



Convention on the Rights of the Child

Distr.: General
16 November 2015

Original: English
English, French and Spanish only

Committee on the Rights of the Child

Seventy-first session

11-29 January 2016

Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined third to fifth periodic reports of Latvia

Addendum

Replies of Latvia to the list of issues*, **

[Date received: 16 October 2015]

1. The present Replies to the list of issues (the Replies) have been prepared by the Government of the Republic of Latvia in response to the request made by the United Nations Committee on the Rights of the Child (the Committee). The Replies contain information additional to the Combined Third to Fifth Periodic Report of Latvia on the implementation of the 1989 Convention on the Rights of the Child (the Convention) in the Republic of Latvia during the period from 2004 until 2012 (the Report).
2. The most up-to-date information, as well as statistical data requested by the Committee will be provided to it during examination of the Report at its 71st session in January 2016.

Part I

As to the Committee's question No. 1

3. Anyone alleging violation of his/her fundamental rights guaranteed by the Constitution of the Republic of Latvia or the Convention may lodge a complaint with the domestic court of general jurisdiction, administrative court or the Constitutional Court.
4. When lodging such a complaint with the national courts alleging violation of fundamental rights, the applicants often refer to the relevant provisions of international legal acts, including the Convention. Similarly, in their rulings the national courts often

* The present document is being issued without formal editing.

** The annexes to the present report are on file with the Secretariat and are available for consultation.



refer to the international legal provisions binding on Latvia and provide analysis of the domestic law in the light of these provisions.

5. During 2005-2015, the Supreme Court referred to the Convention in 93 cases in total.

6. The Department of Administrative Cases of the Supreme Court during this period has examined 39 administrative cases with references to the provisions of the Convention. In 18 judgments the Supreme Court referred to the Convention in the descriptive part of the judgment, in 17 judgments the Supreme Court examined the provisions of the Convention in the reasoning part, and in 13 cases the applicants referred to the Convention when substantiating the administrative complaint. The aforesaid references are incorporated in the text of both, judgments and decisions of the Supreme Court, as a part of legal reasoning or a descriptive part. For example, in 2015, the Department of Administrative Cases of the Supreme Court referred to Article 27 of the Convention when examining the case on deprivation of custody rights.¹ In 2014, in a case related to the renewal of childcare rights of a parent, the Department of Administrative Cases of the Supreme Court referred to Articles 16 and 37, when assessing the arguments presented by the parties to the case.² In 2009, the Department of Administrative Cases of the Supreme Court referred to Article 3 of the Convention, emphasising that the best interests of a child must be taken into account when assessing whether the fact that a parent is an inmate in an open-type prison constitutes an obstacle to exercise childcare rights.³

7. In reflecting the case-law of the Department of Civil Cases of the Supreme Court, it is worth mentioning that during the same period this Department of the Supreme Court has examined 54 civil cases, invoking certain provisions of the Convention. In 33 judgments the Convention is referred to in the descriptive part, in 27 judgments the Supreme Court examined the provisions of the Convention in the reasoning part, and in 26 cases the applicants referred to the Convention when substantiating their claim. For example, in 2015, the Department of the Civil Cases of the Supreme Court referred to Articles 3 and 27 of the Convention in the case related to the increase of child support allowance.⁴ In the case related to the recovery of child support, the Department of the Civil Cases of the Supreme Court referred to Article 27 of the Convention, stating that parents must ensure a child with living conditions adequate to the child's development, taking into account parents' financial resources.⁵

8. With respect to criminal cases, it is necessary to point out that during 2005-2015, the Supreme Court referred to the Convention in 1 case, invoking its provisions in the descriptive part of the decision⁶ (see statistics in Annex 7).

¹ Judgment of the Department of Administrative Cases of the Supreme Court of 17 April 2015 in the case No. SKA-0531-15 (in Latvian), available at <http://www.tiesas.lv> (last visited in October 2015).

² Judgment of the Department of Administrative Cases of the Supreme Court of 29 December 2014 in the case No. SKA-534/2014 (in Latvian), available at <http://www.tiesas.lv> (last visited in October 2015).

³ Judgment of the Department of Administrative Cases of the Supreme Court of 3 July 2009 in the case No. SKA-398/2009 (in Latvian), available at <http://www.tiesas.lv> (last visited in October 2015).

⁴ Judgment of the Department of Civil Cases of the Supreme Court of 7 January 2015 in the case No. SKC-1478/2015 (in Latvian), available at <http://www.tiesas.lv> (last visited in October 2015).

⁵ Judgment of the Department of Civil Cases of the Supreme Court of 28 February 2014 in the case No. SKC-1403/2014 (in Latvian), available at <http://www.tiesas.lv> (last visited in October 2015).

⁶ Decision of the Department of Criminal Cases of the Supreme Court of 7 April 2010 in the case No. SKK-174/2010 (in Latvian) (unpublished).

9. As regards the Constitutional Court, it should be noted that it applies the Convention and Committee's General comments in two interrelated ways.

10. Firstly, pursuant to the Law on Constitutional Court, the Constitutional Court examines the compliance of domestic legal provisions with international agreements which are binding to Latvia. That is to say, the Constitutional Court examines the complaints *expressis verbis* alleging incompliance of the national legal norm (act) with the Convention. For example, in the application No. 333/2009 lodged with the Constitutional Court in 2009, the applicant challenged the compatibility of the various national legal provisions with Articles 18 and 27 of the Convention; in the application No. 221/2013 lodged in 2013, the applicants challenged the incompatibility of the national legal provisions with Article 9 of the Convention.

11. Secondly, according to the well-established case-law of the Constitutional Court, Article 89 of the Constitution that provides that the State must recognise and protect fundamental human rights under the Constitution, laws and international agreements binding on Latvia, obliges the State to observe international human rights standards. It means that in considering the scope of the fundamental rights enshrined in the Constitution, regard must be had to the international human rights obligations which are binding on Latvia. For example, if certain human rights enshrined in the Convention cover a particular situation, then this situation is usually covered also by the relevant Articles of the Constitution. In light of the aforesaid, in its judgments the Constitutional Court usually examines the compatibility of the challenged national legal provisions with the Constitution, at the same time examining whether they are compatible with international human rights instruments, including the Convention.

12. From 2004 until 2010, the Constitutional Court adopted nine rulings (judgments and decisions) which contain explicit references to the relevant provisions of the Convention. For example, in the case No. 2004-02-0106⁷ of 11 October 2004, the Constitutional Court referred to Article 3 of the Convention. In its reasoning the Constitutional Court stated that national courts and public institutions, when taking a decision, and even the legislator, when amending any legal act, must give prior consideration and best possible protection to the interests of a child. In the case No. 2006-07-01⁸ the Constitutional Court referred to Article 26 of the Convention thereby recognising a child's right to benefit from social security allowances, as well as invoked Article 27 on the child's rights to the standards of living adequate to the child's development. The Constitutional Court paid particular attention to the fact that the provisions of the Convention emphasise both, parents' obligation to protect child's interests, and the Government's obligation to provide, within the scope of available budget funds, social assistance to parents and their children. In the case No. 2009-12-03⁹ the Constitutional Court referred to Article 23 of the Convention when adjudicating the case related to the rights of a child with mental or physical disability to enjoy a full and decent life.

As to the Committee's question No. 2

13. In 2013-2014, the Ministry of Welfare implemented a series of support measures for families with children, while increasing state social insurance and social benefits for

⁷ Judgement of the Constitutional Court of 11 October 2004 in the case No. 2004-02-0106 (in English), available at: <http://www.satv.tiesa.gov.lv/?lang=2&mid=19> (last visited in October 2015).

⁸ Judgement of the Constitutional Court of 2 November 2006 in the case No. 2006-07-01 (in English), available at: <http://www.satv.tiesa.gov.lv/?lang=2&mid=19> (last visited in October 2015).

⁹ Judgement of the Constitutional Court of 7 January 2010 in the case No. 2009-12-03 (in English), available at: <http://www.satv.tiesa.gov.lv/?lang=2&mid=19> (last visited in October 2015).

childcare, personal income tax relief rate and introducing various tax discounts for large families. Additional investments were made in establishing a national support programme for elimination of kindergartens' waiting list, support for the purchase of educational materials and increasing State funds for ensuring free meals for school students (see Annex 1).

14. After the abovementioned measures were introduced, the average income of parents who take care of children 1.5 years of age has increased by 20%-45%, as well as general financial support to families with children in a 3-years' period has increased by 28% (up until 1.27% of GDP in 2015).

15. On 23 October 2012, the Members of the Latvian Parliament (Saeima) signed a Memorandum of Understanding on the State support to promote the birth rate and families with children. Based on this Memorandum, a number of legislative amendments have been adopted and implemented in 2013. In particular:

- A childcare benefit for socially uninsured persons taking care of a child up to 1 year of age has doubled, that is, from EUR 72 to EUR 144.
- A childcare benefit for persons taking care of a child of 1-1.5 years of age has increased from EUR 43 to EUR 144.
- A supplement for twins or children from multiple births up to 1.5 years of age has doubled, that is, from EUR 72 to EUR 144.
- Large families are entitled to a property tax discount, the amount of which is reduced by 50% of the estimated tax amount (but not more than EUR 432 in total) for a house and a land, if a person has three or more children under 18 years of age (including those placed under guardianship or in a foster family), and if this person has declared it as a place of residence.
- The State has launched a free meals' programme for students of the 2nd grade (EUR 1.14 per student per day), as well as granted annual support for the purchase of educational materials for all students at primary, secondary and vocational schools (in 2013 — EUR 9, in 2014 — EUR 10).
- Personal income tax relief for dependent family members, including children, has increased from EUR 100 to EUR 115.
- The State has introduced the support programme in order to eliminate kindergartens' waiting list. The State-provided support (up to EUR 144) is granted to a private service provider for a child aged from 1.5 until he/she begins to acquire a mandatory preschool programme, if the child is enrolled in a municipal kindergartens' waiting list and has not yet gained access to a municipal kindergarten.

