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Committee on Economic, Social and Cultural Rights

Second periodic report submitted by Latvia under articles 16 and 17 of the Covenant, due in 2009* **

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* The present document is being issued without formal editing.

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1. This is the second periodic report of the Republic of Latvia ('Latvia') on the implementation of the *International Covenant on Economic, Social and Cultural Rights* ('the Covenant') in 2008–2017, following the concluding observations of the Committee on Economic, Social and Cultural Rights ('the Committee') on the initial report of Latvia ('the Concluding Observations'). The information in this report ('the Report') was compiled in accordance with the Committee's Guidelines for Preparation of National Reports on the Covenant Implementation of 18 June 2008.

2. The Report was compiled by the Ministry of Foreign Affairs ('the MoFA') in cooperation with the Ministry of Economics (the MoE), the Ministry of Finance ('the MoF'), the Ministry of the Interior ('the MoI'), the Ministry of Education and Science ('the MoES'), the Ministry of Culture ('the MoC'), the Ministry of Welfare ('the MoW'), the Ministry of Transport ('the MoT'), the Ministry of Justice ('the MoJ'), and the Ministry of Health ('the MoH').

Article 1

3. There are no changes compared to the information provided in the Initial Report of Latvia on the implementation of the Covenant (E/1990/5/Add.70, paras 3–39) ('the Initial Report').

Article 2

Ratification of the European Social Charter (revised) CETS No. 163 (para 34 of the Concluding Observations)

4. On 26 March 2013, Latvia ratified the European Social Charter (revised), which entered into force on 1 May 2013.

Prevention of corruption and shadow economy (paras 9 and 35)

Prevention of corruption

5. The budget of the Corruption Prevention and Combating Bureau ('the KNAB') has significantly increased. From 2007 to 2018, the budget of the KNAB increased by 15%, with a temporary decline due to the economic crisis in 2009–2012 (Chart 1 in Annex 1).

6. To prevent corruption, one of the tasks included in the Corruption Prevention and Combating Programme 2009–2013 was a further development of the *Law on Conflict of Interest* to ensure its implementation throughout the public sector.¹ Codes of ethics of judges, prosecutors, municipal bodies and other officials were evaluated resulting in conclusion that 88% of the inspected institutions have publicly available and valid codes of ethics to ensure transparency in the implementation of the State authority. In the KNAB Strategy Project 2013–2015, special attention was given to the institutions that handle large financial resources, health care system, courts, law enforcement institutions and the funding of political parties. The tools to prevent corruption and shadow economy are included in the *Law on Conflict of Interest, the Public Procurement Law, the Law on Personal Income Tax, the Law on Taxes and Duties, the Law on Value Added Tax* and other acts, guidelines and working plans (Table 1 in Annex 1).

7. The KNAB has developed guidelines for 18 major sectors with corruption risks. The KNAB, the State Police ('the SP'), the State Border Guard and other national authorities use these guidelines to prevent corruption. They include information on innovations in methods used in the work of national authorities when assessing corruption threats.² Together with the MoF and other social partners, the KNAB prepared analysis '*Corruption Risk Analysis in the Monitoring of Construction Processes related to the Issue of*

¹ Group of States against Corruption. GRECO Eval IV Rep (2012) 3E.

² https://www.knab.gov.lv/upload/free/izglitosanas_materiali_un_rekomendacijas/corruption_prevention_at_sector_level.pdf p 49.

Construction Permits in Municipalities of Latvia (2011), *Guidelines for the Corruption Risk Prevention applied to the exceptions laid down in the Public Procurement Law*, etc. The efficiency of the KNAB in preventing corruption can be assessed by the number of corruption cases: the number of transmitted criminal cases, the criminal proceedings initiated, and persons accused (Chart 2 in Annex 1). In 2006, the KNAB established the Public Consultative Council (Table 2 in Annex 1), which deals with matters related to legislation, proposals for amendments to the existing laws, and the KNAB action plan.

8. Significant efforts have been devoted to educate officials about corruption, its risks and prevention, e.g., foreign delegation visits to promote exchange of the KNAB experience, and certified auditor training in the prevention of corruption have taken place. In October 2017, an international conference on the fight against corruption was held in Latvia.

Measures to reduce shadow economy

9. The undetected/shadow economy includes the undetected, illegal activities (smuggling of drugs, alcohol, tobacco and fuel), VAT fraud, tips, hidden profits and wages of small and micro enterprises. According to the data provided by the research *“Shadow Economy Index in the Baltic States 2009–2016”* conducted by Dr. Arnis Sauka, professor of the Stockholm School of Economics in Riga, and the Central Statistical Bureau (‘the CSB’), the level of shadow economy in Latvia has significantly dropped since 2009. In 2015–2016, it dropped by 1 percentage point; compared to the decline from 2009 to 2016, the index has dropped by 16.3 percentage points. Estimates of the undetected economy indicate that the level of shadow economy in current prices has significantly fallen compared to the level during the economic crisis (Chart 3 and Table 3 in Annex 1). According to the study, in 2017, the shadow economy in Latvia slightly rose, returning to the level of 2015/2016 constituting 22% of the GDP.

10. In 2016, the *‘Working plan for Public Authorities to limit the shadow economy in 2016–2020’* was approved to reduce administrative burden and shadow economy in different sectors: construction, services, company registration, transport, trade, imposing penalties, etc. The plan is regularly amended with new measures based on analysis of the current challenges. By applying the sectoral approach to the reduction of shadow economy, in 2016, the *Memorandum of Cooperation between the responsible members of the Cabinet of Ministers (‘the CoM’) and the Construction Industry’* and the *‘Action Plan for its implementation in 2015–2018’* was signed. In 2017, the electronic accounting for work time was introduced at construction sites with the construction costs of 1,000,000 euros and more; in 2018, a code of ethics for the construction industry was adopted establishing their ethics commission. Currently, the signing of the general agreement on minimum wages in the construction professions has entered its final phase. According to the study *“Shadow Economy in Construction in Latvia in 2015–2017”*, the level of shadow economy has dropped by approximately 5 percentage points in 2017 reaching 35.2%, (40% in 2015).

11. To achieve economic breakthrough highlighted in the *“Latvian National Development Plan 2014–2020”*, the MoF developed *“National tax policy guidelines 2018–2020”* to revise tax structures and rates, improve tax administration and combat shadow economy. With regard to wages, the guidelines intend to increase the minimum monthly wage and change the personal income tax administration. The State Revenue Service (‘the SRS’) has taken measures to prevent unregistered economic activities and payment of “envelope wages”. After the introduction of the *Natural Person Risk Analysis System “RASA”*, since 2009, the SRS sends warnings to individuals belonging to a risk group, reminding to register economic activities. The SRS assesses the credibility of the employers’ reports data if such reports submitted by taxpayers present tax risks (Table 4 in Annex 1). Since 1 July 2015, taxpayers with “envelope wage” risk identified during the computerized risk analysis receive a warning notification in the SRS Electronic Declaration System. The SRS invites to verify the compliance of the data submitted and to submit corrections of the employer’s report. If the taxpayer does not resolve the risk, the SRS takes control measures. In 2016, amendments to the *Criminal Law* (Article 2171) entered into force criminalising “envelope wages” on a significant scale.

12. To promote the entrepreneurs' interest to take initiative in resolving tax compliance issues within their industry, in 2010, the SRS initiated cooperation with NGOs: 24 agreements on cooperation with industry associations were concluded (Table 5 in Annex 1). The 2017 amendments to the *Law on Taxes and Fees*, from 2018 require publishing on the SRS website information about the risk categories and individuals (Table 6 of Annex 1). Results of the SRS calculations show that all tax gaps affected by the unregistered economic activities and "envelope wage" risks have a tendency to decrease (Table 7 in Annex 1).

13. The MoE developed guidelines for the application of the "Advise first" principle in the work of public authorities. In 2017, a cooperation memorandum between the supervisory authorities and entrepreneurs on the implementation of the "Advise first" principle was signed, thus building a customer-oriented public administration. The memorandum aims to achieve mutual understanding between the entrepreneurs and supervising authorities by strengthening the compliance with the requirements rather than punishing. It should be noted that the efficiency of the State authorities to meet public interest while creating a favourable environment for business activities and equal competition is of high importance. Strengthening of the "Advise first" principle, changing attitudes and strategy of cooperation in the market supervision creates conditions where the private entrepreneurs want to work in good faith.

Support to the Ombudsperson (para 33)

14. The Ombudsperson is a national human rights institution of Latvia operating in accordance with the UN Paris principles. In 2015, the "A" accreditation status was granted to the Ombudsperson. The Ombudsperson is elected by the Parliament for 5 years (paras. 56–59 of the Common Core Document of the Republic of Latvia for 2002–2016 ('the Core Document')). The Ombudsperson Office not only has received an increased support from the State, which has allocated funds from the State budget, but the importance of the Office in the society has grown as well (Chart 4 in Annex 1).

15. The Ombudsperson has the right to apply to the Constitutional Court ('the CC'). In 2017, the CC initiated 4 cases based on the Ombudsperson's application.

16. The Ombudsperson conducts annual surveys on implementation of civil and political rights, social, economic and cultural rights, rights of the child, rights of persons with disabilities and other rights. The Ombudsperson examines individual complaints on alleged infringements of rights; provides conclusions and opinions, and takes part in the legislative procedure to promote the compliance with human rights. In 2016, the Ombudsperson received 1893 submissions (992 related to civil and political rights, 660 – to economic, social and cultural rights, and 235 – to rights of the child).³

Elimination of discrimination (paras 10 and 36)

17. Information on the relevant legal framework are provided in paras. 55–64 of the Initial Report and paras. 177–232 of the Core Document.

18. In addition, the prohibition of discrimination is included in the *Sports Law*, the *Education Law*, the *Law on Insurance Companies and Supervision Thereof*, the *Military Service Law*, the *Electronic Mass Media Law*, and other. Since 2011, associations and foundations, whose statutes define objectives aimed at protection of human rights, are entitled, with the consent of the individual whose rights were violated, to apply to the institutions or courts and defend the rights and legitimate interests in matters relating to infringement of the prohibition of differential treatment.

19. In 2013–2015, in cooperation with the MoC, the Latvian Judicial Training Centre and social partners, the Society Integration Fund ('the SIF'), implemented the project "Different people. Different experiences. One Latvia", combating discrimination and promoting diversity. Wide range of activities were taken, e.g. guidelines for the

³ Summary of Annual Report 2016 (2017). Page 272-274. http://www.tiesibsargs.lv/uploads/content/legacy/2016_annual_report_summary_1500643100.pdf.

development of effective supervision system of the non-discrimination policy, short film series depicting the unjustified different treatment on the base of gender, ethnicity, disability, race, religious belief, sexual orientation and age were created.

20. In 2012–2013, Latvia implemented the project “*Combating discrimination based on sexual orientation and gender identity*.” The Association of lesbians, gays, bisexuals, transgender persons (‘LGBT’) and their friends “Mozaika” drafted “*Development of equal and respectful society 2015–2017*”, and submitted the draft to the CoM. Subsequently, over 20 activities regarding the LGBT and human rights issues were carried out, including revision of the laws, various seminars and discussions. In 2015, EuroPride took place in Riga with 50 different events.

21. In 2014–2015, the SIF implemented the project “*Different people, different experiences, one Latvia II*”, raising public awareness on the elimination of discrimination and ensuring equal opportunities in private and public sector. Public officials were educated on diversity issues; business leaders were informed about the diversity policies in personnel management, the information campaign in social networks presented a video on the fight against discrimination.

22. In addition, a project “*Diversity promotion (prevention of discrimination)*” was launched in 2016 with the support of social funds (‘the ESF’) of the European Union (‘the EU’). “*Inclusive employment guidelines 2015–2020*” and “*National family policy guidelines 2011–2017*” were developed to prevent discrimination and promote social integration. The key objectives of both sets of guidelines is the development of inclusive and balanced labour market, creation of employment-promoting environment, and addressing the issues of labour market segregation; lack of balanced representation of women and men in different sectors of the labour market that affects the gender pay gap.

23. “*National identity, civic society and integration policy guidelines 2012–2018*” of 2011, aim to promote the inclusion of socially excluded groups and prevent discrimination. Since 2012, a range of educational activities were organized: training seminars for the employees of national authorities, employers, journalists and other professionals; educational activities regarding third-country nationals and their integration and projects of NGOs were supported.

Status of non-citizens and their economic, social and cultural rights (paras 11 and 37)

Number of non-citizens in Latvia

24. Since 2008, a major success has been achieved in the reduction of the number of non-citizens. At the time of the Initial Report, the number of non-citizens was approximately 20% of Latvia’s population, in 2011 – 14.3% and by the end of 2017 – 11.07% (Table 8 in Annex 1).

25. In 2013, amendments to the *Citizenship Law* improved the naturalization procedure, facilitated the registration of children of non-citizens and stateless persons: currently, a child is recognised a citizen of Latvia upon the registration of birth if one of the parents has expressed a wish for the child to have Latvian citizenship. A child under the age of 15 can be granted Latvian citizenship upon a request of one of the parents (previously – upon a request of both parents). Persons 15–18 years of age may be registered as citizens of Latvia upon their own request. Further, the 2013 amendments simplified the requirements for obtaining a permanent residence permit for the naturalization applicants and clarified the exemptions from the language test – individuals who acquire the primary education in Latvian by learning more than half of the primary education programme in Latvian are exempted from all naturalization examinations.

