



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

Concluding observations on the initial report of Latvia

Addendum

**Information received from Latvia on follow-up to the
concluding observations***

[Date received: 25 February 2019]

* The present document is being issued without formal editing.



Introduction

1. In September 2017 Latvia received Concluding observations on the initial report of Latvia (observations) of Committee on the Rights of Persons with Disabilities after consideration initial report of Latvia (CRPD/C/LVA/1) at its 344th and 345th meetings, held on 21 and 22 August 2017. According to the observations Latvia has to provide information on the measures taken to implement the Committee's core recommendations as set forth in paragraphs 31 (Living independently and being included in the community) and 41 (Education) above.

2. Latvia provides information on what has been done to promote inclusive education and independent living for persons with disability. The implementation of the Convention on the Rights of Person with Disabilities is not a task that has a definite deadline. It is a continuous process in which new commitments must be and are made. Ministry of Welfare (MoW) is aware that Latvia still has a lot to do to ensure equal opportunities for persons with disabilities – including for independent living and inclusive education – to secure a financially independent future, to change stereotypes that prevail in society and to raise awareness of the role of persons with disabilities in society. On December 12 2018 Cabinet of Ministers adopted an action plan (2018–2020) on Implementation of the Convention on the Rights of Persons with Disabilities. The Action plan provides several measures to foster inclusive education and independent living in society for persons with disabilities, including promoting access to higher education, access to community-based services, awareness raising and others.

Independent living (art. 19)

“The Committee urges the State party to:

(a) Expedite the complete deinstitutionalisation of all persons with disabilities within a set timeframe for closing all remaining institutions, both state and municipal-run, ensuring that residents are not subject to trans-institutionalization;

(b) Reinforce engagement of municipalities in implementing the deinstitutionalization strategy including through raising awareness about independent community-based living for persons with disabilities and ensuring the sustainable provision of services to promote independent living following termination of the European Structural Funds;

(c) Ensure the provision of quality personal assistance that takes into account the individual needs of persons with disabilities and ensures their social inclusion and participation”.

3. To ensure opportunities for persons with disabilities for their successful integration into society, it is necessary to ensure that they can participate freely and barrier free in public events. This in turn requires access to a variety of support and community-based services, the ability to make independent and independent choices at their own discretion. Such activities are not compatible with being in institutions, long-term care centres. Therefore, in 2016, the MoW launched the implementation of EU cofounded deinstitutionalization (hereinafter – DI) projects aimed at promoting independent living of persons with disabilities outside institutions.

4. Community-based services for persons with mental disabilities are developing slowly, but constantly. As a result of individual needs assessments and individual support planning more persons with mental disabilities have got to the sight of municipal social services providing that their needs are taken into account in social service planning and they are brought closer to receive the necessary services and support.

5. According to the annual statistics on provision of social services in municipalities, 1416 persons with mental disabilities have received community-based social services in 2017. This included:

- Home care – 168 persons;
- Day care centres – 939 persons;
- Specialized workshops – 68 persons;
- Group homes – 241 persons.

6. In comparison, 4667 persons have been receiving state institutional care services. Thereby community-based services account for 23% of the total share of social services provided for persons with mental disabilities. It is small, but still an increase compared to 20% as a baseline value in 2012. Within DI projects implemented by the planning regions, 112 persons with mental disabilities have received community-based services by 1 October, 2018. It is also important that all the regional deinstitutionalisation plans have been approved by the Social Services Development Council. It means that the planning phase of the DI projects is completed and investments in the development of social service infrastructure in municipalities can start on a wider scale, and it is crucial for achieving significant rise in the availability of community-based services for persons with mental disabilities.

7. Increased provision of services is hampered by a lack of adequate social services infrastructure and negative public attitudes, which may hinder the desire of both people with mental disabilities to go outside home and the speed of development of social services. The establishment of infrastructure for the provision of community-based social services will start in 2019, and after its completion, opportunities to provide services such as a day care centre, group house or specialized workshop will have increased significantly. In 2018, a “Human, not a diagnosis” campaign was implemented to change public attitudes. Measures to change public attitude and awareness are planned to continue in the coming years.

8. As well it is important that person with mental disability has support person in daily life activities, in communication process with community and other activities. The support person service provides the person with a mental disability with support in decision-making to help exercise his/her legal capacity to act on an equal basis with others. Supporting decision-making allows the person with some support make important decisions for himself, improves his ability to represent himself and protect his interests, as well as extends the knowledge and understanding of his/her rights to the person to be supported. The support person service includes building trust-based relationships between support persons and supported persons, as well as the scope of support required and the intensity of support delivery, as well as providing support for decision making. The support person's service is provided through a person-centered thinking and planning approach. One of the aims of this service is to improve the system of social services by developing and approving the mechanism of financing of community-based services and supporting the mechanism of implementation of support persons service.

