support Regulation aiming to ensure development of bilateral sectoral social dialogue and a better legal framework for the business environment. In 2019 and 2020, the MoW took part in the process of concluding several general agreements with trade unions and employers. An employer, an employer's organisation or association is not entitled to refuse to enter into negotiations regarding the entering into of a collective agreement (general agreement), and legal enactments provide for administrative liability in cases of refusal to conduct collective agreement or failure to fulfil conditions of a collective agreement.

### **Right to social security (Annex XV)**

37. The social security system in Latvia consists of social insurance, State social benefits and municipal social assistance benefits, and social services. A solidarity-based approach to ensuring the level of well-being of the population through complementary support mechanisms maximizes opportunities to receive support tailored to individual needs. In 2019, approximately 160 000 mandatory social secured persons (~ 14%) received social insurance contribution incentives. In 2019, the number of mandatory social insured

<sup>1</sup> <http://www.vdi.gov.lv/iv/oira/>.

<sup>2</sup> <https://manas.tiesas.lv/eTiesasMvc/nolemumi/pdf/339540.pdf>.

persons were 1 029 000 (for more information on average amounts of benefits etc.). The Government notes that the reason for the decrease in municipal expenditures on social assistance is the decrease in the number of needy and low-income persons, who benefit from them.

38. Following the judgment of the CC, as from 2019, the solidarity tax rate is 25.50%. It is applied to all persons, whose annual income exceeds the maximum amount of the mandatory social insurance contribution object – 62 800 EUR (approximately 6 000 persons in Latvia with income that is subject to the solidarity tax). The solidarity tax is divided in the following parts: 1 percentage point – for the financing of health services; 14 percentage points – for the State special budget intended for pensions (the amount is registered at the taxpayer's personal account); 10.5 percentage points – public treasury as part of income tax.

### **The development of Latgale region (Annex XVI)**

39. The aim of the Action Plan for the Development of the Latgale Region 2015–2017 was to decrease regional disparities, by ensuring facilitating economic activity, creating new jobs and increasing welfare in Latgale, thereby strengthening the feeling of belonging and promoting the formation of a united and cohesive society. The Action Plan included a number of measures. Following the said measures, number of newly created enterprises is increasing in Latgale per 1000 inhabitants (in 2011–2012 – 3 enterprises per 1000 inhabitants). Currently data show that since 2013 the increase of enterprises per 1000 inhabitants amounted to 6. Amount of non-financial investments per inhabitant in Latgale is increasing (in 2012 – 1002,1 euro per inhabitant). Currently data indicate that amount of non-financial investments in Latgale region per inhabitant have decreased. According to available data there are some positive trends in employment and standard of living that might to some extent be a result of measures of the Action Plan. Employment rate in Latgale region has grown since 2014 – from 51.3% to 56.1% in 2019, but the unemployment rate has significantly dropped since 2014 – from 17.0% to 10.7%. Regarding the standard of living average monthly wage in Latgale region has increased by 43.9% since 2014.

### **Protection of the family and children (Annex XVII)**

40. One of the priorities set in the Plan for the Promotion of Equal Rights and Opportunities for Women and Men for 2018–2020 is the promotion of economic independence and equal opportunities in the labour market, which foresees measures to increase father's role in the family and the importance of equal share of family responsibilities. The Government raises awareness and conducts campaigns addressing father's role, encourages fathers to take paternity leave and parental leave. The framework aimed at reconciling work and family life is constantly improved (paras. 95–97 of the Periodic Report). Following the measures taken by the Government, there have been changes in public understanding about the need to ensure equal opportunities for women and men (a significant increase in male involvement in family and household responsibilities, as evidenced by the tendency to take paternity leave and parental leave, and public opinion polls). To motivate municipalities to engage in work on family reconciliation, since 2017 the Government implements "Family-Friendly Municipality" programme, which is the first of its kind in Europe.