16. Moreover, in 2013, there has been a decrease by 2.4 percentage points in the number of population under poverty risk, and a decrease by 4.8 percentage points in the number of severely materially deprived persons (see details in paragraphs 30-31 of the Replies).

17. In addition, in order to promote demography supporting measures, various legislative amendments were adopted and implemented in 2014. Namely:

- The minimum amount of a State family allowance and a childcare benefit for a child under 1.5 years of age has been increased from EUR 142.29 to EUR 171 per month.
- The amount of the child support has been increased, granting EUR 71.14 for a child of 0-7 years of age and EUR 78.26 for a child of 7-18 years of age.
- Personal income tax relief has been set at EUR 165 for each dependent person.

- The State has launched free meals' programme for students of the 3rd grade, as well as the amount of granted support has generally increased from EUR 1.14 to EUR 1.42 per day.
- Parents are entitled to receive the childcare benefit and the State family allowance simultaneously.
- When claiming the State family allowance, a parent may choose either to receive the aforesaid allowance at 60% of a parent's average social insurance payment remuneration until a child reaches 1 year of age, additionally receiving a childcare allowance of EUR 171; or to receive the aforesaid allowance at 43.75% of a parent's average social insurance payment remuneration until a child reaches 1.5 years of age, additionally receiving the childcare allowance of EUR 171.
- A parent is entitled to receive 30% of the granted amount of the State family allowance, if he/she works during the receipt of the aforesaid allowance, or receives income as a self-employed. In addition, he/she may receive the childcare benefit allowance of EUR 171.

18. From 1 January 2014, the maximum amount of the State social insurance mandatory contributions was renewed, that is, in 2014 they constituted EUR 46,400 per year, and in 2015 — EUR 48,600 per year. Thus, as of 2015, the ceiling of the state social insurance benefits is mainly regulated by the ceiling introduced by the State social insurance mandatory contributions.

19. As of 1 January 2015, the following social protection measures for families with children were introduced:

- A minimum wage is increased to EUR 360 per month.
- A ceiling to the amounts of social security benefits, including maternity, sickness, paternity benefits and family allowance, was abolished.
- The differentiation of the State family allowance is reintroduced (the amount of the aforesaid allowance for the second child in the family per month is doubled — EUR 22.76, whereas for the third child and more children tripled — EUR 34.14).
- A list of persons suffering from celiac disease and entitled to the State support is expanded, as well as a State allowance for Chernobyl victims is increased.
- Personal income tax rate is reduced to 23%.
- Regulatory framework is adopted in order to launch the State support granting free meals for the 4th grade students as of 1 September 2015.
- An employee who takes care of one or two children less than 14 years of age is entitled to the paid additional leave for the period of at least one day per year.

20. In addition, the State provides a survivor's pension for children less than 18 years of age in case of death of his/her parent, providing that a parent was socially insured. After reaching 18 years of age and up to the age of 24, a person is still entitled to this pension under the condition that he/she is a full-time student.¹⁰ In any event, the sum paid per month as a survivor's benefit may not be less than EUR 41.62, or EUR 69.37 in case of disability of the child. It should also be noted that children who are not entitled to a survivor's

¹⁰ The survivor's pension is calculated, taking into account the breadwinner's possible old age pension, and constitutes 50% of the amount of the pension being paid to one child, 75% — to two children and 90% — to three and more children. If a child lost both parents, the survivor's pension is calculated from both, the father's and the mother's possible old age pension amount.

pension, are granted a monthly State social security benefit, the amount of which in 2014 constituted EUR 64.03 or EUR 106.72, in case of disability of the child.

21. In order to help families with minors to ensure the first instalment payment of the loan for purchasing or constructing housing, the respective legal framework was introduced in August 2014. For the purpose of securing the loan, the State financial development company issues a guarantee for up to 10 years to a person in whose care there is at least one minor child.

22. In general, it should be underlined that during 2013-2014, female employment rate has continued to grow (from 63.4% in 2013 to 65.4% in 2014); total fertility rate has increased (from 1.44 in 2012 to 1.52 in 2013); and infant mortality rate has significantly decreased (from 6.4 deaths per 1,000 live births in 2012 to 4.5 in 2013) (for statistics on infant mortality see Annex 3).

23. Consequently, the above-said measures, as well as the overall socio-economic growth facilitated gradual improvement of families' welfare. The increasing State support for families with children is expected to consistently continue in the coming years, making it more efficient and more targeted at families with children, with the aim to further reduce poverty and social exclusion.

24. Significant State family policy measures are foreseen by the Draft Action Plan to the State Family Policy Guidelines 2011-2017 for the period of 2015-2017. To name but a few, it is envisaged to reduce the real estate and vehicle tax for large families, create special housing support system for families with three or more children, provide free meals for 4th-6th grade students by 2018, as well as to provide food and basic material assistance to the most deprived persons.

25. In order to increase the number of foster families the State Inspectorate for Protection of Children's Rights (SIPCR) during the reporting period has carried out certain activities for both, professionals responsible for advancing foster care movement and the general public. A number of meetings were organised with the participation of municipalities' leaders and Orphan's court's professionals in order to discuss the advancement of foster care movement locally and the provision of social support system for foster families. In addition, several meetings or advising days were organised for both, specialists working with children and the general public. These meetings were aimed at informing target audience about foster care and responding to individual enquiries. Moreover, various interactive activities, such as TV informative stories and educational handouts were prepared in order to promote foster care.

26. With the aim to advance support system for foster families, necessary legislative amendments were introduced. For example, a foster carer's training programme is foreseen, which strives to improve foster carer's knowledge and skills, and ensure that high quality care is provided to children. A foster carer may also receive a therapist's support, and participate in special support groups organised within the framework of the State's Program for Improving Child and Family Situation. Additionally, SIPCR carries out annual workshops for the foster families on the most up-to-date issues. As of 2014, these workshops have been launched in collaboration with the Orphan's court in order to improve the quality of fostering service (for additional information of foster families see paragraphs 84-87, Annex 4).

As to the Committee's question No. 3

27. The Government wishes to underline that the cross-cutting issues falling under the realm of the Convention are addressed by a number of public institutions. To begin with, the scope of institutional mandates in elaboration and implementation of child-related policies is defined in the Law on the Protection of the Rights of the Child, as well as other

supporting legal acts. Each competent public body is responsible for assessing the legal acts which cover child-related issues and ensuring necessary improvements in the field.

28. Next, it is the responsibility of the Ministry of Welfare to prepare a yearly report on the overall situation of children in the country. This report, inter alia, invites all the ministries, with due regard to their competencies, to prepare an assessment on the situation of children, provide statistical data, as well as information on existing and future measures aimed at improving the situation of children. The report is also examined by the members of the Consultative Committee for the Protection of the Rights of the Child. Afterwards, this report is submitted to the Cabinet of Ministers and Saeima for further adoption.

29. As another example of mutual cooperation, the Latvian Prison Administration, which operates under the supervision of the Ministry of Justice, works closely with other public institutions in the field of education and welfare of children. Cooperation with the State Education Development Agency, an institution supervised by the Ministry of Education and Science, results in ensuring general and vocational education programmes for minors in imprisonment facilities. The imprisoned persons up to 29 years of age are provided with career consultations and an opportunity to participate in vocational education programmes (for details see paragraph 124, Annex 7).

30. Together with the Ministry of Welfare and its subordinated bodies, the Latvian Prison Administration ensures an exchange of information about a child who is released from the imprisonment facility about his/her needs for social assistance or any of social services. As a result, a guardian's pension is granted to an orphan child, and after his/ her release care placement with a guardian, foster family or in a childcare institution is ensured. Cooperation with the SIPCR authorities has also been successfully established and put into regular practice.

31. In terms of control over the implementation of legal provisions on the rights of the child by different public authorities, the Government refers to paragraph 23 of the Report and recalls that the related functions are performed by the SIPCR. If the SIPCR receives information on alleged violation of children's rights in either educational or out-of-family care institution, prison for juvenile offenders or social correctional education institution, a thorough inspection is carried out. For instance, in 2014, the SIPCR carried out 147 inspections in schools, as well as performed an in-depth study of violence revealed in boarding schools. Based on the results received so far, the SIPCR has provided conclusions and recommendations for future work and for the prevention of the risk of violence. The SIPCR regularly follows-up on the implementation of these recommendations.

32. In case of physical or emotional child abuse, if committed by a public sector employee or an official, the SIPCR is entitled to draw up an administrative offence protocol sanctioning the perpetrator. If the SIPCR receives information about inadequate living conditions and alleged violations of children's rights in medical treatment institution or psychiatric hospital, it carries out an inspection and involves other authorities, if needed. In addition, once per year the SIPCR carries out an inspection in psychiatric hospitals, where children are placed, as well as in prisons for juvenile offenders and social correctional education institutions. Also, the SIPCR is involved in cases when a child does not attend school without any valid reason. During the aforesaid inspection processes, the SIPCR cooperates closely with the State police, Orphan's court, social services, as well as the Health Inspectorate.

