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of the European Social Charter

submitted by

THE GOVERNMENT OF LATVIA

(Article 7, Article 8, Article 16, Article 17,
Article 19§1, §4-12, Article 27 and Article 31§1)

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TEXT ABBREVIATIONS

ALMP – Active labour market policy measures;
AMIF – Asylum, Migration and Integration Fund;
Constitution – Constitution of the Republic of Latvia;
CSB – Central Statistical Bureau;
ESF - European Social Fund;
LAA – Legal Aid Administration;
MoES - Ministry of Education and Science;
OCMA – Office of Citizenship and Migration Affairs;
PES – Public Employment Service;
SEA – State Employment Agency;
SLI – State Labour Inspectorate;
VET – vocational education and training;
WBL – work-based learning.

ARTICLE 7: THE RIGHT OF CHILDREN AND YOUNG PERSONS TO PROTECTION

ARTICLE 7 PARA. 1

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

On 23 October 2014 amendments have been made to the Paragraph 2 Article 37 of the Labour Law (the amendments came into force on 1 January 2015) supplementing the text with a new sentence which prescribes that the provisions of Paragraph 4 of this Article regarding employment of adolescents shall apply to a child up to 15 years of age who continues the acquisition of basic education. According to the Paragraph 4 of the mentioned Article it is prohibited to employ adolescents in jobs in special conditions which are associated with increased risk to their safety, health, morals and development. Within the meaning of this Law, an adolescent shall mean a person between the ages of 15 and 18 who is not to be considered a child within the meaning of Paragraph 1 of this Article. Work in which the employment of adolescents is prohibited and exceptions when employment in such jobs is permitted in connection with occupational training of the adolescent is determined by the Cabinet of Ministers (respectively, by the Regulations of the Cabinet of Ministers No.206 of 28 May 2002 “Regulations regarding Work in which Employment of Adolescents is prohibited and Exceptions when Employment in such Work is Permitted in Connection with Vocational Training of the Adolescent”.

During the period from 2014 till 2017 there have been no changes to the Regulations of the Cabinet of Ministers No.10 of 8 January 2002 “Regulations regarding Work in which Employment of Children from the Age of 13 is permitted” and to the Regulations of the Cabinet of Ministers No.205 of 28 May 2002 “Procedures for Issuing Permits for Employment of Children as Performers in Cultural, Artistic, Sporting and Advertising Activities, and Restrictions to be included in Permits”.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the period from June until August the SEA organises employment measures during the summer holidays for persons who acquire education in general, special or vocational educational institutions. These measures are aimed at enabling young people to work during the summer holidays (from 1 June to 31 August), thus giving them an opportunity to obtain knowledge regarding the basic principles field of employment legal relationships, skills and first work experience, to increase further career guidance abilities. The measures have been organized for pupils between the age of 15 and 20, who studied in general, special or vocational educational institution. During this activity the minimum wage or more, a qualified work superintendent (one work superintendent managed not more than 10 pupils' work), an accident insurance, paid mandatory health examinations (if those were provided for in the regulatory enactments regarding mandatory health examinations) were

provided. Within the framework of the activity according to legislation pupils age 15 – 18 were employed for not more than 7 hours a day and not more than 35 hours a week; pupils age of 18 - 20 were employed for not more than 8 hours a day and not more than 40 hours a week. The implementation of this measure gave an opportunity for the pupils to perform duties of various specialist's assistants and to work in different professions (like a gardener, an archivist, a customer service operator, a passenger service agent at the airport, a shop-assistant, an agricultural auxiliary worker, etc.), promoted skills, career guidance knowledge, enhanced alignment to labour market as whole.

During the period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

Also there have been no changes to the Article 41 of the Latvian Administrative Violations Code in the case of a violation of regulatory enactments governing employment legal relations.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

The number of permits issued by the SLI according to the Regulation of the Cabinet of Ministers No.205 of 28 May 2002 “Procedures for Issuing Permits for Employment of Children as Performers in Cultural, Artistic, Sporting and Advertising Activities, and Restrictions to be included in Permits” for the employment of children: in 2014 - 3; 2015 - 111; 2016 - 179; 2017 - 124. The violations of the Regulation of the Cabinet of Ministers No. 205 have not been detected during the period from 2014 till 2017, hence no administrative penalties were applied.

The number of detected violations by the SLI of the Regulation of the Cabinet of Ministers No. 10 of 8 January 2002 “Regulations regarding Work in which Employment of Children from the Age of 13 is permitted”: in 2014 – 0; 2015 – 0; 2016 – 1; 2017 – 1. During period from 2014 till 2017 no administrative penalties have been imposed for the detected violations of the mentioned Regulation.

Table No.1

Resident population and Employed by 15- 24 age group (2014-2017)

Age group	Indicator	2014	2015	2016	2017
15-24	Population (total)	226 058	212 297	199 613	188 309
15-24	Employed (thsd)	69.1	69.4	62.2	59.1

Data source: CSB

Please see also the information provided under responses to queries on Article 7§1 of this Report.

ARTICLE 7 PARA. 2

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that the minimum age of admission to employment shall be 18 years

with respect to prescribed occupations regarded as dangerous or unhealthy;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

In addition to the information provided under Article 7§1 of this Report, on 7 April 2015 several amendments have been made to the Regulation of the Cabinet of Ministers No.206¹ of 28 May 2002 “Regulations regarding Work in which Employment of Adolescents is prohibited and Exceptions when Employment in such Work is Permitted in Connection with Vocational Training of the Adolescent” (the amendments came into force on 1 June 2015). Due to the considerable amount of these amendments, they will not be described in detail in this Report, but the last wording of the Regulation is appended as annex to the Report (please see Appendix No.1 of this Report).

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

1) Recent and current activities organised by the Free Trade Union Confederation of Latvia aimed at facilitating just conditions at work, information and consultation rights, including rights of young workers, and rights to improve determination and improvement of the working conditions include the following activities:

1. since 2016 the Free Trade Union Confederation of Latvia is implementing the ESF project “Improvement of Implementation and Monitoring of Legislative Acts regarding Occupational Health and Safety” (No 7.3.1.0/16/I/001). The aim of the project is to improve the safety of work, especially in hazardous companies. Activities of the project include a possibility for workers to get an expert advice on health and safety issues;

2. to improve awareness on labour relations and labour protection issues, including prevention of abuse and violations of labour rights of young workers, the Free Trade Union Confederation of Latvia organises competition of labour law and health and safety issues for pupils PROFS (2016-2018). This activity is aimed at young workers. The competition is organised for various vocational schools from different regions of Latvia to improve the knowledge of young persons on labour law and occupational health and safety issues, encourage them to use safe working methods and protection measures, and be prepared for entering the labour market;

3. to improve employability of young workers, the Free Trade Union Confederation of Latvia participated in implementation of the Employers’ Confederation of Latvia project “High-quality internship in the labour market ”(VET for employment) (No.2014-1-LV01-KA202-000522) aimed at promoting and supporting organization of quality internships and work-based learning and developing new practical tools for organizing quality internships (apprenticeships) that would be useful for employers and vocational education institutions;

4. to improve awareness of trade union rights, the Free Trade Union Confederation of Latvia drafted and published the Commentaries to Labour Law (http://www.lbas.lv/upload/stuff/201102/dl_ar_kom.pdf) to improve knowledge of labour rights of employers and employees and facilitate correct application of law;

5. The Free Trade Union Confederation of Latvia organised annual Labour law Forums with the support of FES to discuss labour law updates, labour law implementation challenges and come up with solutions (2015-2018);

¹ Available only in Latvian, not translated by the State Language Centre

6. to facilitate protection of interests and rights of young trade unionists the Free Trade Union Confederation of Latvia has established the Free Trade Union Confederation of Latvia Youth Council involving youth representatives from affiliated organisations. The Free Trade Union Confederation of Latvia Youth Council has organized several activities and events to facilitate knowledge and skill of young trade unionists and broaden the understanding of different trades. For instance company visits, skill development seminars, organising activities on improvement digital and soft skills;

7. The Free Trade Union Confederation of Latvia organises and participates in annual Baltic Trade Union Youth Forum (organised by the Free Trade Union Confederation of Latvia in 2012, 2015, 2018). The forum is organised on rotation principle in Lithuania, Latvia and Estonia with the aim of educating young people in the Baltic States on topics relevant to young trade unionists and specialists, developing a discussion among young people of Baltic States and seeking forms of cooperation and support at the international level - in Baltic States. As well as motivating active young people to get involved in trade union movement and work, to create international communication and information networks. For instance in 2018, the forum focused on collective bargaining on sectoral level, vocational health and safety, recruiting young Trade Unionists, future of work and platform economy.

2) Continuing professional development of VET teachers and trainers is provided through the SO 8.5.3 project "To Ensure Efficient Management of VET Institutions and Improve Professional Competencies of the Involved Personnel". The project includes - support for strengthening the capacity of vocational education institutions in adult education, improving cooperation with employers, improving the competence of administrative and pedagogical staff in the context of teaching organizations, methodological issues, technological development and work with the new modular VET education programmes. Within the framework of the project, professional competence development courses "Implementation of modular educational programs" are continuing and so far have been completed by 420 pedagogues and representatives of administration. In the project 2366 pedagogues, administrator, practice supervisors, WBL providers, industry representatives, have already received professional development training, incl. pedagogical competence has been raised by 802 participants, as well as digital skills have been improved by 41 participant.

3) The measures taken by the SLI for education of young people on labour legal relations and labour protection:

1. One of the main target groups of the SLI's educational work is young people who will become employees or employers themselves in the near future, thereby it is essential to educate students and young people about labour relations and labour protection. The SLI organizes the open doors day and the lectures on the labour protection and labour relations as well as on the main areas of work of the SLI for the students of Alberta College, Latvian College of Culture, Riga Teika Secondary School and Bauska Primary School. Co-operation with educational institutions takes place on a regular basis every year, and is carried out both by the invitation of the schools and within the framework of the program "Back to School".

SLI carries out educational work in the framework of the project "Employment measures in summer time for persons who receive education at secondary, special or vocational education institutions" which is organized by the SEA (the goal of the project is to promote the employment of pupils during summer vacations in publicly

funded workplaces). This is also the focus audience of the SLI's activities concerning child and adolescent employment issues.

In 2016, SLI took part in a discussion at the EU House on employment issues of adolescents.

Young people are informed about their rights at the workplace, about the regulations of the Labour Law regarding the employment of adolescents. Mostly, information is provided through social networks, where SLI provides answers to questions and explains the provisions of the Labour Law.

The infographics "Employment of children and adolescents in summer", "On the negative consequences of unregistered employment" and "What to know before starting to work" were created. The infographics were published on social networks - Facebook, Twitter and on the SLI's website.

2. In 2014 the SLI supported and participated in public information activities organized by the social partners – the Free Trade Union Confederation of Latvia and the Employers' Confederation of Latvia, for example, SLI participated in the contest for young people on issues of labour protection and labour relations. As well as, the SLI participated in seminars organised by the NCE for educators who further educate children and young people on the basic principles of labour protection.

3. The European Agency for Safety and Health at work has created 17 animated movies on labour protection, which the main character was NAPO. NAPO is a hero of animated films, a man who educates on labor protection issues. In 2013 the SLI adapted Latvian training materials developed by the mentioned agency (worksheets, lesson plans, etc., available on www.napofilm.net) to include those in the learning process of pupils between the age of 7 and 11. Information activities were also carried out, involving the NCE and other educational institutions, branch-specific sites and non-governmental organizations. The SLI has the NAPO suit since the beginning of 2014 and it is also leased to educational institutions free of charge for educational aims.

4) During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Table No.2

Accidents at work by age

Age		2014	2015	2016	2017
Below 18	Total	5	5	4	5
	Serious	0	0	1	1
	Fatal	0	0	0	0
Aged 18 - 24	Total	248	243	252	248
	Serious	15	17	10	15
	Fatal	2	2	1	2

Data Source: Information from the Activity reports of the SLI

Please see also the information provided under responses to queries on Article 7§2 of this Report.

ARTICLE 7 PARA. 3

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Regarding the amendments to Article 37 of the Labour Law please see the information provided on the Article 7§1, Point 1 of this Report.

During the time period from 2014 till 2017 there have been no changes to the Regulation of the Cabinet of Ministers No.10 of 8 January 2002 “Regulations regarding Work in which Employment of Children from the Age of 13 is permitted” and to the Regulation of the Cabinet of Ministers No.205 of 28 May 2002 “Procedures for Issuing Permits for Employment of Children as Performers in Cultural, Artistic, Sporting and Advertising Activities, and Restrictions to be included in Permits”.

Please see also the information provided on the Article 7§2, Point 1 of this Report regarding changes made to the Regulation of the Cabinet of Ministers No.206² of 28 May 2002 “Regulations regarding Work in which Employment of Adolescents is prohibited and Exceptions when Employment in such Work is Permitted in Connection with Vocational Training of the Adolescent”. Due to the considerable amount of these amendments including a lengthy list of 56 types of work, the last wording of the Regulation (available only in Latvian with no translation) is appended as annex to the Report (please see the Appendix No.1).

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Please see the information provided under Point 3 of Article 7§1 of this Report.

Please see also the information provided under responses to queries on Article 7§3 of this Report.

ARTICLE 7 PARA. 4

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training;”

² Available only in Latvian, not translated by the State Language Centre

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

On 23 October 2014 amendments have been made to the Article 132, Paragraph 2, Subparagraph 2 of the Labour Law (the amendments came into force on 1 January 2015) supplementing with the words and numbers “if the child has reached 15 years of age — for more than seven hours a day and more than 35 hours a week”. Thereby the mentioned provision of the Article 132 now provides that children who have reached the age of 13 years may not be employed for more than four hours a day and more than 20 hours a week if the work is performed at the time when there are holidays at an educational institution; if the child has reached 15 years of age — for more than seven hours a day and more than 35 hours a week.

Regulation of the Cabinet of Ministers No. 484, adopted on 15 July 2016, “Procedures by which work-based learning is organized and implemented” states that the education institution organizes and implements work-based learning for a student who follows an individual work-based learning plan at a merchant, institution, association, foundation, natural person registered as a performer of economic activity, and also an individual merchant, including a farm or fishing undertaking and other performers of economic activity in conformity with a licensed vocational education programme after completion of which the vocational qualification is acquired, except for a 4th and 5th level vocational qualification.

In order to organise work-based learning, the education institution requires the implementation plan in which the scope of education programme implemented within the framework of the work-based learning at the undertaking is specified:

- at least 25 per cent of the entire scope of education programme, excluding the qualification traineeship, with the exception of programmes referred to in the next point;

- at least 25 per cent of the entire scope of education programme in vocational basic education and vocational secondary education after acquiring the basic education.

Learning load during one week of vocational education programme may not exceed:

- for students below 18 – 36 hours;
- for students aged from 18 – 40 hours.

The regulation stipulates the conditions for work-based learning implementation, rights and duties of involved parties coordinating and facilitating the cooperation of merchants and educational establishments and ensuring that vocational education meets the requirements of labour market. The procedure was improved in 2017 extending the range of implementers of work-based learning, including local governments, public derived persons, family companies and self-employed persons, as well as a more flexible scope of the education programme for acquisition of pedagogic knowledge by supervisors of work-based learning setting the duration of the programme no less than 32 academic hours. Moreover, “The Guidelines for Organization and Implementation of Work-Based Learning” were approved in 2017, which include the core principles and methodical support for organisation and implementation of learning.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

On 27 January 2017, ESF project “Increasing the Number of Qualified Students in Vocational Education Institutions after their Participation on Work-Based Learning and Teaching Practice in an Enterprise” was launched. The purpose of the project is

to promote the introduction of work-based learning. Within the framework of the project, as in February 2018, 319 students were involved in work-based learning and 1 508 students were involved in apprenticeship in 614 enterprises. It is expected that 3 150 students will be engaged in work-based learning and 11 025 students will be engaged in learning practice in an enterprise by the end of the project in 2023.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please supply any relevant statistics or other information on the proportion of workers not covered by these limits and the reasons why they are not covered, and state whether any particular measures have been taken to assist young persons under 18 who do not benefit from any restrictions on their working hours.

No changes.

Please see also the information provided under responses to queries on Article 7§4 of this Report.