41. In 2017, the Government amended the Criminal Law and the Law "On the procedures for the coming into force and application of the Criminal Law" expanding the list of aggravating circumstances with criminal offence being committed against a person who is younger than 18. In light of the amendments to the Criminal Law, criminal offences related to violence or threats of violence, or an intentional criminal offence against health or morality and sexual inviolability of a person if committed at the presence of a minor, may be considered as committed in aggravating circumstances. Article 56 of the Criminal Law now includes a longer statutory limitation period in cases where offense results in serious bodily injuries related to genital mutilation or loss of reproductive capacity, or the offense

involves trafficking in human beings or forced abortion. Article 125 (Intentional Serious Bodily Injury), Article 126 (Intentional Moderate Bodily Injury) and Article 130 (Intentional Slight Bodily Injury) of the Criminal Law were expanded with new qualifying element “offence committed against a person to whom the perpetrator is related in the first or second degree of kinship, spouse or former spouse, against a person with whom the perpetrator is or has been in continuous intimate relationships, against a person with whom the perpetrator has a joint household.

42. Since 2018, the gradation of psychological disorders resulting from psychological or mechanical, thermal, electrical, acoustic, radiation, chemical, biological or other effects are considered bodily injuries. Serious injuries include injuries that have resulted in mental disorder or mental trauma with permanent consequences affecting the victim’s social adaptation. Female genital mutilation is considered serious bodily injury, while medium serious bodily injury is a mental disorder or trauma affecting social adaptation of the victim on a long-term basis. In addition, with the amendments to the Criminal Procedure Law, in 2016 Latvia implemented Directive 2012/29/EU establishing minimum standards on the rights, support and protection of victims of crime. Now a person who has suffered from a criminal offence related to violence or threat of violence committed by a member of immediate family, former spouse or a person with whom the victim has been in a continuous intimate relationship is a specially protected victim with the right to participate in procedural activities together with a person of trust. In 2019, the Law “On State Compensation to Victims” was amended, increasing the amount of State compensation in cases of severe bodily injuries, rape, sexual violence, or if the victim’s morality or sexual inviolability has been violated, or he/she is a victim of trafficking in human beings.

43. According the Law on the Protection of the Children's Rights, municipalities draw up and implement programmes for work with children living/working on streets. This preventive work is carried out in collaboration with parents, educational institutions, the State Police, the State Probation Service, etc. The municipalities establish a prevention file and draw up programmes for social correction of behaviour for each child who: begs, is vagrant or performs other acts that may lead to illegal actions. Pursuant to Article 59 of the Law on the Protection of the Children's Rights a child is conveyed to a police station, if he/she: has arbitrarily left family, guardian, foster family or child care institution; is lost or abandoned, or is found in circumstances that are dangerous to his/her development and if there is no other possibility to help the child. In cases where the police determines that the child is vagrant, begging, intoxicated with narcotic or toxic substances or alcohol, lives in an unfavourable family environment or other circumstances exist that may be harmful to the child, they inform the relevant Orphan's Court and social services.

44. If a child is conveyed to the Police station, he/she may be held there until given over to parents, guardians, foster family, or a representative of a childcare institution. If the identity of a child is not determined, and he/she is not given over to his/her parents within four hours, the police places the child in a foster family, crisis centre or child care institution, or in extreme cases, in a prevention institution, and no later than the next working day informs the Orphan's Court and social services. If a child who has been conveyed to the police is under the influence of alcoholic beverages, narcotic or toxic substances or other intoxicating substances or there is suspicion that the child is being sexually abused, has become the victim of illegal activities or has been induced to beg, the police determines the circumstances of the acquisition and use of substances, and the persons who should be held accountable. If a child conveyed to the police needs medical assistance, the police conveys the child to a medical institution and makes sure that the child receives medical assistance.

45. According to the Law on the Protection of the Children's Rights the MoI, the MoES, the MoW, the MoEPRD, the MoJ, the MoH, the State Inspectorate for Protection of Children's Rights and municipalities provide statistical information regarding the protection of the rights of the child. This information together with a summary report is submitted to the Central Statistics Bureau, which compiles the information and submits it to the MoW and the Ombudsman’s Office. According to the statistical data in 2019, the police imposed four administrative punishments for the involvement of minors in begging, while the SLI monitors compliance with the CoM regulations Nos.206 of 2002 and Article 37(4) of the Labour Law in accordance with the general procedure.