33. Turning to the statistics, in 2014, the toll-free Child's Helpline received 81 calls during which children talked about suicidal thoughts or expressed intention to commit a suicide. In these cases, necessary psychological help (consultations/crisis intervention) was immediately provided for children.

34. In 2009, the Crisis Intervention Team has been set up under the auspices of the SIPCR. In cases when psychological help is urgently needed, the Team consultants immediately arrive at the scene of an accident. In 2014, there were several cases (suicides, traffic accidents, etc.) when the Team consultants provided psychological help to children, parents and officials.

As to the Committee's question No. 4

35. For statistical data on the State budgeting process and budget allocation for children see Annex 1.

As to the Committee's question No. 5

36. During 2008-2010, Latvia experienced financial and economic hardship, which resulted in the decrease in income, reduction of wages or loss of jobs. To a greater or a lesser extent, it impacted households in all the quintile groups. Comparing with 2008, in 2010, better-off households experienced a decrease by 23% in the 5th quintile, by 20% in the 4th quintile and 16% in the 3rd quintile group. Although the percentage of decrease in the quintiles for lower-income households was less sharp (notably, 11% in the 1st quintile, and an increase of 1.3% in the 2nd quintile), the real impact was heavier due to the overall low amount of income. However, as of 2011, the income level is constantly increasing across all quintile groups, and in 2013, the income of the 1st, 2nd, and 3rd quintile groups even exceeded the level of 2008. Although the increase in income is not attributable to the 4th and 5th income quintile groups, they might be still positively assessed in connection to the income inequality reduction (see Annex 1)

37. When evaluating the situation of families with children in 2009 and 2010, it should be noted that the decrease in income was observed across all the households with children; however, as of 2011, the income level started to increase. Large families are in the most favourable situation, as their income level in 2013 considerably, that is, by 41%, exceeds the level of 2008. As concerns other families with children, their income in 2013 has not reached the previous level of 2008 (see Annex 1).

38. As regards the at-risk-of-poverty rate, the change in income had an impact on the poverty risk for families with children. The positive developments as to the income level of large families have substantially decreased the-risk-of-poverty rate, reaching the lowest percentage rate for this family type during last ten years in 2013. The situation has also improved for the families with both parents and a child, and two children, namely, the at-risk-of-poverty rate in 2013 is less than in 2008. However, in comparison with 2008, single parent families are still subject to high at-risk-poverty rate (see Annex 1).

39. At-risk-of-poverty rate for children reflects the relative improvement of situation. If compared to 2008 and 2009, the poverty risk for children in 2013 is 2 percentage points lower. Taking into account the policy measures that were adopted in 2014 and 2015, which are aimed at increasing income for families with children, the situation is most likely to improve (see Annex 1).

40. Taking into account the above-said, the Government emphasises that the positive developments in welfare of families with children have been achieved mainly due to necessary amendments introduced in national law.

41. In addition, it is worth mentioning that during the crisis years 2009-2012, the Social Security Net Strategy was introduced and put in practice. Its goal was to mitigate the risks caused by the crisis on availability of income and key services for people with the lowest income. The following measures were implemented:

- The guaranteed minimum income (GMI) provided for needy persons was increased (from EUR 52.67 per month for all persons, irrespective of age, to EUR 56.91 for adults and EUR 64.03 for children).
- Additional job places in municipalities were provided thus encouraging the employment.
- Availability for basic healthcare services and basic pharmaceutical products for persons with low income was ensured.
- Transport services for students at schools, as well as availability of preschool education were ensured.
- Public transport services for the defined category of passengers, who are granted reduced fares on public transport, were ensured.

42. As concerns measures taken to address the situation of children left behind by parents seeking employment outside the country, the Government points out that on 30 August 2006, the Cabinet of Ministers adopted the Plan for the Improvement of Situation of Children Whose Parents Work Abroad, and Limiting the Spread of Social Exclusion 2006-2009. This plan has been elaborated by the competent ministries (Ministry of Education and Science, Ministry of Culture, Ministry of Environment Protection and Regional Development, Ministry of Interior and Ministry of Welfare) in order to develop necessary policies addressing children who are affected by the said situation.

43. Pursuant to the aforementioned Plan, the following measures were implemented:

- Educational institutions are under the obligation to collect statistical data on the category of children whose parents have left to seek employment outside Latvia.
- Informative materials were issued for raising parents' awareness on the obligations to be fulfilled before their departure from Latvia.
- Legislative amendments were introduced, stating that if a parent wishes to place a child under any other person's care for the period of more than 3 months, it must be coordinated with the Orphan's court.
- Orphan's courts are under the obligation to conduct inspections into the child's living conditions regularly.
- Informative and educative activities for teachers and other professionals were conducted.
- A number of informative activities were carried out on raising public awareness about employment opportunities in Latvia.
- The State financial support was granted for social workers to work with families and children; to provide free psychological counselling for families with children in crisis situations, as well as additional support was provided for the municipalities in order to establish multifunctional crises support centres for families with children in crisis situations.
- Since 2009, the measures taken to address the mentioned situation are being integrated in various state policies.

As to the Committee's question No. 6

44. According to the Criminal Procedure Law, any person involved in the criminal proceedings or whose rights or lawful interests have been adversely affected may submit a complaint about any action performed by the authority conducting criminal proceedings. The aforesaid law provides a list of authorities eligible to examine the complaint and decide

upon the measures which ought to be taken in order to remedy the situation. For instance, the complaint about any action performed by an investigator is examined by a supervising public prosecutor, whereas those decisions taken by an investigative judge are subject to examination by a chairman of the court.

45. Specifically, the Law on Prevention of Conflict of Interest in Activities of Public Officials provides a list of restrictions and prohibitions applicable to public officials in pursuance of his/her public duty. The aforesaid law also prescribes a procedure for examination of an alleged violation.

46. As regards the operation of public institutions, for example, the Prison Administration, the Government would like to inform that the SIPCR, responsible for annual inspections carried out at the imprisonment facilities on the compliance with the requirements of the Law on Protection of the Rights of the Child, has not identified any signs of corruption. In September 2014, the Action Plan on Mitigation of Corruption Risks and Conflict of Interest in the Latvian Prison Administration for the period of 2014-2017 was adopted and put into practice.

47. In 2013-2014, the institutions subordinated to the Ministry of Interior, that is, the State Police and the State Border Guard, carried out an assessment of public posts exposed to the risk of corruption. As a result, a list of public posts was drawn up, containing a classification of positions with a range from very high to very low-risk categories. In relation to the identified classification, a number of mandatory measures have been developed and introduced in the internal rules of these public institutions. For example, the State Boarder Guard internal rules prescribe the following measures: open competitions for vacant posts in order to promote fair competition and transparency in recruitment process; regular staff training and proficiency check on anti-corruption issues at least twice a year; constant staff rotation; increased internal control over administrative decisions adopted, as well as unannounced and unscheduled inspections, etc.

As to the Committee's question No. 7

48. The Government would like to inform the Committee that the Law on the Protection of the Rights of the Child stipulates that the rights and freedoms of a child are exercised without any discrimination on the grounds of the child's and his/her parents' or guardians' race, nationality, gender, language, political belonging, political or religious views, national, ethnic or social background, domicile, material or health conditions, birth or any other factors. As to international cooperation, Latvia has signed the Beijing Platform for Action that emphasizes the need for gender equality for women and girls, and has also implemented the UN resolution No. 27/2 A World Fit for Children.

49. The gender equality and anti-discrimination perspective is well-stated and directly expressed in the recent policy-planning documents, such as the Guidelines "Latvia Fit for Children", developed under the UNICEF initiative together with national child protection institutions. The document highlights the need to ensure to children healthy lifestyle, quality education, protection from exploitation, violence and discrimination, and fight against HIV/AIDS. The same values are enshrined in the Guidelines on Family Policy 2011-2017 that focus on the need to facilitate public and private sector's work to promote the interests of children.

50. As to the actions on promoting gender equality, in 2012, the Ministry of Welfare, together with the Nordic Council of Ministers, translated and published a Danish book for children *Den Dag da Rikke var Rasmus og Den Dag da Frederik var Frida*. This book is envisaged for parents and the personnel of preschool education institutions, and tells how to

promote equal opportunities for boys and girls.¹¹ The book received mixed reviews, but generated a much needed debate with respect to gender equality in all parts of society.

51. During 2009-2015, a number of projects have been implemented with the aim to combat stereotypes and discrimination against children belonging to national minorities. For instance, in 2013-2014 the project *Different people, various experiences*, one Latvia was implemented by the Society Integration foundation in cooperation with the Ministry of Culture, the Centre for Education Initiatives and other partners. The project was aimed at developing the national policy to combat discrimination and promote equality, as well as to analyse the situation in the anti-discrimination field, identify examples of best practices and raise public awareness. A number of activities were implemented to provide support to Roma people's integration, especially in the field of education.