9. In 2017, MoW entered into a contract with the association “Resource Centre for People with Mental Disabilities” ZELDA “(hereinafter – RC Zelda) on the procurement “Development of a description of the support person's service description, organization and financing, implementation of the pilot project of the personal service and evaluation of the results of the pilot project”. Of all 119 municipalities applied 629 potential beneficiaries. In December 2017, RC Zelda developed an unapproved version of the service organization and funding arrangements (methodology), including unverified version of support personal service. The implementation of the pilot project started on 1 December 2017 (until 30 November 2019), providing 5 regional workshops to introduce participants to the content of the service, as well as providing training for 22 support persons. By the end of December 2018 229 contracts for personal support services were signed.

10. After the implementation of the pilot project of the support person service (after November 30, 2019) the evaluation of the results of the pilot project will be carried out, including the assessment of the socio-economic impact of the support person's service, as

well as the evaluation of the quality of life evaluation questionnaires of the recipients of services the information provided about the support person's service received, drafting proposals for the improvement of the support person's service. Evaluation of the results will provide evidence-based analysis of the results of the pilot project and proposals for the development of regulatory enactments for the implementation of a full-fledged personal support service. The Social Services Development Council will approve the evaluation results on the possibilities of integrating the support person service into the existing social service system. Consequently, the evaluation of the service and the performance indicators proposed will be analysed in the final evaluation report of the Guidelines. The project and the planned public service will in the future provide direct implementation of the requirements of Article 12 of the Convention, which requires the Member State to ensure the availability of support necessary to enable persons with disabilities to exercise their legal capacity.

Education (art. 24)

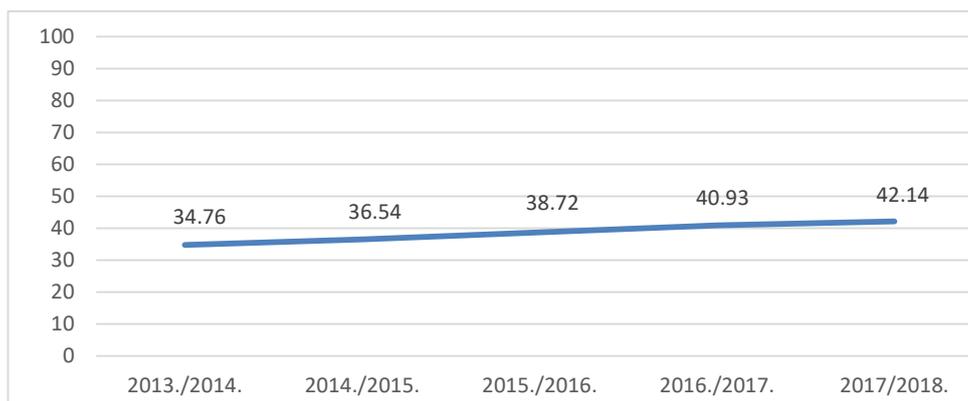
“The Committee is concerned that the majority of children with disabilities attend special schools or are orienteered towards home schooling as a permanent solution owing to the lack of reasonable accommodation and accessibility, including physical accessibility, in the majority of mainstream schools, higher education institutions and lifelong learning frameworks.

Recalling its general comment No. 4 (2016) on the right to inclusive education and Sustainable Development Goal 4, especially its targets 4.5 and 4(a), the Committee urges the State party to ensure that no child is refused admission to mainstream schools on the basis of disability, and that it further allocate the resources necessary to guarantee reasonable accommodation to facilitate the accessibility of all students with disabilities to quality, inclusive education, including in pre-school, tertiary and lifelong learning education”.

11. Developing and implementing the principle of inclusive education is a competence of the education sector – Ministry of Education and Science (MoES). On May 22, 2014, the Parliament (Saeima) approved the medium-term development planning document “Education Development Guidelines 2014–2020”, where the action line 1.4. – implementation of the principle of inclusive education and reduction of the risk of social exclusion – defines tasks for the promotion and strengthening of inclusive education in Latvia. In the context of inclusive education children with special needs are not just children with disabilities. This means that the children may have special needs regarding education without disability status. Educational institution has the obligation to provide adequate pedagogical and non-pedagogical support for those children with special needs who attends mainstream schools both in special programs and in mainstream education programs. On 21 August 2018 Cabinet of Ministers regulations Nr. 543 were adopted “Requirements for Admission of Students with Special Needs in Mainstream Education Programs Implemented by General Education Institutions”. This regulation determines specific support measures for children with special needs according to the type of functional impairment of each child.

12. In general, there are positive tendencies as regards inclusion of children with special needs in mainstream education institutions. According to data provided by MoES in school year 2014/15. there were 4153 students with special needs who were included in general education institutions, studying in general education programs or special education programs. In school year 2015/16 – 4587 students with special needs, 2016/17 – 5090 students with special needs, in 2017/18 – 5264 students with special needs. If in year 2011 these were 34.76 % of total number of students with special needs, then in 2018 – 42.14%.

Share of integrated learners with special needs (% of total number of students with special needs)



Data source: MoES

13. To provide support to students with special needs in the context of inclusive education an interinstitutional working group on the development of services for students with special needs and their cost model has been established. The aim of the work group is to develop by the beginning of 2019 criteria for support measures for students with special needs and conditions for access to special education programs. The MoES is preparing a report to assess the necessary support measures to promote inclusive education. The support for students with special needs will be divided into three groups – health care, social care, education (pedagogical and technological) support measures. Special needs support will no longer be divided according diagnosis and special program code, but in the larger functional impairment groups. It is planned to prepare new Cabinet of Ministers regulations on requirements for admission of students with special needs in mainstream education programs implemented by general education institutions.