ARTICLE 7 PARA. 5

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Article 63 of the Labour Law and Paragraphs 1 and 3 of the Article 132 of the Labour Law.

On 2 December 2014 amendments were made to the Regulation of the Cabinet of Ministers No.665 of 27 August 2013 “Regulations on minimum monthly wage and minimum hourly wage rate” (the amendments came into force on 1 January, 2015) determining that in 2015 the minimum monthly salary within the scope of normal working time was EUR 360 and the minimum hourly wage rate for adolescents was EUR 2,477.

On 1 January 2016 the before mentioned Regulation of the Cabinet of Ministers No.665 lost its force. Thereby on 1 January 2016 the Regulation of the Cabinet of Ministers No.656 of 24 November 2015 “Regulations on the Amount of the Minimum Monthly Wage within the Normal Working Time and on the Calculation of the Minimum Hourly Wage Rate” came into force. According to the Regulation the minimum monthly wage within the scope of normal working time was EUR 370 in 2016. The mentioned Regulation also prescribes fixed calculation formula for the minimum hourly wage rate. For information regarding the mentioned fixed formula please see Point 3 of the Regulation of the Cabinet of Ministers No.656³ which is appended to this Report as Appendix No.2 (available only in Latvian).

On 25 October 2016 amendments were made to the Regulation of the Cabinet of Ministers No.656 (the amendments came into force on 1 January 2017) prescribing that in 2017 the minimum monthly wage within the scope of normal working time was

³ Available only in Latvian, not translated by the State Language Centre

EUR 380. As well as on 29 August 2017 amendments were made to the mentioned Regulation (the amendments came into force on January 2018) now providing that minimum monthly wage within the scope of normal working time is EUR 430.

Regulation of the Cabinet of Ministers No 484, adopted on 15 July 2016, "Procedures by which work-based learning is organized and implemented" states that upon concluding the training contract, the undertaking concludes an employment contract with the student or lawful representative thereof, if the student is a minor, in conformity with the legal framework of the employment legal relations, or conclude an agreement on allocating a work-based learning scholarship.

Amendments to the Law on Personal Income Tax stipulate that, starting from 1 January 2017, scholarships in the amount up to EUR 280 paid to the student by the merchant, institution, society, foundation, natural person registered as performer of economic activity, as well as individual enterprise, including farms and fisheries, as well as other economic operators, as a part of the work-based learning, are no longer liable to Personal Income Tax.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

Also there have been no changes to Article 41 of the Latvian Administrative Violations Code in the case of not ensuring the State specified minimal monthly wage.

3. Please supply any relevant statistics or other information on the remuneration of young workers as well as on other appropriate allowances for apprentices, and on the adult reference wage or salary.

The number of detected violations and administrative penalties imposed by the SLI with respect to Article 63 of the Labour Law:

Table No.3

The number of detected violations by the SLI	2014	2015	2016	2017
Article 63 of the Labour Law	1	-	-	-

Data source: SLI

Table No.4

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Article 63 of the Labour Law	1	-	-	-

Data source: SLI

There are no pertinent statistics on work remuneration by age group.

Table No.5

Average monthly wages and salaries of employees (gross, EUR)

Year	EUR
2014	765
2015	818
2016	859
2017	926

Data source: CSB

Please see also the information provided under responses to queries on Article 7§5 of this Report regarding apprentices.

ARTICLE 7 PARA. 6

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraph 4 Article 132 and Paragraph 2 Article 137 of the Labour Law.

Please see also the information provided under Article 7§4 of this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

The number of detected violations by the SLI with respect to Article 132, Paragraphs 2 and 4 of the Labour Law:

Table No.6

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 2 Article 132 of the Labour Law	-	-	1	1
Paragraph 4 Article 132 of the Labour Law	-	-	-	-

Data source: SLI

The SLI has not imposed any administrative penalty for the violations of Paragraphs 2 and 4 of Article 132 of the Labour Law during the time period from 2014 till 2017.

Please see also the information provided under responses to queries on Article 7§6 of this Report.

ARTICLE 7 PARA. 7

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that employed persons of under 18 years of age shall be entitled to a minimum of four weeks' annual holiday with pay;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraph 1 of Article 149 of the Labour.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

The number of detected violations and administrative penalties imposed by the SLI with respect to Paragraph 1 Article 149 of the Labour Law:

Table No.7

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 1 Article 149 of the Labour Law	34	29	29	15

Data source: SLI

There is no statistical information on detected violations regarding annual paid leave granted to persons under 18 years of age.

Table No.8

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 1 Article 149 of the Labour Law	6	5	9	7

Data source: SLI

There is no statistical information on imposed administrative penalties for the violations regarding annual paid leave granted to persons under 18 years of age.

Please see also the information provided under responses to queries on Article 7§7 of this Report.

ARTICLE 7 PARA. 8

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraph 6 of Article 138 of the Labour Law.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

The number of detected violations and administrative penalties imposed by the SLI with respect to Article 138, Paragraph 6:

Table No.9

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 6 Article 138 of the Labour Law	-	1	-	-

Data source: SLI

There is no statistical information on detected violations of Paragraph 6 Article 138 concerning the persons under 18 years of age.

Table No.10

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 6 Article 138 of the Labour Law	-	1	-	-

Data source: SLI

There is no statistical information on imposed administrative penalties for violations of Paragraph 6 Article 138 concerning persons under 18 years of age.

Please see also the information provided under responses to queries on Article 7§8 of this Report.

ARTICLE 7 PARA. 9

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to provide that persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraph 6 of Article 37 of the Labour Law.

Procedures for organization and settlement of health care are determined by the Regulations of Cabinet of Ministers No.1529 of 17 December, 2013 “Procedure for organization and financing of health care” (in force from 31 December, 2014 till September 1, 2018). Several substantial amendments have been made to these Regulations. Due to the considerable amount of the amendments, the last wording of the Regulations can be found on the website of legal acts of the Republic of Latvia at: [Procedures for organization and financing of health care](#)⁴.

Young workers’ medical examinations’ organised in practice are done in accordance with the Labour Law, which states that persons below 18 years of age shall be employed only after a prior medical examination and they shall, until reaching the age of 18, undergo a mandatory medical examination once a year. All children (below the age of 18) in Latvia have prophylactic check-up visits at their General Practitioner (hereinafter - GP), where GP assesses the child's health and addresses the prevention issues (for instance, vaccination). During and after check-up visit GP carries out activities in accordance with the child's state of health and medical indications, for example, gives a referral to visit a specialist.

At the same time there are also mandatory health examinations for those employees

⁴ Available only in Latvian, not translated by the State Language Centre

whose state of health are affected by or may be affected by factors of the working environment harmful to health, and those employees who have special conditions at work. A health examination is performed by Doctor of Occupational Diseases according to the Regulations of the Cabinet of Ministers No. 219 of March 10, 2009 “Procedures for Performance of Mandatory Health Examinations”.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

The number of detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraph 6:

Table No.11

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 6 Article 37 of the Labour Law	1	3	4	4

Data source: SLI

Table No.12

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 6 Article 37 of the Labour Law	1	2	2	4

Data source: SLI

Please see also the information provided under responses to queries on Article 7§9 of this Report.

ARTICLE 7 PARA. 10

“With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

to ensure special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work.”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Law on the Protection of the Children's Rights has been amended in order to increase the level of child protection. The following amendments have been made:

1) Amendment of 25 November 2015:

It is established that all persons until reaching the age of 18 are considered to be underaged in the framework of criminal law and the law on administrative violations.

2) Amendment of 23 November 2016:

A new responsibility – to ensure psychological assistance as well as informative and methodological support to the guardians - has been delegated to the State Inspectorate for Protection of Children’s Rights;

Child residential institutions have been added to the list of agencies entitled to provide and acquire personal data about children living in the residential institutions

for children in the framework of the Information System for the Support of Minors.

3) Amendments of 2 March 2017:

Mandated the Cabinet of Ministers to establish the provisions according to which the cooperation of institutions has to be organized and the provisions according to which the protection of the rights of the child has to be ensured.

The amendments also establishes that the residential institutions for children must have the premises that are needed for the development of children, respective equipment of those premises has to be ensured. Qualified personnel must be provided there.

Protective measures have been strengthened to protect children against harmful substances. Smokeless tobacco and energy drinks have been added to the list of substances from which children must be protected.

These amendments also increase the age group of persons about which the competent agencies have to process personal data in the framework of the Information System for the Support of Minors. The new age group includes persons from 18 to 24 years of age who have left residential care institutions for children after reaching adulthood.

The law also establishes the principle that a child has the right to ask for help to State and local governments' agencies. Those institutions have the obligation to do the necessary actions to prevent the violation of the children's' rights in case such a violation has been established. The agencies also have the obligation to provide to the child the necessary support and assistance. The law also requests those institutions in which children reside (care, educational etc.) have to set an inner procedure according to which the petitions of children have to be reviewed. This procedure has to be made accessible to children. The information about the procedure should be made available to children.

Amendments of 22 November 2017:

A foster care reform has taken place thus altering the way the foster care system operates now.

The new amendments introduce "specialised foster families" who provide care to specific type of children in need of special care.

The new regulation also mandates the Cabinet of Ministers to introduce the necessary criteria according to which the status of a specialised foster family can be acquired.

The foster care reform also introduces a new actor in the field – the support centre for out-of-family care. The support centre provides support in the provision of out-of-family care to the foster families and guardians as well as adopters in the fulfilment of their responsibilities. The types of support include educational activities as well as psychological support, the coordination and sharing of information about the available foster care services.

Regarding the amendments to the Paragraph 2 Article 37 of the Labour Law please see the information provided under the Article 7§1, Point 1 of this Report.

During the time period from 2014 till 2017 there have been no amendments to the Paragraphs 3, 4 and 6 of Article 37 of the Labour Law.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

During the time period from 2014 till 2017 there have been no changes to the Article 41 of the Latvian Administrative Violations Code in the case of a violation of regulatory enactments regulating employment legal relations. Also there have been no changes to the Article 280 of the Criminal Law regarding the liability for violation of persons', for example, child's employment rules.

Article 166 Paragraph 2 of Criminal Law states that for a person who commits visiting or demonstration of such pornographic performance or handling of such materials of pornographic nature which contain child pornography, sexual activities of people with animals, necrophilia or sexual gratification in a violent way, the applicable punishment is the deprivation of liberty for a period of up to three years or temporary deprivation of liberty, or community service, or a fine, with or without the confiscation of property and with probationary supervision for a period of up to three years.

Regarding child pornography, a simple possession of such pornographic material is criminalized regardless of the age of a minor seen in such material. Subparagraphs 1, 1.1 and 2 of Article 1 of Law on Pornography Restrictions does not distinguish minors into any kind of subcategories which in conjunction with the Criminal Law (hereinafter – CL), would allow for a person to possess any pornographic material containing depictions of minor from 16 to 18 years of age.

Any sexual exploitation of children through the information technologies is criminalized under the same CL Article 162 (Leading to Depravity) and Article 162.¹ (Encouraging to Involve in Sexual Acts). Other additional CL Articles may be applied if factual circumstances indicate attempt of rape, soliciting of child prostitution etc. CL recognizes information technology as a tool for commission of criminal offense of sexual nature and not a special type of crime. Such approach allows reaching the same harshness of punishment for such offences as is set out for any offence prescribed in CL Articles 159 to 166.

Regarding CL Article 154.² which defines meaning of human trafficking - this Article has been amended to specifically foresee a minor as victim of human trafficking. CL Article 154.² is applied in practice as a definitive provision which states what act or inaction is considered a human trafficking.

The Criminal Law in addition to the general provisions, protecting every person against physical and moral threat, contains Chapter XVII "Criminal Offences against the Family and Minors": Article 168¹ of the CL (Failure to Comply with a Ruling on the Protection against Violence), Article 171 (Abuse of the Rights of a Guardian), Article 172 (Involvement of a Minor in a Criminal Offence), Article 173 (Causing Condition of Drunkenness of a Minor, Involving of a Minor in Non-medical Use of Therapeutic Medicaments and Other Means which Cause Intoxication) and Article 174 (Cruelty Towards and Violence against a Minor). In its turn, Article 280 of the CL provides responsibility for violation of provisions regarding employment of persons.

Amendments to the Criminal Law, adopted on 8 June 2017, came into force, amending Article 48 (Aggravating Circumstances) and Article 56 (Criminal Liability Limitation Period) of the CL. Article 48, Paragraph 1 of the CL is supplemented with Clause 16, stipulating that the circumstance that the criminal offence related to violence or threats of violence, or the criminal offence against morality and sexual inviolability was committed against a person in the presence of a minor person, may

be considered as an aggravating circumstance. In its turn, in Article 48, Paragraph 1, Clause 6 of the CL, the age of the person, against whom the criminal offence was committed, was increased from 16 to 18 years, thus stipulating that the criminal offence that was committed against a person who has not attained eighteen years of age or against a person taking advantage of his/her helpless condition or of infirmity due to old-age may be considered to be aggravating circumstances. Amendments to the Criminal Law, adopted on 26 April 2018, Article 48, Paragraph 1, Clause 15 of the CL was expressed in the new wording. Namely, currently the circumstance that the criminal offence related to violence or threats of violence, or the criminal offence against morality and sexual inviolability is committed against a person to whom the perpetrator is related in the first or second degree of kinship, against the spouse or former spouse, or against a person with whom the perpetrator is or has been in unregistered marital relationship, or against a person with whom the perpetrator has a joint (single) household may be considered to be aggravating circumstance.

According to amendments to the Criminal Law, adopted on 8 June 2017, Article 56 of the CL is supplemented with Paragraph 1, providing that a person may not be held criminally liable if from the day when the person, who has suffered from commitment of the criminal offence against morality and sexual inviolability of a minor or causing severe bodily injuries associated with genital mutilation or loss of reproductive capacity, or trafficking in human beings or forced abortion, has attained the age of eighteen years, twenty years have passed, except the crime for which life imprisonment may be imposed under the law.

Various amendments to Criminal procedure law (hereinafter – CPL) have been made not only to efficiently apply previously mentioned Criminal Law (hereinafter – CL), provisions, but also to safeguard and create as much as possible emotionally beneficial environment for minors within criminal proceedings. CPL has also been amended to avoid any unnecessary contact with a person, who allegedly was responsible for inflicting any form of physical or moral danger.

CPL also sets out case priority for minors who allegedly have been subjected to dangers in question. According to Paragraph 4 Article 14 of CPL criminal proceedings regarding a criminal offence which is related to violence committed by a person upon whom the minor victim is financially or otherwise dependent, or regarding a criminal offence against morals or sexual inviolability, wherein the victim is a minor, shall have preference, in comparison with similar criminal proceedings wherein victims are persons of legal age, in ensuring of a reasonable term. Criminal proceedings against a minor shall have preference, in comparison with similar criminal proceedings against a person of legal age, in the ensuring of a reasonable term.

Among other amendments to safeguard minors and apply CL provisions, CPL has been supplemented with Article 96.¹ which recognizes minor as a specially protected victim. Under Paragraph 1 Clause 5 of CPL Article 96.¹ a specially protected victim may participate in procedural activities, with a permission of the person directing the proceedings, together with the trusted person, unless it is a person against whom criminal proceedings have been initiated, a detained, a suspect, or an accused. Paragraph 6 of the same Article also states that specially protected victim may request and receive information regarding release or escape of such arrested or convicted person from a place of imprisonment or a place of temporary detention who has inflicted harm to him/her, if there is a threat to the victim and there is not risk of

harm to the arrested or convicted person. Such request may be notified until making of a final ruling in criminal proceedings. Paragraph 2 of CPL Article 99 stipulates that in addition to the rights laid down in Paragraph 1 of this Article a specially protected victim may request that his/her participation and hearing in a court session takes place using technical means.

Special measures when interrogating a minor who has been recognized as specially protected victim has been added to CPL. Paragraph 1 of CPL Article 151.¹ stipulates that interrogation of a specially protected victim is performed in a separate room appropriate for such purposes or without the presence of persons not related to the particular procedural action. Under Paragraph 2 of the same Article interrogation of such person who has been recognised as a victim of violence committed by a person upon whom the victim is dependent financially or otherwise, a victim of human trafficking, or a criminal offence directed against morality or sexual inviolability of the person, shall be conducted by a performer of an investigative action of the same gender. The abovementioned condition need not be conformed to, if the victim himself/herself or his/her representative agrees thereto. If the victim of a criminal offence directed against morality or sexual inviolability of a person and the person who has the right to defence is of the same gender and if it is requested by the victim or his/her representative, the interrogation shall be performed by a performer of an investigative action of the opposite gender.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

In order to promote safety of children online Latvian Safer Internet Centre (established by the Latvian Internet Association in 2006) has been continuing its work⁵.