Rights of non-citizens

26. Social and economic rights of Latvian non-citizens and citizens are similar. Under Article 3 of the *Law on Social Services and Social Assistance* and Article 4 of the *Law on State Social Allowances*, both citizens and non-citizens enjoy equal social benefits. Pursuant to Article 3 of the *Education Law*, non-citizens have the right to receive education equivalent to citizens, right to establish companies and freedom to choose employment in

the private sector, freedom to enjoy cultural rights and, according to Article 17 of the *Medical Treatment Law* – until 1 January 2018, to receive the same medical and therapeutic help as citizens. Since 1 January 2018, this right is governed by the *Health Care Financing Law*, which stipulates equal State-paid medical assistance minimum to citizens and non-citizens. However, the right of non-citizens to freely choose employment stipulated in Article 6 of the Covenant and Article 106 of the *Constitution of the Republic of Latvia* is restricted by Article 7 of the *State Civil Service Law* that requires Latvian citizenship for the posts of civil servants and State officials, and other laws that contain citizenship requirement for the employment in law-enforcement institutions, where the State authority is exercised.

The use of the official language in communication with the State and municipal authorities (paras 12 and 38)

27. In 2012, in a referendum citizens rejected the proposal to amend the Constitution and to introduce two State languages in Latvia. The Russian language is a foreign language in Latvia, and its individual official use may be permitted in specific cases following the principle of good governance and human rights.

28. The CC has stated that the need to protect the State language and strengthen its use is directly related to the democratic system of Latvia. Article 4 of the *Constitution* establishes that Latvian is the State language of Latvia thus granting it constitutional status. Latvia is the only place in the world where the existence and development of the Latvian language and the nation of Latvians can be guaranteed, therefore diminishing use of Latvian as the State language is to be considered a threat to the democratic system of the country. The CC acknowledged that the constitutional status of Latvian creates rights and obligations for the inhabitants of Latvia to use Latvian both in verbal and written communication. The obligation to use Latvian in the communication with national authorities is an expression of the nature of Latvia as a State, a tool for citizens to understand each other and participate in the democratic process.

29. According to Article 11 of the *Criminal Procedure Law*, every individual involved in criminal proceedings, who does not know Latvian, has the right to use a language he/she understands with the assistance of an interpreter free of charge. According to Article 110 of the *Administrative Procedure Law*, a court ensures the right of a participant in administrative proceedings who does not know the State language, to become acquainted with the materials of the case and to participate in procedural actions with the assistance of an interpreter. According to Article 12 of the *Civil Procedure Law*, the participants in the case who receive the State ensured legal aid or are released from the payment of court expenses, have the right to become acquainted with materials of the case and to participate in procedural actions with the assistance of an interpreter, if they do not understand the language of the court proceedings. In civil proceedings, persons who does not receive the State ensured legal aid and are not exempted from the payment of court costs, have to cover the translation service costs by themselves.

State language in education

30. Until 2016, 103 educational institutions implementing minority education programmes (including 94 schools with programmes in Russian and bilingually, 4 in Polish and bilingually, 1 in Ukrainian and bilingually, 1 in Belarusian and bilingually, 2 in Jewish, 1 in Latvian and Lithuanian, and 1 in Latvian and Estonian) and 60 two-stream schools (with programmes in Latvian and minority languages) received State funding.

31. Latvia has the second highest multilingualism rate in the EU. Since one of the tasks referred to in the “*Education development guidelines 2014–2020*” is to improve the multilingual development of personality through learning foreign languages, promoting the learning of the mother tongue and the State language, as of September 2019, a gradual transition to teaching in Latvian-only will begin at secondary school level. The amendments to the *Education Law* state: in 1st–6th grade, the learning of the educational content in minority education programmes in the State language is ensured in amount no less than 50%, but in 7th–9th grade – no less than 80% of the total teaching hours in the academic year, including foreign languages. Starting from school year 2021/2022, the students of

10th–12th grade will learn all subjects, except foreign languages, in the State language. Minority students will still have the possibility to learn subjects related to the minority language, literature, culture and history in their mother tongue.

32. This obligation applies to the State, municipal and private educational institutions. Private educational institutions can maintain education programmes for ethnic minorities. Ensuring a gradual transition to teaching in the State language in the secondary school stage, Latvia will comply with its international commitments regarding the minority education including through ensuring the funding for educational institutions that implement minority education programmes.

Article 3

Gender equality *de facto* (para 13)

33. The gender equality policy in Latvia is described in paras. 76–97 of the Initial Report and paras. 226–232 of the Core Document. The MoW supervises the implementation of gender equality in practice. Latvia uses the gender mainstreaming approach; namely, the impact of the law, policy, and various measures is assessed in all operational areas and levels towards both genders.

34. The situation of women in Latvia in the global and European context is favourable. The World Economic Forum has established the Global Gender Gap Index, which measures the equality between women and men in economics, politics, education, and health care. Among 135 countries, Latvia has never ranked below 20th place (2017).⁴ The annual “*Gender Equity Index*” measurement conducted by “Social Watch” assesses the gap in equality in education, economics and policy. Latvia among 154 countries ranks in the top 20 (18th place in 2012).⁵ The UN Gender Inequality Index measures the national reproductive health system, decision-making and labour market from the point of view of gender equality. In 2016 Latvia ranked 44th among 187 countries.⁶

35. Since 2009, the Organisation for Economic Co-operation and Development calculates the Social Institutions and Gender Index, based on 14 indicators in 160 countries. According to this index, Latvia ranks among the countries with low discrimination level.⁷ Latvia ensures equal rights of both genders with respect to family rights, access to resources, civil liberties; both have equal opportunities to be owners, and to decide on their assets and resources, women have reproductive autonomy; the country does not practice female genital mutilation.

36. In absolute numbers, women in Latvia earn approximately 15.3% less compared to men; however, differences in salary cannot be explained with discrimination because there are different reasons why women earn less. The majority of women work in sectors with low average wage: accommodation, catering and household service, etc. The exception is financial and insurance industry, where the average wage is the highest in the country and 65.6% of the workforce are women, but the difference is the biggest at 37.4%. In the public administration, where the number of employees of both genders is similar, 54.8% of all employed are women but their wages are 1.9% lower. In construction, where only 13.8% of the employees are women, women receive higher wages than men do (by 1.5%); in transport sector, where 26.3% of employees are women, their wages are by 1.2% higher. Such a paradox in the pay gap in other sectors can be explained only by making a more detailed analysis of professions, in which the representatives of both genders work, by comparing job duties, responsibility level, work experience etc. (Chart 1 and Table 1 in Annex 1).

37. Latvia has achieved positive indicators in women’s involvement in decision-making, particularly in the economic field. According to data, women own 1/3 of all Latvian

⁴ http://www3.weforum.org/docs/WEF_GenderGap_Report_2011.pdf.

⁵ <http://www.socialwatch.org/node/14367>.

⁶ <http://hdr.undp.org/en/indicators/67106>.

⁷ <http://www.genderindex.org/ranking/>.

enterprises: in 2014 – 33.01%; in 2015 – 32.9%. Mainly women run micro and small enterprises. The data show that women act in the management boards of 25% of companies with the annual turnover over 7 million, but the number of women in the management of the companies listed on stock exchange has slightly dropped compared to 2014 (31%) to 28.5% ranking Latvia 7th among the EU Member States. In public administration, the MoI and subordinated institutions show male prevalence both in the number of employees and in the persons taking leading posts (Table 2–9 in Annex 2).

38. The proportion of women-scientists in Latvia is still the highest in Europe: in 2013 – 52%, which is significantly higher than the EU average (33%). In 2016, there were 6,810 individuals working as scientific personnel, including 3,566 women (Table 10 in Annex 2). In 2016, the total number of the scientific personnel was 7,400, of which 3,861 women.

Measures to implement gender equality (para 39)

39. To find ways to improve the mechanisms for gender policy coordination and implementation of the principles of non-discrimination and equality in a situation of centralized and limited human and financial resources, in 2008–2010, the MoW organised regular meetings with NGOs to discuss topical gender equality issues and create new initiatives. In 2010, the Minister of Welfare established the Gender Equality Committee. The main task of this committee is to propose priorities and action lines to implement gender-equality policies and monitor the introduction of gender equality principles.

40. Various policy-planning documents to implement the gender equality were drafted and submitted to the Government: “*Programme for Implementing Gender Equality 2005–2006*”; “*Programme for Implementing Gender Equality 2007–2010*”; “*Plan for Implementing Gender Equality 2012–2014*” setting action lines in several areas: economic independence and equal opportunities in the labour market; opportunities to balance work and family life; improve health indicators; reduce gender-based violence etc. In 2008–2010, activities were organized to reduce domestic violence and improve the knowledge of public officials on gender equality issues. In 2012–2014, special attention was paid to the education sector and the promotion of economic independence and equal opportunities of both genders in the labour market. To determine further measures for the implementation of gender equality policy, on 4 July 2018, the CoM approved the “*Plan for safeguarding women’s and men’s equal opportunities and rights 2018–2020*”.

41. In 2013–2014, in cooperation with MoW and MoE and organisations “*Employers’ Confederation of Latvia*”, “*Centre MARTA*” and “*Lidere*”, the SIF implemented “*Gender equality in economic decision-making: a tool for economic competitiveness and promotion of equality*” to strike a balance in gender representation in economic decision-making in Latvia. The authorities conducted a research on the balance of women and men in the largest Latvian companies; introduced an award for the company with the highest gender equality and the most successful company manager-woman; drafted guidelines to ensure equal opportunities for women and men in companies. They organized an exchange programme to offer experience for students and teachers of business programmes from the Riga Technical University and the Stockholm School of Economics in Riga at the University Bradford; created a documentary short-film and organized a discussion “*Women&men.lv*” with the participation of well-known artists, theologians, media experts, NGOs, entrepreneurs and gender-equality experts, and launched a photo exhibition “*LEADERS. INSPIRATION. OPTIONS*.”⁸ (Chart 2 and Table 11 in Annex 2).

42. In 2016–2017, discrimination issues were included in labour law seminars offered by the Latvian Judicial Training Centre: (1) Discrimination at work on grounds of gender; (2) Discrimination at work; Discrimination of persons with disabilities. In 2015, seminars on gender equality and discrimination were organised for judges.

43. In 2008, the micro-credit program was launched allowing women in rural areas and small towns to start their own business. The micro-credit could be used for small investments and liquid assets. The funding allocated for the Micro-credit Programme exceeded 60,000 euros. The ESF co-financing was used to implement Mentoring

⁸ http://www.sif.gov.lv/images/files/SIF/progress-lidzt/Petijums_ENG_internets.pdf.

Programmes. In 2009, 15 projects were implemented, with 240 mentors (76.7% women, 23.3% men), 284 mentees (70.8% women, 29.2% men).

Article 4 and 5

44. Compared to the information provided in the Initial Report, there are no changes in relation to the interpretation and restrictions of the rights ensured by the Covenant.

Article 6

Unemployment rate (14, 15 and 40)

Right to work

45. Compared to the Initial Report (paras. 102–104), there are no fundamental changes in the information provided on the implementation of Article 6 of the Covenant.

46. The social partners have given their consent to the amendments to the *Labour Law* introducing a number of improvements, including stipulating that a less favourable treatment on grounds of granting a pregnancy, maternity or paternity leave is a direct discrimination on grounds of gender. The general time limit for employees to bring claims was extended from 1 month to 3. Similarly, Article 108 of the *Labour Law* regarding the right to continue employment in case of a reduction in the number of employees, and Article 151 on supplementary leave, were clarified. The *Labour Law* also obliges the employers to pay all unpaid wages to the employees not entitled to stay in Latvia. Amendments to Article 149 stipulate that if the employment contract is terminated, the employer must pay the remuneration to the employee for the whole period the employee has not used the annual paid leave. Article 151 further requires the annual paid supplementary leave to be transferred or extended in case of temporary incapacity of an employee. Article 156 allows the employee returning from parental leave to return to work by notifying the employer at least 2 weeks in advance, if objective grounds for further parental care no longer exist.

47. The balancing of work and family life is addressed in several policy documents: “*Programme for ensuring gender equality 2005–2006*” and subsequently 2007–2010, “*Plan for implementing gender equality 2012–2014*”. Various measures were implemented following the “*National family guidelines 2011–2017*”: educational events, opportunities for improving child day-care and implementation of flexible working time were among the main action lines in all policy planning documents to promote the harmonization of work and family life.

48. One of the fundamental principles of the “*Inclusive employment guidelines 2015–2020*” is the promotion of equality. It requires the promotion of equal opportunities for all persons in the labour market regardless of age, gender or disability, and the enhancement of employment opportunities to the least represented groups. The most significant problems in providing equal opportunities to both genders are horizontal and vertical gender segregation in different sectors and occupations, the pay gap affecting financial security of individuals after retirement, difficulties to balance family and work life, etc.

49. Since 2016, the State Employment Agency (‘the SEA’) implements the ESF co-financed project “*Integration of refugees and persons with alternative status in the labour market of Latvia*”. In 2016–2017, 18 lectures “*Labour market in Latvia*” were given to 160 asylum seekers. In 2016–2018, the SEA registered 131 persons with refugee or alternative status. Under the individual approach, the SEA carries out customer profiling, establishes individual job search plans, gives career advice, assistance in the search of a job, offers relevant vacancies and training activities, and organizes visits to potential employers. The SEA website offers an e-brochure “*First steps to employment*”.⁹

⁹ <https://begluintegracija.nva.gov.lv/en/>.