52. In order to raise awareness and knowledge of public officials working with ethnic minorities, including Roma, a project *Different people. Various experiences. One Latvia-II* was launched in 2014-2015. Various activities are carried out under the aforesaid project, such as trainings for trainers on non-discrimination, diversity and equality issues tailored for police officers, social, cultural workers and public officials; implementation of measures fostering diversity management and dissemination of examples of best practices from the private sector industries; conducting a research on the situation of Roma in Latvia in order to examine their particular needs in the fields of education, employment, health and housing. In addition, the project envisages the use of digital storytelling in social and internet media to raise public awareness about negative effects of discrimination and harassment on the grounds of race, ethnic origin, disability, age, religion or belief, sexual orientation, etc.

53. According to the Action Plan for the implementation of the Guidelines on National Identity, Civil Society and Integration Policy 2012-2018, as of 2015, the Ministry of Culture provides regular financial support for the organisation of awareness raising activities targeted at general public. The aforesaid activities are related to Roma culture and history and focus on the impact of prejudice and stereotyping against Roma community. For instance, an event *Latvian Roma — between past and future* was organised by various NGOs and the Ministry of Culture during the International Roma Day in the Museum of Roma Art and History in Riga. In addition, a thematic workshop was organised in order to foster the discussion on how Roma community is portrayed in the Latvian media and what impact it leaves on Roma social inclusion process.

54. Since 2012, the Ministry of Culture regularly provides state budgetary support to Roma community in order to foster Roma participation in policy implementation and enhance cooperation with local authorities. This support is specifically tailored in order to respond to Roma community needs and is implemented by various Roma NGOs in cooperation with local authorities throughout Latvia.

55. For example, in the field of education, an extra-curricular activities programme for Roma students was launched by Roma NGO and the Association of National Cultural Societies of Jelgava city. In 2013-2014, a program for enhancing the competitiveness of Roma youth was implemented, consisting of a number of formal and informal educational activities for Roma children and youth. Another project, which is being implemented since 2013, is targeted at professionals in the field of diversity management and non-discrimination issues and Roma mediators. Moreover, the project envisages establishing of resource centres for Roma children (5 resource centres in total), carrying out a number of

¹¹ The objective of the children's book is to generate discussion among children, for example, about what girls do and what boys do; is it okay for girls to play football and for boys to play "family game", etc.

intercultural events, publishing informative materials, as well as providing consultations for local authorities.

56. In order to promote the participation of the Roma youth and parents in decision-making processes, Roma NGOs in cooperation with local authorities of various Latvian cities organised a series of educational and informative activities about Roma culture, history and traditions, as well as youth sports day and discussion forum on social integration issues.

57. During 2011-2013, various Latvian municipalities implemented projects related to the social rehabilitation of Roma persons. For instance, in Sloka city, 419 Roma persons have received a social rehabilitation package comprising such activities as Healthy Life School, Health Care Centre services, Life-skills development workshops, Illiteracy Reduction Program, individual consultation with the experts, cultural, art and sport activities. Jelgava city authorities provided social rehabilitation services for Roma families with children of pre-school and school age (60 persons in total), intending to increase a sense of self-worth among Roma parents.

58. In addition, the Government recalls that in the law enforcement field, security measures and deprivation of liberty is ensured in accordance with legal provisions and without any discrimination. Imprisoned minors are provided with an opportunity to participate in special education, resocialisation programmes and outreach activities, to receive medical assistance and information on healthy lifestyle. In addition, special resocialisation programmes were developed and implemented, and they are aimed at raising awareness about reducing harm caused by drugs, preventing sexually transmitted diseases, B, C hepatitis and HIV/AIDS infection (see Annex 7).

59. Presently, there are no right-wing extremist and “skinhead” groups among the minor prisoners in Latvia. However, the preventive work is carried out at the imprisonment facilities, by implementing resocialisation, security and surveillance activities. Similarly, the State Probation Service implements a social behaviour correction programme for convicted persons who have committed criminal offences associated with violence. The programme is put in practice at the Cēsis Correctional Institution for Juveniles.

60. In order to avoid potential discrimination and stereotypes against imprisoned minors, the Latvian Prison Administration cooperates closely with civil society, as well as raises public awareness about good practice in the field of deprivation of liberty.

61. Referring to the employment opportunities for young people, the Ministry of Welfare, in cooperation with the State Employment Agency, continues implementing policy initiatives which focus on widening the availability of career counselling, facilitating geographic mobility, subsidising youth employment and raising skills. For example, career guidance services are available and widely used for unemployed or job seeking young people and disabled persons. During the 2010-2014, participation of unemployed young persons and job seekers in career guidance consultations was high; moreover, the number of disabled people participating in the aforesaid consultation is constantly rising. In implementing the career counselling services, the State Employment Agency uses different methodologies in order to provide effective and targeted help for integrating persons into the labour market, as well as widely collaborates with other governmental institutions and NGOs (see Annexes No. 1, 17).

As to the Committee’s question No. 8

62. The Government draws the Committee’s attention to the fact that, in all activities related to a child, irrespective of whether they are carried out by the State or municipal institutions, courts or law enforcement institutions, the rights and interests of the child are

taken as a matter of priority. In particular, this means that each case is considered individually, according to a child's needs.

63. The national legal provisions stipulate that the court must examine cases affecting a child as a matter of priority. A representative of the Orphan's court must be present during the adjudication of the aforesaid cases, and provide an opinion, as well as represent/ascertain an opinion of a child, if the child is not able to express it himself/herself. In addition, the court may, at its own discretion, declare the hearing (or part of it) closed, with the aim to protect the interests of a child, or where the court requires hearing of a person who has not reached 15 years of age.

64. The SIPCR has developed methodological recommendations for the Orphan's courts on the child's best interests. The aforesaid recommendations aim at providing methodological support to the Orphan's courts in matters related to the assessment of the child's best interests, listening to the child's views and interviewing the child.

65. In addition, the Law on the Protection of the Rights of the Child determines a list of professionals who must have special knowledge and skills in the field of protection of the rights of the child (for example, a judge, a public prosecutor, a lawyer). In that regard, regular training sessions are held for raising awareness about the child's best interests (for details see paragraph 75).

As to the Committee's question No. 9

66. In the context of the Views of the Human Rights Committee in the case of *Raihman v. Latvia*,¹² the Government would like to note that on 13 November 2007 the Cabinet of Ministers adopted the Passports' Regulation (Regulation No. 775). Pursuant to legal provisions of the said Regulation, the personal information is provided on the second passport's page; the original or historical form of a person's name and surname is provided on the third passport's page. According to Article 145 of the Cabinet of Ministers Regulation No. 114 of 2 March 2004 on Spelling and Usage of Personal Names in the Latvian language, as well as Their Identification, both forms have identical legal force.

67. Therefore the Government remains convinced that the above measure should be considered sufficient to ensure compliance of national policy concerning reproduction of personal names in official documents with its international human rights obligations.

68. Moreover, with respect to the rights of the child to a name as a part of a person's identity and privacy, it is worth mentioning the recent example of Latvian jurisprudence related to the issue of transcription of personal names. In 2010, the applicants asked the Registry department of the Riga Council to register their new-born son with the name "Otto". Nonetheless, considering that the double consonant "t" is not permitted in the Latvian language, the Registry department refused the aforesaid registration. The applicants challenged the refusal before domestic courts, and by its judgment of 9 July 2010 the Regional Administrative Court obliged the Registry department to issue an administrative act for registering the child's name as "Otto". Afterwards, the judgment was upheld by the Supreme Court.¹³ In its reasoning the Supreme Court recognised that the restriction of the rights imposed on the applicants by not registering the name "Otto" was not proportionate and necessary in a democratic society.

¹² Communication No. 1621/2007, Human Rights Committee.

¹³ Judgment of the Department of Administrative Cases of the Supreme Court of 17 November 2010 in the case SKA-890/210 (in Latvian), available at: <http://at.gov.lv/lv/judikatura/judikaturas-nolemumu-arhivs/senata-administrativo-lietu-departaments/hronologiska-seciba/2010-hronologiska-seciba/> (last visited in October 2015).

69. Taking into account the aforesaid, the Government firmly believes that national legal provisions, as well as effective domestic remedies ensure the right to identity of children in Latvia.

As to the Committee's question No. 10

70. The Government recalls that the corporal punishment in all settings is explicitly prohibited by the Law on Protection of the Rights of the Child. National law also widely incorporates the notion of prohibition of physical violence or abuse, which encompasses the concept of corporal punishment (see also paragraphs 110-162 of the Report).

71. Latvia, in a partnership with the Council of Baltic Sea States (CBSS) and governments from the Baltic Sea region, develops and implements a project to support the implementation of the legal obligation to eliminate corporal punishment. The provisional title of the project is Non-violent childhood: moving on from corporal punishment in the Baltic Sea Region. The mapping of different Baltic states' activities performed by the CBSS will then enable Latvia to develop an effective and meaningful strategy and to identify relevant stakeholders to be involved at the national level.

72. Currently there are no special trainings or informative campaigns on the prohibition of corporal punishment implemented by the State. However, an array of informative, educational activities and training programs which focus on children's rights is implemented on a regular basis.