46. In recent years, the Government has introduced several measures to promote cooperation between the competent agencies to quickly find a suitable host family for a child (a guardian or foster family) and to enable a child's return to biological parents. To protect the rights of those children who have been placed in child-care institutions, the Government has taken additional measures to ensure that the environment in these child-care institutions is as far as possible similar to a family setting. Adolescents (15+ years old) are offered the opportunity to live in a semi-independent setting to enable their learning of life skills. To protect children living in institutional settings from discrimination and abuse, including sexual abuse, the State Inspectorate for the Protection of Children's Rights and the Orphan's Courts carry out regular inspections. Children and other persons have the right to seek assistance from institutions for the protection of the rights of the child. In such circumstances, Governmental institutions (incl., municipalities) act to prevent offences and provide support to the child.

47. Measures to prevent and reduce domestic violence are included in the State Family Policy Guidelines 2011–2017 and the corresponding action plan, in the Plan for Safeguarding Women's and Men's Equal Opportunities and Rights 2018–2020, and the Latvian National Development Plan 2014–2020 setting out tasks to reach this objective: to ensure that children live in a favourable family or family-like environment, and reduction of domestic violence, to provide support to family and individuals in crisis situations and in situations related to gender-based violence, providing professional social work services and timely social and medical rehabilitation services (para 70 and 120 of the Periodic Report).

48. In the framework of the State Family Policy 2014–2020, the Government provided financial aid for establishing 26 family support centres in various regions of Latvia. In 2017, there were 27 services providers ensuring social rehabilitation services to adult victims. Currently Latvia fulfils the requirements set by the Council of Europe to provide one place at the crisis centre per 10,000 inhabitants for women with children, who have suffered from violence. According to the Law on Social Services and Social Assistance, social rehabilitation to children who have suffered from violence is mandatory. A child who has suffered from violence can take part in social rehabilitation course (up to 30 days or 60 days), or receive rehabilitation in a form of 10 consultations by psychologist at his/her place of residence. The type, location and duration of the service is determined after an assessment of the child's psychosocial situation. Since 2015, the State-funded voluntarily social rehabilitation services are available to persons who have committed violence both individually and in groups, depending on the person's needs. The services are provided by professionals who improve their social work with specific target groups during training sessions that were created as part of the project Development of Professional Social Work in Municipalities (2015–2022). In 2017, the MoW launched two projects on the prevention and mitigation of violence against women aiming to improve the action pattern of institutions when responding to cases of domestic violence and to raise public awareness by involving regional media journalists, and promoting public awareness about violence against women (reducing public tolerance, promoting respectful relations between boys and girls).

### **Right to an adequate standard of living (Annex XVIII)**

49. In order to provide support for the persons with lowest income, in 2014, the CoM approved the concept of "Minimum Income Level Determination" aiming to reduce poverty and income inequality by setting methodologically appropriate minimal income level, which would serve as a reference point for the improvement of the support measures in the social security system. The CoM. determines the level of the guaranteed minimum income (GMI). In 2019, the Government developed the Plan for Improvement of Minimum Income Level for 2020–2021 aiming to increase the income of persons with the lowest income and reduce social exclusion and poverty risk. To implement measures listed in the Plan, additional 10 mil. EUR were allocated from the state budget. The focus of the Plan is to increase State support to persons of retirement age receiving the minimum old-age pensions and persons with disabilities. CoM approved measures to increase minimum income levels as from 2020 – increasing the base for calculating the state social security benefit (SSSB) for persons with disabilities (EUR 64.03 to EUR 80, for persons with disabilities since childhood EUR 106.72 to EUR 122.69). However, on 25 June 2020, the CC concluded that

the GMI level as defined by the CoM was incompatible with Article 109 and 1 of the Satversme stating that the definition of an appropriate GMI level is one of the obligations of a State to ensure respect for human dignity, to decrease the socio-economic disparities, and to honour the principle of sustainable development. The CC emphasized that the current GMI level (64 EUR) cannot provide all the necessary elements for an adequate standard of living. Accordingly, the Government has an obligation to create a new formula to ascertain the GMI level and establish a suitable social security benefit for persons with low income until 1 January 2021.

50. According to the Law on Social Services and Social Assistance, persons without a defined place of residence or persons in a crisis situation must be provided with the opportunity to receive shelter. Night shelters offer lodging, dinner and personal hygiene opportunities, while service shelters offer short-term residence, food, opportunities for personal hygiene and the services of social work specialists. The services of shelter/night shelter are financed from the municipality's budget. The content of the housing benefit and the main principle for determining the level of low-income is specified in the Law "On Assistance in Solving Housing Issues", but the amount, procedure for payment and the persons who are entitled to receive the apartment benefit is regulated by municipalities. It should be noted, however, that the reason for the decrease in municipal expenditures on social assistance is the decrease in the number of needy and low-income persons.