Unemployment rate

50. The employment rate annually rises. The main reason for the employment fluctuations since 2008 was the economic crisis, causing a substantial increase of unemployment; however, the stabilization of the economic situation in 2011 and 2012 resulted in continuous rise of the number of employed individuals (Chart 1 in Annex 3). By the end of 2017, the SEA records showed 63,121 unemployed individuals. The economic activity in the regions differs substantially; majority of vacancies are concentrated in Riga and closest regions, while the number of vacancies in other regions is lower. The highest percentage of unemployed individuals is in Latgale, the lowest – in Vidzeme (Chart 2 in Annex 3). Since 2013, the regional mobility assistance is provided to improve the opportunities of unemployed persons to find a job outside their administrative area.

51. The proportion of women in the total number of registered unemployed persons is higher; however, the number of unemployed men increases during winter-season, due to employment in seasonal work. The lowest level of unemployment is among individuals with the higher education, the highest – among those with vocational education. The largest unemployed group are individuals 50 or older, and persons with disabilities. This group has the most difficulties in returning to the labour market (Table 1 in Annex 3).

Measures to reduce unemployment

52. To receive support in case of unemployment, individuals need to register at the SEA and obtain the status ‘unemployed person’. To implement policy measures of an active labour market, Latvia attracts ESF funding (Operational programme “*Growth and employment*”) and the funds from the special budget of the State. Registered unemployed persons are offered support in job search, career advice, participation in short lectures and workshops to improve basic skills, involvement in the vocational and informal education programmes (languages, IT skills), involvement in special programmes to provide targeted support to solve unemployment issues (e.g. the Youth Guarantee Programme), etc. Involving persons with disabilities and other target groups in employment is carried out within the subsidized employment measures of the “*Growth and employment*”.

53. In 2013, the World Bank carried out a study “*Latvia: who is unemployed, economically inactive or needy? An Assessment of Post-Crisis Policy Options*”, concluding that even during economic and financial crisis training measures for the unemployed had positive effects on the ability to find a job. The SEA data indicate that the rate of individuals starting work immediately after completing training programmes over the last 5 years has grown – in 2017, an average of 40% (among those aged 15–29 – 50%) of all participants of vocational programmes returned to work within 6 months after completion of the participation in the programme. (In 2010/2011 – 34%; in 2012/2013 – 35.7%; in 2015/2016 – 40%). For educational activities of non-formal character in 2017, the indicator was 32–42%.

54. Currently, the “*Implementation Plan for Adult Education Management Model 2016–2020*” is implemented. The Adult Education Management Council was established, which now coordinates training of the unemployed. The support to train unemployed persons is provided within a specific objective of the Operational programme “*Growth and employment*” and the SEA project “*Support to the unemployed education 2015–2023*”, improving skills of the unemployed and contributing to their cohesion and adaptation to labour market needs. By the end of the programme, it is planned to involve 80,640 registered unemployed persons including 27,513 persons 50 and older. 23,224 individuals will receive qualifications and 21,773 individuals will find a job within 6 months after completion of the programme. The youth programme of “*Growth and employment*” is expected to attract 28,700 young people aged 15–29.

55. To improve the competitiveness of individuals of working age, in cooperation with the SEA, every year the MoW and the MoES implement a number of programmes, e.g. the “*Youth Guarantee*”, “*Support for the education of the unemployed*”, with notable results. The ESF helps implement all of these programmes. The overall unemployment rate in the country has decreased by 0.7% compared to the previous year (see Chart 1, 2 and 3 in Annex 3).

56. Organising the programme “*Growth and development*” and other events improving employment opportunities, acquiring and developing skills required for the labour market throughout life is essential for competitiveness. In 2016, almost half of the adult population (47.5%) aged 25–64 participated in formal and/or informal education, and 36.7% of them in relation to work. In 2016, the involvement in learning rose significantly: by 15.2% (Chart 4 in Annex 3).

57. Support for the training of employees continues in the current ESF planning period. In cooperation with the industrial sector, accommodation and hospitality sector associations and others, the MoE organises training programmes for different groups of employees. With the help of technological and non-technological training programmes, the employees of various enterprises and self-employed can develop skills necessary for the labour market.

58. During the socio-economic crisis, the SEA offered the employed residents subject to the risk of unemployment (from the age of 25) an option to participate in the lifelong learning activities to maintain their competitiveness in the labour market. Individuals used training coupons, and could choose the educational institutions (Table 2 in Annex 3).

Illegally employed persons

59. Making the mechanisms for the control of the unregistered employment more effective, reducing the unfair competition, reviewing the fine policy with regard to the unregistered employment, and informing public of the negative consequences of the unregistered employment are the priorities of the State Labour Inspectorate (‘the SLI’). The SLI conducts annual surveys to reduce unregistered employment in enterprises with high risk of unregistered employment, considering the business development trends, examining companies and sectors with the possibility of increased risk of unregistered employment in the economic activity. By the end of 2016, the majority of cases of illegal employment were detected in the construction sector; however, compared to 2012, the number of illegally employed persons in this industry has dropped by more than 50%. The total number of illegally employed persons has dropped by 55.38% since 2012 (Table 3 in Annex 3). In 2017, the electronic time sheets and registration of employed in construction sites was introduced.

60. Amendments to the legislation introduced stricter rules for concluding employment agreements; the amendments revised fine policies, providing more severe penalties if the employer does not register employees with the SRS. In 2010–2013, the possibilities to inform the public authorities on alleged violations were extended, promoting the participation of individuals. The illegal employment is also reduced by the SLA’s active participation in the Council for Prevention of the Shadow Economy and supporting of the “*Public Authorities Work Plan to Limit the Shadow Economy in 2016–2020*”.

61. In 2013, the CoM approved the “*Business environment improvement plan 2013–2014*” to promote an attractive business environment, ensure transparency, simplicity and avoid duplication, establish compliance with such legal provisions that do not hinder the development of businesses in different cycles.

Employment and rights of persons with disabilities (paras 16, 41 and 61)

Convention on the Rights of Persons with Disabilities and its Optional Protocol

62. On 18 July 2008, Latvia signed the UN Convention on the Rights of Persons with Disabilities. The Convention entered into force for Latvia on 31 March 2010. On 22 January 2010, Latvia signed the Optional Protocol to the Convention, which entered into force for Latvia on 31 August 2010.

Employment of persons with disabilities

63. To ensure that persons with disabilities exercise all human rights fully and equally with others, the CoM prepared “*Guidelines for implementation of the UN Convention on the Rights of Persons with Disabilities 2014–2020*” establishing 4 action lines: education, employment, social protection and public awareness focused on gradual implementation of the Convention.

64. One of the objectives of the programme “*Growth and employment*” is to increase the inclusion of the disadvantaged unemployed persons into the labour market. Unemployed persons with disabilities, who participate in the SEA training activities, can use the assistance of ergo-therapists and sign language interpreters during the training; the training location can be adapted to the needs of the person concerned. To promote the inclusion of persons with disabilities in society and finding of suitable jobs, the motivation program and social mentor services for long-term unemployed with disabilities was created.

65. The SEA works closely with the NGOs representing interests of the persons with disabilities. Within the ESF project “*Subsidised jobs for the unemployed*”, the SEA concluded a contract with the Latvian Umbrella organisation SUSTENTO for persons with disabilities to consult the employers on employment of persons with disabilities. Following the guidelines, unemployed persons with disabilities can apply for jobs in several municipalities (Table 4 in Annex 3). The subsidized employment measures have resulted in one of the highest job placement rates – 75–85%. In 2017, the SEA organised open-door days for persons with disabilities providing informative support to employers regarding employment of persons with disabilities. The SEA website presents examples of good practices in the employment of persons with disabilities in subsidized working. The examples were published in the new e-catalogue “*Working environment appropriate for persons with disabilities*”.

66. In the framework of the subsidized workplaces, the wage of a person with disabilities is also subsidized depending on the wage paid to the person with disabilities; however, it cannot exceed the maximum amount determined, one-and-a-half minimum monthly wages, or the national minimum monthly wage if the person is employed in low-qualified jobs. If the unemployed person with disabilities is employed part-time, the grant is reduced proportionately. Furthermore, persons with disabilities may receive grant to the supervisor (50% of the minimum monthly wage); subsidy to the compulsory State social insurance (‘SSI’) contributions (‘CSSIC’) (share of the grant awarded to the unemployed with disabilities); single grant for health tests; making and purchase of equipment, facilities and technical support.

67. Since 2016, the subsidized employment measures offer support services for unemployed persons with mental disabilities – the support person participates in negotiations with the employee, offers support in learning and performance of the tasks given by the employer.

Article 7

Elimination of sexual harassment in the workplace (paras 17 and 43)

68. In 2014, amendments to Article 159 “*Rape*” and Article 160 “*Sexual Violence*” of the *Criminal Law* entered into force stipulating that rape and sexual violence is committed not only in cases when violence or threat is used, but also by using trust, authority or other influence over the victim. These amendments cover sexual harassment and violence in workplaces.

69. In 2018, the *Criminal Law* was amended with Article 1321 “*Stalking*”. This Article establishes criminal liability for a repeated or continued following, surveillance, threatening of another person or unwanted communication with this person, if he/she had a reason to fear for safety or safety of his/her family. In the context of this Article, the security includes sexual inviolability. Article 132¹ of the *Criminal Law* is applicable to cases of sexual harassment in the workplace, which could not be classified as rape or sexual abuse within the meaning of Article 159 or 160 of the *Criminal Law*. Only general statistics on the number of civil cases regarding claims for reinstatement, wage recovery and other labour disputes are available, without isolating sexual harassment cases (Table 1 and 2 in Annex 4). However, the policy-planning document “*Plan for promotion of equal rights and opportunities of women and men 2018–2020*” includes measures allowing in-depth assessment of the situation and proposals for actions to prevent violence and sexual harassment in the workplace.

70. Since 2015, victims of physical, sexual, economic or emotional violence, or physical or sexual threats or violent control, can receive State funded social rehabilitation services. Services are provided as a rehabilitation course that continues up to 30 days in a social rehabilitation institution (with accommodation) or up to 10 45-minute consultations with a psychologist, social worker and lawyer at the place of residence. With the help of association “Skalbes”, the Legal Aid Administration provides informative support to victims of crime via dedicated phone-line. Victims of crime, including victims of violence, have the possibility to receive emotional and psychological support, information on the procedural rights and measures of support.

Protection of safety at workplace and prevention of occupational accidents (paras 18 and 42)

71. In 2015–2016, most accidents happened in manufacturing (30% of all occupational accidents), in transport and storage industry (23%) and in wholesale and retail (13%). The statistics show that the most common victims of occupational accidents are men, because more men are employed in occupations related to physical work, e.g. metal construction. The SLI data shows that each year the majority of accidents are caused by recklessness. Moreover, usually victims are employees with experience in the speciality of less than 1 year (aged between 45–54 years) (Charts 1, 2, 3 and 4 and Table 3 in Annex 4).

Preventive and educational measures

72. Several policy documents regarding labour safety have been developed: Guidelines 2008–2013, Development plan 2011–2013, and others. In 2015, a new policy planning document “*Labour safety development guidelines 2016–2020*” and the action plan “*Labour safety development plan 2016–2018*” were drafted to create quality workplaces and safe working environment for a lengthy work life, economic prosperity of the company and welfare of the society. The aim of the “*Labour safety development guidelines 2018–2013*” was to reduce the number of lethal occupational accidents per 100,000 employees by 30%. Due to the effective measures, this result was exceeded, reducing the number of lethal accidents by 40.3%. However, the number of accidents remains high; particularly the number of serious and lethal accidents, therefore a new performance indicator regarding accident reduction was included in the “*Labour safety development guidelines 2016–2020*” – reduction of the total number of victims of serious and lethal occupational accidents by 10% per 100,000 employees (compared to 2013).

73. A number of regulatory enactments governing the labour safety were adopted: the “*Labour safety Requirements in Workplaces*”, “*Procedures for Mandatory Health Examinations*”, “*Training in Labour Safety*”, and regulations regarding specific risks and the labour safety requirements for specific sectors (construction, agriculture). Summary of the case law of the Supreme Court relating to individual labour disputes and a summary of “*Judicial practice in the matters of labour safety law violations*” was prepared. These summaries include conclusions used to establish facts and apply laws governing labour safety in 2012–2017.

74. Additionally, to protect young people, pregnant women and nursing mothers from specific risk factors at work, educational and informative events for target groups are organized. In 2016/2017, the campaign “*Safe and healthy work at any age*” of the European Agency for Safety and Health at Work. This campaign included the good-practice competition award “*Golden Helmet*”. Free Trade Union Confederation of Latvia, the Employers’ Confederation of Latvia, and the Institute for Occupational Safety and Environmental Health (‘the IOSEH’) were involved in the events. With the support of the EU structural funds, social partners organized a competition on labour law and labour safety issues “*Profs*” for students of vocational schools, and created a computer game on the identification of occupational risks and labour safety issues.

75. Further, the SLI annually hosts a number of activities, where employers, employees, trustees, labour safety specialists and public are informed on occupation-related health and safety issues. The SLI maintains the homepage of national contact point of the European Agency for Safety and Health at Work www.osha.lv and the homepage www.stradavesels.lv. The SLI actively uses social networks *Twitter* and *YouTube* providing

access to presentations of workshops and conferences. To raise public awareness, every year the IOSEH issues informative materials, videos and organizes campaigns and seminars in Riga and regions of Latvia.

Violations of applicable law

76. In 2016, SLI conducted 4 thematic inspections. In total, 623 (104% of the planned) companies were examined to assess their compliance with the regulations governing labour safety, paying particular attention to companies where occupational accidents have occurred before.