Latvia as a Member of the Council of Baltic Sea States (CBSS) Expert Group on Children at Risk has been participating in a number of international projects:

“PROTECT children on the move”, implemented in 2014 and 2015 (<http://www.childrenatrisk.eu/projects-and-publications/protect-children-on-the-move/>);

During 2014 and 2015, with co-financing from the EU Commission’s Return Fund, the Children’s Unit at the CBSS Secretariat organised 5 expert meetings to discuss the State of transnational child protection and to share best practices. In bringing more than 250 experts from across the Baltic Sea Region and beyond, the meetings aimed to identify child rights standards and key agencies responsible for protecting children exposed to exploitation and trafficking in cross border situations.

The outcomes of the project included a set of Guidelines for Promoting the Human Rights and the Best Interests of the Child in Transnational Child Protection Cases⁶.

The practical guide is available in ENG, EE, FI, LT, LV and RU.

The Guidelines are based on the UN Convention on the Rights of the Child and give advice on how practitioners can work across both cross-sectoral and cross-national lines with the child’s human rights and best interest perspective as a common baseline.

A wiki on transnational child protection has also been developed⁷.

⁵ More information can be found on the website of Latvian Safer Internet Centre at: <https://drossinternets.lv/lv/nodarbibas>; <https://drossinternets.lv/lv/zinot>; <https://drossinternets.lv/lv/info/uzticibas-talrunis>.

⁶ http://www.cbss.org/wp-content/uploads/2013/01/Guidelines_-_promoting_the_Human_Rights_and_the_Best_Interest_of_the_Child_in_Transnational_Child_Protection_Cases.pdf; http://www.childrenatrisk.eu/public/PROTECT/CBSS_Guidelines_Addendum_Dec_2016_FINAL.pdf

Project partners are the Latvian State Border Guard, the Stockholm Social Emergency Centre, and the Lithuanian State Child Protection and Adoption Service.

In the time period from 2016 until 2018 the Ministry of Welfare of Latvia participated in the organisation of international training activities for professionals working with unaccompanied children, promoted the use of afore mentioned materials produced in the framework of the project “PROTECT children on the move”.

“Non-violent Childhoods”⁸– implemented from 2017 until 2018. The aim of the Non-Violent Childhoods programme is to promote the full implementation of a ban on corporal punishment of children in the Baltic Sea Region through collaborative, multi-stakeholder planning and action. Its programme of work is managed by the Council of the Baltic Sea States Secretariat with co-funding from the European Commission. Five country partners are supporting the project drawn from ministries and national institutions in the Baltic Sea region: the Ministry of Social Affairs, Estonia; the Ministry of Social Affairs and Health, Finland; the Ministry of Welfare, Latvia; the Ombudsman for Children’s Rights, Poland; and the Ministry of Health and Social Affairs, Sweden. The Global Initiative to End All Corporal Punishment of Children is an international partner to the programme.

The Non-Violent Childhoods Programme has developed a set of guidance reports and a campaign, aimed at parents, children, practitioners, advocates and policy-makers. Each report focuses on a specific theme – a step-by-step guide, implementing the ban in the domestic setting, positive parenting, awareness-raising campaigns, service provision and tracking progress. In addition, a campaign is developed to raise awareness of the harmful impact of corporal punishment and the importance for children to have trusted adults to turn to.

The reports and campaign offer inspiration and provide guidance standards and practical tools aimed at transforming societies and making non-violent childhoods a reality. While the reports are based on the experience of the Baltic Sea Region, they convey key messages and highlight best practices that have relevance not only to the 11 States in the region but also to Europe and beyond.

The Ministry of Welfare of Latvia and a Latvian NGO “Centrs Dardedze” participated in a series of workshops in the time period from 2015 until 2017 organized in the framework of the project “PROMISE”⁹.

The project supported government officials and practitioners from more than 11 countries to establish “a one stop shop” model for working with cases on child abuse (in Icelandic from where the model originates - “Barnahus”) or similar institutions. A series of exchange meetings, study visits and capacity building efforts raised the level of knowledge of the government officials and practitioners, who also contributed to the development of standards and guidelines. PROMISE produced a series of resources for government officials and practitioners who have an interest in establishing and operating Barnahus. In 2018 and 2019 the Latvian NGO “Centrs Dardedze” continues the participation within the new project “PROMISE II”, in the framework of which the Latvian professionals working with child victims of violence will receive specific training. In addition round table discussions are going to take place that would enable the professionals to identify the weak spots of the interdisciplinary cooperation in cases.

⁷ https://en.wikipedia.org/wiki/Portal:Transnational_child_protection

⁸ <http://www.childrenatrisk.eu/nonviolence/about-the-project/>

⁹ <http://www.childrenatrisk.eu/promise/2018/02/23/promise2/>

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

According to the data provided by Orphan's and Custody courts (municipalities' institutions ensuring protection of children's rights in the respective administrative territory) in 2017 there were 2970 children who were living in families that did not ensure decent development of rearing of the children. The respective data: in 2016 - 2887; in 2015 - 2909; in 2014 – 3074. The Orphan's and Custody courts have informed municipalities' social services in order to ensure that those children receive the necessary support.

Table No.13

Reports to Drossinternets.lv about illegal online content and breaches online

	2014	2015	2016	2017	2018
Erotic/pornographic content without placed warning	124	40	105	34	44
Paedophilia/prostitution of minors/and containing child sexual exploitation	315	315	189	164	180
Materials containing violence	16	3	0	23	0
Attacks upon his honour and reputation	9	32	51	57	94
Kindle of hate /racism	15	4	11	12	8
Consultations/advice	123	115	113	128	211
Financial fraud	-	43	35	28	36
Other	216	104	68	51	42

Data source: Latvian Safer Internet Centre

Table No.14

Number of received/ completed cases during the reference period according to the respective Articles of CL

Year	Article	Number of received cases during the reference period	Number of completed cases during the reference period
2014	125 ¹⁰	3	3
	126 ¹¹	3	3
	172 ¹²	2	1
	174 ¹³	-	1
	168-1 ¹⁴	27	23
2015	125	1	1
	126	-	1
	172	2	1
	168-1	87	72
	172	1	-
2016	172	-	1
	168-1	62	60
	172	3	3
2017	168-1	95	83
	172	-	1

Data source: Ministry of Justice

¹⁰ Article 125 of the CL (Intentional Serious Bodily Injury);

¹¹ Article 126 of the CL (Intentional Moderate Bodily Injury);

¹² Article 172 of the CL (Involvement of a Minor in a Criminal Offence);

¹³ Article 174 of the CL (Cruelty Towards and Violence against a Minor);

¹⁴ Article 168¹ of the CL (Failure to Comply with a Ruling on the Protection against Violence);

Table No.15**Additionally received claims according to the respective Articles of CL (Special Part) in the first instance court during the reference period**

Article of CL (Special Part)	2014	2015	2016	2017	Average 2014-2017	In total 2014-2017
125	140	165	172	167	161	644
126	168	195	180	195	184,5	738
130 ¹⁵	146	152	175	168	160,25	641
130-1 ¹⁶	0	0	0	0	0	0
168-1 ¹⁷	26	78	55	85	61	244
171. ¹	8	0	3	4	3,75	15
172	4	4	5	4	4,25	17
173 ¹⁸	17	17	15	16	16,25	65
174	51	55	40	51	49,25	197
280 ¹⁹	0	0	0	0	0	0

Data source: Ministry of Justice

Please see also the information provided under responses to queries on Article 7§10 of this Report.

¹⁵ Article 130 of the CL (Intentional Slight Bodily Injury);

¹⁶ Article 130.¹ of the CL (Torture);

¹⁷ Article 168¹ of the CL (Failure to Comply with a Ruling on the Protection against Violence);

¹⁸ Article 173 of the CL (Causing Condition of Drunkenness of a Minor, Involving of a Minor in Non-medical Use of Therapeutic Medicaments and Other Means which Cause Intoxication);

¹⁹ Article 280 of the CL (Violation of Provisions Regarding Employment of Persons)

ARTICLE 8: THE RIGHT OF EMPLOYED WOMEN TO PROTECTION OF MATERNITY

ARTICLE 8 PARA. 1

“With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

to provide either by paid leave, by adequate social security benefits or by benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraphs 1, 2 and 3 of the Article 154, Paragraph 7 of the Article 37, Paragraph 4 of the Article 150, Paragraphs 1 and 2 of the Article 156 of the Labour Law.

Where a woman (socially insured employee) has been granted the maternity leave (the State Social Insurance Agency grants and pays the maternity benefit for this period), the parental leave will be granted by the employer after the maternity leave expires. The same conditions apply to self-employed persons.

According to Article 156 of the Labour Law, every employee, either the mother, or the father, has the right to parental leave in connection with the birth or adoption of a child. The benefit is granted to one of the parents but the periods of leave may be shared between parents as they choose. No period is reserved for use by one or other of parents, but it cannot be transferred by parents to other persons (except when the other person legally starts to fulfil parent’s duties e.g. as a guardian, an adopter or a foster family).

Article 7 Paragraph 1¹ and 2 of the Law on State Social Allowances prescribes that benefits are granted to a person caring for one and the same child till two years of age. The parental benefit and childcare benefit shall not be granted for a child in relation to the birth or care of whom a maternity benefit has been granted during the same period of time.

The parental leave duration in the case of parental benefit and childcare benefit is two years in total. Parental leave can be taken till the child is 8 but the duration of paid parental leave is 1 or 1.5 years. It can be taken in parts.

An early termination of the parental leave and return to work shall be carried out according to the procedures stipulated by a collective agreement or an employment contract, based on an agreement by and between the employee and employer. The employee is entitled to return to work, subject to a notification to the employer at least two weeks in advance; where due to objective reasons there is no reason for further need of childcare.

In case the parent is not a socially insured person, the benefit for child care is granted as of the day of the birth of the child, provided that no maternity benefit, parental benefit or benefit for childcare is granted to the other parent for the same period of time in connection with the birth and taking care of the same child.

Concerning conditions of workers with family responsibilities to parental/childcare leave and benefits (including the possibility to combine the benefits with work) please see the Article 16, as well as Article 27 Paragraph 2 of this Report.

From January 1, 2015 the limitations of amounts of social insurance benefits (ceiling) (maternity, paternity, parental and sickness benefit) are abolished (the Law on State benefits payment during the period 2009-2014 on a temporary basis is no longer in force). Benefits are calculated based on the individual social insurance contributions made. There are no further changes during the reference period in the Law on Maternity and Sickness Insurance concerning conditions and maternity benefit amount. The same rules on maternity benefits apply to employees of the public sector.

Pursuant to the current legal framework, the employment relationship within the State direct administration of the Republic of Latvia (employees of the public sector) is governed by both the State Civil Service Law (employment relations: Order for Appointment) and the Labour Law (employment relations: Employment Agreement). Persons employed in the State administration on the basis of the employment agreement are subject to the provisions of the Labour Law. The regulatory enactments applicable to persons in the State civil service also do not provide different rules regarding the rights of the employees to the protection of maternity. According to Article 40 Paragraph 1 of the Law on Compensation of Officials and Employees of State and Local Government Institutions and Employees (hereinafter - Compensation Law) and Article 2, Paragraph 4 of the State Civil Service Law, the duration and the procedures for granting, as well as other issues related to leave, are prescribed by the relevant provisions of the Labour Law (for soldiers, deputies of the Parliament of the Republic of Latvia (*Saeima*) and members of the local government council concerning pregnancy, maternity, child-care leave or leave for the child's father, adoptee or other person, in addition apply Article 40, Paragraphs 3, 4 and 5 of the Compensation Law).

A similar reference to the Labour Law is also included in Law On the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration in Article 3, Paragraph 2, stating that the official is not subject to the regulatory enactments governing labour relations, with the exception of the rules determining the time allowing the annual paid leave, the granting of maternity leave, the granting of leave to the father, adopter or other person for the child, the granting of parental leave, and the rights due to pregnant women and women who are breast-feeding, and women in the postnatal period for up to one year. Consequently, employees of the public sector are subject to the provisions of the Labour Law - Articles 154 to 156 of the Law. The State Civil Service Act does not provide for any specific regulation that would apply only to civil servants, while employees in the public sector, who are employed on the basis of employment contract, are directly subject to the provisions of the Labour Law.

Amendments to the State Civil Service Law have not been made during the reference period. At the same time the judgement of the Supreme Court of 23 August 2013 in Case No. SKA-7/2013, contains a conclusion that, in the light of Article 2, Paragraph 4 of the State Civil Service Law it does not regulate issues relating to parental leave, civil servants are subject to the Labour Law regulating parental leave, including Article 109, Paragraph 1 of the Labour Law, because the objective of the specific legal provision is aimed for general protection of women in the period specified.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

Also there have been no changes to the Article 41 of the Latvian Administrative Violations Code in the case of a violation of regulatory enactments regulating employment legal relations.

In 2017 the Ombudsman of the Republic of Latvia provided the research “Observance of discrimination prohibition principle in work legal relations against parents of small children.” Methods of research were inquiries of employers and employees – mothers of small children and fathers of small children – on possible discrimination prohibition violation in the sphere of employment due to gender and family status.

Research showed that mainly respondents – women – had the option to go on maternity leave in due time (30th – 32nd week). However, it was pointed that employee went on maternity leave later because there was no employee who could replace her; employer did not allow to leave; it was necessary to finish started works; as well as employee was afraid to lose the position; in the individual cases employee had to come to work in order to instruct the new employee. Research showed that 91.1 per cent of respondents – women have used parental leave, but only 27.9 per cent of respondents – men have used parental leave.

Retention of previous position and unchanged work duties after returning from parental leave for majority of respondents (both mothers and fathers) is assessed as positive issue.²⁰

In order to motivate employees to protect their rights, the Ombudsman of the Republic of Latvia prepared two informative materials - “Short course of rights for new parents” (2017) and “Information for employers on support activities for pregnant women and parents of small children stated in legal acts” (2017). In addition, informative seminars on rights in work environment for parents of small children were provided, including, regions.

3. Please provide pertinent figures, statistics or any other relevant information to demonstrate that the level of maternity benefit is adequate.

²⁰ The Ombudsman of Latvia: Research “Observance of discrimination prohibition principle in work legal relations against parents of small children”. 2017, Available at: http://www.tiesibsargs.lv/uploads/content/legacy/diskriminacijas_aizlieguma_principa_ieverosana_darba_tiesiskaj_as_attiecibas_pret_mazu_bernu_vecakiem_1507559839.pdf

Table No.16

Maternity benefit

	2014	2015	2016	2017
Number of cases, per year	17 413	18 276	18 535	17 948
proportion of women taking less than 42 days of postnatal paid leave, %	2.3%	3.4%	3.2%	2.5%
Average benefit amount per day, EUR	18.41	20.72	22.06	23.54
Average duration on 1 benefit recipient (in days)	107.5	106.7	107.6	109*
int.al. pregnancy leave (prenatal)	70.6	70.9	71.1	71.3
childbirth leave (postnatal)	59.5	58.7	59.0	59.7
The proportion of the number of maternity benefit recipients to the number of alive born children (per year)	80%	83%	84%	86%
Average age of maternity leave recipients (in years)	30.3	30.5	30.7	30.8
Replacement rate of maternity benefit to average insurance wage per day	75%	79%	80%	80%
Total expenditure for maternity benefit as % of GDP	0.1%	0.2%	0.2%	0.2%

* As an example – for the average duration of 109 days the total average benefit amount in 2017 would be EUR 2 565 – that is above 50% of the median equivalised income for that period.

Data source: State Social Insurance Agency

Table No.17

During the reference period, the Ombudsman of the Republic of Latvia has reviewed several examination procedures relating discrimination:

Year	Total verification procedures: discrimination due to the gender of person	Out of which: verification procedures relating discrimination due to maternity	Out of which: verification procedures where the violation has been stated
2014	5	2	2
2015	2	2	1
2016	1	1	0

Data source: The Ombudsman of the Republic of Latvia

These procedures relate individual cases and are settled between employer and employee.