73. The SIPCR, in collaboration with NGOs, regularly organises informative campaigns to educate society about children's rights and prevention of violence against children. In 2014, the Child's Helpline received 63,750 calls from children and adults (parents, teachers) about crisis situations, including cases of violence. In 2014, the Helpline organised a campaign Violence is not a small secret! Talk about it! During this campaign 1 768 calls were received, which resulted in 592 psychological consultations to the callers about physical, emotional, sexual violence and child neglect. Any information received by the Helpline consultants was immediately transferred to other responsible authorities (the State Police, Orphan's court, social services, etc.). In addition, the Helpline consultants organised several workshops for teachers on the identification of signs of violence. The Helpline consultants offer face-to-face consultations for parents, during which they explain possible consequences of physical violence (including flogging) for a child's psyche, thus raising awareness about positive child discipline methods.

74. The State Police, in its turn, regularly organises and supports different preventive activities, and develops informative materials on children's rights and safety issues, thus teaching respect for human rights and fundamental freedoms. For example, in 2014, 3,412 activities took place in different Latvian educational institutions on such topics as violence at school, domestic violence, violence and the associated liability, emotional abuse, criminal and administrative liability, harmful effects of drugs, alcohol and smoking, road traffic safety, safety at home and on the street, safe internet, etc.

75. Pursuant to the requirements set out in the Law on the Protection of the Rights of the Child, professionals working with children (law enforcement officers, teachers, social service providers, lawyers, etc.) are entitled to a certain amount of trainings ensured by the State. Annually, on average 600 professionals are trained within the aforementioned education programme that include such topics as children's rights protection system; application of international law, rights of parents and children; violence against children; principles of communication with children; a minor in judicial procedures, etc.

76. Various thematic educational materials have been issued in order to raise awareness about issues related to violence against children. For instance, social workers received materials for behavioural correction of high risk parents, whereas municipal child

protection institutions, Orphan's court and guardians are equipped with materials on violence against children.

77. NGOs play an important role in raising public awareness about issues related to violence against children. Their activities are financed by the State, municipalities and international organizations. For example, since 2004, the NGO "Centrs "Dardedze"", in cooperation with the Ministry of Welfare, operates an educational programme Emotional Education of a Child for parents, aimed at reducing violence (abuse) against children in family and physical punishment. The program targets parents who raise children of 0-7 years of age, but tailored also for those who have difficulties with the child's behaviour. The programme is also available for everyone interested in learning the principles of positive parenting and promoting child's development.

78. The NGO "Centrs "Dardedze"" has also developed a web portal for children, parents and professionals on how to ensure safety for children (<http://www.dzimba.lv/>). Topics covered by published materials include the prevention of violence. Put down the belt is another programme developed by this NGO in order to educate society about non-violent parenting principles. In addition, a special web portal, Parents' assistant has been developed (<http://paligsvecakiem.lv/resursi/kampanas/noliec-siksnu/>). It is designed to help parents to apply positive discipline methods, raise awareness about child development, role of parents in the family, as well to promote the fathers' role in the family, thereby decreasing risk of violence.

79. Among other interactive activities, a children's rights path (3km) has been created in the Cēsis municipality, where children and their parents may get acquainted with principles established by the Convention.

80. Presently, the SIPCR launches a project to establish a consultative cabinet for children with behavioural disorders. The consultative cabinet will provide support to children, their parents and professionals to cope with the child's behavioural disorder in a non-violent manner and to enable the child to continue studies at school together with his/her peers. In addition, the SIPCR implements social campaigns Friendly school and Friendly Home in order to prevent violence against children at schools and institutions where children reside.

81. The new State Family Policy Action Plan 2015-2017 draft envisages that the SIPCR will carry out informative campaigns, studies and prepare informative materials for raising awareness about domestic violence and its identification.

82. With respect to measures taken to combat bullying, the Government informs that a national-wide survey Health Behaviour in School-Aged Children took place in the school year of 2009/2010 (published in 2012). The survey shows that victims of bullying are 16.6% of 11-years' old boys and 18% of 11-years' old girls. Those who are both victims and bullies at the same time are 7.3% of 11-years' old boys and 4.4% of 11-year's old girls. As to the bullying, boys are in the lead, and overall the tendency between both genders is for the number of bullies to almost double or even triple in older age brackets. A difference between genders is small in other age brackets, and the number of victims has a tendency to decrease with increasing age.

83. Thus, as for the activities, special attention was paid to the issues of peer violence in schools, such as mobbing and bullying. In particular:

- In 2009, an anti-mobbing campaign was carried out in 50 schools, thus raising awareness of teachers and students of 370 classes in total.
- In 2008-2009, over 900 specialists were trained about violence against children and signs of violence.

- In 2011, the Ministry of Welfare, together with the State Police, developed a series of informative presentations Recognise and Eliminate Peer Violence in Schools, focusing on personal relationships between students and issues of violence.

As to the Committee's question No. 11

84. In March 2015, the Cabinet of Ministers adopted the Concept document on Improving the Adoption and Foster Families' System. The aim of this document is to determine the rights of adopters to receive the State social benefits equivalent, to the extent possible, to the ones received by biological families, as well as to improve the placement system to promote family environment (guardians, foster families) and ensure that children live in favourable conditions. The measures planned in the Concept document are envisaged to be gradually introduced as of 2016.

85. The Concept for the foster families' support envisages that the amount of the State social benefit provided for the foster families will double in 2018, and will constitute a double amount of child support minimum provided by the State. The Concept document states that in 2019, the remuneration for the fulfilment of a foster family's duties will be revised based on the minimum income level introduced by the State. It is also planned that as of 2017, a new foster family type will be introduced, namely, a specialised foster family that would provide care for a child in a family environment, rather than in an out-of-family care institution, until a suitable guardian or a foster family is found. It is also foreseen to increase the possibilities of receiving psychological support by foster families, as the number of the required psychological counselling and support groups is not sufficient.

86. In order to facilitate child development in the conditions which most closely resembles the family, the Law on State Social Allowances governs special State social allowances for guardians. Notably, the remuneration for the fulfilment of guardian's duties amounts to EUR 54.07 per month; the guardian's allowance for a dependent child is EUR 45.53 per month; for adopters remuneration for the care of an adopted child is EUR 49.80 per month, whereas remuneration for adoption, which is granted to an adopter after the court decision on the approval of adoption comes into force, is EUR 1,422.87.

87. In order to encourage the development of the movement of foster families, the following support is provided:

- The remuneration for the fulfilment of a foster family's duties — EUR 113.83 per month.
- The amount of the child maintenance allowance is determined by a municipality: 25% of the minimal monthly wages specified by the State for each child from his/her birth to the age of 7, which constitutes EUR 90; 30% of the minimal monthly wages specified by the State for each child of 7-18 years of age, which is currently EUR 108.
- In addition to the monthly allowance, municipalities have also provided an extraordinary or annual allowance amounting EUR 28 to 280 for the feeding, clothing, and soft furnishings for a child placed in a foster family (for statistics see Annex 4).

As to the Committee's questions No. 12

88. The Governments refers to the information provided in paragraphs 350 and 353 of the Report and recalls that the Medical Treatment Law specifies that legal assistance is provided to a patient (including a minor) in case of involuntary psychiatric treatment. The legal assistance is provided by a legal counsel appointed by the Latvian Bar Association.

89. As of 2012, the Latvian medical treatment institutions implemented a number of activities aimed at ensuring enjoyment of patient's rights, as well as improving patient's comfort and surroundings.

90. As regards the infrastructural improvements, the Ainaži Children's Psychiatric Hospital has undergone important reconstruction works. Notably, during 2007-2010, a new hospital building (total area of 2,073.67 m²) and a hydrotherapy pool (total area of 416.4 m²) was built for the needs of children and adolescents suffering from mental disorders and illnesses. In addition, the outdoor renovation of the medical and rehabilitation complex was performed, as well as additional new equipment was installed. During 2009-2012, the indoor renovation of the admission (emergency) department premises of the Children's Clinical University Hospital was carried out, as well as a new medical (electroencephalography) equipment was installed in the consultative out-patient clinic of the University Hospital. The European Union (EU) funds were allocated in order to implement the aforesaid activities.

91. The Government informs that a thorough assessment is carried out now in order to identify the need for further EU investment in the field of health care. According to the State's estimates, one of the priority areas for the planning period of 2014-2020 is mental health. Future investments are expected to focus on infrastructural development, environmental accessibility, as well as personnel development.

92. The patient's comfort, communication and appropriate leisure time activities are provided for children, as well as a possibility to communicate and meet relatives and friends. Support of a psychologist and a social worker is also available. With a view to ensure full observance of patients' rights, medical treatment institutions cooperate closely with the Orphan's courts, social service providers and the SIPCR.

93. Considering the recommendations provided by the Latvian Ombudsman in 2011 regarding the children's rights, a number of significant improvements were introduced. In particular, internal regulations for patients of medical treatment institutions were developed. Now, the aforesaid regulations contain provisions that allow an individual to submit a complaint, ensure a review procedure, as well as allows for anonymous reporting. The procedure for application of physical restraints (patient fixation) is also set out in the internal regulations of the medical treatment institutions.

94. In response to previously raised concerns, the Government informs that placement of a 15-18-years' old adolescent patient in an adult department of a psychiatric hospital is a measure of last resort. This measure is applied for the shortest time possible and only under exceptional circumstances when a patient's behaviour is aggressive and dangerous and poses a risk to himself/herself, and to the health and life of other children. After the patient's condition is stabilised, he/she is immediately moved to the children's department for further treatment.