77. In accordance with Article 41⁴ of the Administrative Violations Code ('the AVC') and Article 5 of the State Labour Inspectorate Law, the officials of the SLI have the right to impose administrative fines for violations of the labour safety regulations (see Chart 5 in Annex 4). Violations of regulations governing the labour law comprise 29% of all infringements detected by the SLI officials in 2016. Furthermore, 97% of the identified breaches are violations of the *Labour Law* (81%) and the *CoM "Regulations on Registration of Persons Making Mandatory SSI Contributions and Reports on Mandatory SSI Contributions and Personal Income Tax"* (16%) (Chart 6 in Annex 4).

The International Labour Organisation ('the ILO') Convention concerning the Prevention of Major Industrial Accidents

78. Latvia has not ratified the *ILO Convention No.174 – the Prevention of Major Industrial Accidents* of 1963. Latvia continues to evaluate the necessity to accede to this Convention.

Article 8

The right to form trade unions and join a trade union

79. The new *Trade Union Law* minimally differs from the legal framework analysed in the Initial Report (paras.185–196). The Law defines trade union as “a voluntary association of persons, established to represent the economic, social and professional rights and interests of employees”; trade unions are completely independent from authorities.

80. Article 4 of the *Trade Union Law* stipulates that everyone has the right to freely and without any discrimination establish a trade union and, subject to the statute of the trade union, join or not to join a trade union. The fact that a person belongs to a trade union or wishes to join or not to join a trade union cannot serve as grounds to limit his/her rights.

81. The registration procedure of a trade union is outlined in the *Trade Union Law*, the *Associations and Foundations Law*, the *Law on the Enterprise Register of the Republic of Latvia*, and the *Law on Entering into Force of the Associations and Foundations Law*, providing that only natural persons can establish a trade union (outside the corporate trade unions – at least 50 persons) but the number of corporate trade union founders cannot be less than 15 persons or 1/4 of the total number of the company employees (more than 5 employees). The founders adopt a decision to establish a trade union, including its name, operational objectives, information about its founders, their rights and obligations, mandate etc. This information, along with the statutes and the consent of the members of the management board or authorised officer must be submitted to the Associations and Foundations Registry.

The rights of trade unions

82. The *Trade Union Law* regulates the rights of trade unions to unite by establishing associations of trade unions, joining international associations of trade unions, etc. An association of trade unions can be established with the participation of no less than 3 trade unions.

83. The *Trade Union Law* and the *Labour Law* stipulate that without a special authorization trade unions have the right to represent and defend economic, social and

professional interests of their members; the right to conduct collective negotiations, receive information and consult with employers' organisations and their associations, conclude collective agreements, apply for strikes and exercise other rights envisaged in laws. The *Labour Law* prohibits dismissal of an employee who is a member of a trade union without the consent of the respective trade union. Trade unions have the right to take part in the drafting of the legislative and policy documents and to provide opinions on such drafts if they affect or may affect economic, social and professional rights of employees. Trade unions can carry out economic activities related to the maintenance and use of their property and other economic activities required to achieve its goals. By 31 August 2017, 215 trade unions, 3 trade union associations, and 85 independent units of trade unions were entered into the Associations and Foundations Registry.

The right to strike

84. The last amendments to the *Strike Law* of 2005 related to the adoption of a decision to declare a strike, declaration of a strike and the employer's application to the court on the recognition a strike as illegal. To simplify the procedure for the adoption of a decision to declare a strike, the number of the trade union members who must participate in the meeting on adoption of such a decision and the required majority was reduced; the time-limit to submit a declaration of a strike before the beginning of a strike was extended (7 to 10 days); also, the time-limit to submit a complaint to the court on recognition a strike as illegal by the employer, was reduced (5 to 4 days).

Article 9

The right to social security (para 45)

85. General information on the right to social security in Latvia is given in the Initial Report (paras. 206–213); Latvia provides social insurance benefits and pensions, State social benefits and social services. If the person has not made the CSSIC or made them insufficiently, in certain situations the State provides a minimum level of protection (State social security benefit), and the person may apply to the municipal social service to assess the person's compliance with the status of the low-income person. If the person and household members have the low-income status, they can receive social assistance from the municipality. The main social assistance benefits are related to the minimum income and support in finding home; however, the municipalities provide assistance in situations of crisis and regarding the availability of health care services (Table 1, Annex 5).

86. The national legislation lists subjects whose social insurance is mandatory (Table 2 in Annex 5).

87. A person can join the voluntary social insurance if he/she at least 15 years old, has a permanent residence in Latvia and is not subject to the compulsory social insurance. Those not receiving old-age pension in accordance with the *Law on State Pensions*, those paying the seasonal farm workers income tax, and professional athletes can voluntarily join the pension insurance. The *Law on the State Social Insurance* ('*SSI Law*') lists persons subject to the State compulsory insurance according to their employment, age, health condition, and the social insurance forms (Table 3 in Annex 5).

88. The CSSIC are not made by self-employed persons with income lower than the minimum wage. These contributions are not made from the royalties, if the person is an employee (Table 4 in Annex 5).

SSI budget

89. The CSSIC and the social insurance services are financed from the special budgets: the special budget for pensions, employment, occupational accidents and disability, maternity and sickness administered in accordance with the *Law on Budget and Financial Management*. The implementation of the SSI special budget 2012–2016 shows annual increase of revenues and expenditure. Revenues have grown by approximately 30%

comparing to the revenues in 2012, while the total expenses have increased by nearly 20% (Table 5 in Annex 5).

Insurance of the employees of micro-enterprises

90. Article 9(5) of the Micro-enterprise Tax Law allows employees of micro-enterprises paying micro-enterprise tax to voluntarily join the SSI by making social insurance contributions once a month from an object of choice, not exceeding the minimum monthly wage fixed by the CoM. Articles 6(1) and 6(5) of the *Law on Aid for the Activities of Start-up Companies* stipulate that a start-up company can apply for fixed contributions for an employee in the amount of 2 minimum monthly wages fixed by the CoM. The employee makes additional mandatory contributions for the State pension insurance or a private voluntary pension scheme through intermediation of the employer. The contributions must be at least 10% of the difference calculated between the employee's gross income (not exceeding the annual maximum amount of the compulsory contribution object) and the chosen fixed payment object.

Solidarity tax

91. In 2016, the *Solidarity Tax Law* was adopted obliging persons that are subject to SSI under the SSI Law, whose income in a taxation period exceeds the maximum amount of the object to which CSSIC can be applied (in 2016 – 48,000 euros; in 2017 – 52,400 euros; in 2018 – 55,000 euros), to pay solidarity tax. The solidarity tax rate meets the CSSIC rate as stipulated in the *SSI Law* (in 2017 the maximum SSI compulsory contribution rate was 34.09%; in 2018 – 35.09%). Since 2018, the solidarity tax is not only transferred to the State budget as before, but also distributed by payments (Table 6 in Annex 5). On 20 October 2017, the judgment of the CC entered into force declaring the linking of the solidarity tax rate to the SSI compulsory contribution rate unconstitutional. Therefore, from 1 January 2019, the procedure in determination of the tax rate will change.

Social insurance benefits and pensions

Unemployment benefit (para 20)

92. A person may obtain the status 'unemployed' if he/she is socially insured against unemployment and applies for the status of an unemployed person. To receive the benefit, the person must have made CSSIC for at least 12 months within the last 16 months.

93. The methods to calculate benefits have not changed (paras. 255–264 of the Initial Report). The unemployment benefit is calculated from the average insurance contribution wage considering the length of service. It is determined proportionally to the insurance period and income, from which the unemployment contributions have been paid: having insurance period between 1–9 years – 50%; between 10–19 years – 55%; between 20–29 years – 60%; having insurance period exceeding 30 years – 65% of the average insurance contribution wage. The unemployment benefit is paid for 9 months. The rates likewise have not changed (for the first 3 months – 100%; between 3–6 months – 75%; during the last 3 months – 50% of the granted benefit). In 2015, the provision determining the maximum amount of the benefit was removed from the *Law on Unemployment Insurance* (Table 7 of Annex 5).

94. According to Article 67 of the *ILO Convention No. 102*, the unemployment benefit should be at least 45% of the wage of a standard beneficiary (man with wife and 2 children). According to Article 65(7), a standard beneficiary is a person employed in the major group of economic activities with the largest number of economically active male employees. Following the results of the survey conducted by the CSB, in Latvia the group concerned consists of individuals employed in manufacture, where the average gross wage in 2017 was 999.33'EUR/month; consequently, the unemployment benefit does not reach the requirements set by the *ILO Convention No. 102* (Table 8 in Annex 5).

Maternity, paternity and parental benefit

95. Maternity benefit is available to mothers, who are gainfully employed, self-employed or spouse of a self-employed, and joined the social insurance voluntarily. The benefit is paid in 2 parts – before and after birth. The first part is paid for 56 or 70 days of the maternity leave. The benefit for 70 calendar days is paid to the expectant mother who has been entered in the medical records before 12th week of pregnancy. The second part – for 56 or 70 days – is paid after the birth of a child. The benefit for 70 days can be received if the mother had health problems during the pregnancy, childbirth or postpartum period and in cases of birth of 2 or more children. Since 2015, the benefit reaches 80% of the average insurance contribution wage paid by the applicant.

96. Paternity benefit is available to fathers of new-born babies (since 2017 one of the adoptive parents of a child under the age of 3) in the form of a paid leave due to the birth of a child, if he works a paid job and is socially insured (10 calendar days). For the leave, the parent is entitled to a benefit of 80% of the average insurance contribution wage. Article 156 of the *Labour Law* entitles the father to use parental leave in connection with birth or adoption of a child. It is granted for a period not exceeding 18 months until the day child becomes 8 years old. The *Labour Law* entitles the fathers to part-time work, breaks to feed the child, right to use temporary absence, annual paid leave in summer or at any other time, the right to use additional leave and unpaid leave. Father who is socially insured on the date the benefit is granted, has the right to receive paternity and parental benefits, whereas if the father is not socially insured, he has the right to receive the State social benefits.

97. A socially insured person, who cares for a child or several children born in a single birth, is entitled to receive the parental benefit if he/she is employed on the date the benefit is granted (an employee or self-employed according to the *SSI Law*). One of the child's parents, an adopter, a member of a foster family, the guardian or another person, who *de facto* brings up the child, following a decision of the Orphans' court, is entitled to receive this benefit. Since 1 October 2014, the parental benefits granted after 30 September 2014, include the opportunity to choose 1 of the 2 periods to receive benefits: until the child reaches 12 months of age (60% of the beneficiary's average insurance contribution wage), or until the child reaches 18 months of age (43.75% of the beneficiary's average insurance contribution wage). The parental benefit can be received while working. If the person applying for the benefit is not on parental leave or is self-employed, he/she is entitled to a benefit of 30% from the benefit depending on the selected period. The period can be selected once and cannot be changed.

Sickness benefit

98. A socially insured person who is an employee or self-employed according to the *SSI Law* and makes social insurance contributions or is the spouse of a self-employed, who has joined the social insurance voluntarily, is entitled to receive the sickness benefit. If the sickness is continuous, the benefit is paid for a maximum of 26 weeks. The period of the sickness benefit may be extended by the competent authority, but not longer than 52 weeks. If a person is suffering from a sickness periodically, the benefit is paid for a maximum of 52 weeks in a 3-year period. Since 2017, the sickness benefit is paid to persons whose inability to work occurred during employment.

99. Sickness benefit for the first 10 days of incapacity is paid by the employer; for the 2nd and 3rd day of sickness – no less than 75% of the employer's average earnings, from 4th to 10th day of sickness – no less than 80% of the average earnings. Starting from the 11th day of sickness, the SSI Agency grants a sickness benefit in amount of 80% of the beneficiary's average contribution wage. Until 31 December 2014, the *Law on Payment of the State Benefits 2009–2012* fixed limitations to sickness benefit: if the calculated amount of the benefit exceeded 16.38 euros/day, the maximum amount of the daily benefit was 16.38 euros and additional 50% of the amount exceeding it.

Pensions

100. Since 1 October 2014, all pensions over 285 EUR (without bonuses) and compensations were indexed considering the *de facto* consumer price index and 25% of the

rates from the growth of the insurance contribution wages. In 2014, the competent institutions applied an index 1.0274. Indexations applied to the beneficiaries of old-age, disability, retirement, survivor's pensions and survivor's allowances, to whom pensions and allowances were granted or recalculated by 30 September 2014. Consequently, the pensions and benefits exceeding this sum were indexed only up to 285 euros. The exceptions were the politically repressed persons, persons with group I disability and persons who have participated in the elimination of the consequences created by the accident at the Chernobyl nuclear plant, to whom pensions and benefits were indexed regardless of the amount. In 2017, during the indexation of pensions, the competent authorities applied the consumer price index and 50% of the rates from the growth of the insurance contribution wages to all pensions for the part of 349 euros to prevent a situation when economic recession could affect the amounts of the pensions. The comparison of the levels of average paid pensions in 2008 and 2017 shows growth (Chart 1 in Annex 5).

Old-age pension

101. A number of conditions for old-age pensions have changed during the reporting period, but the criteria for both genders are the same. In 2014, the amendments to the *Law on the State Pensions* gradually increased the retirement age by 3 months every year. Up to 2025, it is expected to reach the statutory retirement age 65 years. In 2012, the amendments to the *Law on the State pensions* required a minimum insurance period for receiving the old-age pension, stipulating that until the end of 2024 the required insurance period is 15 years, but from 2025 – 20 years. Persons not entitled to the State pension may request the State social security benefit.