51. The Law on Residential Tenancy stipulates that in the event of eviction due to failure to pay rent or fees for general services, demolition of the residential house or capital repairs on a house, municipalities provide assistance to low-income tenants with at least one minor child. If the low-income tenant with at least one child is evicted due to the failure to pay rent or fees for general services, the execution of the court order regarding eviction from the residential space is suspended until the municipality provides another residential space. If the tenant is evicted because of the demolition of the residential house or repairs to it, the owner of the house has the duty to provide the tenant and his/her family members with another equivalent residential space. The Law on Assistance in Solving Apartment Matters stipulates that the municipality provides residential space primarily to low-income persons with at least one minor if these persons are evicted from the apartment which the municipality owns if the property is burdened with debt for services. According to the Law on Residential Tenancy, the renter may terminate a rental contract, evicting a tenant together with his/her family members without providing other residential space only in two cases, but before bringing an action before the court to terminate tenancy, the renter must notify the tenant at least one month in advance. In cases when the location of the tenant is unknown, an action can be brought if the notification has been published in the official gazette one month in advance. National Development Plan 2021–2027 strives to improve availability of social housing particularly for disadvantaged persons (orphans and children left without parental care) by investing 70 mil. EUR for renovation or construction of social housing.

## **Right to physical and mental health (Annex XIX)**

52. Health care system in Latvia is based on residency, providing State-funded health care services based on universal coverage principle (from general tax financing). A wide range of publicly funded health care services are available at the State, municipal, and private inpatient and outpatient health care institutions. In 2017, the Government launched the health system reform allocating additional funding for the health sector. In 2020 comparing to 2008, Government expenditure on health increased by 51.7 reaching 4.3% of GDP in 2019 (of which EU funds were only 3.23%). In 2019 and 2020, there was significant additional funding allocated for mental health (6.3 mil in 2019 and 13.9 mil in 2020) leading to the reduction of the waiting-times for Government-financed health services (Annex), which has been caused by a change in patient behaviour and additional funding.

53. The Government has taken steps to reduce the human resource gap in health sector, inter alia, by mapping. In 2019, the MoH began working with professional associations to develop a new remuneration model, i.e. defining the target level of remuneration, developing the full-time equivalent of doctors and nurses, ensuring the development of

salary and variable component criteria aiming to make the remuneration model more transparent and equitable, minimizing the likelihood that health professionals have multiple jobs. MoH in cooperation with Latvian Nursing Association has created the Concept on the future development of the nursing profession to reduce the shortage of nurses, return nurses from work in other sectors, promote the development of the nursing profession, and to create a new nurse profession (general care nurse). In residency specialties where aging is the most common, Latvia plans to have extra State-funded study positions, and residents who study in the state paid residency programs are obliged to work for three years in a state/municipal medical institution. Implementation of this project improves access to medical treatment to residents living outside Riga. In 2019, 119 residents were in residency of which 80 have agreements with medical institutions or municipalities on employment outside Riga after the residency program. In 2018 and 2019, 5,576 different levels of educational programs were offered for the development of professional skills for medical practitioners and pharmaceutical specialists.

54. Promotion of mental health is one of the Government's priorities. In 2019, the Plan for Improving Access to Mental Health Care 2019–2020 was approved aiming to provide evidence-based and high-quality mental health care services to patients based on their needs, promoting mental health, early diagnosis, treatment and medical rehabilitation, and prevention. The plan aims to develop outpatient mental health care to help people with mental health problems and improve interdisciplinary approach in care process, to promote the wider use of non-pharmacological treatment, ensuring the availability of high-quality state-paid health care services in outpatient and inpatient treatment facilities. The MoH is working on increasing the salaries of those who are working in the field of psychiatry. To increase the number of child psychiatrists, in 2019 the MoH reduced the duration of residency for child psychiatrists and optimized the process of obtaining a specialty while preserving quality. Moreover, the Centre for Disease Prevention and Control provides information to society about mental health and maintains a website [www.nenovversies.lv](http://www.nenovversies.lv) and holds lectures on mental health; lessons for children and adolescents on positive communication and conflict prevention; exhibition on mental health; etc. focusing on the population subject to territorial and social exclusion (para 152 of the Periodic Report). All materials are shared through social networks, distributed through educational institutions, and online.<sup>3</sup>