ARTICLE 8 PARA. 2

“With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

to consider it as unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraph 3 of Article 109, Paragraph 5 of Article 154, Chapter 29 (Articles 122 until

127), Paragraphs 3, 5 and 8 of Article 29 and Subparagraphs 1, 2, 3, 4, 5, and 10 of the Paragraph 1 of the Article 101 of the Labour Law.

Also there have been no changes to Article 1779 of the Civil Law.

At the same time on 23 October 2014 amendments have been made to the Paragraph 1 of Article 109 (the amendments came into force on 1 January 2015) supplementing with the words “but no longer than until two years of age of the child”. Thereby at the moment the mentioned provision of the Paragraph 1 of Article 109 provides that an employer is prohibited from giving a notice of termination of an employment contract to a pregnant woman, as well as to a woman following the period after birth up to one year, but if a woman is breastfeeding — during the whole period of breastfeeding, but no longer than until two years of age of the child, except in cases laid down in Article 101, Paragraph 1, Subparagraphs 1, 2, 3, 4, 5, and 10 of this Law.

Also by the same amendments to the Labour Law changes have been made to the Subparagraph 11 of Paragraph 1 of Article 101 of this Law, prescribing that an employer has the right to give a written notice of termination of an employment contract only on the basis of circumstances related to the conduct of the employee, his/her abilities, or of economic, organisational, technological measures or measures of a similar nature in the undertaking in the following cases: 11) the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within a three-year period, if the incapacity recurs with interruptions, excluding a prenatal and maternity leave in such period, as well as a period of incapacity, if the reason of incapacity is an accident at work, the cause whereof being related to the exposure to the environment factors or an occupational disease.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

3.1. The SLI has received complaints from employees who have been dismissed during the pregnancy period. The number of complaints received: in 2014 – 2; 2015 – 2; 2016 – 1; 2017 – 4.

Table No.18

The number and amount of the SLI's imposed administrative fines and the number of issued warnings for violations of Article 109, Paragraph 1 of the Labour Law				
	2014	2015	2016	2017
Number of imposed administrative fines	0	4	1	0
Amount of imposed administrative fines (EUR)	0	200	200	0
Number of issued warnings	0	3	0	0

Data source: SLI

3.2. Concerning the claims on reinstatement - according to the information provided by Ministry of Justice - there were 1174 decisions made in total (including appeal instance - regional courts) during the reference period 2014-2017.

The number of first instance courts decisions made: in 2014 – 230; 2015 – 180; 2016 – 127; 2017 – 101.

It is not possible to figure out how many decisions of the cases examined are based on Article 101, Paragraph 1 of the Labor Law²¹.

ARTICLE 8 PARA. 3

“With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

²¹ Article 101 “Notice of Termination by an Employer”

(1) An employer has the right to give a written notice of termination of an employment contract only on the basis of circumstances related to the conduct of the employee, his/her abilities, or of economic, organisational, technological measures or measures of a similar nature in the undertaking in the following cases:

1) the employee has without justified cause significantly violated the employment contract or the specified working procedures;

2) the employee, when performing work, has acted illegally and therefore has lost the trust of the employer;

3) the employee, when performing work, has acted contrary to moral principles and such action is incompatible with the continuation of employment legal relationships;

4) the employee, when performing work, is under the influence of alcohol, narcotic or toxic substances;

5) the employee has grossly violated labour protection regulations and has jeopardised the safety and health of other persons;

6) the employee lacks adequate occupational competence for performance of the contracted work;

7) the employee is unable to perform the contracted work due to his/her state of health and such state is certified with a doctor's opinion;

8) an employee who previously performed the relevant work has been reinstated at work;

9) the number of employees is being reduced;

10) the employer - legal person or partnership - is being liquidated;

11) the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within a three-year period, if the incapacity recurs with interruptions, excluding a prenatal and maternity leave in such period, as well as a period of incapacity, if the reason of incapacity is an accident at work, the cause whereof being related to the exposure to the environment factors or an occupational disease.

to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Article 146 of the Labour Law.

Concerning the regime applied to women employed in the public sector please see the information provided under Paragraph 1 of the same Article in this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

ARTICLE 8 PARA. 4

“With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

to regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraphs 1, 2 and 6 of the Article 138 of the Labour Law.

Concerning the regime applied to women employed in the public sector please see the information provided under Paragraph 1 of the same Article in this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

ARTICLE 8 PARA. 5

“With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining, and all other work which is unsuitable by reason of its dangerous, unhealthy, or arduous nature and to take appropriate measures to protect the employment rights of these women.”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to Paragraph 7 of Article 37, Article 99, Paragraphs 1 and 3 of Article 134 of the Labour Law. Also there have been no significant changes to Paragraph 2 of Article 134 of the Labour Law.

At the same time on 7 April 2015 several amendments have been made to the Regulation of the Cabinet of Ministers No.660 of 2 October 2007 “Procedures for the Performance of Internal Supervision of the Work Environment” (the amendments came into force on 1 June 2015) also making changes in the Annex 2 of the Regulation. The last wording of the mentioned Regulation is appended to this Report as Appendix No.3.

Concerning the regime applied to women employed in the public sector please see the information provided under Paragraph 1 of the same Article in this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

ARTICLE 16: THE RIGHT OF THE FAMILY TO SOCIAL, LEGAL AND ECONOMIC PROTECTION

“With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means.”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Social protection of families

Housing for families

In order to provide the possibility for families with children purchase or construct housing for improving their housing situation, in accordance with the Regulation of Cabinet of Ministers No. 95 “On State Assistance in Purchasing or Constructing Residential Space” of 20 February 2018, the State joint stock company “Development Finance Institution “Altum” issues a guarantee, including to a person in whose care there is at least one minor child, to secure a loan. Since 2014 guarantees have been granted for 9 904 families with 14 552 children in total. Total amount of funding used for the program is 69 million EUR.

In order to increase heat energy efficiency in multi-apartment residential houses, assistance is provided to apartment owners for renovation of multi-apartment residential houses. As a result of insulation of multi-apartment residential houses, residents of these houses, including families with children, have lower expenditure on thermal energy services, housing conditions improve, while the housing value increases. From 2010 to 2016 740 residential buildings have been renovated by using this financial assistance. Since 1st of July 2016 till 31st of December 2023 there are 156 315 883 EUR available for renovation of residential multiapartment buildings. All the renovated multi-apartment buildings are seen on an [interactive map](#).²²

The Law on Residential Tenancy regulates the creation of rental boards in local governments. According to Article 48 of the Law on Residential Tenancy a Rental Board may:

- in the cases provided for by law and the binding regulations issued by a local government, draw up administrative protocols for persons who have violated laws. Regulations of Cabinet of Ministers and the binding regulations issued by a local government regulate the renting out, maintenance and management of residential space;
- provide consultations and recommendations to house owners (renters), apartment tenants (owners) and tenants (owners) of the non-residential space of residential houses; and
- perform other functions referred to in the binding regulations issued by the relevant local government.

In implementing the competence specified in Article 48 of this Law, a Rental Board has the right:

- to become acquainted with the documents at the disposal of natural and legal

²²<https://www.google.com/maps/d/u/0/viewer?dg=feature&oe=UTF8&msa=0&ie=UTF8&mid=1TEs0CCVzp2uGBdXTVCvmnbrt54&ll=56.896533042401934%2C24.356812569081285&z=7>

- persons and receive the necessary information from such persons;
- to invite to the Rental Board meetings persons who have violated the law. Regulations of Cabinet of Ministers and the binding regulations issued by a local government regulate the renting out, maintenance and management of residential space. The referred to persons have the duty to arrive to the Rental Board meeting.

According to Article 28.² of the Law on Residential Tenancy, the renter may terminate a rental contract, evicting a tenant together with his/her family members and other persons without provision of other residential space in the following cases:

- if the tenant does not pay the rental payment for the residential space for more than three months, even though his/her opportunity to use the residential space in accordance with the rental contract and regulatory enactments was ensured; or
- if the tenant does not pay for the basic services for more than three months, even though his/her opportunity to use the basic services in accordance with the rental contract and regulatory enactments was ensured.

Before bringing an action into court, the renter shall notify the tenant regarding the termination of the rental contract in writing at least one month in advance. In the cases when the location of the tenant is unknown to the renter, an action may be brought in court if the notification has been published in the newspaper *Latvijas Vēstnesis* [the official Gazette of the Government of Latvia] one month in advance.

Article 26 of the Protection of the Rights of the Child Law obligates the State to provide support to a family seeking a living place. According to the Paragraph 2, Item 1 of Article 66 of the mentioned law, the local government has to provide support through ensuring the accommodation to families and any child residing in the territory on the relevant local government.

The Law on Assistance in Solving Apartment Matters determines the types of State assistance, including:

- 1) rent of local government-owned or leased thereof residential spaces;
- 2) renting out a social apartment;
- 3) provision with temporary residential space;
- 4) assistance in exchanging a rented residential space for other rentable residential space;
- 5) allocation of allowance to cover payment for residential tenancy and payment for services associated with usage of the residential space;
- 6) allocation of a one-time allowance for renovation of a residential space or residential house;
- 7) allocation of a one-time allowance for vacation of a residential space;
- 8) renovation of a residential space;
- 9) assistance in purchase or construction of a residential space;
- 10) assistance in the renovation and restoration of residential housing.

The Riga City Council binding regulations On Registration and Help in Solving Apartment Issues adopted on 9 June 2015 determines the procedure how the municipality provides such assistance to the population.

Legal protection for persons threatened by eviction must include:

- * ***an obligation to consult the parties affected in order to find alternative***

solutions to eviction

In order to facilitate the parties' willingness to resolve the dispute through mediation, on January 1, 2015, the mediation model recommended by the court in civil procedure entered into force. It is the duty of a judge to offer the parties, at several stages of the process, the use of mediation to resolve the dispute (after initiating a case, preparing a case for trial and preparatory hearing, and, in the course of the case, until the substantive examination is completed). In addition to the courts since 2016, a "mediation table" project is being implemented, in which a mediator certified by the parties provides free counselling on mediation and its benefits to resolving a specific dispute.

The duty to perform office activities in order to ensure the execution of a court ruling on the deportation of a person from living quarters is by law imposed on a sworn bailiff. In accordance with Article 48 of the Bailiffs Law, in performing his/her duties, the sworn bailiff shall explain to the parties, in accordance with the performance of their duties, their rights and obligations in the good faith practice of the parties' procedural rights (enforcement proceedings).

**** an obligation to fix a reasonable notice period before eviction***

The bailiff never initiates enforcement of a judgment against a person on his/her own initiative. The bailiff's action is always based on a decision that has come into force legally and the request of the injured party, which has applied to the bailiff, because the debtor (the person who is obliged to release the premises in accordance with a court ruling) does not comply with the decision voluntarily. Consequently, the person is informed about the obligation to release the premises already during the trial by a court judgment. In accordance with Article 193 of the Civil Procedure Law, in the operative part of a court judgment, the court shall indicate, inter alia, the term of the voluntary execution of the judgment.

If the court judgment is not performed voluntarily and its enforcement is transferred to the bailiff, when initiating the enforcement activity, the bailiff initially sends the notice to the person, pronouncing the obligation to comply with the decision - to transfer the room to the picker up to a certain date, on the place declared by the debtor and the address of the real estate, in accordance with Article 555 of the Civil Procedure Law room for release. A specific minimum period for determining the release of premises for the enforcement of a ruling is not determined by law, it is determined individually in each enforcement case, taking into account the factual circumstances of each case. Typically, a period of not less than two weeks is given to allow a person to find another place of residence and transfer his/her place. In the notification, the bailiff shall also indicate the date when the judgment will be enforced if the debtor fails to execute it. However, if at the appointed time the debtor does not appear for eviction and the bailiff is not informed of the reason for his/her absence or the debtor has not appeared for any exculpatory reason, the bailiff shall postpone the ban. In practice, in this case, evictions are usually postponed for about two weeks, informing the person pronounced on the reinstatement of the date and obligation to release the premises. Only if the debtor has not arrived at the redemption within the prescribed time and has not announced the reason for non-appearance, or if the reason for non-appearance is one that the bailiff does not recognize as justified, the premises are opened forcibly.

In addition, in accordance with the Law "On the Rental of Residential Real Estate", the lessor, at least one month in advance, shall in writing notify the tenant about the

termination of the rental agreement for the residential premises before the court makes a decision to terminate the rental agreement due to the fact that the tenant owes the rent and charges for the basic services.

Thus, in accordance with the current legal framework, a person is informed several times about the obligation to vacate premises before the actual eviction activities are started in various stages of the eviction process. Therefore a reasonable period of time is provided to address issues related to finding a new place of residence.

*** *accessibility to legal remedies***

In accordance with Article 206 of the Civil Procedure Law, the court which made the judgment in a case is entitled to take a decision on postponement of execution of a judgment at the application of the party, taking into account the property of the parties, the rights of the child or other circumstances.

Pursuant to Paragraphs 28.2, 36.1 and 36.3 of the Law "On Renting Residential Real Estate", execution of a court judgment regarding the deportation of a tenant from a residential space if a tenant is recognized as a poor person is postponed until the municipality gives the tenant another living space suitable for living. In accordance with the requirements of the law, the local government must, within a period of three months after the entry into force of a court judgment regarding the eviction of a tenant from a residential space, provide the tenant with another living space suitable for living.

*** *accessibility to legal aid***

Natural persons may conduct cases in court personally or through their authorised representatives.

In accordance with the State Guaranteed Legal Aid Law, the State provides legal assistance in civil cases outside the court and in court (including in cases of expulsion of a person), if they:

- 1) have acquired the status of a poor or poor person in accordance with the procedure prescribed by regulatory enactments in which a natural person is deemed to be poor or is poor;
- 2) suddenly find themselves in a situation and material condition that prevents them from protecting their rights (due to natural disasters, force majeure or other circumstances beyond the control of the person);
- 3) is in full state or local government care.

*** *compensation in case of illegal eviction -***

The Constitution of the Republic of Latvia guarantees everyone the right to adequate compensation in the event of an unjustified violation of rights. If a person is unlawfully removed from the premises (without a valid court judgment on eviction), he/she is entitled to claim adequate compensation for property damage or personal injury, including the moral damage caused to him/her by bringing an action against the perpetrator in court in a general manner.

Please see also information provided on the Article 31 of this Report.

Family counselling services

The State Inspectorate for Protection of Children's Rights in the framework of a project co-funded by the European Union (European Social Fund project

"Improvement of the support system for children with challenging behaviour and domestic violence"

http://www.bti.gov.lv/lat/esf_projekts_/par_konsultativo_nodalu/)

has established a multidisciplinary Consultative Unit which provides consultations and recommendations to the family as well as the professionals at the local government on the advisable support plan for the individual child who has a challenging behaviour. According to the recommended plan elaborated by the multidisciplinary team the local government is urged to organize the necessary support measures for the child. The individual support plan for the child developed by the Consultative Unit takes into account the available resources and services that the respective local government could provide to the child. Time frame of the project is 2016 – 2021. The number of children for whom the support plans will be developed until the end of the project reaches 1000. Support and advice will be provided also to 2250 professionals as well as parents and carers.

In each local government there is a Social service where Family and children support departments (hereinafter – Departments) are established. Duty of these Departments is pursuing social work with families and children, advice for clients on ways to improve their social situation, their rights and responsibilities, social assistance and social services as well as other support issues. Departments are providing psychologist services, family assistants, organizing support and awareness groups according to client's needs.

Clients of Departments are different groups of persons - dysfunctional families, where the parents have low skills in care, victims of violence, addictive persons, persons with mental disorders, foster families and others.

Legal protection of families

The Legal Aid Administration according to State Ensured Legal Aid Law, until the final court ruling enters into force, shall grant the State legal aid for persons that have obtained status of low-income and needy person or if they suddenly get into a situation and a material condition that prevents their protection of their rights (due to natural disasters, force majeure or other circumstances beyond control of the person, including cases of domestic violence), or are under full maintenance by the government or local authority.