Disability pension

102. Disability pension is awarded to socially insured persons residing in Latvia with insurance period of at least 3 years, if they are diagnosed with a disability, except persons whose disability is caused by an occupational accident or disease.

103. If a person has I or II disability group, the amount of the pension depends on the person's average insurance contribution wage, determined for any consecutive 36 months over the last 5 years before the disability pension was granted, the insurance period of the person concerned, and the maximum possible insurance period, which is determined from the age of 15 to the statutory retirement age. A person is awarded the minimum disability pension if subject to disability insurance 5 years before the disability pension was awarded.

104. Persons permanently residing in Latvia; persons who have continuously resided in Latvia for the last 12 months and 60 months in total; persons who have received the decision of the competent authority determining disability if they are at least 18 years old and persons with a personal identification code are entitled to the State social security benefit in case of disability. The benefit is granted for the period of disability. Persons with a temporary residence permit are not eligible to this benefit. The benefit is granted to person not eligible for State pension (except survivor's pension for a person with disability) or insurance payments for occupational accidents and diseases (Table 10 of Annex 5).

State social benefits

105. In addition to the SSI benefit system, in accordance with the *State Social Benefits Law*, Latvia provides support in form of State social benefits (Table 9 and 10 in Annex 5).

State social security benefit

106. Those not entitled to the State pension or insurance allowance for occupational accidents or occupational diseases may receive the State social security benefit, if he/she has a disability, is older than 18, unemployed and has exceeded the statutory retirement age by 5 years (since 2017, if the person has reached the age required for the State old-age pension in accordance with the *Law on the State pensions*), a child who has lost the provider if he/she has not reached majority, has lost one or both providers and has not entered into marriage (Table 10 of Annex 5).

Childcare benefit

107. One of the child's parents, a guardian or another person who in accordance with a decision of the Orphan's court provides for the child and raises him/her until the age of 2 is entitled to childcare benefit. Both, the parents who are not socially insured (are not employees or self-employed) and the parents who are socially insured are entitled to the childcare benefit. Since 1 October 2014, a working parent can simultaneously receive parental benefit and the childcare benefit. If the parent is not socially insured, the benefit is granted from the date of the child's birth unless the maternity benefit, parental benefit or childcare benefit is granted to the other parent in relation to the birth of and care for the same child. If the childcare benefit is granted for twins or more children born in 1 birth, an additional payment is paid for each subsequent child in the same amount (Table 10 of Annex 5).

Social assistance and services

108. The rules for granting social assistance are defined in the *Law on Social Services and Social Assistance*. Social assistance provides material support for the basic needs of low-income families (individuals) and families (individuals) in a crisis. Municipalities are responsible for granting the social assistance, which is provided after an assessment of the material resources and property of the client, envisaging participation of each client individually. The benefits to achieve the guaranteed minimum income level; the apartment benefit; a benefit in crisis and other social assistance benefits to meet the person's basic needs are covered by municipalities (Table 11 and 12 and Chart 2 in Annex 5).

109. The CoM defines the threshold of low-income. In 2012–2016, it was 128.06 euros/month. In 2012, 15.4% employed persons were recognized as low-income, while in 2016 – 10.4%. The main social assistance benefits are the guaranteed minimum income benefit and the apartment benefit. The State also provides the low-income persons with a free legal assistance, and various other costs (registration of civil acts; costs of court proceedings; payments for the naturalisation, citizenship acquisition and registration of the place of residence; fees for the electricity used) are reduced. The rent for a municipality-owned, leased residential space or social apartment is reduced; the municipality grants discount for up to 90%. Low-income persons are exempted from the patient contribution, patient co-payment in case of hospitalization for operations, the expenses related to the purchase of medicinal products or medical devices are covered in full amount.

Treatment and care of mentally ill persons (paras 29 and 54)

110. Latvia implements the following forms of care: home care – services at home to meet the basic needs of those who cannot care for themselves; social care and social rehabilitation in a day-care; the crisis centre; social rehabilitation services. Persons with mental disabilities (both children and adults) can receive State funded long-term social care and social rehabilitation in institutions. Social institutions provide housing, full care and social rehabilitation for persons who are unable to care for themselves due to functional limitations (Table 13 and 14 in Annex 5).

ILO Convention No.102 concerning Minimum Standards of Social Security 1952

111. Latvia has not ratified the *ILO Convention No. 102 concerning Minimum Standards of Social Security 1952*; Latvia continues to evaluate the necessity to accede to this Convention.

Article 10**Prevention of domestic violence (paras 21 and 46)**

112. Since 2008, the *Civil Law* has been amended to improve the application of national regulation in matters relating to the dissolution of marriage (Article 69–77), allowing for the dissolution of marriage by a notary if certain criteria on the agreement of the parties are met. The dissolution of marriage cannot be postponed for conciliation were the reason for

the dissolution is physical, sexual, psychological or economical violence against the spouse who has requested the dissolution of the marriage, his/ her child or the child of both spouses.

113. In 2014, provisions on temporary protection from violence were included in Section 305 of the *Civil Procedure Law*. The victim of violence (or the Orphans' court or public prosecutor if violence is towards a child) can request a court to impose temporary protection from violence: obligation for the defendant to leave the home of the plaintiff, prohibition to return, stay there, to be closer to the plaintiff's home than the distance set in the court decision, to organise meetings or communication of any kind with the plaintiff through intermediaries, to use personal data of the plaintiff, and other prohibitions and obligations the court or judge has determined for the defendant. A short-term, but immediate decision on separation of the violent person may be taken by the police. A framework has been created for the enforcement of such decisions on temporary protection, if the violent person fails to comply with the obligations set by the decision. Temporary protection from violence can be established at any stage of the proceedings, including prior to the submission of the claim before a court.

114. Such an application can be submitted by spouses or former spouses; persons in parent-child relationship; in current or former guardianship or other out-of-family care relationship; persons in kinship or affinity; persons currently or formerly living in one household; persons who have or are expecting a child together, regardless of whether such persons have ever been married or lived together; persons with close personal or intimate relationship.

115. A number of amendments to laws have been adopted in relation to family law matters to implement the temporary protection from domestic violence. However, measures on prevention of violence were not the only novelty during this period; there were changes regarding the issues of paternity, adoption and guardianship.

116. In light of Article 56¹ of the *Medical Treatment Law*, if a medical treatment institution assists a patient and has grounds to consider that a patient has suffered from violence, lack of sufficient care/supervision or other violation of the rights of the child, the medical treatment institution notifies the SP within 12 hours.

117. In 2011, a study was conducted on the adverse experience gained in childhood. To promote recognition of the signs of violence among general practitioners, the Centre for Disease Prevention and Control ('the CDPC') developed "*Recommendations for general practitioners in prevention of child and adolescent injuries*", including recommendations for diagnosing possible violence against children. Additionally, within "*Public Health Guidelines 2014–2020*", the medical practitioners will receive training on issues regarding violence, and the study on the adverse experience connected to violence suffered in childhood by the youth will be repeated.

118. In cases of domestic violence, offenders are prosecuted under *Criminal Law* taking into account the type of the specific criminal offence, consequences and other features. The *Criminal Law* imposes criminal liability for causing serious bodily injuries and moderate bodily injuries (Articles 125 and 126), for causing slight bodily injury without damages to health (Article 130) and torture (Article 1301). Moreover, the *Criminal Law* imposes criminal liability for rape and sexual violence, threats to commit murder, unlawful deprivation of liberty, damage to property and other criminal offences. Violence against a family member or partner aggravates liability.

119. According to Article 62 of the *Law on the Protection of the Rights of the Child*, the MoW drafted the "*National programme to improve the quality of life of the child and family*", promoting public awareness to stop indifference, the importance of family values and emotional nurturing of a child. The competent institutions created informative TV clips, posters, leaflets, outdoor advertising and co-financed various activities and projects.

120. To implement the "*National family policy 2004–2013*", municipalities were financially supported to establish regional centres providing complex assistance in crisis, including temporary residence for mothers with children in crisis. With this support, municipalities in different regions established 26 centres. To reduce the impact of violence on the child's future development, the State ensures social rehabilitation services and

psychologist's consultations at institutions or at home. Since 2015, 554,541 euros from the State budget were allocated to provide further rehabilitation to victims of violence and persons who committed the violence (Tables 1 and 2 in Annex 6).

**Protection of the rights of children living and/or working on the street
(paras 23 and 48)**

121. According to Article 1(14) of the *Law on Protection of the Rights of the Child*, children on the streets are children who have insufficient connection with their family and spend the greater part of their time on the streets or other circumstances inappropriate for the development of a child. According to the SP information, on average, every year approximately 120 children are classified as roaming, however, the highest number detected was in 2014 (Chart 1 in Annex 6). Article 172¹ of the AVC sets a fine of up to 350 euros if an adult involves a minor (up to the age of 16) in begging. If a person within a year repeatedly commits this offence, he/she can be fined up to 700 euros (Chart 2 of Annex 6).

122. According to the *Labour Law*, it is prohibited to employ children in permanent work. A child is a person under 15 years, who continues to acquire primary education until the age of 18. With a written consent from one of the guardians, children from the age of 13 may be employed outside school hours in easy jobs that are not harmful to their safety, health, morals and development. Such employment must not interfere with his/her education. The CoM has determined jobs children may be employed in from the age of 13. Article 37 of the *Labour Law* on the employment of adolescents is applicable to minors up to 15 years, who continue to obtain primary education. It is prohibited to employ adolescents in jobs with increased risk to their safety and health. Permits to engage children in cultural, artistic, advertising and sporting events are issued by the SLI (Chart 3 in Annex 6).

123. The SEA implements the programme “*Employment during summer holidays for persons acquiring education at general, special or vocational schools*”. In 2014, 4,287 people participated in these activities, in 2016 – 4,239. During summer holidays, for a month, students aged 15–20 years were offered to engage in a career support activity allowing them understand work (learn about job interviews, employment agreements, responsibilities and the work relations). Students work at a workplace of their choosing (in the companies registered for the program) that may operate in retail, trade, catering or accommodation. According to the *Labour Law*, students aged 15–18 can work no longer than 7 hours daily and no more than 35 hours weekly. The monthly remuneration for a student for a full working-day must be at least equivalent to the minimum wage. The employer appoints a supervisor for the student and pays taxes for the employed student.

Family reunification of refugees and persons with alternative status

124. Article 3 of the *Asylum Law* stipulates the family reunification principle applied in asylum. Article 54 of the *Asylum Law* stipulates that a refugee or a person with an alternative status has the right to reunite with family members who are abroad. The person with an alternative status has this right, if he/she has resided in Latvia for at least 2 years after obtaining the status. The procedure of family reunification is governed by the CoM “*Regulations Regarding Residence Permits*”.

125. This Regulation provides that family members, who wish to reunite with a refugee or a person with alternative status, must submit the necessary documents to the embassy or consular office of Latvia. After receiving such documents, the Office of Citizenship and Migration Affairs (‘the OCMA’) decides on issuing a residence permit to the family members. The person receives the residence permit after entering Latvia, based on a single-entry visa. A family member of a refugee receives a permanent residence permit, but the family members of a person with alternative status – a temporary residence permit. Since 2007, 14 residence permits have been issued to children of refugees and persons with alternative status (Table 3 in Annex 6).

126. To implement “*Voluntary return and reintegration assistance in Latvia*” created by the Asylum, Migration and Integration Fund (2016–2018), in 2016 the MoI allocated funds to allow asylum seekers to reunite with their families. The funding was 239,696 euros,

which was an advance payment (60% of the total sum awarded for the project) to the representation of the International Organisation for Migration in Latvia.

Para 60

127. Until 31 December 2017, Latvia had not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families.

Additional measures to support families and children

128. To support families and children, the competent authorities organize social rehabilitation for children and adults subjected to violence; promote institutional cooperation to support persons subjected to violence and social rehabilitation for children dependent on psychoactive substances and support measures for children with disabilities, hold information activities as “*Help the child grow!*” and “*Family-friendly Company*”. The voluntary school movement “*Friendly school*” and other activities were organized to facilitate the formation of child-safe and positive school environment, educate professionals and parents to protect the rights of children. Adopters, fosters families, guardians, host families, families with children in crisis and children left without parental care were given the option to receive psychologist consultations (Table 4 of Annex 6). In 2017, the CoM adopted the regulation on discounts to members of large families for subscription or one-ride tickets in regional public transport (25% off for one-ride tickets; 20% off for subscription tickets).

129. Since 2015, the State provides assistance to buy first home for families with children. The assistance is provided and administered by a joint stock company “*Development and finance institution Altum*”, which becomes the guarantee within the meaning of the *Law on Development of Financial Institutions*. Until 2017, more than 7,300 families with 10,500 children aged up to 18, received State assistance for the housing purchase. During this period, the majority of guarantees – 62% were allocated to families with 1 child; 32% – families with 2 children; 6% – for purchase of a housing for families with 3 or more children.

Maintenance Guarantee Fund

130. In 2004, the *Maintenance Guarantee Fund Law* entered into force establishing the Maintenance Guarantee Fund to ensure the rights of children to social security by guaranteeing a minimum amount of child support for children raised by 1 of the parents, because the other parent has refused to comply with a court ruling on recovery of child support. In 2014, the amount of the State child support was increased and set to 71.14 euros for a child up to 7 years and 78.26 euros for a child aged 7–18 years. In 2016, the legal framework was amended setting child support for a child up to 7 years at 25%, but to a child of up to 18 years – 30% of the minimum wage determined by the CoM.