55. In 2014, the study Adolescent Suicidal Behaviour in Latvia: Relationship between Adolescent Plans for Suicide and Peer and School Related Factors<sup>4</sup> analysed the relationship between specific family-peer-school related factors and adolescent self-reported lifetime plans for suicide concluding that significantly higher odds for suicide are in schoolchildren with a history of suicide attempt in family, those not satisfied with relationship with parents, those living in families with low socio-economic status and those who have witnessed domestic violence or do not live with both biologic parents. Among peer-school related factors, higher odds for suicide were found in respondents who are regular victims of bullying, adolescents with a history of suicide attempt among acquaintances, without or in bad relationships with friends or with poor school performance. Health Behaviour among Latvian Adult Population 2018 survey in Latvia identified that 47.2 % of men and 54.2 % women sometimes have felt tense or were under a lot of pressure during the last month. 0.6 % of males and 1.1 % females answered that their life is next to unbearable.

56. Maternal and child health is one of the priorities since 2010. The MoH has established the Maternal and Child Health Advisory Council (a consultative and coordinating institution to provide professional support (doctors, midwives and NGOs) for the improvement of maternal and child health policy). The MoH has created new quality standards for check-up and screenings, and requirements for specialists and medical institutions in childbirth; to improve health of mother and children, decrease their mortality rate, ensure high-quality pregnancy care and care of new-borns, has implemented a unified, planned approach. In 2012, the MoH created a confidential mother mortality auditing system intended to investigate the cause of death of mothers during childbirth and develop recommendations for the medical treatment institutions to prevent the similar mistakes in

<sup>3</sup> <https://spkc.gov.lv/lv/informativi-izdevumi>.

<sup>4</sup> <https://www.rsu.lv/zinatniskie-raksti/pusaudzu-pasnavnieciska-uzvediba-latvija-pasnavibas-planu-sakariba-ar-gimeni#Abstract>.

the future. Portal <https://grutnieciba.lv/> provides information about reproductive and sexual health, information about the risks related to pregnancies, childbirth and post-partum (paragraph 172 of the Periodic report). In cooperation with municipalities, the works on improving the availability of health promotion and disease prevention services (educational lectures for: teachers on sexual and reproductive health; women regarding reproductive health issues; young and future parents; etc.) in particular, those, who are subject to territorial, economic and social exclusion. Currently a museum pedagogical programme on sexual and reproductive health is organized focused on adolescents, while to provide support to teachers on the content of the health education, educational films for pupils, teaching materials for all classes, and methodological recommendations for teachers on how to teach about reproductive health, sexual development, relationship building and responsibilities regarding reproductive health and sexual relations were created.

57. Action Plan on Controlling the Spread of HIV, Sexually Transmitted Infections and Hepatitis B and C for 2018–2020 includes comprehensive broad range prevention and control activities for HIV, STIs and viral hepatitis. HIV prevention points throughout the country provide rapid testing, needle and syringe exchange, and condoms. Clients can receive social and medical aid, consultations about infectious diseases and prevention. These services are free of charge, anonymous, and target injecting drug users, former prison inmates, sex workers, their clients, homeless people, ethnic minorities, men who have sex with men, etc. There are also travelling harm reduction services (specially trained personnel) providing rapid testing, syringe distribution, condoms, consultations closer to the gathering places of risk groups. According to domestic laws, pregnant women are voluntarily tested for HIV. If mother is HIV-positive, breastfeeding is contraindicated, and baby is provided with formulas, which as from 2017 are paid from the State budget.