Legal aid will be provided in civil cases (except, for example, if the request is related to luxury articles or luxury services, as well as legal assistance can't be obtained in cases directly related to the claimant's all kinds of economic activity, business or independent professional activity, etc.), and in administrative cases in court process, if the case is complicated and the judge decides to grant legal assistance to low-income person.

Mediation services

On 18 June, 2014 Mediation Law²³ entered into force and has been approved by the Parliament. Mediation Law establishes court annexed (court recommended) mediation in civil cases. The court annexed mediation model was launched together

²³ Mediation Law, English translation available on: <https://likumi.lv/ta/en/en/id/266615-mediation-law>

with the institution of state-certified mediators and a new representative body – Council of Certified Mediators. On 5 August, 2014 the Regulations of Cabinet of Ministers No.433 “On certified mediators” has been adopted. According to the Mediation Law this service is accessible to every person on their free agreement for fee.

State guaranteed maintenance – support for single parents

As one of the additional support measures for families in case when child maintenance is ensured by one parent only, the State offers additional material support by means of the State guaranteed maintenance. The Administration of the Maintenance Guarantee Fund (hereinafter – Fund) pays maintenance from the Maintenance Guarantee Fund, in cases when it is impossible to collect the maintenance from the other parent. Such situations when the child is living with one parent while the other parent is not providing maintenance for the child are comparatively numerous.

The amount of monthly maintenance paid by the Maintenance Guarantee Fund has been increasing over the years. In 2017, it was EUR 95 for a child until age of 7 and EUR 114 for a child aged 7-17 (inclusive). It is planned that the amount will increase annually until it reaches EUR 107.5 for a child until age of 7 and EUR 129 for a child aged 7-17 (inclusive) in 2020.

A parent who does not provide maintenance for the child becomes a debtor of the State. However, in practice there were still quite many cases where debtors avoid their obligations to maintain their children and to return the debt to the State. Several legal changes and changes in practice have been introduced on one hand to prevent debtors from avoiding maintenance payments and on the other hand to facilitate the procedures to receive State guaranteed maintenance.

In 2017, amendments to the Criminal law were introduced that allow to quicker initiate criminal proceedings for avoiding of maintenance. Besides in 2017 Amendments to the Law on the Maintenance Guarantee Fund were made that allow to apply prohibition for a debtor to use a driving licence for motor and water vehicles in order to protect the rights of the child and promote fulfilment of the duties of parents - the payment of maintenance. Information on the fact that the Fund settles the payment of maintenance instead of a debtor is provided by the Fund Administration to natural persons in the single State and local government services portal www.latvija.lv. This means, that, for example, an employer may check if his/her employees fulfil their duties to support children.

Since 1 April, 2017 a parent may apply and receive State guaranteed maintenance from the Fund also in cases when there is no court ruling on recovery of maintenance. The first part of Article 11 of the Maintenance Guarantee Fund Law states that if no duty has been imposed on a parent by a court ruling on recovery of maintenance or by an agreement on maintenance to settle maintenance payments and the parent does not provide the minimum amount of maintenance, the applicant has the right to submit to the Fund Administration an application on disbursement of maintenance from the Fund.

Domestic violence

The Criminal Law (hereinafter – CL) does not provide such criminal offence as

domestic violence against women (or men). The criminal liability for a person shall occur for actually committed actions, regardless of the gender of the victim. In practice perpetrators of domestic violence are criminally liable in accordance to different articles of the CL, considering the gravity of a violent act and the consequences. Namely, in cases of causing bodily injuries, the criminal liability shall occur in accordance with Article 125 of the CL (Intentional Serious Bodily Injury), Article 126 (Intentional Moderate Bodily Injury) or Article 130 (Intentional Slight Bodily Injury). In its turn, criminal liability shall be provided under Article 130.¹ of the CL for torture of a person, namely, for multiple or permanent activity or inactivity of a person, causing severe physical pain or moral suffer to another person, or deliberate single-time activity or inactivity of a person, causing severe physical or moral suffer to another person, in order to influence consciousness or will of the same or another person, if such acts have not had the consequences provided for in Articles 125, 126 or 130 of this Law.

Since 31 March, 2014 regulation on immediate restraining orders and court protection orders is in force in Latvia. There is criminal liability for violation of court protection orders. During the period: from 31 March, 2014 till 31 December, 2017 State police has issued 1042 restraining orders, municipality police – 36. During this period of time courts have 2339 protection orders by ordering perpetrator to evict from home where a victim lives permanently.

Since 2016 amendments to the Criminal Procedure Law are in force that allows recording a submission expressed by a person in oral form regarding a criminal offence.

Amendments to the Criminal Procedure Law made in 2016 prolonged limitation period of criminal liability in cases of sexual violence and it is now 20 years after a victim reaches the age of majority.

In 2016, Criminal Procedure Law was supplemented by a new section that regulates rights of specially protected victims. Inter alia, specially protected victims are victims of domestic and intimate partner violence. A specially protected victim may request and receive information regarding release or escape of such arrested or convicted person from a place of imprisonment or a place of temporary detention who has inflicted harm to him/her, if there is a threat to the victim and there is no risk of harm to the arrested or convicted person. A specially protected victim may request that his/her participation and hearing in a court session takes place using technical means. Interrogation of a specially protected victim is performed in a separate room appropriate for such purposes or without the presence of persons not related to the particular procedural action. Interrogation of such person who has been recognised as a victim of violence committed by a person upon whom the victim is dependent financially or otherwise, a victim of human trafficking, or a criminal offence directed against morality or sexual inviolability of the person, shall be conducted by a performer of an investigative action of the same gender.

In 2017, several legal amendments to the CL were made (in force since 2018) to introduce an aggravating factor in cases intentional slight bodily injuries, intentional moderate bodily injuries, intentional serious bodily injuries and sexual violence were made to a relative, spouse or ex-spouse, partner or ex-partner, as well as a person living in the same household, namely, if the acts provided in these sections are committed against a person to whom the perpetrator of the criminal offence is related in the first or second degree of kinship, against the spouse or former spouse, or

against a person with whom the perpetrator is or has been in unregistered marital relationship, or against a person with whom the perpetrator has a joint (single) household. This means that rape within a marriage can be punished more severely. One more aggravating circumstance was introduced in cases when a violence offence or an offence of a sexual violence was committed in the presence of a child.

In 2017 legal amendments were made (in force since 2018) to criminalise female genital mutilation, stalking, psychological violence.

Amendments were made to Annex No. 3 "Criteria for the Specification of the Seriousness Level of Bodily Injury" of the Law On the Procedures for the Coming into Force and Application of The Criminal Law (hereinafter – LPCIFACL) with the law "Amendments to the Law On the Procedures for the Coming into Force and Application of The Criminal Law, adopted on 8 June 2017, within the framework of which mental traumas and disorders with certain chronic course and consequences shall be considered as bodily injuries. Besides, Clause 11 of Annex 3 to the LPCIFACL stipulates that the expert shall substantiate the seriousness level of a mental disorder or mental trauma with data obtained from the case materials, and also from data obtained during psychiatric or psychological evaluation. For example, when mental disorders with chronic course, significantly affecting the social adaptation of a person, has occurred to the victim as a result of intentional causing of bodily injuries, such an offence, in accordance with the factual circumstances, may be classified under Article 125 of the CL as intentional infliction of serious bodily injury. In its turn, when a mental disorder or mental trauma, which is affecting the social adaptation of a person for a long period of time, has occurred to the victim as a result of intentional infliction of bodily injuries, in accordance with the factual circumstances, the activities of the guilty person shall be classified under Article 126 of the CL as infliction of bodily injury of moderate seriousness.

With the law "Amendments to the Criminal Law", adopted on 8 June 2017, the CL was supplemented with Article 132.¹ (Stalking) and provides a criminal liability for repeated or prolonged tracing, observation, threats to the person or unwanted communication with the person if the person has had a reason to fear for the safety of him/her or his/her relatives.

For more information please see also information on the Article 7 Paragraph 10 of this Report.

If a woman/man suffering from domestic violence is not able to stay at her/his home during the period of solving problems, she/he together with her/his children can use a crisis centre. Law on Social Services and Social Assistance (in force since 2003) defines crisis centre as a social institution where short-term psychological and other types of assistance is provided to persons in a crisis situation. In a crisis centre social workers and psychologists work with clients. A crisis centre has appropriately equipped client living quarters. If a client is temporarily accommodated in the crisis centre, during the process social service and sanitary rooms are provided, as well as premises and equipment for washing clothes and laundry.

A crisis centre may be established by local government, NGO or other type of providers. Stay in crisis centre is paid for by local municipality's budget - of person's residence.

Since 2015 social rehabilitation for adult victims of violence is financed from the State budget. Law on Social Services and Social Assistance states that adult persons who

are victims of violence (physical, sexual, economic or emotional acts of violence, as well as physical or sexual threatened violence, or violent control) shall be provided with social rehabilitation financed from the State budget. Social rehabilitation is provided with the objective: (i) to provide psychosocial assistance; (ii) to assess the threat and to plan security measures; (iii) to motivate the person to recover or enhance his/her social functioning capabilities (a person's limited capability to work, take care of himself/herself, integrate into the society); (iv) to strengthen or recover the person's social functioning capabilities.

Service can be provided as a social rehabilitation course - up to 30 days in a social rehabilitation institution with accommodation or as individual consultations by a psychologist, lawyer or social worker. In that case no more than 10 State financed 45-minute consultations are available. The rehabilitation service for victims can be received repeatedly if more than 12 months have elapsed since the receipt of the previous service. A person may request the rehabilitation service directly from an institution or at local government social service office.

According to Law on Social Services and Social Assistance, State budget finances social rehabilitation services and they are available for persons who have committed violence since 2015. Regarding care of social rehabilitation for persons who have committed violence, the State budget finances: (i) for persons - provision of the service for reducing violent behaviour and consultancy after the receipt of this service; (ii) for providers of the service for reducing violent behaviour – training and supervision - an advisory and educational support programme during a two-year period, following the completion of the training.

The Social rehabilitation service for reducing violent behaviour can be provided in the form of individual consultations by a psychologist - no more than 10 - 45-minute consultations - or in the form of group sessions - 16 two-hour sessions for a group of up to 12 persons. The objective of service is to prevent or reduce further risks of violence.

The service for reducing violent behaviour may be requested by a person: (i) against whom administrative proceedings or criminal proceedings have been commenced regarding committing offence associated with violence or threatened violence; (ii) regarding whom there is information at the disposal of the State or local government police, a social service office or Orphan's court that the person has been violent or has threatened violence; (iii) who is afraid of becoming violent or confesses in having been violent.

In order to receive the service for reducing violent behaviour, a person shall lodge a submission to the local government social service office.

Since 1 January, 2016 State financed toll-free Victim support hotline was introduced. Every day from 7:00-22:00 trained specialists of NGO "Skalbes" provide victims of crimes, including victims of domestic violence, psychoemotional and informative support. There is also a possibility to receive an online consultation via an interactive web-page www.cietusajiem.lv.

The last available statistics on criminal proceedings due to domestic violence cases shows that in 2016 at least 22 women were killed in families (5 were killed by their spouses/partners, 17 – by other relatives), at least 44 women had bodily injuries caused by their spouses or partners. 36 parents suffered violence from their grown-up children.

Violence against children in families makes a significant share from all cases of violence against children. In 2016 at least 326 children suffered from violent offences, out of these at least 182 children suffered from their relatives. 107 children suffered from sexual violence, out of these 38 suffered in their families.

Specialists, including police officers, social workers, judges, prosecutors, etc., are obliged to receive training on the rights of the child and domestic violence. Particular attention is paid to strengthening multi-disciplinary specialist teams at local government level that are able to effectively intervene in cases of domestic violence.

Economic protection of families

Family benefits

The Law on the Protection of the Rights of the Child provides that the family is a natural environment for the development and growth of a child. During the period 2014-2017 there were several legal changes in order to provide better economic support to families, guardians and foster families.

As from 1 October 2014 - according to the amendments to the Law on Maternity and Sickness Insurance, socially insured parents are simultaneously entitled to both parents' benefit (until the child reaches the age of 1 or 1.5, depending on the option selected) and child care benefit in the amount of EUR 171 a month until the child reaches the age of 1.5. For a person taking care of a child aged 1.5-2 years the amount is EUR 43.69 for one and the same child.

From January 1, 2015 the limitations of amounts of Parent's benefit (ceiling) are abolished (the Law on State benefits payment during the period 2009 -2014 on a temporary basis is no longer in force). Benefits are calculated based on the individual social insurance contributions made.

According to the Law on Maternity and Sickness Insurance, Article 10.⁴ Paragraph 4, there is an option to choose the duration of receiving the parents' benefit. The amount of the benefit is established according to the chosen duration:

- until the child reaches the age of 1 – in the amount of 60 per cent of the recipients' average insurance contribution wage or
- until the child reaches the age of 1.5 – in the amount of 43.75 per cent of the recipients' average insurance contribution wage.

The choice made regarding the benefit duration (until the child reaches the age of 1 or 1.5) is final once the benefit is granted- the chosen duration in case of the same child cannot be changed. There is a possibility provided for parents to transfer the benefit to each other during the period of the parental benefit payment.

According to the amendments to the Law on Maternity and Sickness Insurance adopted on November 23, 2016 Article 10.⁶ Paragraph 3 parental benefit is payable in the amount of 30 per cent of the amount of the benefit granted to a recipient who is employed or earns income during the childcare period as a self-employed, but is not on child care leave.

According to Article 10.⁷ payment of parental benefit is terminated temporarily while a person receives an unemployment benefit. If upon granting of the unemployment benefit it is determined that the parents' benefit has been already disbursed for a person for the same period, the amount of unemployment benefit to be paid is reduced by parents' benefit amount.

From 1 January 2017 in accordance with amendments to the Law on Maternity and Sickness Insurance Article 10.⁴ Paragraph 1 the right to parental benefit is also granted to a person who is not employed on the day of granting the benefit (is not considered as an employee or a self-employed person in accordance with the Law on State Social Insurance), but was employed or self-employed at the moment when the maternity leave started.

Article 10.¹, 10.² and 10.³ of the Law on Maternity and Sickness Insurance confers the right to paternity benefit. It is granted and paid to the father of a child for ten calendar days of the leave granted due to the birth of the child or to one of parents' due to adoption of a child (out of family care) below the age of three. An application from the benefit claimant, information regarding registration of the father of the child or court judgement concerning adoption and a confirmation from the employer regarding the father being on leave due to the birth of a child or conformation of one of the parents being on vacation due to the adoption of a child form the grounds for granting the paternity benefit. A paternity benefit is granted in an amount of 80 per cent of the average insurance contribution wage of the benefit recipient.

The family state benefit is granted for each child raised in the family from the age of 1 until the age of 15. Before 31 December 2017 the family state benefit was paid until the day when the child reaches the age of 19, if he/she after getting 15 years old continues to study at a general educational or vocational educational establishment, and the benefit was not granted for children who receive a scholarship. (From 1 January 2018 the benefit is granted even if he/she receives a scholarship until the day when the child reaches the age of 20, if he/she is not married).

The family state benefit and supplement to the family state benefit for a disabled child is granted in accordance with Article 6 of the Law on State Social Allowances and Regulation of Cabinet of Ministers No. 1517 "Regulations Regarding the Amount of the Family State Benefit and the Supplement to the Family State Benefit".

During the period from July 1, 2009 to December 31, 2014 the family state benefit was reduced to the amount of the flat rate of EUR 11.38 per month per each child, without differentiation in benefit amounts depending on the number of children in a family.

On August 16, 2016 when the Cabinet of Ministers reviewed the matter in the context of the State budget of the year 2017 and supported several policy priorities put forward by the Centre on Demographic Affairs. As one of the first activities, it envisages increase in the amount of the family state benefit for those families where the number of dependent persons significantly exceeds the number of breadwinners and thus exposes this family to the risk of poverty and all the related conditions. Therefore, in order to create economically more favourable conditions for large families, which rank second among types of families exposed to high risk of poverty, an increase in the amount of the family state benefit was introduced. Additional funding of EUR 3.5 million has been allocated for the implementation of this initiative.

The family state benefit and supplement to the family state benefit starting from 1 January 2017 is determined in the amount of:

- EUR 11,38 for the first child in the family;
- EUR 22,76 (EUR 11,38 x 2) for the second child;
- EUR 34,14 (EUR 11,38 x 3) for the third child;

- EUR 50,07 (EUR 11,38 x 4,4) for the fourth and any subsequent child.