131. In 2017, a new *Law on the Maintenance Guarantee Fund* entered into force. It introduced a number of changes in the process for receiving the State-guaranteed child support (‘child support’) and improved the recovery of the child support paid by the State (Chart 4 in Annex 6). In 2014–2017, the amount of child support paid from the Fund increased: in 2017, the child support in amount of 95 euros was paid every month for a child up to 7 years. For a child aged 7–18, = and 18–21 if he/she continued primary, secondary, vocational or special education in Latvia – 114 euros.

Article 11

Reduction of poverty and social exclusion (paras 24 and 49)

132. During the reporting period, 5 minimum income levels/risks were calculated and established in Latvia – subsistence minimum, guaranteed minimum income (GMI), income of a needy person, income of a low-income person, and the EU poverty risk threshold. At the national level, the minimum income levels/poverty risk thresholds defined in national laws are determined depending on the financial possibilities of the State and municipalities.

There is no procedure for the indexation of these levels. The GMI level, income of a needy person and low-income person qualifies the person for different services and benefits, such as assistance to the needy persons in access to different services (Table 1 in Annex 7).

133. Municipalities may grant social assistance to residents who are unable to meet their basic needs considering their personal/household financial resources. The State provides various types of support to the needy and low-income individuals by reducing or covering the costs of various services (paras.108–109).

Minimum wage for an adequate standard of living (paras 19 and 44)

134. The wage is regulated using the minimum monthly wage, which must be provided to employees for normal working time (40 weekly hours). The minimum monthly wage is a tool to protect low-skilled workers and reduce social inequalities. The CoM *Regulation No. 563* improves the procedure to determine and review the minimum monthly wage. Comparison between the minimum monthly wage ratio and the average monthly gross wage for the previous year calculated by the CSP, shows that the percentage of the minimum monthly wage in the last 3 years gradually drops (Chart 1 and 2 in Annex 7).

Forced eviction and homeless persons (paras 25 and 50)

Forced eviction

135. There is no information on the actual number of persons evicted due to rental debts; however, there is information on the number of enforcement proceedings completed each year in relation to forced eviction. On average, 18.34% of such cases annually are related to forced eviction due to failure to pay rent (Chart 3 in Annex 7).

136. The *Law on Assistance in Solving Apartment Matters* lists persons who can receive assistance in solving apartment matters. Article 13 of the Law list the persons, to whom immediate assistance must be provided, while Article 14 – those, who must be provided with home first, including persons evicted from home. The assistance is provided to persons who are evicted from the rented homes, their apartment because of recovery proceedings for services related to use, maintenance, exploitation and renovation of the building, politically repressed persons, without another residential space. Municipalities can define other categories of persons to whom they provide assistance. To mitigate the risk of eviction, benefit covering costs of rent of residential spaces or fees and charges for services associated with the use of residential spaces is available.

Number of homeless persons

137. Needy people, including those evicted from their homes due to debts, fraud or other reasons, and part of the needy persons who move to cities from other territories without re-declaring the place of residence, may become ‘homeless’. Although it is not possible to say exactly for how much, until 2005 the number of homeless persons, particularly in Riga, was on a rise. In 2004, there were approximately 5,000 homeless persons. The latest available data on the number of homeless persons in Latvia were obtained during the Great Census in 2011. The data indicate a drop in the number of homeless persons – in 2011, there were 2,342 homeless persons in Latvia, which is 53% less than in 2004 in Riga alone (Chart 4 in Annex 7). Shelters offer a number of social services to the homeless: accommodation, nutrition, personal hygiene facilities and goods, and the right to receive support from a social worker (Chart 5 and 6 in Annex 7).

Measures to prevent trafficking in human beings (paras 22 and 47)

138. Article 154² of the *Criminal Law* defines the notion of trafficking in human beings, including the concept “vulnerability”. Amendments to Articles 154¹ and 165¹ of the *Criminal Law* establish criminal liability for offences related to the trafficking in human beings and sexual exploitation. Article 164 of the *Criminal Law* imposes criminal liability for involving a person in prostitution and its use (Table 2 and 3 in Annex 7).

139. The CoM regulations outline the procedure how a foreigner recognised as a victim of trafficking in human beings can receive a residence permit in Latvia. Since 29 October

2014, no person has been recognized by the SP as sent for sexual exploitation; however, the SP has ascertained, detained and declared as suspects persons who were looking for providers of commercial sex in Latvia (Table 4 of Annex 7). In 2011–2016, 9 criminal proceedings were initiated for sexual exploitation, compulsion to provide services or commit a crime using deceit or violence of which 8 criminal proceedings involving an organized group. In 2017, the number of cases handed to the court according to Articles 154¹, 165 and 165¹ of the *Criminal Law* has dropped by 57.8% compared to 2016 (from 45 to 19 persons). In 2017, 7 criminal proceedings were initiated according to Article 154¹ of the *Criminal Law* and 8 criminal proceedings according to Article 165¹ of the *Criminal Law*. (Table 4 in Annex 7).

140. To ensure targeted approach to the prevention of trafficking in human beings, the CoM approved the “*National programme for the prevention of trafficking in human beings 2004–2008*” followed by action plans and programmes. For further implementation of the established policy, in 2014 the CoM developed “*Framework for the prevention of the trafficking in human beings 2014–2020*” to prevent trafficking in human beings, assist the victims and protect their human rights. The framework is in line with the EU Strategy towards the Eradication of Trafficking in Human Beings, the Council of Europe *Convention on Action against Trafficking in Human Beings* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children of the UN Convention against Transnational Organized Crime*. The Framework is based on 4 internationally acknowledged principles for action against trafficking in human beings: 1) preventive actions; 2) protection of victims; 3) criminal investigation, prosecution and trial; 4) co-operation of competent authorities and organisations at national and international level.

141. The public officials are educated on trafficking in human beings and identification of victims, e.g., the OCMA organizes training sessions for its employees on fight against trafficking in human beings and admission of asylum seekers. Educational Guidelines for Identification of Trafficking in Human Beings for exploitation are published on OCMA’s website.

Restriction of prostitution

142. In 2018, the CoM adopted the “*Regulations Regarding Restriction of Prostitution*” outlining procedure to restrict prostitution. Article 174⁴ of the *AVC* imposes fine for the violation of regulations on restriction of prostitution; Article 163 of the *Criminal Law* imposing criminal liability for a repeated violation of provisions on restriction of prostitution within a year, is no longer in force.

143. A draft law “*Prostitution Restriction Law*” has been developed. The aim of the draft law is to restrict and reduce prostitution, risks of trafficking in human beings, to prevent involvement of children and young people in prostitution, risks of violence against persons engaged in prostitution and promote the termination of engagement in the prostitution.

144. Article 165 of the *Criminal Law* defines the concept of living on the avails of prostitution and criminalises it. Amendments in 2014 established stricter liability if this offence was committed by an organized group or against a minor or those under 16. None of the so far investigated cases related to living on the avails of prostitution involved forced prostitution or victims of human trafficking (Chart 7 in Annex 7).

145. Following the “*EU priorities for the fight against serious and organised crime between 2014 and 2017*”, since 2014, Latvia implements the EU Policy Cycle and participates in 9 out of the 12 priorities, where Latvia plans annual activities to combat human trafficking and participates in the annual European common action days to combat (a) labour exploitation; (b) sexual exploitation; (c) exploitation of children.

146. According to Article 6 of the *UN Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others*, Latvia does not register persons engaging in prostitution.

Protection of children

147. Article 166 of the *Criminal Law*, criminalizes violation of requirements for the demonstration of a pornographic performance, provisions regarding the restriction of entertainment of intimate nature or provisions regarding the handling of a material of pornographic nature on a significant scale or if substantial harm has been caused. Visiting or demonstration of such pornographic performance or handling of materials containing child pornography, sexual activities of people with animals, necrophilia or sexual gratification in a violent way is punishable the deprivation of liberty up to 3 years or temporary deprivation of liberty, or community service, or a fine with probation up to 3 years.

148. Since 2015, the SP implements an international project “PLATFORM”, based on the international project combating internet paedophilia. Within project, the international organisation “*Child rescue coalition*” provides information on IP addresses in Latvia of users who participate in circulating of prohibited materials (child sexual abuse materials) in *peer-to-peer* networks. The database established by the “*Child rescue coalition*” contains information on the most active users in Latvia, constantly committing such offences. In cooperation with the Latvian Internet Association and the State Inspectorate for the Protection of Children’s Rights (‘SIPCR’), the SP participates in the Internet safety project “*NET-SAFE*” and examines distribution of materials containing sexual abuse of children in the Latvian Internet.

Article 12**Public health policy and financing of healthcare (para 26 and 51)**

149. The MoH operates to ensure efficient management of the healthcare system, reasonable use of resources for sustainability of the system and equal access to high-quality healthcare services funded by the State. Since 2005, budget of healthcare in absolute numbers has increased significantly, whereas comparing the respective share of the GDP shows that it is almost equal to that in 2005 (Chart 1 and Table 1 in Annex 8).

150. One of the most important policy planning documents in the field of public health is the “*Public Health Framework 2014–2020*”, which strives to increase the number of years lived healthy by the population, prevent premature death, with a special focus on those exposed to social exclusion and poverty risk. In the ESF planning period 2014–2020, national and municipal measures are taken to improve the availability of health promotion and disease prevention services throughout Latvia. Whilst implementing the Framework, the competent authorities organize public information campaigns, health researches and activities to promote healthy nutrition, physical activity, sexual, reproductive and mental health and prevention of use and distribution of addiction-causing substances.

151. With the support of ESF, in 2007–2013 project “*Promotion of skills, competences and understanding of the medical and health-care professionals employed by the General health-care institutions*” of the program “*Human resources and employment*”, the MoH organised training session “*Continuing education of the personnel of institutions involved in the health-care sector and promotion of health-care for its sustainability*”. During this session, the organizers developed a publicly available “*Training of nurses and medical assistants working at the practices of family doctors on issues related to health promotion and public health*”.

152. To reduce the risk of cancer diseases, improve the oncological patient survival, quality of their life and to raise availability of palliative care, the CoM approved the “*Cancer diseases control programme 2009–2015*” and “*Plan for the improvement of health care services in the oncology 2017–2020*”.

153. To improve the quality of healthcare services throughout Latvia, in 2017, the MoH approved the “*Health Care System Quality Improvement and Patient Safety Concept*” and its action plan to strengthen the management of national health care services; training of the personnel of the institutions under the supervision of the MoH; etc.

Reform of the healthcare system

154. The reform of the healthcare system launched in 2017, envisages increase of the State budget funds intended for the health sector to slow down the aging of the population, even out the hospital network system, create equal circumstances to residents of all regions, encourage exchange of experience among doctors, improve the safety and quality of services, introduce information technologies in health care and even out the availability of human resources in the health sector in regions.

155. After the economic crisis, several health care service providers were redirected, the number of hospitals providing 24h medical assistance and care services was fixed. The distinction between the 24h medical emergency assistance and the health care service allowed a more effective use of the State budget. Nursing hospitals treat patients, who do not require daily presence of a physician – patients after surgery or with worsening of chronic diseases, not requiring intensive treatment, but continuous medical supervision. As a result, 40 hospitals provide the State funded health care services. The reform of health care system separates the providers of hospital services in levels; setting requirements to the provider and the quality of the service for each level.

156. Compared to the international results, the number of doctors in Latvia is slightly below the EU average (in Latvia – 32 medical practitioners per 1,000 inhabitants, in EU – 35 per 1,000 residents), but the proportion of nurses in Latvia is by nearly 50% less than in other EU countries (in Latvia – 4.8 per 100,000 residents; in the EU – 8.4 per 100,000). The disproportion of nurses and doctors hinders the full use of the doctor's knowledge and experience, as they must carry out the duties of nurses. To increase the number of nurses, since 2016 the number of study places in nursing specialities funded from the State budget has been increased by 35 places. According to the Latvian Association of Nurses, approximately 250 persons acquire the nurse qualification every year and approximately 60 nurses start to work at hospitals (Table 2, 3 and 4 in Annex 8).

Human resources in regions

157. In 2017, Latvia started to implement the support measures to attract medical practitioners (doctors and nurses) to work in regions outside Riga and thus reduce the shortage of these professionals. In addition, with continuing education support measures, there will be opportunities to increase the qualifications and renew the certificates of medical practitioners, thereby creating possibilities for medical practitioners, not practising in their speciality, to return to the labour market.

158. The proportion of medical practitioners working in regions has risen from 46% (in 2013) to 51% (in 2016). To improve the situation regarding human resources in health care, since 2015, the State-funded residency places are primarily granted to the applicants, who have concluded contracts with a municipal and/or national medical institution outside Riga on commencing work in the respective medical institutions after the residency. In 2016/2017, 43 students out of 230 enrolled to the residency with such an agreement. To enhance the quality of regional medical institutions, after the completion of the State funded residency, new professionals must work 3 additional years at that national/municipal medical institutions and general practices.

159. The issues of human resources are addressed within the ongoing health sector reforms. Following the results of a study carried out by the International Bank for Reconstruction and Development, the MoH drafted a report "*On the health care reform*". It includes measures to ensure the necessary human resources in the health care system, optimal change of generations, attraction of medical practitioners and keeping them in the national healthcare system, an increase of wages and competence of the personnel.