58. In access to HIV treatment (antiretroviral therapy), Latvia has moved from criterion of  $CD4 < 200$  cells/mm<sup>3</sup> to the “test and treat” approach which was approved in 2018. Each HIV-infected person can receive antiretroviral treatment (no limits for CD4 immune cells). Since 2016, the availability of medicinal products for the treatment of hepatitis C has increased, providing 100 % of the reimbursement for medicinal products in around 95 % of cases. Since August 2019, a new support service is available for people with positive HIV and/or hepatitis C tests trying to help HIV and/or hepatitis C infected persons receive consultations from doctors, health services and treatment faster. Since 2019, new HIV diagnoses and AIDS cases were reported directly to the national HIV/AIDS cases register included in a specific register of patients enabling a more effective epidemiological surveillance of HIV/AIDS. In 2016, a new register for recording of hepatitis C patients was introduced, which includes data on infection pathways, disease diagnosis, degree of liver damage, treatment regimens and patient’s dynamic evaluation allowing a better it analysis of the course of illness and the results of treatment. Consequently, the number of new HIV, hepatitis B and C registered cases in Latvia is dropping. The Coordination Commission on Prevention of the Spread of HIV Infection, Tuberculosis and Sexually Transmitted Infections (HIV commission) works under the auspices of the MoH and gives professional opinions on the control of HIV infection, tuberculosis and STI infections and how to improve the policy in this area. The Government also regularly informs the society about risks of becoming infected with HIV, hepatitis B or C.

59. In 2019, the CoM adopted Action plan for the limitation of drug use and spread 2019–2020 continuing the implementation of drug use prevention measures (lectures and workshops for teachers, doctors, parents, social professionals, pupils, etc.). The Plan aims to extend treatment possibilities and make them more available for drug users (opening of new opioid replacement therapy cabinets, new support and psychotherapy groups for adolescents, adaptation of Minnesota program for implementation of out-patient care facilities, etc.). In Latvia, narcologist is a directly accessible specialist, and treatment of children who have addictive disorders is free of charge and funded by the Government, but before receiving narcological help, a child has to obtain consent from a parent/guardian.

## **Right to education (Annex XX)**

60. To promote effective governance and use of resources in the education, Latvia has implemented various measures. Recently the MoES developed an offer for the arrangement

of the network of general education institutions, proposing to determine the minimum number of students in accordance with the territorial division of Latvia, taking into account the population of the specific territory and the administrative territorial reform planned in 2021. The MoES continues the modernization of infrastructure of general education institutions to create ergonomic learning environments meeting sanitary requirements and supplement schools with necessary technologies. It is expected that at least 100 general education institutions will be fully modernized by 2023, and 20–25% of students will have access to a fully modernized learning environment.

61. To ensure that teachers are ready to work in the new environment and to implement competence-based education content, the Government has developed new curriculum for education of teachers and started its implementation, in cooperation with higher education institutions; the Government has organised pedagogic study programmes, and introduced a new study programme for teachers. In January 2020, the CoM reviewed the report Work-based study programme for the preparation of teachers: implementation and development allowing applicants with higher education to apply for a study programme to acquire the necessary knowledge and skills to become teachers. The improvement of professional competence of teachers is implemented both from foreign financial instruments and state budget to strengthen professional and transversal competences; improve skills of teachers, managers and apprenticeship supervisors of vocational education, and implement Erasmus+ projects, promoting interaction between teachers and improving their foreign languages, etc.

62. Since March 2017, in cooperation with municipalities and State vocational educational institutions the State Education Quality Service implements the ESF 8.3.4. project "Reducing early school leaving by implementation of preventive and intervention measures" targeting general and vocational education students, who have risks of early school leaving, including Roma students and students with special needs providing them with access to specialist advice, mentors, additional classes, and material support (transport, service hotels). The data from monitoring Roma students show that the number of Roma students who have not completed primary education until becoming 18 years old, has significantly dropped. Considering the educational needs and issues involving Roma families, there has been a focus on training assistant teachers with Roma background and publishing of manuals.

63. To solve issues with waiting lines to pre-school education institutions, the Government has invited municipalities to form additional groups under elementary schools, basic schools, secondary schools, and children/youth centres. They are also obligated to cover costs for private pre-school education institutions, if a child who has reached the age of 1,5 years and whose declared place of residence is in the administrative territory of the respective municipality, is not provided a place in a municipal kindergarten. 21 municipalities, within their budget possibilities, are providing support for families who use babysitters. Private pre-school education institutions receive financial support for the purchase of learning materials.