As to the Committee's question No. 13

95. In 2010, Latvia ratified UN Convention on the Rights of Persons with Disabilities. By ratifying the Convention, Latvia has committed itself to promote, protect and ensure to all persons with disabilities, including children with disability, full and equal human rights and fundamental freedoms. In November 2013, the Cabinet of Ministers adopted the Guidelines on the UN Convention on the Rights of Persons with Disabilities 2014-2020, aiming at improving living conditions of persons with disabilities. Moreover, the process of establishing and implementing alternatives to the institutionalisation has begun, for example, home based care was introduced. In 2012 — 55, in 2013 — 49, in 2014 — 59 children with disabilities received home-based care services (see Annex 5).

96. In 2014, the general construction standard requirements in Latvia were improved. The new Construction Law was adopted, emphasising that an accessibility of the environment constitutes one of the main construction principles. In this regard, the Ministry of Economics published an explanatory material about the accessibility of environment and its requirements. In addition, in order to improve knowledge on accessible environment and related issues, a number of different EU projects were implemented, for example, trainings for stakeholders on equal opportunities and the rights of persons with disabilities; consultations of experts of environmental accessibility; recommendations for the improvement of legislative acts related to construction activities, etc.

97. Latvia works towards the implementation of inclusive education. High quality public education for all students, regardless of their socioeconomic conditions, functional status and place of residence, is the instrument for contributing to the equality and social inclusion. In May 2014, the Saeima adopted a medium-term planning document — Education Development Guidelines 2014-2020 — which includes activities aimed at promoting inclusive education at all educational levels (see also paragraph 122).

98. For example, since September 2012, persons with disabilities are entitled to receive a support service — service of an assistant at the educational institution (institutions of a primary education, vocational education, general secondary education and secondary vocational education) to support person's mobility and self-care. The assistance services include such activities as moving within educational institution; self-care (for example, personal hygiene, meals); communication with teacher; taking notes during lectures; school supplies and arrangement of work place; interaction with peers and others (for example, during breaks and extended school day groups, extra-curriculum activities, etc.); participation in events organised by an education institution. In 2012, this assistance was provided to 200 students, in 2013 — to 214, and in 2014 — to 263 students.

99. As of January 2013, a new service for persons with disabilities was launched, notably, a municipality-based service of an assistant for performing outside home activities, targeted at children with disabilities of 5-18 years of age. Persons with disabilities use this service to do shopping, spend free time; attend cultural events; arrive at work, educational institution, or day centre; receive medical treatment services (including, visit to a general practitioner (GP)); engage in public activities, etc.

100. The State provides financial support to a person up to 18 years of age, for whom a disability has been determined for the first time, and who lives with his/her family (or legal representative), to receive service of a psychologist. Until July 2014, two consultations each 45 minutes long, and since July 2015 — 10 consultations each 45 minutes long are ensured in order to facilitate persons' with disabilities integration in society and their adjustment to new living conditions.

As to the Committee's questions No. 14

101. The Government would like to highlight that children are defined as a priority group of patients receiving any health care services in Latvia. The organisation and funding procedure for health care system in Latvia is governed by the respective Cabinet of Ministers Regulation. The Regulation provides that health care services are ensured for all residents of Latvia, taking into consideration the State financial resources. According to the aforesaid Regulation children are included in the category of patients exempted from any patient fee, and a number of health care services, when provided to children, are paid from the State budget only. At the same time, contracts on provision of health services and their financing which are concluded between the medical treatment institution and a patient, ensure that children and pregnant women are granted priority in receiving urgent medical help.

102. As of 2014, all children up to 18 years of age receive medicine and medical devices, which are included in the list of reimbursable medicines, with 100% State-provided financial support. As of 1 June 2015, with an aim to improve treatment of infectious diseases and reduce antimicrobial resistance that could arise as a result of self-medication, children up to 18 years of age receive 100% state compensation for medicines attributable to the established group of diagnoses.

103. As a part of implementation of the tasks defined in the Maternal and Child Health Improvement Plan for 2012-2014, various amendments to the national legislative acts were introduced. Their aim is to ensure that maternal and child health care is provided in a timely, qualitative and professional manner, and the necessary health care services are easily accessible. For example, the mandatory requirements for perinatal care centres were introduced concerning the access to medical specialists and provision of medical equipment necessary for treating pregnant women and new-borns at risk groups. As to the material improvements, in accordance with the Plan mentioned above medical treatment institutions installed perinatal care equipment which is necessary to provide high quality maternity services and new-born care.

104. In cooperation with the World Health Organisation experts a confidential analysis of maternal mortality rate is being conducted since 2012. The analysis is aimed at identifying and eliminating of shortcomings of the health care system. Thus, since 2012, all maternal mortality cases are examined in the framework of the aforesaid analysis.

105. The seminar Perinatal audit in Latvia took place in January 2015, which was widely attended by the WHO experts and professionals in the field. Since then, the development of an audit system of perinatal mortality has been launched. Based on the gained experience, in 2015 it is planned to launch a confidential analysis for perinatal mortality with the focus on specific perinatal death cases (destruction of the foetus before birth, during birth and death of a new-born during the first week of life).

106. In general, a person receives primary health care services upon his/her own request by addressing the provider of primary health care service or following the invitation of a GP (a family doctor), including preventive check-ups. A nurse or physician's assistant (feldsher) working with a GP is assigned with the task to inform patients about health promotion and health care, consult on reproductive health and family planning issues, inform and consult parents of new-borns, infants and children (for example, breast feeding, disease factors) and follow-up on the preventive check-ups.

107. Work performed by a GP and his/her team is evaluated once a year based on certain criteria, fulfilment of which defines the amount of financial resources allocated with the GP. As of 2013, such indicators as children vaccination and assessment of children's health condition are included in the GP quality assessment system. Since 2013, a notification system for GPs has been introduced which notifies a GP about patients who have been visited by emergency medical care providers and have not been hospitalised. This novelty allows for ensuring the availability and continuity of health care services, as the GP is obliged to contact the patient concerned and agree with him/her on further treatment plan.

108. The secondary health care services are received by a person who visits a GP or a medical specialist, or upon his/her own initiative by visiting a medical specialist such as gynaecologist, ophthalmologist, children's surgeon, a psychiatrist or children's psychiatrist or narcologist, etc. A visit to a dentist for children up to the age of 18 is free of charge provided that the dentist is in contractual relations with the National Health Service; no specific physician's referral is needed for such visit.

109. In accordance with the provisions laid down in Article 27 of the Law On Sexual and Reproductive Health, if a pregnant patient is younger than 16 years of age, a physician is obliged to pay due attention to the patient's views about her age and maturity. The

physician is also under obligation to inform the pregnant woman's parents or custodian. If there is a disagreement between the patient and her parents or custodian regarding the preservation of the pregnancy, the Orphan's court must be involved. Costs of contraception and artificial termination of pregnancy (except in cases of medical indication) are incurred by a patient (for statistics on health care for children see Annex 3).

As to the Committee's question No. 15

110. With the aim to decrease the number of traffic accidents, each year, at the beginning and the end of the school year, the State Police organises public campaign Safe days at schools and Safe Summer — Your summer. During the Safe Summer — Your summer campaign, special attention is paid to the causes and reasons that often lead to road accidents; drug, alcohol problems and related legal responsibility; the Internet security, as well as to those conditions which can provoke a variety of injuries in an everyday life (such as playing in the backyards, construction sites, contact with unfamiliar animals, roaming children, etc.). The campaign Safe days at schools focuses on child safety-related issues, such as road safety, children's disappearance, child relations in various locations and environments such as educational institutions, places of entertainment, backyards and roads, mutual relations and responsibilities, responsibilities for fire safety, safety on water tips, safety tips while staying alone at home, etc. The State Fire and Rescue Service personnel, as well as the Municipal Police officers assisted in implementation of the aforesaid campaigns.

111. In 2012, the State Police launched different campaigns, such as Be visible! and Go Home Safely! During these campaigns, special attention was paid to pedestrians and cyclists who fail to comply with road traffic requirements. If a student fails to observe safety road requirements, the State Police carries out special activities and informative campaign in the respective educational institution.

112. The State Police departments throughout Latvia operate road traffic safety and preventive measures' organisation classes, which use a diverse range of visual aids and technology. It must be stressed that there is a growing interest in participation in the preventive activities offered by the State Police; these activities have been very positively evaluated by school administrations and general public. The State Police officers also regularly attend parents' meetings at schools in order to inform and update parents on the children safety issues.

113. The State Police officers regularly patrol streets, focusing their attention on the places of youth gatherings, in order to prevent the use of alcohol and intoxicating substances, smoking, drug abuse and other criminal offences, as well as to check whether the Law on the Protection of the Rights of the Child is observed (it is forbidden for a child who has not reached the age of 16 to stay in a public place without parents, a guardian, foster family or their authorised persons during the night-time).

114. In 2013, in the field of preventive the State Police provided information and recommendations to mass media on the issues related to violence at schools, road safety, child safety during summer breaks, etc. It has also issued a number of informative material concerning child safety in winter time, children' rights and responsibilities.