Compulsory health insurance

160. In 2017, in light of the health reform, the Parliament adopted the *Health Care Financing Law* envisaging compulsory state healthcare insurance as of 2019. The health insurance system as provided by the *SSI Law* will be more beneficial to the residents who live and legally work in Latvia and make social insurance contributions for health insurance. As of 2018, all legal employees are subject to automatic insurance (0.5% of contributions

are made by the employee and 0.5% – by the employer), but the State insures all socially vulnerable groups – pensioners, children, persons with group I and II disabilities, the unemployed registered by the SEA, and other persons receiving full set of the State-funded services. 2018 is considered a transitional period during which the previous procedures regarding healthcare services will remain valid. All residents, regardless of insurance status, will receive the State paid medical assistance minimum. Medical assistance minimum includes emergency medical assistance; childbirth assistance; general practitioner services; treatment of diseases, dangerous to public (psychiatric illnesses, infectious diseases, tuberculosis etc.). Persons, who do not make social contributions, will have beneficial conditions to obtain the insurance: in 2018 – 1% of the minimum monthly wage (51.6 euros); in 2019 – 3% of the minimum monthly wage (154.8 euros); in 2020 – 5% of the minimum monthly wage (258 euros). The contributions are paid once a year; after which the person can receive healthcare services.

Prevention of suicides (paras 28 and 53)

161. Between 2012 and 2017, reports show a drop from 21.8 suicides per 100,000 residents in 2012, to 18.2 suicides per 100,000 residents in 2016.

162. The MoH and the CDPC regularly organize campaigns, e.g. “*Do not turn away!*” in 2014 to encourage the public to recognize the signs of mental disorders and not to be afraid to promptly seek assistance. The campaign still has a website¹⁰ with information about mental health issues, including materials on various types of mental disorders, their symptoms and treatment. Teachers were given materials “*Suicide prevention*” and “*Recommendations for psychologists and teachers of educational institutions for work with students who have behavioural and emotional disorders in the school*” to prevent suicide among children and adolescents. In 2016, the authorities developed an informative material “*Suicide risk factors*”, educational films about bullying and its prevention and methodological materials for teachers to work with these films. In the scope of “*Public health guidelines 2014–2020*”, the public mental health will be promoted, particularly, in the groups subjected to the social exclusion and poverty risk.

Measures to reduce the tobacco use and alcohol consumption (paras 27 and 52)

163. The MoH and the CDPC has taken steps to reduce the addictions in society. The MoH and CDPC, using positive examples, try to implement information campaigns, such as “*Free*” in 2014, to inform children and adolescents aged 11–15 about the negative effects of tobacco use. With regard to drug prevalence, the social project “*I know you can do it!*” was organized in 2014 to fight against the use of the new psychoactive substances common among the youth by providing young people with alternative options for spending their free time usefully, especially during summer. In 2015, the campaign “*Avoid a smoker*” was continued; in 2015, the campaign on the problems caused by the alcohol use among children and adolescents “*To be sober!*” was organized to change the public attitude towards alcohol use by minors, and turn the child/adolescent use of alcohol into a behaviour unacceptable in society. In 2016, measures to highlight effects of passive smoking on children and peers were implemented (including broadcasting of the advertising clip “*If you smoke, your child smokes*” on national television, events for parents on adolescent addiction issues). In 2017, the advertising clip “*If you smoke, your child smokes*” continued on Internet television, and radio.

164. In 2016, the new *Law on the Handling of Tobacco Products, Herbal Products for Smoking, Electronic Smoking Devices and Their Liquids* and related regulations entered into force, stipulating that the non-smoker’s right to healthy environment prevails over a smoker’s right to smoke. There is a ban on smoking in the presence of children and pregnant women, in the State and municipal transport and in any public place in the presence of a person, who objects. Since 2014, the *Law on the Protection of the Children’s Rights* equates child’s exposure to tobacco smoke with physical abuse.

¹⁰ <http://www.nenoversies.lv/>.

165. The MoH currently develops the action plan to reduce the consumption of alcoholic drinks and limitation of alcoholism, which includes prevention, treatment and rehabilitation of persons suffering from alcoholism. Simultaneously, the “*Public health guidelines 2014–2020*”, will reduce the spread of substances and processes causing dependency. In 2017, the law was adopted restricting sale of alcoholic drinks in 2-litre plastic bottles.

Sexual and reproductive health and infant mortality

166. The *Sexual and Reproductive Health Law* outlines the basic framework for reproductive and sexual health. The purpose of the Law is to define legal relations within the field of sexual and reproductive health to protect the unborn life and the sexual and reproductive health of every person. Artificial interruption of pregnancy is permitted until the 12th week or 24th week of pregnancy due to medical indications. The doctor has an obligation to inform about the nature of the termination of a pregnancy, the potential medical complications and opportunities to save the child. An abortion to a woman under the age of 16 may only be carried out with a consent from parents or guardians.

167. During the reporting period, informative materials “*Abortion*” and “*Breastfeeding ABC*” were re-published, posters and materials for pregnant women and new mothers “*Breastfeeding – your and your child’s health!*” and new parents “*How to protect your child’s life*” were created and distributed in municipalities, and films “*Girls, boys and puberty*” and “*Relationships and health – my responsibility!*” were made. To follow the topics covered by the films, methodical recommendations for teachers were prepared to help in the learning process. Additionally, municipalities organized seminars and practical sessions on promotion of sexual and reproductive health. On average, the number of artificial abortions per 1,000 women (aged 15–49 years) has dropped (Chart 2 and 3 in Annex 8). The project “*Complex health promotion and disease prevention measures*”, co-financed by the ESF, includes a campaign on sexual and reproductive health and training of teachers.

168. In 2012–2013, additional State-funded health examinations for expectant mothers were introduced, specifying the procedure regarding examining of expectant mothers in the risk group, establishing the principle “money follows the expectant mother” and involving gynaecologists from private practices in the care funded by the State. Currently State provides compensation (25%) for the purchase of prescription medicines to pregnant women and women in postpartum period of up to 42 days. All pregnant women are provided with a voluntary influenza vaccination (with a 50% refund). In 2017, the MoH developed the “*Maternal and Child Health Improvement Plan 2018–2020*” to improve the situation in mother-child health care through prevention of disease and early diagnosis, timely treatment and medical rehabilitation.

169. To promote public interest and disseminate information, the MoH in cooperation with NGOs implemented campaign “*Let yourself to be healthy*” inviting women to pay attention to their health and reminding them of the annual preventive test paid by the State. Women were informed about the significance, course and accessibility of gynaecological and preventive examinations and promotion of reproductive health. 500 members attended this event. In 2009, Latvia launched a programme of early detection of breast, cervical and intestinal malignant tumours. One of the main purposes of the programme is to reduce the mortality caused by cancer. According to the current indicators, breast cancer is one of the most frequent forms of cancer in Latvia, which can be completely treated if early diagnosed.

170. In 2017, the infant mortality rate dropped to 4.2 cases per 1,000 live births. The perinatal mortality rate in 2016, in comparison with 2012, fell from 8.8 to 7.8 cases per 1,000 live births and stillborn.

171. In 2012, the campaign on reduction of injuries of children aged up to 4 years was implemented to raise awareness about child injury causes and risks to prevent sudden infant death syndrome. In 2015, the MoH and CDPC organized the campaign “*HIV does not sort – it concerns you as well!*” to gradually change the attitude of society towards HIV as a “wrong” disease, explaining the issues related to HIV and the importance of the express tests in early diagnosis of the infection. In 2017, during the campaign “*Child safe*”, young

and future parents were informed about the prevention of child injury and supplied with materials to make the home-environment safer.

172. The “*Public Health Guidelines 2014–2020*” aim to reduce the population morbidity with infectious diseases and improve the health of mothers, fathers and children reducing the infant mortality. The sub-objective “*To improve the health of mothers, fathers and children, to reduce the infant mortality*” will be achieved by educating the public on sexual and reproductive health and STI prevention, including the use of contraceptives, by reducing unwanted pregnancies and the number of STI cases. Educating of the public, including young people, on sexual and reproductive health issues is envisaged in the “*Plan for Improvement of Maternal and Child Health 2018–2020*”. The 3rd action line of the “*Public health guidelines 2014–2020*” provides measures to promote sexual and reproductive health in society, particularly in groups subject to social exclusion and poverty risk. It includes educational events for new parents on breastfeeding and the importance of mothers’ milk in preserving the health of a child. Responsible authorities continue to update the information in the portal www.grutnieciba.lv for pregnant women and new mothers and educate medical practitioners in the prevention of congenital anomalies.

Child immunization and vaccination

173. Following the applicable regulations, children are vaccinated against 14 infectious diseases (Table 5 in Annex 8). Vaccination against Rotavirus infection started in 2015 (until then, with a 50% refund from the State budget). Vaccination against influenza for all children aged 6–24 months is fully compensated; for children belonging to certain risk groups (are suffering from chronic diseases) from 24 months to 18 years of age; vaccination of pregnant women, people from 65 years, adults belonging to a health risk group (are suffering from chronic diseases), against influenza is compensated in 50%.

174. Even though the public is informed about the vaccination against influenza, the vaccination rate is low. Before the influenza season 2016–2017, the MoH and the CDPC carried out a number of targeted activities to promote the anti-influenza vaccination, cooperating with the media, general practitioners and other specialists etc. The proportion of vaccinated children aged 6–24 months has risen over the last 5 seasons: from 0.1% in 2012–2013 to 1.1% in 2016–2017 (Table 6 and 7 in Annex 8).

175. The State pays for the vaccination against tick-borne encephalitis for children who reside in endemic areas. Endemic areas are the areas with the highest incidence of tick-borne encephalitis. Territories where free vaccination of children against tick-borne encephalitis is guaranteed are defined by the epidemiological monitoring data over the incidence of tick-borne encephalitis during the last 5 years. Orphans and children without parental care are also vaccinated against tick-borne encephalitis. The general practitioner conducts the vaccination. In childcare institutions and boarding schools, the administration plans and organizes the vaccination. The State covers the adult vaccination against diphtheria and tetanus. Persons are vaccinated against rabies after contact with animals or people who are sick or suspected to be sick with rabies.

176. In 2012, amendments to the relevant CoM regulation were made helping the medical practitioners define complications caused by vaccination. Material for parents “*Information for parents about children’s vaccination*” was developed and published in the CDPC website. An easy-to-read and printable vaccination calendar and brochures on the State-funded vaccination explain the significance of vaccination are distributed to general practitioners’ offices.

177. In 2014, the application “*Vaccination calendar*”, created by the WHO, was translated in Latvian and adapted for the needs in Latvia. The mobile application is intended as a reminder to the parents about the child’s vaccines, and it includes descriptions of vaccines. In 2016–2017, the MoH and the CDPC implemented the anti-diphtheria informative campaign “*Safe because vaccinated!*” which includes informative materials and implementation of educational measures.

Article 13

Quality of education (paras 30 and 55)

178. The primary education (1st–9th grade) in Latvia is compulsory. The general secondary education is not, however, it is free of charge and the learning opportunities are ensured throughout Latvia. Young people who have left school, have the opportunity to acquire the general secondary education in evening (shift) and extramural programmes. Likewise, they have the right to continue their education in day curriculum in primary education and secondary education.

179. The costs for textbooks and other school literature, including electronic publications, are financed from the State budget. Acquisition of other learning means in municipal general education schools is financed from the budget of the municipalities. Parents cover the expenses for individual learning accessories (items for personal use, clothing, etc.). The State budget funds lunches in 1st–4th grade but municipalities occasionally fund lunches for students in 5th–9th grade. The total number of general primary and secondary education institutions and the number of teachers in the country has dropped (Chart 1 and Table 1 in Annex 9).

180. The quality of the general primary education and secondary education is proven by the number of students who graduate from the 12th grade in general education full-time or part-time programmes only with a school-report, since the primary or secondary education is completed successfully by graduating with a certificate. In total, the number of students who graduated with the school-report has significantly fallen (Table 2 and 3 of Annex 9).

181. The content of the general primary and secondary education, regardless of the administrative territory and the founder, is established in uniform national standards. To address the issues of quality of education and its improvement for the needs of the modern labour market at national level, Latvia plans the general education content reform, which will develop the educational content based on the competence learning. A gradual implementation of this content is planned from 2019/2020.

Teachers' wages

182. The State determines the minimum monthly wage for 1 teaching load. In 2011–2016, teachers' workload that corresponds to 1 monthly wage rate was 21 hours weekly. On 1 September 2016, the implementation of the new teachers' pay model was launched creating an effective, modern school network. Currently, 1 monthly wage rate of a teacher corresponds to 30 working hours a week. In 2016/2017, the minimum wage rate for 30 hours was 680 euros (Table 4 in Annex 9). Starting 1 September 2016, the wage rate that is higher by 50% than the lowest monthly wage rate laid down in the Regulation applies. When determining the level of wage, the length of service is not taken into consideration; thus, the new teachers can receive the same pay as the teachers with several years of experience.

School free of aggression, drugs and alcohol (paras 32 and 57)

183. In 2016, the SIPCR conducted 206 inspections on the compliance with children's rights in educational institutions: 52 pre-school educational institutions; 37 boarding schools; 116 general education and special schools; and 1 social correction educational institution "Naukšēni". The inspection results lead to a conclusion that teachers lack knowledge and skills to positively discipline children. Teachers cannot always identify abused children; their knowledge about the competences of national and municipal institutions in ensuring children's rights is insufficient. The results also show that teachers lack skills in addressing conflicts with parents.