14. In order to facilitate early, timely diagnosis of special educational needs, annual meetings of the state pedagogical medical commissions are organized. More than 700–800 students per year are examined by a psychologist, special educator, speech therapist and physician specialist in order to determine their abilities, level of development and recommend appropriate support measures for quality training. process. At the same time, methodological assistance is provided to specialists of municipal pedagogical medical commissions in assessing the abilities and development level of students and in proposing appropriate support measures, organizing seminars and consultations, as well as providing methodological support.

15. As a challenge that educational institutions may face, including students with special needs in general education classes and groups, is preparedness of teachers and the management of an educational institution to work with such children. However, there is provision for teachers to improve their skills for working with students with special needs, as well as to address this issue by reviewing higher education programs for teacher training. National Centre for Education (NCE) had organized 25 workshops between 2014 and 2017, with the participation of specialists from 1020 educational support teams and teachers working with students with special needs. Further NCE provides educational institutions with methodological and informative material for work with children with special needs.

16. At the same time, there are still problems with the provision of appropriate teaching materials for students with mental and hearing impairments and with severe visual impairment. This problem is addressed in the framework of the European structural funds project “Competence Approach to Learning Process” implemented by NCE by developing and providing appropriate teaching materials. The implementation of the principle of inclusive education will continue to be ensured in accordance with the Education Development Guidelines 2014-2020, including in the direction of action 1.4. “Implementing Inclusive Education and Reducing the Risk of Social Exclusion” and action 3.2. “Managing Effective Education Financial Resources. These actions include development and implementation of a new financing model for special education

institutions, taking into account the provision of personalized educational services; promotions of the early, timely diagnostics of special education needs in all levels and types of education; identifying and implementing personalized support services, including development of individual support plans and others.

17. In 2017 with the support of the European Structural Funds, MoES started implementation of the project “Support to reduce early school leaving (further project “PuMPuRS”) with an aim to reducing early school leaving for children and young people through preventive and intervention measures. In the project “PuMPuRS” it is planned to provide support to students in 614 mainstream and vocational education institutions by 31 December 2022. The direct target group is students from grades 5 to 12 of mainstream education institutions, as well as those from 1st to 4th year of vocational education and mainstream education institutions implementing vocational education programs. Within the framework of the project, support is provided for the practical implementation of interprofessional co-operation as defined in regulations. Co-operation teams are created in municipalities that provide unified, result-oriented support to students from different municipal institutions, who are at risk of early school leaving, including students with disabilities and students with special needs regarding education. The planned support measures focus on early diagnosis and solution of the problem, to address the worst-case scenario, which would require much more resources and could be less effective. For each student involved in the project PuMPuRS educator or psychologist creates an individual support plan at the beginning of the semester, which assesses the risks of cessation of training and provides the necessary measures to mitigate these risks. Currently, 45 municipalities and 29 state vocational education institutions are involved in the project, thus the total number of schools involved in the project is approaching 200. At least 80% of municipalities in the project PuMPuRS are planned to involve, including 614 mainstream and vocational education institutions. The project PuMPuRS promotes the establishment of a sustainable cooperation system between the municipality, school, educators and parents to identify children and young people at risk of early school leaving and provide them with personalized support – consultation and financial support. Educators are given the opportunity to professionally develop and strengthen their skills for working with young people. Methodological tools will be developed. The beneficiaries of the project are the students themselves, parents and educators and society as a whole.

18. In 2018, Cross-Sectoral Coordination Centre developed a report on “Improvements in Interdisciplinary Cooperation and Assistance to Children with Psychiatric, Developmental and Behavioural Disorders and Anti-Social Behaviour”, which encompasses the interaction and challenges of education, health and social issues, and explains the challenges facing children with mental, developmental and behavioural disorders at all ages and levels of education, and offer solutions to prevent these children from being excluded from the education system, receive appropriate and quality education for their needs. The report explains, that “a preventive and comprehensive support system is essential to prevent and reduce the risk of developing emotional and mental disorders in children and young people early and effectively, and to provide timely and inclusive support to people with mental illness and behavioural disorders” finding the first signs of need for support in the family or school”. The report concludes that, in view of the increasing prevalence of mental illness, it is necessary to start prevention of mental illness even before the birth of child, paying more attention to parents with higher risk, families at social risk, etc. by providing them with support and information, as well as broader universal child health monitoring at different (early) stages, where it is most effective to identify problems in child development and effective and targeted interventions. During the preparation of the report it was found that the pre-school and school pedagogical staff needed to improve their skills in order to better identify the symptoms of mental and health disorders and to work better with such children in the context of inclusive education, as well as adequately educated support staff both at school and outside. Also, insufficient availability of specialists, range of services, as well as support and explanatory work for parents who take care of children with mental and behavioural disorders as well as anti-social behaviour have been identified.