115. In 2014, a mobile application for children was developed by the State Police in order to raise awareness about personal safety issues. With the support of educational institutions, the State Police continued conducting different informative campaigns to improve road safety for children, inform about criminal or administrative responsibility of minors, prevent alcohol and drug use, etc. Necessary amendments related to road safety issues were introduced to the primary school books for the Social Science studies. Among other interactive activities, a festival for children on safety issues, accompanied by a variety of

entertaining activities, was organised in summer of 2014. The aim of the festival was to update children and parents about safety on the Internet, harmful effects of new psychoactive substances and other issues of personal safety. In 2014, the development of a website for children and young people about safety and prevention issues was launched by the State Police (www.sargi-sevi.lv). As another example, in order to diversify the ways to communicate with children about safety issues, an innovative game to play with kids Piglet's Journey and Piglet's City was developed. Its main objective is to encourage discussion among parents, teachers and children on safety issues in different life situations.

As to the Committee's question No. 16

116. As of 2013, in order to ensure the availability of preschool education, the State provides financial support programme for children who have not been ensured with the municipal preschool education, and therefore receive services provided by the private preschool educational institution, or a private childcare provider. In 2014, the State support across Latvia was granted to approximately 9,112 children, and the State-provided support for the reduction of the waiting list in the kindergartens constitutes an amount of EUR 8,771,903.13. In 2014, there were 4,000 children on the waiting list in total (see also paragraphs 18, 120).

117. In December 2014, the Cabinet of Ministers adopted the Regulation No. 843 on the Procedure on how to calculate and grant the State support for a child, if the child receives preschool education by the provider of the private preschool education services. The aforesaid Regulation sets out the registration procedure, as well as professional qualification and safety requirements for the private services' providers.

118. In 2013, a Registry for the providers of childcare services was established and is currently maintained by the State Education Quality Service. According to the Registry's data, in 2014, 1,229 legal entities (legal or natural persons) have been registered as private childcare providers, which is by 79.98% more than in 2013.

119. Therefore, the necessary regulatory framework has been created to promote the diversity of childcare and education services for children, as well as to ensure high quality, safety standards, fair competition and equal requirements for the providers of educational services that implement preschool education programmes. The establishment of the Registry, in its turn, ensures systematisation of data and enhances the quality of the services.

120. Overall, the results show that the measures applied by the State to support preschool education have been effective. In 2015, after the completion of the State support programme for the reduction of the municipal kindergartens' waiting list, the improvement of the childcare system will continue. It is envisaged to introduce a diversified childcare policy thereby facilitating the development of alternative forms of childcare and applying the "money follows the child" principle.

121. There is also another type of preschool education, that is, preschool special education which is tailored for children with special needs. In 2014/2015 academic year 138 pre-school institutions implemented special preschool education programs, out of which 40 are special preschool educational institutions. Special preschool education programs are implemented also by the general education institutions.

122. In order to improve the content of general education programmes, in 2014, necessary amendments were introduced to the Cabinet of Ministers Regulation on the State Standard of Primary Education and Standards of Primary Education Subjects and curriculum. The aforesaid amendments provide:

- An opportunity for the general educational institution that provides primary education with certain specialization, to implement individually tailored subjects and lesson plans.
- The right for the general educational institution that provides minority education curricula (the 5th model) to implement individually tailored subjects and lesson plans.
- An obligation to offer studies of the one of the European Union's languages as a first foreign language.
- Assistance and support measures for students who returned from another country in order to promote their integration into the Latvian education system (for example, the Latvian language, Latvian literature, Latvian history studies).

123. In 2014, the Saeima adopted the Education Development Guidelines 2014-2020 which stipulate measures for improving the content of preschool, primary and general education, raising professional competence of teachers, as well as ensuring inclusive education. The aforesaid Guidelines also envisage increasing the number of support personnel, including access to psychologists in preschool and primary educational institutions, in order to prevent violence among children. With the aim to address the issues of peer violence in schools, the Guidelines foresee preparation of various methodological materials and implementation of educational activities. It is also planned to provide training for teachers and special support to new teachers (see also paragraph 95).

124. In addition, the Government would like to emphasise that education opportunities are provided in all prisons where juvenile offenders are placed. Minors are entitled to participate both, in primary education and general education programmes. As of 2013, the Cēsis evening (shift) school ensures six special education programmes for minors placed in the Cēsis Correctional Institution for Juveniles. In 2013, 41 imprisoned minors were involved in general education programs, out of which 36 minors participated in the acquisition of primary education and 5 students — secondary education programs. In 2012/2013 academic year, 8 persons successfully passed the state examinations and received certificates of completion of primary education. In 2013, 2 minors participated in the vocational training programme in the Correctional Department of the Iļģuciems Prison. In 2013, vocational training programmes (Mechanical Engineering, Woodwork, and Construction Basics) for imprisoned minors in the Cēsis Correctional Institution for Juveniles continued (see also paragraph 516 of the Report). In 2013, 21 minors participated in the aforesaid vocational training programmes. In comparison with 2007, in 2013, the total number of juvenile prisoners involved in general education programme has increased (see Annex 7).

As to the Committee's questions No. 17

125. The Government draws the Committee's attention to that fact that according to the provision of the Criminal Procedure Law the terms of detention on remand applicable for minors depend on the seriousness of a committed crime and may last from several days up to 12 months. However, detention on remand must not be applied to minors, if he/she is suspected or accused in: 1) having committed a less serious violation or 2) having committed a criminal offence because of negligence, except if such actions are committed while under drug (or alcohol) influence, and caused another person's death. If a minor is suspected or accused in having committed a less serious violation, detention on remand may only be applied if 1) a minor has violated the provision of another security measure or a security measure of a correctional nature — placement in a social correctional educational establishment; 2) or committed this less serious violation while being a suspect or an accused in the committing another serious or especially serious crime.

126. Detention on remand, as well as sentence of deprivation of liberty, if applied to a minor, is served in two places of imprisonment, that is, Cēsis Correctional Institution for Juveniles (boys) and Iļģuciems Prison (girls). Both places of imprisonment are equipped with the educational department which is in charge of educational activities offered to minors.

127. As regards the living conditions in the Cēsis Correctional Institution for Juveniles (boys) and the Iļģuciems Prison, they generally comply with the requirements set out by the Council of Europe's adopted European Prison Rules. Moreover, over the last 3 years the SIPRC has been carrying out regular inspections in these prisons and found no violations of the rights of the child. Presently, the Cēsis Correctional Institution for Juveniles has the capacity to accommodate 36 detainees on remand, and 124 convicts, whereas the Correctional Department for Juveniles of the Iļģuciems Prison — 10 imprisoned minors.

128. At the same time the Government points out that during 2008, extensive renovation and construction works took place in the Cēsis Correctional Institution for Juveniles. For instance, administrative facilities for minors detained on remand were built anew (area of 1,400 m²). During 2009-2011, prison cells (1,367 m²), roof of the building (971.5 m²) and heating system (1,407 m²) were renovated, as well as the living space area was equipped with furniture. As a result, the living conditions for pre-trial detention of juveniles were significantly improved in accordance with national and international standards.

129. Since 2009, vocational education infrastructure in 8 places of imprisonment, including Cēsis Correctional Institution for Juveniles, was improved. That facilitated overall improvement of conditions for the acquisition of vocational education for juvenile detainees.

130. As concerns children's access to complaints mechanisms and legal assistance, it must be emphasised that the Law on Protection of the Rights of the Child stipulates that the submissions and complaints related to the protection of the rights of the child shall be examined without delay (see also paragraph 590 of the Report). In its turn, the Criminal Procedure Law provides a set of rules that determine the participation of a defence lawyer thus ensuring an individual's right to legal assistance in criminal proceedings. According to the aforesaid law, minors in criminal proceedings, as long as they do not have an agreement with a defence lawyer, are always and in all cases ensured with legal assistance. Moreover, as it stems from the State Ensured Legal Aid Law, the right to legal aid does not depend on the age of a person requesting such assistance; therefore a minor also has an access to legal aid (see also paragraphs 26-27 of the Report and related annexes).

131. Referring to concerns raised by civil society with respect to legal assistance (see paragraph 197 of the Report) in criminal proceedings, the Government would like to emphasise that the Legal Aid Administration regularly implements a series of public awareness-raising activities about State legal aid and the State-ensured compensation for victims. In particular, it conducts informative offsite sessions throughout Latvian regions, distributes leaflets at social centres and the Police stations, as well as informs general public online. In addition, it must be noted that according to national law a person directing criminal proceedings (for example, an investigator) has an obligation to inform victims on their rights and obligations.

132. In response to the question on the measures taken to prevent juvenile delinquency, the Government informs that in 2014, the Ministry of Justice began work on the issue of wider application of compulsory measures of a correctional nature for offences committed by minors. It is done with the aim to approximate the Latvian legal system with juvenile justice principles and improve juvenile delinquency prevention system in terms of concept of restorative justice.

133. During the first phase of the reform, wider application of compulsory measures of a correctional nature to the administrative violations is examined. In that regard, the Ministry of Justice conducts surveys, studies and consults recommendations of international organizations on the issues related to juvenile justice. The drafting process for necessary legislative amendments is ongoing.

134. The Latvian Prison Administration is responsible for ensuring the resocialisation of sentenced minors, namely, the involvement of minors in formal (general or vocational) and informal education programmes, socially useful labour (with or without remuneration), solving social problems (learning of social skills, raising awareness about available social services, etc.), provision of psychological care, leisure activities (culture, literature, art, and amateur sports events) and resocialisation programmes (motivation programmes, stress reduction, correction programme for violent criminals, etc.) (see Annex 7).