184. The safety in schools is governed by the CoM Regulations establishing the competence of the head of the educational institution; describing the steps to take if a student endangers his or her safety, health or life or the safety, health or life of other persons and regulations; regulating the organisation of excursions, hikes, walks, sports competitions and classes, etc.

185. In primary education, issues related to health education are integrated into the educational content. In the general secondary education, the students are provided with optional subject “*Health education*”. The MoH cooperated with the NCE and the MoES and developed methodical material “*Health education in the general secondary and vocational education*” and a single study course determining the content and amount of the health education lessons obligatory in the educational content (in vocational secondary education programmes – 24 lessons, in vocational programmes – 20 lessons). In 2014, the MoH, together with CDPC, established the National Network of Health Promoting Schools and developed training films to promote emotional wellbeing: “*Katrina*” in school environment and “*Robert*” on the Internet. Since 2017, in the ESF project “*Local activities for public health promotion and disease prevention in local governments organized by the CDPC*”, the CDPC implements seminars for employees of educational institutions, parents and social workers about early recognition of addiction, prevention and assistance opportunities (implemented in 24 regions), and educational classes for adolescents (8th–9th grade) on the harmful effects of smoking, alcoholic beverages, drug use.

Vocational education

186. During 2014/2015, the pilot project to implement practice-based learning launched in 2013/2014 was continued; 15 vocational education institutions periodically implemented practice-based learning involving approximately 200 businesses and 500 students in various programmes. After the results of the pilot project, a proposal for the legal framework to implement practice-based learning was developed; continuing the cooperation between the MoE of Germany and the German-Baltic Chamber of Commerce for the development of practice-based learning in Latvia. In January 2017, the ESF project was launched to increase the number of qualified students of vocational education institutions after their participation in the practice-based learning. By the end of 2017, 319 students were involved in practice-based learning in 314 enterprises and 1,508 students in field practices.

187. In 2015, amendments to the *Vocational Education Law* were adopted creating a fundamentally new approach to the vocational education: a practice-based learning, establishing convents of vocational education institutions, strengthening the role of councils in different sectors to promote vocational training that complies with the labour market requirements.

188. In January 2017, an international conference and the Baltic seminar concluded the Erasmus+ project “*National Authorities for Apprenticeships: Implementing Practice Based Learning in Latvia, Lithuania and Estonia*” promoting practice-based learning together with other Baltic partners. Their new project “*New approaches to the preparation of practice supervisors in practice-based learning*” supports the introduction of practice-based learning. By the end of 2017, 70 practice consultants and 6 coaches were involved in the project and drafted a 16-hour professional development programme.

189. Based on the number of students, in 2016/2017, the most popular vocational education program in Latvia was catering. In total, the number of students and teachers in vocational education programmes has dropped over the last 2 years; consequently, the number of graduates from vocational education programmes has dropped, but the number of students expelled from vocational programmes has slightly risen during the previous academic year (Table 5–9 of Annex 9).

190. The reform of vocational education content continues with the support of ESF, ensuring the transition of the subjects-based content to the content of vocational education. Since 2016, the project “*Improvement of sectoral qualification system for provision of growth and quality of vocational education*” is implemented, where sectoral qualification system and descriptions are improved. Developing professional qualification examination content for 65 professional qualifications has also begun.

Integration of Roma students (paras 31 and 56)

191. Since 2007, a number of projects and studies are implemented to understand reasons for the drop-out from schools and possible solutions. For example, a study on causes and risks of drop-out for those aged 13 to 18 showed that in grades 7–9 one of the main reasons,

is the lack of parental interest and participation in their child's education, and dysfunctional relationships with teachers or at home.

192. Within the national programme “*Roma in Latvia 2007–2009*”, 66 NGO projects aimed to integrate Roma and develop their culture were supported, strengthening the growth of the Roma civic society. Attention is paid to children's educational activities through the development of the Roma teacher-assistant practice in preschools and general educational institutions, providing teachers with educational materials on Roma culture. Roma teacher-assistants work in 7 educational institutions. This practice is recognized as the best example of the promotion of the education of Roma children in the EU. By the end of the programme, Latvia will maintain the Roma as a target group for integration policy measures included in the State budget priorities. Since 2012, the MoC implements a set of national policy measures for the Roma integration to raise the level of their education and employment and to support their society and culture.

193. During 2016/2017 academic year, the MoE collected data on the quality of Roma education, including information on the number of students who obtain primary and general secondary education, and the range of support measures offered by the schools. In 2016/2017, 900 Roma students attended 144 general education institutions (20% of education institutions in total). 462 Roma students were girls (0.4% of students in total). The data indicated that Roma students study in 64 secondary, 39 elementary, 24 boarding, 6 primary schools, 6 special education, 3 vocational education, 1 socio-correctional institution and 1 municipal gymnasium. Over the last 3 years, the number of Roma students, obtaining compulsory primary education, has risen by 7.5%.

194. Since 2014, the MoC implements an NGO support programme supporting more than 70 projects annually (at least 20 projects are directly aimed at minorities). Since 2016, every 2 years, the MoC organizes the Festival of Latvian Cultures and activities for minority students.

Article 14

195. Compared to the Initial Report, there have been no changes to the information on the compulsory free primary education. In Latvia, the primary and secondary education are free of charge (E/1990/5/Add.70, para 603).

Article 15

196. Currently, “*Cultural policy guidelines 2014–2020 “Creative Latvia*” are implemented establishing the national cultural policy objectives until 2020. Migration processes resulting from economic causes increasingly influence the development of Latvia. Emigration rises significantly, which is promoted by the free movement of workforce in the EU. Residents able to work emigrate; upon graduation, talented young people choose to study and build their careers abroad. The migration trend is the cause of urbanization and abandonment of rural areas.

197. Since 1998, the State Culture Capital Foundation (previously Culture Capital Foundation), a non-profit organization, works to promoting a balanced development of the creative work in arts, cultural industries and preserving the cultural heritage. There are a number of other private foundations supporting cultural projects.

198. 7 national theatres, 5 of which are located in Riga, 1 in Valmiera and 1 in Daugavpils, carry out the tasks defined in the co-operation agreements in public administration. Along with the State-established theatres, there are theatres endowed by municipalities. Theatre attendance remains steady (Table 1 in Annex 10).

199. The MoC supervises the State-founded concert organisations. Following the priorities laid down in the “*Creative Latvia*” action line, to ensure the public's needs for professional music, culture, to raise people's spiritual level and self-esteem making music and art accessible for all members of the public, the MoC concludes delegation and annual

financing agreements with those concert organisations under its supervision (Table 2 in Annex 10).

200. Since 2010, the *Film Law* governs the development of film sector, supporting the making of Latvian films, their distribution, preservation, protection, accessibility. The National Film Centre ('the NFC') drafts the national policy for films industry. The producers' register of the NFC lists more than 100 film producers and studies they represent. Together with the Latvian film producers, the NFC created "*Latvian films online*", and since August 2015, any Internet user within Latvia can watch approximately 100 films for free using the webpage www.filmas.lv. In the project "*Latvian films in Latvian schools*", a section with separate thematic block of movies was created with supplementary materials for teachers about them. The project was implemented together with the National Centre for Education to promote and integrate a specific selection of Latvian films in the curriculum content. The webpage includes a section "*Films for Latvian Centenary*" with 16 films that were funded within the project "*Latvian Films for Latvian Centenary*" (Table 3 and 4 in Annex 10).

201. In 2017, there were 1,671 libraries in Latvia. Libraries are managed by a library system organized under a specific procedure (Table 5 Annex 10). The number of readers, registered in Latvian libraries, comprises 42% of the total population. Each user on average annually visits the library 15 times; there is 1 library for 1,274 residents; 36 documents (information units) are at disposal of each resident and 85 of each library user.

202. The number of museum visits has risen by almost 1 million (more than 38%), experiencing a small drop in 2009. The rise of the number of visitors is facilitated by new conceptual, content, technological approaches in building the exhibitions and by reconstructions of several museums (Chart 1 in Annex 10).

203. Since 2009, the Latvian Digital Culture Map registers free visits to the Latvian accredited museums (an average of 36–42% of total visits annually). In 2010, 21 museums offered free visits to all visitors (in 2016 – 31 museums). All national museums offer free entrance for pre-schoolers, orphans, children without parental care, children with disabilities, persons with group I and II disabilities and accompanying persons. A free or discounted entrance in most museums is provided to students of primary general, secondary general or vocational education institutions and universities, seniors, families with children. The proportion of the traditional forms – guided tours and lectures throughout the reporting period is stable, but educational programmes become more popular showing nearly 70% increase since 2008 (4,736 to 8,044 events (in 2016)).

204. Since 2005, Latvian museums participate in international campaign "*the Night of Museums*", allowing people visit museums or take part in events free of charge. During the first years of the campaign, it was more available to the residents of Riga, in recent years, half of museum visits during the campaign are registered by regional museums (Chart 2 in Annex 10).

205. Several museums have been reconstructed, expositions have been transformed, significantly contributing to the accessibility of museums to residents, and opportunities of various groups of the public to spend their free time meaningfully (Table 6 of Annex 10).

206. The set of measures to protect the cultural and historical heritage include systematic preservation of the National Documentary Heritage ('NDH') at the National Archives of Latvia. NDH includes documents of public administration authorities, minority organisations, cultural institutions, theatres, social, professional and creative organisations, personal funds of cultural workers, artists, architects, actors and other creative professionals. Personal funds are supplemented with documents of Latvians abroad (Table 7 in Annex 10). In 2014, the competent authority issued advice to the owners of cultural monuments on maintenance and fire safety of historic buildings, but in 2016 – initiated a series of annual publications on the good-practices in restoration of cultural monuments.

207. The *Copyright Law* has been harmonised with all EU directives and international treaties. The *Law on Collective Management of Copyrights* adopted in 2017 establishes legal prerequisites for an effective collective management of copyrights and related rights. The MoC is the competent authority for issues of copyright and related rights in Latvia,

letting it adopt decisions binding to the collective management organisations, imposing an obligation to terminate or prohibit the organisation to continue its operation if it continues the infringement or does not take actions requested. Moreover, the MoC is entitled to prohibit the activities of any person conducting the collective management of property rights without authorization. The supervision aims to protect the interests of authors, performers, producers and holders of other rights related to copyright. In Latvia, the MoC has issued permits to 7 collective management organisations.

208. In addition to the international multilateral treaties listed in the Initial Report, Latvia has concluded bilateral agreements on cooperation in science and culture with 23 countries (Table 8 of Annex 10).

209. There are 2 types of access to the Internet depending on the technology type – the mobile and the fixed access. In 2016, the fixed access coverage remained steady (93% of households). Fixed access to the internet was used by 61% of the population at home, showing a 4% drop since 2015; however, it is compensated by the growth in the use of mobile connection. Mobile operators offer a wide choice of data plans for available prices. To promote high-speed access to the internet throughout Latvia, where the operators of electronic communications are not interested to expand their activities due to commercial reasons, Latvia implements the State aid programme “*Next generation networks in rural territories*” (Table 9 and 10 and Chart 3 and 4 in Annex 10).

210. Access to mobile internet services is provided by 4 operators. The number of mobile voice telephony subscribers, compared to 2015, in 2016 rose by 5% and was 2.65 million from 1.95 million residents (136%). In 2016, 78 subscribers out of 100 people used the mobile broadband internet access, showing a 13% increase compared to 2015 (see Table 7 and 8 and Charts 3–5 in Annex 10). Since 2014, mobile operators develop the 4G mobile communication technology, gradually replacing 2G and 3G mobile technologies. Since the middle of 2015, the 4G is extended in 800MHz band, particularly suitable for rural regions with a more uniform coverage and fast mobile access to the Internet. Meanwhile, operators gradually introduce the new 4G+ technologies, significantly increasing the data transmission speed (up to 375Mbit/s) combining several radio frequency bands: 800, 1800, 2100, 2300, and 2600MHz. In 2016, the average 4G coverage of mobile operators in Latvia was 91%.

211. In 2010, the transition to digital broadcasting television programmes covering the whole territory of Latvia was completed. There are 7 broadcasting networks in Latvia. 1 of them distributes for free, providing the availability of television signal in 99.77% of the territory (99.85% of the population), 5 networks are for premium content and their coverage area is within 80–90%, while 1 network works in Riga and adjacent areas. 5 programs are available for free. LLC “Lattelecom” ensure paid TV programs and offers subscribers up to 62 programs. In 2013, the proportion of ground broadcasting users was around 25% of households, 54% of which were urban and 46% rural. There is a tendency to offer more and more television programs on the internet, developing innovative platforms, e.g., an integrated public media project LSM.LV, allowing an easy use of public media on the internet. The use of audio-visual content in alternative devices to TV is growing because of the rapid growth of mobile 4G network, the development of optical internet and spread of wireless technologies. Estimates show that in the future, the number of ground broadcasting users will decrease; however, the program-viewing time remains almost unaffected. (Chart 5 in Annex 10).

Concluding Remarks (paras 58, 59, and 62)

Dissemination of the Committee’s observations and recommendations

212. The recommendations of the Committee are widely disseminated to all ministries and authorities under their supervision. Both the Covenant and the Committee’s concluding observations in English are available on the MoFA website.¹¹

¹¹ <http://www.mfa.gov.lv/images/archive/ekon-soc-kult-tiesibu-komitejas-secinajumi.pdf>.

Involvement of the NGOs in the preparation of the Report

213. The text of the Report together with a statement to the press was published on the MoFA website and all interested NGOs were invited to submit their views directly to the UN.

Update of the Core document

214. On 6 November 2017, Latvia submitted the updated Core document.