64. Latvia promotes integration of students with special needs in regular schools. According to the General Education Law, educational institutions ensure the availability of appropriate support to students with special needs, who have enrolled in a general education programme by drawing up individual plans for each enrolled educate with special needs. Children with special needs in general education institutions and their parents are provided with equal opportunities to receive consultations and methodical support for qualitative inclusive education. Moreover, there are 12 special education development centres in Latvia ensuring homogeneous distribution of special education development centres all over Latvia; as from 1 September 2020 special basic education programmes for students with physical development disorders, somatic diseases, speech disorders, learning disorders can no longer be implemented in special education institutions, they must be carried out inclusively. Moreover, the Education Law defines the prohibition of unequal treatment in education: regardless of economic or social status; race; nationality; ethnicity; gender; religious or political beliefs; state of health; occupation or place of residence a person has the right to education. Accordingly, there are no restrictions for unaccompanied minors to access qualitative education at any level.

65. The MoES has initiated changes in approach to education that would allow the development of competence-based education content, promoting sustainable learning process including the improvement of the knowledge of official language, preparing

students for further education and career. Transition of the upper secondary education to Latvian as language of instruction will promote successful learning process and implementation of the new competence-based education content, allowing to preserve language and culture of the ethnic minorities as well. Latvia deals with the question of the language of instruction with proper diligence to ensure that the legislation are in conformity with its international obligations, with respect to minorities, and these reforms have not affected the rights of persons belonging to national minorities to use their language and preserve and develop their traditions and culture. The question of education reform has been addressed by the CC in series of cases regarding the amendments to the General Education Law, concluding that the amendments are compliant with the rights of minorities, right to education, and principle of equality.

66. Development of IT skills is important as it promotes quality of education and broadens opportunities for all students corresponding to continuous changes in labour market. The main policy measures addressing the use of IT in the learning process include: introduction of competence-based general education content; professional development of teachers, strengthening their digital skills; improvement of infrastructure; facilitating mutual cooperation of teachers (E-Twinning network); supporting STEM and attracting more students to these study directions.

### **Cultural rights (Annex XXI)**

67. In light of the CoM regulation no 331 Regulations on the Construction Standards LBN 208-15 “Public constructions” and the standards set by the UN Committee on the Rights of Persons with Disabilities in their universal design, in 2018, the MoW created Guidelines for the accessibility of public constructions and places. Accordingly, the MoW established that cultural and entertainment activities must be accessible to persons with disabilities – participants, spectators; artists, volunteers, employees. These constructions include: theatres, cinemas, concert halls, circus, clubs, discos, museums, galleries, religious buildings, game halls, libraries, archives, etc.<sup>5</sup>

68. Since 2012, Latvia implements several measures for the integration of Roma. These measures are included in the Guidelines for promotion of National identity, society and integration and a subsequent action plan.<sup>6</sup> Carrying out the measures for the integration of Roma, Latvia uses mainstreaming approach and targeted approach, especially when it comes to education and civic society. In 2014, the MoC established the Regional network of experts for the integration of Roma, which currently has 19 members from municipalities. This network regularly organizes regional meetings of experts and good-practice visits in municipalities; they also consult Roma representatives about protection of their rights and interests. Since 2015, Latvia annually helps minority NGOs to strengthen their capacity and facilitates their cooperation with municipalities, cultural establishments and others. Every year the Government supports initiatives of Roma NGOs that allows their integration and participation in civic society, e.g. by reducing the negative stereotypes with the help of intercultural dialogues.

69. According to a survey conducted in 2017, 84% of the members of minorities in Latvia feel a connection or deep connection with Latvia. The MoC regularly supports the participation of minorities in civic society, preservation of their cultural uniqueness and development. In total, at least 20% of the budget of the MoC annually are allocated to the social integration policies and integration of minorities. Between 2012 and 2018, approximately 30 000 people have participated in minority culture events; between 2014 and 2018 the MoC has helped to organize about 220 NGO events to strengthen minorities in Latvia.

<sup>5</sup> Ministry of Culture, *Guidelines for the accessibility of public constructions and places*, available: [http://sf.lm.gov.lv/f/files/vienlidzigas\\_iespejas\\_2014-2020/pieejamiba\\_12042018\\_LM\\_vadlinijas.pdf](http://sf.lm.gov.lv/f/files/vienlidzigas_iespejas_2014-2020/pieejamiba_12042018_LM_vadlinijas.pdf).

<sup>6</sup> Documents regarding integration policies, Ministry of Culture, available: <https://www.km.gov.lv/lv/integracija-un-sabiedriba/integracija-un-sabiedriba/dokumenti>.