When the amount of the state family benefit is set, all of the children of the applicant are taken into account in the total number of children in the applicant's family – including the children for which the benefit is not paid anymore (because the child has reached the age of 20 or if he/she does not study, as well as deceased children of the applicant). Total number of the children in the applicant's family also includes the children who are actually brought up by the family in compliance with the resolution of the orphan's court as well as for adopted children and children under guardianship.

The Law on the Rights of the Child states that in case of separation of child from the family, a child shall be primarily ensured a possibility to grow with a guardian or in a foster family. Under the current legal framework, out-of-family care in a child care institution shall be ensured, if care received from a guardian or in a foster family is not appropriate for the particular child. The child shall stay in a child care institution until he/she is ensured with appropriate care by a guardian or in a foster family.

In recent years, the State has made a tangible move away from care institutions. Out of all children in out-of-family care, the number of children placed in long-term care institutions is decreasing, and the number of children living in the family environment is increasing.

In order to facilitate quicker access to the family environment for children in out-of-family care, in 2017 several legislative changes were made to support adoptive parents, guardians and foster families:

1) as of 1 January, 2018 increased foster family allowance:

	Until 31 December 2017	From 1 January 2018
1 children placed in foster family	EUR 113.83 per month	EUR 171 per month
2 children placed in foster family	EUR 113.83 per month	EUR 222.30 per month
For 3 and more children placed in foster family	EUR 113.83 per month	EUR 273.60 per month

2) as of 1 January 2018, social security contributions from the amount of EUR 171.00 (before EUR 142.29) per month shall be made by the State for persons caring for a child up to 1.5 years of age, including foster family members that are not employed to the:

- pension insurance;
- disability insurance;
- unemployment insurance.

3) increased allowance for childcare in a foster family:

	Until 31 December 2017 (at least 1x minimum of maintenance payments)	From 1 January 2018 (at least 2x minimum of maintenance payments)
For children under 6 years of age (inclusive)	EUR 95 per month	EUR 215 per month
For children from 7 years to 17 years of age (inclusive)	EUR 114 per month	EUR 258 per month

A social benefit in order to provide material support for a family where triples are born is also State granted. Such support is provided because considerably higher additional costs arise due to the simultaneous birth and care for three children. The current amount of the benefit in the occasion triples are born – EUR 8538 (after the payment of the personal income tax) is allocated.

The local governments in the framework of their budgets are also getting actively involved in the provision of support for families with children. Many local governments are also providing child birth benefits in the occasion of a child birth for residents who have been declared in the territory of the respective local government.

Furthermore large families are a new category of passengers entitled to get a fare relief in intercity public transport.

State support for the children suffering from celiac disease is also provided:

- children up to 18 years of age;
- children after reaching 18 years of age, if the child is studying at institutions of general education or vocational education and has not reached 20 years of age or is a day student at an institution of higher education (full-time studies) and is no older than 24 years of age.

The amount of support corresponds to the amount of the additional payment to the state family benefit for a disabled child, namely, EUR 106.72.

Concerning stateless persons and refugees Article 4 Paragraph 1 of the Law on State Social Allowances prescribes that Latvian citizens, non-citizens, aliens and stateless persons to whom a personal identity number has been granted and refugees, who permanently reside in the territory of Latvia have the right to State social allowances. All the persons referred to in Paragraph 1 of this Article have the right to a guardian's allowance for a dependent child and remuneration for the fulfilment of a guardian's duties, if a personal identity number has been granted to the child under their guardianship. This provision shall not apply to persons if under their guardianship there is a child who has received a temporary residence permit in Latvia, except for a child who in compliance with the Asylum Law has submitted a submission regarding the granting of a refugee status or alternative status (during the examination of a submission for asylum) or to whom the alternative status has been granted in Latvia.

One of the autonomous functions of local governments is to ensure social assistance (social care) to residents (social assistance for poor families and socially vulnerable persons, ensuring places for old people in old-age homes, ensuring places for orphans and children without parental care in training and educational institutions, provision of overnight shelters for the homeless, and others. To ensure the

performance of their functions: local governments in cases prescribed by law issue binding regulations.

In accordance with terms of the Riga City Council binding regulations of December 9, 2008 No.147 “On One-time Childbirth Allowance For Families, in order to provide a financial support that covers the needs of a new-born”, Riga City Council grants a **one-time childbirth allowance**. Allowance for each new-born - amounts to EUR 150.

In 2014 the allowance was granted to 7 183 persons amounting to EUR 1 076 417.
In 2015 the allowance was granted to 7 475 persons amounting to EUR 1 121 250.
In 2016 the allowance was granted to 7 589 persons amounting to EUR 1 138 350.
In 2017 the allowance was granted to 7 018 persons amounting to EUR 1 052 700.

According to the Riga City Council binding regulation of November 24, 2015 No.180 “On Procedure In Which The Riga City Council Grants Financial Allowance – **Lunch For Students Paid by Riga City Council**”, the allowance is granted to students, who attend general elementary school program or general high school program in Riga local government general education institution and whose family has a status of either low-income or deprived family. The binding regulations entered into force on January 1st, 2016.

In 2016 the allowance was granted to 471 persons amounting to EUR 25 676.
In 2017 the allowance was granted to 39 persons amounting to EUR 2 061 (the allowance was granted only to high school students, since all elementary school students are granted free lunch, costs of which are covered from budget of Riga local government).

Financial allowance for educational support in accordance with terms of the Riga City Council binding regulation of January 15th, 2013 No.202 “On Acknowledging Status Of a Family Or an Individual as Deprived or Low-income and on Benefits Granted by Riga Municipality”, is granted by the Riga City Council. Allowance is granted at the beginning of school year and it amounts to EUR 35.57 per person.

In 2014 the allowance was granted to 3 115 persons amounting to EUR 110 801.
In 2015 the allowance was granted to 2 349 persons amounting to EUR 83 530.
In 2016 the allowance was granted to 1 617 persons amounting to EUR 57 517.
In 2016 the allowance was granted to 1 404 persons amounting to EUR 49 940.

In compliance with Article 43 of the Regulation of the Cabinet of Ministers of December 19, 2006 No.1036 “Foster Family Regulations, the Riga Municipality adopted Riga City Council binding regulations of December 8, 2009 No.32 “On Municipality’s **Support to Foster Families**”. Thus, foster families have the right to receive allowance from Riga local government for fulfilling obligations of a foster family; for providing food, clothing and soft equipment to the child. Financial allowance for providing food to the child is set to be 75 per cent of the minimum monthly salary established in the Republic of Latvia, the total yearly allowance for providing clothing and soft equipment is set to be EUR 163.63 and a monthly allowance for fulfilling obligations of a foster family is set to be EUR 213.43.

In 2014 the allowance was granted to 247 persons amounting to EUR 737 715.
In 2015 the allowance was granted to 249 persons amounting to EUR 783 968.
In 2016 the allowance was granted to 258 persons amounting to EUR 842 018.
In 2017 the allowance was granted to 290 persons amounting to EUR 950 668.

Until January 31st, 2017 Riga City Council binding regulations of December 11, 2007 No.97 “Regulations Regarding Riga Municipality **Allowance To Guardians** was valid, according to which an allowance was granted to guardian and temporary guardian for fulfilling obligations of guardian, when taking care of two (or more) children, for guardianship of the second and each subsequent child in addition to the state social benefit for guardian. Allowance was set to EUR 54.07 for each child.

In 2014 the allowance was granted to 183 persons amounting to EUR 101 123.

In 2015 the allowance was granted to 180 persons amounting to EUR 101 191.

In 2016 the allowance was granted to 189 persons amounting to EUR 101 089.

On February 1st, 2017 Riga City Council binding regulations of December 20, 2016 No. 235 “On Procedure in which Riga Municipality Grants Allowances for Fulfilling Obligations of a Guardian” entered into force and it was stipulated that Riga local government grants allowances to persons, who are permanently residing in Latvia and who are appointed as guardians by Riga City Orphan’s Court of a child (children), fulfil obligations of a guardian and take care of child (children) in guardianship, whose one or both parents are dead and/or take care of two (or more) children in guardianship. Amount of allowance:

- For a guardian, who takes care of a child, whose both parents or one of the parents are dead: EUR 50 per month;
- For a guardian, who takes care of two (or more) children in guardianship: EUR 60 per month for the second and each subsequent child in guardianship.

In 2017 232 persons taking care of 258 children received allowance for guardians who take care of a child, whose both parents or one of the parents are dead. However, 146 persons taking care of 186 children received allowance for guardians who take care of two (or more) children in guardianship. The total amount spent on both types of allowance was EUR 205 837.

In accordance with the Riga City Council binding regulations of January 16, 2015 No.131 “On **Riga Municipality Assistance to an Orphan** and to a Child without Parental Care After Reaching Adulthood”, there is no additional allowance granted to orphans and children without parental care, and the assistance is provided in accordance with the terms of Article 22 of the Regulations of the Cabinet of Ministers of November 15, 2005 No.857 “Regulations Regarding Social Guarantees to Orphan or Child without Parental Care, who is in Out-of-Family Care, as well as after such Out-of-Family Care has Ended”.

In 2014 the allowance was granted to 549 persons amounting to EUR 773 786.

In 2015 the allowance was granted to 474 persons amounting to EUR 424 201.

In 2016 the allowance was granted to 367 persons amounting to EUR 341 424.

In 2017 the allowance was granted to 371 persons amounting to EUR 371 944.

During the reference period there are several amendments made concerning taxation legislation.

1. Personal Income Tax

Personal income tax law was introduced in 1st January 1994. The personal income tax is imposed on income acquired by a natural person, and it consists of:

- the salary tax calculated from the income acquired by the employee and paid by the employer;
- the tax for income from economic activity and the tax from other sources of income to which corporate income tax is not applied;
- the tax for income from capital, including the tax from capital gains;

- the patent fees for the performance of separate types of economic activities;
- the parts of the micro-enterprise tax in accordance with the Micro-enterprise Tax Law;
- seasonal farm worker income tax, which is applied and calculated on the basis of the income earned during the respective season for the pursuit of the economic activity of the farm worker.

The Personal Income Tax on income from employment (salary) is calculated from the taxable income, which is reduced by the eligible expenses, the non-taxable minimum and the allowance for dependent persons.

Till 2017 basic personal income tax rate was flat – 24 per cent from 2013 till 2014, reduced to 23 per cent from 2015 till 2017.

1.1. The non-taxable minimum

Till 2015 there was one non-taxable minimum for all income levels – the non-taxable minimum has been increased from EUR 64.03 (LVL 45) per month in 2013 to EUR 75 per month in 2014 and it stays in the same amount till 2016.

From January 1, 2016 in order to continue to reduce income inequality a differentiated non-taxable minimum has been introduced. The differentiated non-taxable minimum varies depending on income level: higher for lower wages, but lower for higher wages.

Differentiated non-taxable minimum for 2016 is applied only in 2017 if taxpayer submits annual tax return form to State revenue service. For low income earners (up to EUR 380 per month) a maximum non-taxable minimum EUR 1 200 per year (EUR 100 per month) is applied. For persons who receive income from EUR 380 to 1 000 per month the non-taxable minimum, applying a formula, gradually decreases until at income level over EUR 1 000 per month – it remains EUR 900 per year (EUR 75 per month).

During the coming years monthly-applied non-taxable minimum will be gradually reduced, while the maximum applied non-taxable minimum will be increased Please see the table in Point 3 of this Article.

1.2. The tax allowance for a dependent person

During the reference period from 2014-2017 the amendments in the Regulations of the Cabinet of Ministers regarding the tax allowance for dependent person (in most cases children):

- in 2014 the allowance for dependents has been increased from EUR 113.83 (80 LVL) to EUR 165 per month;
- in 2016 the allowance for dependents has been increased from EUR 165 per month (2015) to EUR 175 per month. In addition, from 2016 the list of dependents has been updated and exclude persons who are able to work (from July 1, 2018, it will be possible to apply personal income tax allowance for a non-working spouse who cares about a child under 3 years of age, three or more children under the age of 18 or under the age of 24, of which at least one is less than seven years old, while the child continues to acquire education, five children under the age of 18 or up to the age of 24, while the child continues to receive education).

On 1st January 2018, Latvia has introduced a tax reform, which was discussed with social partners. The aim of tax reform is to provide a stable and predictable tax

policy, which focuses on economic growth and welfare of Latvian society, including families with children, simultaneously providing sufficient, predictable and qualitative tax revenues at State and local government budget and in addition gaining revenue from the administration improvement and the reduction of the shadow economy. One of the main goals of this reform is to reach Latvian governments' and international expert expectations – to reduce the tax wedge, especially on low-wage earners. The following legislative changes should be mentioned, made in relation with labour taxation:

- the minimum monthly wage has been increased from EUR 380 (in 2017) to EUR 430;
- progressive Personal Income Tax (PIT) rate has been introduced - the PIT rate is reduced from 23 per cent to 20 per cent for all taxpayers, while for taxpayers whose annual income exceeds EUR 20,004 per year the PIT rate 23 per cent is applicable to the excess of the amount and the third PIT rate of 31.4 per cent is applicable to a portion of income over EUR 55 000 per year;
- the differentiated non-taxable minimum is substantially increased to EUR 200 per month for incomes below EUR 440 per month in 2018, for incomes from EUR 440 to 1,000 per month – non-taxable minimum applying a formula gradually decreases until at income level over EUR 1,000 per month – it is no longer applicable;
- the mandatory state social insurance contribution rate due to introduction of health care insurance has been increased by 1 per cent (0.5 per cent for the employee and 0.5 per cent for the employer);
- the allowance for a dependent person has been increased from EUR 175 in 2017 to EUR 200 in 2018, to EUR 230 in 2019 and to EUR 250 in 2020. Also from July 1, 2018, it is possible to apply personal income tax allowance for a non-working spouse who cares for a child under 3 years of age, three or more children under the age of 18 or under the age of 24, of which at least one is less than seven years old while the child continues to acquire education, five children under the age of 18 or up to the age of 24, while the child continues to receive education;
- the limit of personal income tax eligible expenses has been increased from EUR 215 to EUR 600, which includes both interest education for children under the age of 18 and health expenses;

Changes of non-taxable minimum and tax allowance for dependent persons are illustrated in figures below in Point 3 of this Article.

2. Vehicle Operation Tax

Tax relief for large families (persons who has three or more minors as dependents) came into force on 1 January 2011. It establishes that the tax relief for large families is 20 per cent of the vehicle operation tax for one of the vehicles registered in the ownership, holding or possession. From 2016, this tax relief has been increased to 50 per cent of the vehicle operation tax for one of the vehicles registered in the ownership, holding or possession.

3. Immovable Property Tax

From January, 2018 amendments were made to the Law “On Immovable Property Tax”, which provides the real estate tax relief for large families (with 3 children and more) - the tax amount is reduced by 50 per cent of the calculated tax amount, but not more than EUR 500 (previously – EUR 427).

Vulnerable families

Please see the information provided in Point 2 of this Article.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

On October 21, 2014 the government approved the concept paper "Setting of the minimum income level". The overall aim of the concept paper is to reduce poverty and income inequality basing upon principles of solidarity. On July 3, 2018 Plan for improvement of the minimum income support system 2019-2020 was submitted to the Cabinet. There are measures foreseen to increase in 2019 the state social security benefit amount that will impact the minimum pension amounts for old age pensioners and people with disabilities. It is also proposed to increase the needy person`s income level, low income person`s level and prepare recommendations for common content and calculation methodology of housing benefit. However, the Plan still has to be approved by the Cabinet.

There are also two successful projects being implemented by the Ministry of Justice with close cooperation of courts and the Council of Certified Mediators ("Free consultation of mediator in court" and "State co-financed family mediation").

In 2017 (since January 2017) a project entitled "State co-financed Family Mediation" provided mediation services to 291 families with minors. Each family could receive up to 5 hours of State paid mediation services, provided by 26 State certified mediators. 65 per cent of all the mediation cases in this project have been finalised with a full or partial agreement between the disputing parties, a result which points to the high potential of mediation in family disputes. Project is successfully continuing in 2018 as well.