135. In order to improve professional qualification of prison personnel, since 2009, a number of measures have been implemented. Training activities were organised to cover a range of topics, such as, for example, on work with inmates who have committed sex offences, work with inmates with mental disorders, resocialisation of inmates, as well as drug-related risk reduction in prisons. In 2009, the Latvian Prison Administration in cooperation with the SIPCR developed and implemented a methodology on working with juvenile inmates who suffered from violence. It resulted in raising knowledge on the types of violence and its expressions, as well as on how to identify a minor who has suffered from violence. In 2011, although the number of training seminars organised has decreased, the total number of prison employees involved in training has slightly increased (see Annex 7). It should also be noted that each prison employee who works with juveniles is involved in several training seminars during the year; that allows employees to study several topics simultaneously. Overall, regular training activities contribute to the prevention of abuse against children in places of imprisonment.

136. As concerns the statistics in juvenile delinquency, in 2012-2014, there was a descending trend in both, in the number of registered criminal offences committed by minors, as well as in the number of minors who committed criminal offences. In 2012, minors committed 256 serious crimes, which compared with 2011, is 164 less. In 2013, out of 47,561 crimes 1,471 crime was committed by a minor. In 2013, the number of minors who committed criminal offences reduced, that is, 1,161 in total. In 2014, out of 48,477 in total, 976 crimes were committed by a minor (see Annex 7).

137. In 2012, there were 576 minors under the State Police preventive supervision, which is 622 fewer than in 2011. The State Police continue preventive work towards significant number of juvenile offenders. In 2012, there was also a decrease in the number of roaming children — 138 (6 fewer than in 2011). In 2013, 404 minors were placed under the State Police preventive supervision, and in 2014 — 366 minors. It is also worth pointing out that the number of roaming children in 2012 has decreased, that is 136 children which is 6 fewer than in 2011. The preventive work carried out by the State Police has given a positive result due to the general decrease in the number of minors being placed under the State Police preventive supervision.

As to the Committee's question No. 18

138. The Government draws the Committee's attention that the Ministry of Education and Science implements education for minor children of asylum seekers. A minor child of an asylum seeker, as well as a minor who is an asylum-seeker himself/herself is granted access to educational system. Namely, he/she has the right to primary and secondary education, as well as right to continue education after reaching 18 years of age. Pursuant to the Education Law, a minor who is a third-country national or a stateless person and who does not have legal grounds to stay in the territory of Latvia is entitled to pursue primary

education during the period laid down for voluntary departure, during the period for which the expulsion has been suspended, as well during his/her apprehension period.

139. The Cabinet of Ministers Regulation on the Procedure of ensuring education to minor asylum-seeker was adopted in 2010. In accordance with the aforesaid Regulation the Ministry of Education and Science defines educational institutions which are entitled to provide education to minor asylum-seeker. In 2014/2015 academic year, there are 5 educational institutions throughout Latvia that ensure education for minor asylum-seekers.

140. The statistics suggest that there are 58,854 students in general educational institutions who pursue education with minority education curricula. This number constitutes 28.7% of the total number of students in Latvia (see Annex 6).

Part II

a) New bills and laws

141. On 24 July 2012, the reimbursement procedure for Medicinal Products and Medical Devices for Outpatient treatment has been improved. Namely, along with the existing list of State reimbursed medicines, the respective Regulation sets a new M-list medicines. That is, the medicines which are included in the M-list are paid under the State compensation procedure and apply to pregnant women, women in the post-natal period up to 42 days and children up to 24 months of age. It should be noted that the M-list includes more than 3,500 names of the drugs, including a wide range of medications — analgesic medication, blood-pressure lowering, eye drops, ointments and creams, as well as powders, inhalations, etc.

142. On 30 July 2013, the Cabinet of Ministers adopted amendment to the Vaccination Regulation. The aforesaid Regulation introduces rotavirus vaccine into the national vaccination programme to be applied for children during 1st year of life.

143. On 17 September 2013, the Cabinet of Ministers Regulation was adopted which specify the hygiene requirements for the providers of childcare services and education institutions implementing preschool education programs. This regulation aims at setting the hygiene requirements not only for preschool educational institutions, but also for the providers of childcare services operating outside of the child's place of residence in order to reduce the risk of communicable diseases, and provide children with an appropriate access to safe and hygienic environment. The regulation sets the list of requirements for the daily regime, premises, territory, furnishings, catering services, etc.

144. On 26 February 2014, amendments to the Civil Procedure Law were introduced on the temporary protection against violence. Namely, the amendments provide that further on, in case of domestic violence an abuser must leave a housing, not his/her victim.

145. On 28 March 2014, the Cabinet of Ministers Regulation on Minor's Support Information System came into force. The system comprises information about a minor and is designed for the use by state and municipal institutions, as well as medical practitioners. The system is used to collect data, if, for example, a minor committed an offence, he/she is a street child, or he/she lives in disadvantaged and dangerous living conditions. The system is developed to facilitate timely, effective and full interinstitutional cooperation for assisting minors and enforcing preventive measures.

146. On 10 April 2014, the Cabinet of Ministers regulation on the Procedure of acquiring skills and knowledge in the area of the protection of children's rights entered into force. The Regulation sets out the detailed procedure on how the professionals working with children must regularly improve their knowledge on the issues of child protection system.

147. On 15 April 2014, the Cabinet of Ministers adopted Regulation No. 195 on the Procedure on the assessment of whether a permission to work as a teacher for a person sentenced for having committed a criminal violation or minor criminal offence harm the interests of a student. The decision on granting or refusing to issue a permit, as well as the cancellation of such permit is ensured by the State Education Quality Service.

148. On 23 May 2014, the Cabinet of Ministers Regulation on the Procedure on how the State Police determines the child's special needs, invites competent professionals and ensure the special requirements needed for a child are met.

149. The amendment to the Law on Restrictions Regarding Sale, Advertising and Use of Tobacco Products, which has been introduced on 15 November 2014, bans smoking in the presence of a child. This is yet another strict measure, along with already existing prohibition to smoke in children's recreation areas and playgrounds.

150. In accordance with the Law on Payment of State Benefits during the period from 2009 to 2014 on a temporary basis — until 31 December 2014 — a parent who is caring for a child born after 2 November 2010, receives full sum of benefits (maternity, paternity and parent's benefit) provided the benefit's amount per day is lower or equal to EUR 32.75. If the amount of the benefit per day is higher, a parent will get a full sum of the part of the benefit, which does not exceed EUR 32.75 per day and 50% of the sum of another part of the benefit, which exceeds EUR 32.75 per day. Until 31 December 2012, the aforesaid amount of all benefits was considerable lower, that is, EUR 16.38. As of 1 January 2015, maternity, paternity and parental benefits are paid without any restrictions as regards the amount.

b) Recently introduced policies/programmes and action plans

151. Ministry of Health has declared 2012 as the Year for Mother's and Child's Health, and women's and children's health was at the centre of government's national agenda.

152. The municipalities have a crucial role to play in promotion of child-friendly health. National Healthy Municipality Network and National Health Promoting Schools Network aim to promote children's health. On 3 January 2012 the Ministry of Health adopted the Health Promotion Guidelines for Local Government in order to provide municipalities with science-based information so that they can effectively implement health promotion for four groups, including children.

153. In 2012, with the aim to improve maternal and child health, reduce maternal and infant mortality, and implement a unified and planned approach, the Ministry of Health adopted a national programme on the Maternal and Child Health Improvement Plan 2012-2014.

154. On 21 August 2013, the medium-term policy planning document (Guidelines) on Preventing Juvenile Delinquency and Protecting Children against Criminal Offences 2013 to 2019 were adopted by the Cabinet of Ministers. These Guidelines contain a list of tasks and measures aimed at reducing juvenile delinquency, preventing incentives on criminal behaviour, as well as improving child safety. In particular, it is envisaged to improve inter-institutional cooperation, provide the best possible assistance for children at risk and their parents, develop an environment suitable for children and protect children from health and life hazards by the number of child victims in criminal offences. The implementation of the aforesaid Guidelines is entrusted to the Latvian Prison Administration.

155. On 21 January 2014, the Cabinet of Ministers adopted the Guidelines on the Prevention of Trafficking in Human Beings 2014-2020. This medium-term policy planning document sets the objective of combating trafficking in human beings with the goal to raise public awareness and understanding of trafficking in human beings, provide support for its

victims, as well as to achieve a reduction in the number of committed crimes, and to develop law enforcement authorities' capacity to combat trafficking in human beings.

156. The Plan for the Promotion of Primary Healthcare 2014-2016 was adopted on 25 April 2014. This Plan aims at strengthening primary healthcare as the most effective and holistic healthcare level, increase the role and improve the quality of primary healthcare, including children as a target group.

157. The Public Health Strategy for 2014-2020 which was adopted by the Cabinet of Ministers on 14 October 2014, aims at prolonging the healthy life years and preventing untimely deaths, while maintaining, improving and restoring health. Special attention is paid to the high risk population groups (socioeconomic and geographical exclusion) in order to ensure equal access to healthcare services for all. One of the main target groups is children and youth.

c) Recent ratifications of human rights instruments

158. On 31 March 2010, the UN Convention on the Rights of Persons with Disabilities entered into force in Latvia.

159. On 14 February 2013, Latvia ratified the 1996 European Social Charter (revised), and on 1 May 2013 it entered into force.

160. On 18 August 2014, Latvia ratified the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, which entered in to force in Latvia on 1 January 2014.