Since 2016 the Council of Certified Mediators and Ministry of Justice have partnered to implement pilot project "Free consultation of mediator in court" which provides 1-hour free consultation to any court users interested in learning about possibilities to use mediation in view of solving their disputes.

The pilot project provides free consultation with a mediator in a number of courts in Riga and courts outside. The project continues in City of Riga, Latgale Urban District Court, Riga District Court, City of Riga Vidzeme Urban District Court, Riga Regional Court, Riga District Court in Sigulda and Jurmala, as well as in Jelgava Court and Aizkraukle District Court. Recently City of Riga Pardaugava Court and Kurzeme Regional Court were added to the project.

To foster a successful development of mediation services in Latvia it is essential to promote mediation culture - dispute resolution via collaboration and effective communication that enhance individual responsibility for their disputes as well as lasting solutions. At this stage it is essential to increase public awareness and understanding of the benefits of mediation as an alternative conflict resolution tool and the existing opportunities to use these services. As mentioned, Ministry of Justice is working in close collaboration with the Council of Certified Mediators to promote mediation services and availability.

As part of the project "Evaluation of the Latvian judicial system"²⁴ targeting to improve the overall performance of the Latvian judicial system, in particular as regards its

²⁴ Part of the project "Justice for Growth" financed by the European Social Fund.

independence, efficiency and quality, experts of the European Commission for the Efficiency of Justice positively emphasised efforts to foster mediation services in Latvia as well.

The Ministry of Justice has developed a draft law aimed at strengthening the cooperation between the State and local government institutions by establishing interinstitutional cooperation groups aiming at creating common practices and understanding between the institutions involved about domestic violence and risks of domestic violence. The draft law stipulates the establishment of cooperation groups in each local government in order to ensure broad cooperation and mutual and timely exchange of information between competent institutions so that information on domestic violence and its risk, which currently is at the disposal of one institution, is also transferred to other competent authorities. Currently it is necessary to harmonize the procedure on how to organize more efficient cooperation at the level of local governments and the extent to which public authorities should be involved in this work.

Eurobarometer surveys published in 2010 and 2016 showed quite high tolerance to domestic violence as compared to other countries in the EU. Ministry of Welfare together with NGSs, the State Police and Ministry of Justice has implemented two projects under the European Commission "Rights, Equality and Citizenship Programme 2014-2020": "ONE STEP CLOSER: Coordinated Community Response to Violence Against Women" and "Awareness-raising Campaign on Zero Tolerance of Violence against Women "Violence likes silence"".

Addressing high tolerance to violence was one of the activities of the "Violence like silence" project. A survey conducted after the project was implemented (August 2018) indicated significant change in the attitudes towards domestic violence – more than 75 per cent of people in Latvia (compared to 68 per cent previously) replied that domestic violence is not acceptable and should be punished by law.

Within the project "One step closer" a new multi-disciplinary victim centred institutional cooperation model for cases of violence against women (hereinafter - VAW) - Coordinated Community Response (hereinafter - CCR) has been developed and piloted in 6 Latvian local governments (and 18 smaller, surrounding local governments), and it has already changed the practice of how the involved specialists deal with VAW cases. The project has allowed starting building a new system in Latvia to reduce the recurrence of violence. The new tools allow the professionals to systematically assess the violence risk, to recognize different forms of violence, teach more respectful attitude towards the victims, victims are being interviewed separately from the perpetrator, victims receive documentary evidence to use in the further court proceedings, etc. The CCR model guarantees action succession of the involved institutions and saves the clients from revictimization. A standardized procedure in all cases of violence (with or without minors involved) brings new clients to social services and allows providing support faster. More than 300 professionals mentored to use the risk assessment tools and protocol, and to map appropriate interventions in cases of VAW. At least 250 victims have had their cases handled by the trained professionals using the designed tools. More than 300 000 copies of informative material with easy-to-use information for victims and 170 000 copies of informative materials for bystanders have been printed and partly distributed. Over 350 professionals, who have been introduced with the project, its activities and the goals during different events outside the project events. Based on

project's results and conclusions suggestions for the amendments in the national legislation are being prepared. In addition to the mentioned activities work is going on with media representatives, as well as informative materials for victims and bystanders is being distributed.

On February 11, 2016 when the new government in Latvia was approved - the improvement of the demographic situation and the quality of life of families has been prioritized in its agenda. Bearing in mind that insufficient awareness on crucial role of cross-sectoral cooperation followed by limited funding are main issues interfering family support policy development in Latvia, the Prime Minister has set up a collaboration platform "Centre for Demographic Affairs", that includes experts from different branches with the aim to seek for new most effective cross-sectoral solutions for family support policy promoting population growth. Cross-Sectoral Coordination Centre (as institution under direct authority of Prime Minister) executes functions of the secretariat of this platform.

Accordingly with the Cabinet of Ministers decree of February 2016 No.115 action plan for the time period 2016.-2017. "For the implementation of the National Family Policy Guidelines of 2011.-2017." has been approved. The action plan envisages additional increase of the coefficient of the family state benefit as well as revision of the base amount of the family state benefit.

Also in 2017 the Ministry of Environmental Protection and Regional Development launched the implementation of the "Family-friendly municipality" program, which mainly aims to develop a long-term, comprehensive and easily transparent collection of information on support provided by local governments to families with children, providing information to parents about their possibilities to receive support in their local government and thus improving the accessibility of services to citizens.

Within the framework of the program, a "Family-friendly municipality" competition is organized to evaluate local governments in Latvia, identifying municipalities, which ensure the largest support, the most diverse and affordable services for families with children.

The program and the involvement of local governments in the competition creates a positive image of the municipality, promote the attraction of families with children, the possibility to improve services and their availability for families with children, which also indirectly could reduce the involvement of children in anti-social environment.

Regarding Roma integration and inclusion in Latvia a mainstreaming approach is mostly used, but also partly targeted approach, for instance in the field of education and development of civic society. Given the specific national situation and conditions, such as the small Roma population, Latvia has developed a set of national Roma integration policy measures, which is included in the development planning document National Identity, Civil Society and Integration Policy Guidelines 2012 – 2018.²⁵ Until the end of 2018 Roma integration measures are implemented according to the Action plan of the implementation of the National identity, civil society and integration policy guidelines (2017 - 2018).

²⁵ National set of the policy measures on Roma integration is included in the mainstream policy document – Guidelines on National Identity, Civil Society and Integration Policy for 2012–2018 is available on the website of the Ministry of Culture [https://www.km.gov.lv/uploads/ckeditor/files/Sabiedribas_integracija/Romi/Dokumenti/Pasakumu_kopums_Romi\(2012-2018\).pdf](https://www.km.gov.lv/uploads/ckeditor/files/Sabiedribas_integracija/Romi/Dokumenti/Pasakumu_kopums_Romi(2012-2018).pdf)

For the next period from 2019 the set of national Roma integration policy measures is included in the Implementation Action plan for National Identity, Civil Society and Integration Policy 2019 – 2020²⁶ (adopted in the Cabinet of Ministers on July 17, 2018).

In addition Roma as a target group is mentioned in following regulations:

- *Regulations on groups of people at risk of social exclusion and procedures for the granting, registration and supervision of social enterprise status* (adopted in 2018).

These regulations include Roma as one of the target groups. The Ministry of Welfare is responsible for the implementation of regulations.

- *Regulations on the implementation of the ESF project “Increase the integration of people at risk of discrimination into society and the labour market”* include Roma as one of the target groups (implemented by the Society Integration Found in cooperation with many partners) (adopted in 2016). The aim of the project is to promote the employment and socioeconomic inclusion of the most distinguished and discriminated groups, including ethnic minorities such Roma, as well as to foster the increase of a level of understanding in mainstream society on issues related to discrimination and social exclusion. There are some examples of activities of the program: provision of supporting and motivational services to the most distinguished and discriminated groups of people in order to combat discrimination and promote social inclusion; educational activities on issues of social inclusion and prevention discrimination in the labour market and activities promoting inclusive workplace and diversity management systems; raise awareness activities for mainstream society.

There are many measures implemented in the framework of the set of national Roma integration policy measures. For example in previous years these measures were focused on development and strengthening Roma civil society, fostering cooperation between all stakeholders in order to improve Roma access to education, labour market, social services, housing and health care, especially at the regional and local level, as well as promoting intercultural dialogue and raise awareness activities on Roma culture un history for combating Anti-Gypsyism. All measures are elaborated in cooperation with the members of the Roma integration policy implementation consultative Council and the Network of Regional experts on Roma integration issues, which is established by the Ministry of Culture, as well as Roma NGO and activists, non-Roma specialists and experts.

Within the NGO supporting regional program which is developed since 2014, there were many project which implemented by national minority NGOs, including Roma NGOs in order to build their capacity, provide better involvement into civil society, promoting intercultural dialogue, as well as develop culture and identity. Within this program during 2014 - 2017 there were 26 projects implemented by Roma NGO.

Since 2016 the Latvian Roma Platform project activities are implemented by the Ministry of Culture in the framework of the European Union’s Rights, Equality and Citizenship Programme. The main goal of the Platform project is to provide effective cooperation and dialogue between all relevant stockholders, which are involved within the designing and implementation of the set of policy measures on Roma integration.

²⁶ The set of the policy measures on Roma integration for next period is part of the Implementation Plan for National Identity, Civil Society and Integration Policy for 2012–2018 which is available on the website of the Ministry of Culture https://www.km.gov.lv/uploads/ckeditor/files/KMPI_060718_NIPSIPP_2019_2020.1394.pdf

During the first phase of the Latvian Roma platform I project all objectives of the project were achieved: 1) the cooperation and dialogue between representatives of local governments and governmental sector and Roma people has been fostered. 2) representatives' of local governments and Roma's knowledge about the access to available financial resources from ES structure funds has been improved. 3) Mutual learning and exchange of best practices on Roma integration in key areas at the local and regional level has been supported. 4) The awareness of representatives of local authorities, municipalities and governmental sectors on Roma culture and history, especially about the Roma genocide during the World War II, has been raised. 5) The participation and effective involvement of the representatives of Roma community, including Roma youth and Roma women, into the implementation of the set of Roma integration policy measures is facilitated; as well as the capacity and skills of representatives of Roma civil society has been strengthened.

There are many measure implemented during the project of Latvian Roma platform I: 1) regional meetings and field visits at local level in 3 local governments, during which members of the Network of regional experts on Roma integration issues (14 local governments), visited Roma families and discussed best practices and challenges on Roma integration in key areas; 2) annual coordination meeting of the Latvian Roma platform, where regional experts and members of the Council supervising the implementation of Roma integration policy measures, including representatives of Roma civil society, discussed the approaches, practices, challenges and solutions to develop the set of Roma integration policy measures effectively. 3) 4 practical workshops "Improving social situation of Roma families at the local level" in local governments in order to improve knowledge of municipalities' specialists on issues regarding Roma access to social services, benefits and supporting programs provided by local governments, as well to consult specialists and representatives of Roma civil society to use the programs of National and ESF funds effectively; 4) educational lectures on Roma culture, history and its impact on their social situation and exhibition "Roma Holocaust in Latvia (1941-1945)" in local governments aimed at raising awareness of representatives of municipalities, including experts, teachers, social workers, as well as representatives of local NGOs and Roma; 5) training for Roma activists, including Roma youth and Roma women, and Roma NGO to improve their skills of project designing and implementing; support to the representatives of Roma civil society to ensuring their participation in the meetings of the Council supervising the implementation of Roma integration policy measures.²⁷

Since 2017 there are a training and support measure for Roma moderators provided at the local government level in order to facilitate dialogue and cooperation between Roma families, municipalities agencies and their representatives (social worker, teachers, employment mentors) in the framework of the project Latvian Roma platform II (2017./2018.). Main task of the Roma mediator is facilitating dialogue and improving cooperation between Roma families and municipality institutions and their representatives (social workers, teachers, employment mentors etc.).

During the project five Roma activists are trained as Roma mediators for working at the local level (in local governments). Roma mediators worked during the period

²⁷ More information about the project is available on website of the Ministry of Culture <https://www.km.gov.lv/en/integration-and-society/roma/projects/latvian-roma-platform>.

October 2017 – May 2018 (8 months) in Jelgava, Dobele, Riga, Valmiera and Ventspils city. Roma mediators cooperated with 134 disadvantaged Roma families and provided assistance to more than 170 Roma persons. Local government representatives who cooperated with the Roma mediators stated that the mediator helped them to improve dialogue with Roma families and to find appropriate solutions for solving many problems, as well as to inform about the most urgent needs of the Roma and the characteristics of traditional Roma culture, taking into account the principle of equal access. In addition Roma mediators ensure support to the Roma families in order to improve better access to services and benefits provided by local governments. Moreover, mediators facilitated Roma access to municipal services, European Social Fund support programs, as well as prevented drop-out rates of Roma pupils in schools. In addition Roma mediators motivated Roma parents to use the possibility to participate in European Social Fund supporting measures, for instance, in the program “Support for reducing early school leaving”. Some Roma mediators have organized activities at the local level which are aimed at the provision of intercultural dialogue between Roma and mainstream society.

There is also an evaluation of the Roma mediators’ work, which is completed by the mentor for Roma mediators. Mentor provided immediate feedback on Roma mediators request for information, advice or support, and ensured the mentoring of their work in cooperation with the municipality institutions and Roma families where it is necessary. Every Roma mediator has prepared a monthly report on the work done. Roma mediators did their mediation work taking into account Individual working plan and Guidelines. Guidelines include the main goals and tasks for Roma mediators, as well as ethics, communication, confidentiality and human rights issues, list of useful contacts of institution and experts.

Roma mediators will continued their work in certain local governments in 2018 and 2019.

In addition during the project Latvian Roma platform II²⁸ there were organized:

- 3-days practical workshop „SĀRE KHETENE” for Latvian Roma youth in order to improve knowledge and skills of Roma young people, promote their access to EU support programs, as well as promoting their cooperation with the representatives of active national youth organizations and the State Agency for International Programs for Youth;
- practical workshop “Better Roma access to the labour market” aimed at the improving dialogue between employers and potential Roma employees, and Roma civil society representatives.

Local governments are responsible for provision of benefits to disadvantaged Roma families living within the municipalities at the local level.

For example, in 2015 Social House of Daugavpils City Council adopted targeted social rehabilitation program “Social integration for Roma”. The main goal of the program is regular social work with Roma families in order to build their self-esteem, social orientation and motivation. Within the framework of the project “Healthy Life School”, which is implemented by the NGO "Erfolg", free public laundry services are provided for poor and low-income Roma families.

²⁸ More information on the Project is available on the website of the Ministry of Culture https://www.km.gov.lv/uploads/ckeditor/files/Sabiedribas_integracija/Romi/ENG/LatvianRomaPlatform_II.pdf

In the framework of the project “Social rehabilitation program for Roma families with preschool or school-age children living in Jelgava” implemented in the period 2013 by the Social Affairs Department of Jelgava City there are provided social rehabilitation services for Roma families with children of pre-school and school age, hoping to boost a sense of self-worth among parents. 60 Roma are involved in the project. For example, there are provided 300 individual consultations to help children in their preparations for the next day learning, 10 non-formal classes for Roma pupils with their parents, 170 trainings for Roma families to improve reading, writing, hygiene, self-care and other daily needed skills, as well as professional skills.

The Municipality of Jurmala city is funded the operation and services provision of Day Service Centre for Roma regularly after the end of the ESF project in 2013. There are many activities, which were provided within social rehabilitation services package such as Healthy Life school, Health Care Centre services, Life-skills development workshops, Illiteracy Reduction Program, experts individual consultation, cultural, art and sport activities etc.

Within the framework of the project: “Different people. Various experiences. One Latvia” (in the framework of the PROGRESS programme of the European Commission) the survey “Roma in Latvia” is conducted in 2015 by the research company “Latvijas Fakti” with cooperation with the Society Integration Foundation and the Ministry of Culture. The survey was aimed at the monitoring of the situation of Roma in Latvia in the key areas - access to education, employment, healthcare and housing, identifying best practices and providing better elaboration and implementation of Roma integration policy in Latvia. Main conclusion of the survey is that, despite of many improvements of the situation of Roma in Latvia, Roma people still face many challenges in social economic areas such education, employment and social housing, the Roma remain the most socially disadvantage national minority in Latvia, and the majority population attitudes toward them usually based on stereotypes and prejudices, and could resulted as intolerance and discrimination.

Though the situation has slightly improved during the last ten year period, still one of the basic problems is the low education level among Roma population. The education level of almost half of the interviewed Roma is lower than primary, slightly more than one third (34 per cent) have primary education, while higher than primary education – only 17.2 per cent.

As regards to employment, in comparison with the general situation in the Latvian labour market, the proportion of long-term unemployment in the group of the Roma unemployed is markedly dominant. The proportion of unregistered unemployment among the Roma population exceeds the rates of official employment many times.

The survey demonstrates the fact that the Roma pay special attention to their children’s health and try to use all available health care services they know about. 98.2 per cent of the surveyed Roma have their own family doctor and that during the last year, 87.8 per cent of respondents have visited their family doctor. However, lack of knowledge and understanding about the accessibility of definite services limits their efficient use.

Low and irregular employment and insufficient income along with the absence of savings reduce Roma possibilities not only to rent or acquire housing but also cause difficulties in the maintenance of housing and deny them the possibility to enjoy the needed and desired living conditions in the chosen housing.

Information on Roma integration issues and main figures is regularly collected and published in the Annual Informative Report on the Implementation of Roma Integration Measures.²⁹

3. Please provide pertinent figures, statistics or any other relevant information to show that Article 16 is applied in practice, including information on domestic violence, information on child care arrangements and housing for families, the level of family benefits, the number of recipients as a proportion of the total population, as well as information on tax benefits and other forms of financial assistance for families.

Table No.19

Families expelled from their places of residence with minors

	2014	2015	2016	2017
Number of verdicts on expelling in which together with defendant also minors should be expelled	42	48	61	63

Data source: The Court Administration

Table No.20

Residential spaces and social apartments rented out by municipalities

	2013	2014	2015	2016
Number of persons renting municipality-owned or leased residential spaces on an immediate basis	157	202	81	88
Number of persons renting municipality-owned or leased residential spaces on a first basis	2308	1745	688	1285
Number of persons renting municipality-owned or leased residential spaces under a general procedure	1691	1331	1125	1802
Number of persons renting social apartments	4929	4506	4174	6793
Number of children living in social apartments	1340	1377	1430	1380
Number of children with disabilities out of the total number of children living in social apartments	71	63	76	73

Data source: Ministry of Economics

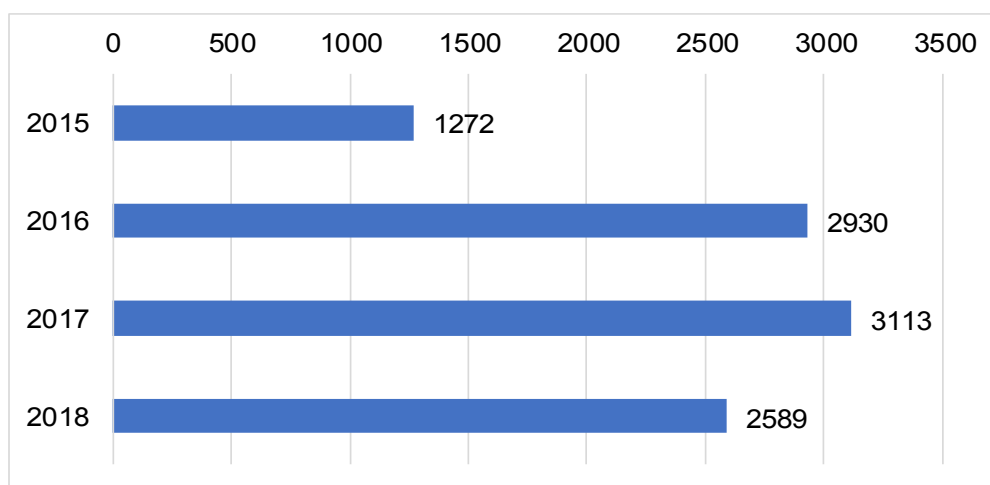
Table No.21

Allowance to cover payment for residential tenancy and payment for services associated with usage of the residential space

	2013	2014	2015	2016
The number of persons who have received allowance to cover payment for residential tenancy and payment for services associated with usage of the residential space	82 643	218 807	98 459	68 101
The total amount of benefits (EUR)	8 455 952	7 044 018	14 897 120	13 210 416

Data source: Ministry of Economics

²⁹ All Informative Reports are available on the Website of the Ministry of Culture <https://www.km.gov.lv/lv/integracija-un-sabiedriba/romi/dokumenti>

Table No.22**Provided housing guarantees**

Data source: State joint stock company "Development Finance Institution "Altum""

Table No.23**Concluded lease agreements with large families and orphans**

	2014	2015	2016	2017
lease agreements with large families with three and more minor children	9	16	26	56
children orphans	32	53	53	56

Data source: Riga local government

Table No.24**Crisis centres**

		2014	2015	2016	2017
number of crisis centres in the end of year		16	16	16	19
Number of clients	total	1458	1222	1302	1304
	adult women	317	282	305	320
	children (under age of 18)	1092	890	935	890

Data source: Yearly Statistical reports of Municipal social offices

Table No.25

Social rehabilitation for adults who are victims of violence or who have committed violence

		2014	2015	2016	2017
Social rehabilitation for adults who are victims of violence					
Number of clients	total	NA	181	255	434
	adult women	NA	169	246	424
	domestic violence	NA	171	229	225
Social rehabilitation for adults who have committed violence					
Number of clients	total	NA	43	89	62
	domestic violence	NA	37	87	58
	women	NA	10	42	30

Data source: Yearly Statistical reports of Municipal social offices

Table No.26

Number of children in out-of-family care

	On 31 December 2016	On 31 December 2017
Total number of children in out-of-family care	6957	6669
Number of children in foster families	1193	1173
Number of children under guardianship	4548	4459
Number of children placed in long-term care institutions	1216	1037
Number of foster families	575	600

Data source: Ministry of Welfare

Table No.27

Marriages registered in Latvia

Year	Number of registered marriages
2014	12515
2015	13617
2016	13002
2017	13150

Data source: Central Statistical Bureau

Table No.28

Amount of Households in Latvia (in thousands)

2014	823.3*
2015	803.8*
2016	805.8*
2017	822.2*

* at the beginning of the year

Data source: Central Statistical Bureau

Table No.29**Average size of a household (in persons)**

2014	2.40
2015	2.44
2016	2.41
2017	2.34

Data source: Central Statistical Bureau

Table No.30

**Composition and structure of household consumption expenditure
by socio-economic group in 2014**
(average per household member per month)

	2014							
	EUR				%			
	Wage and salary earners	Self-employed	Pensioners	Other	Wage and salary earners	Self-employed	Pensioners	Other
Total	311.48	346.30	248.61	223.47	100	100	100	100
Food and non-alcoholic beverages	80.43	92.45	86.91	61.68	25.8	26.7	35.0	27.6
Alcoholic beverages, tobacco	10.21	10.92	6.12	11.85	3.3	3.1	2.5	5.3
Clothing and footwear	20.66	19.96	5.94	16.20	6.6	5.8	2.4	7.2
Housing, water, electricity, gas and other fuels	46.93	43.51	54.46	50.64	15.1	12.6	21.9	22.7
Furnishings, household equipment and routine household maintenance	15.05	16.33	9.69	5.74	4.8	4.7	3.9	2.6
Health	15.04	15.65	34.33	9.81	4.8	4.5	13.8	4.4
Transport	43.65	58.48	15.15	21.41	14.0	16.9	6.1	9.6
Communications	13.68	13.67	9.88	9.53	4.4	3.9	4.0	4.3
Recreation and culture	25.44	31.70	14.87	16.17	8.2	9.2	6.0	7.2
Education	5.72	4.40	0.26	3.69	1.8	1.3	0.1	1.6
Restaurants, cafes and hotels	17.08	18.61	2.88	7.13	5.5	5.4	1.1	3.2
Miscellaneous goods and services	17.59	20.62	8.13	9.62	5.6	6.0	3.3	4.3

Data source: Central Statistical Bureau, Household Budget Survey

Table No.31

**Composition and structure of household consumption expenditure
by socio-economic group in 2015**
(average per household member per month)

	2015							
	EUR				%			
	Wage and salary earners	Self-employed	Pensioners	Other	Wage and salary earners	Self-employed	Pensioners	Other
Total	328.09	380.11	255.26	225.50	100	100	100	100
Food and non-alcoholic beverages	82.04	91.09	88.80	64.85	25.0	24.0	34.8	28.8
Alcoholic beverages, tobacco	11.20	14.27	6.59	7.05	3.4	3.8	2.6	3.1
Clothing and footwear	22.19	23.89	7.40	14.64	6.8	6.3	2.9	6.5
Housing, water, electricity, gas and other fuels	47.33	53.15	55.08	44.41	14.4	14.0	21.6	19.7
Furnishings, household equipment and routine household maintenance	17.16	15.42	8.17	7.91	5.2	4.1	3.2	3.5
Health	15.92	18.89	36.25	11.56	4.9	5.0	14.2	5.1
Transport	47.99	59.64	12.57	27.76	14.6	15.7	4.9	12.3
Communications	14.81	15.74	10.25	10.69	4.5	4.1	4.0	4.7
Recreation and culture	26.06	36.53	16.66	13.85	7.9	9.6	6.5	6.1
Education	5.15	5.03	0.35	3.07	1.6	1.3	0.1	1.4
Restaurants, cafes and hotels	18.29	23.94	3.23	7.50	5.6	6.3	1.3	3.3
Miscellaneous goods and services	19.96	22.52	9.91	12.20	6.1	5.9	3.9	5.4

Data source: Central Statistical Bureau, Household Budget Survey

Table No.32

**Composition and structure of household consumption expenditure
by socio-economic group in 2016**
(average per household member per month)

	2016							
	EUR				%			
	Wage and salary earners	Self-employed	Pensioners	Other	Wage and salary earners	Self-employed	Pensioners	Other
Total	347.25	393.78	267.18	215.57	100	100	100	100
Food and non-alcoholic beverages	86.02	94.99	90.28	68.53	24.8	24.1	33.8	31.8
Alcoholic beverages, tobacco	11.81	11.65	6.84	10.29	3.4	3.0	2.6	4.8
Clothing and footwear	23.87	22.43	7.43	7.87	6.9	5.7	2.8	3.7
Housing, water, electricity, gas and other fuels	48.67	50.76	59.11	44.76	14.0	12.9	22.1	20.8
Furnishings, household equipment and routine household maintenance	17.84	21.24	8.48	8.96	5.1	5.4	3.2	4.2
Health	17.12	22.83	40.35	9.78	4.9	5.8	15.1	4.5
Transport	52.86	66.44	15.00	26.23	15.2	16.9	5.6	12.2
Communications	15.38	16.51	10.60	10.55	4.4	4.2	4.0	4.9
Recreation and culture	27.43	31.89	16.27	10.43	7.9	8.1	6.1	4.8
Education	5.04	5.61	0.20	0.52	1.5	1.4	0.1	0.2
Restaurants, cafes and hotels	18.83	24.71	2.78	8.21	5.4	6.3	1.0	3.8
Miscellaneous goods and services	22.37	24.72	9.83	9.43	6.4	6.3	3.7	4.4

Data source: Central Statistical Bureau, Household Budget Survey

Table No.33

Consumption expenditure by number of children in household
(average per household member per month, EUR)

	2014	2015	2016
Households with 1 child	283.42	294.34	299.76
Households with 2 children	251.58	280.37	276.87
Households with 3 and more children	197.96	192.26	212.97
Households without children	329.09	346.19	376.74

Data source: Central Statistical Bureau, Household Budget Survey

Table No.34

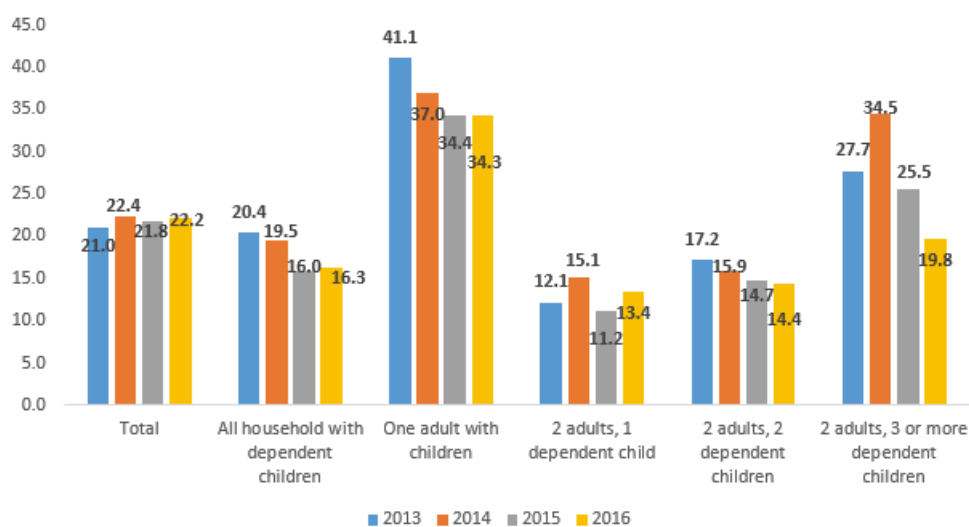
Consumption expenditure by household type
(average per household member per month, EUR)

	2014	2015	2016
One person	374.79	395.50	455.87
One adult with children	290.34	261.03	302.98
Couple without children	375.13	385.54	404.84
Couple with children	294.63	317.92	312.39
Other households with children	205.94	217.85	231.75
Other households without children	266.15	288.79	302.63

Data source: Central Statistical Bureau, Household Budget Survey

Table No.35

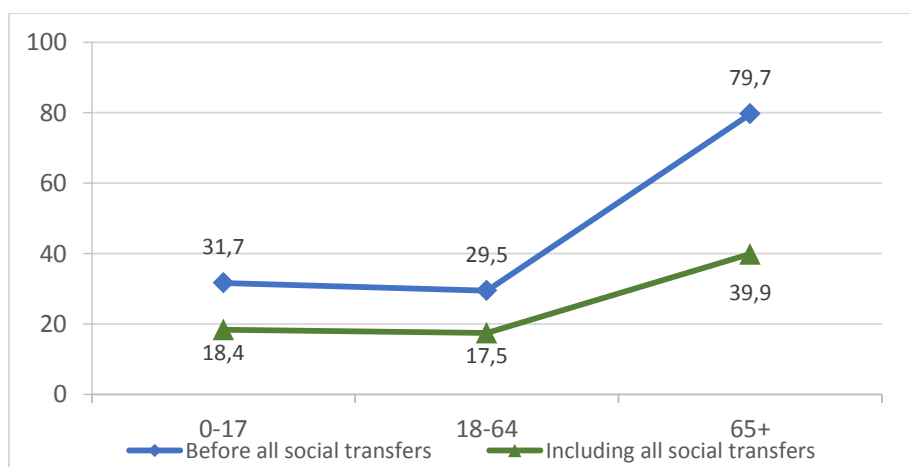
At risk of poverty rate in different family types (%)



Data source: Central Statistical Bureau, EU-SILC

Table No.36

At risk of poverty rate before and after social transfers by age in 2016 (%)



Data source: Central Statistical Bureau, EU-SILC

Table No.37

Personal income tax rate, the non-taxable minimum and the tax allowance for dependent person in 2014-2020

	2014	2015	2016	2017	Tax Reform		
					2018	2019	2020
Personal income tax rate	24%	23%	23%	23%			
- for incomes till EUR 20,004 per year					20%	20%	20%
- for incomes from EUR 20,004 to EUR 55,000 per year					23%	23%	23%
- for incomes from EUR 20,004 to EUR 55,000 per year					31.4%*	31.4%*	31.4%*
The non-taxable minimum, EUR per month	75	75					
- maximum non-taxable minimum, EUR per month			100	115	200	230	250
- minimum non-taxable minimum, EUR per month			75	60	0	0	0
- taxable income** minimum threshold up to which the maximum annual non-taxable minimum will be applied, EUR per month			380	400	440	440	440
- taxable income** maximum threshold up to which the annual non-taxable minimum will be applied, EUR per month			1,000	1,100	1,000	1,100	1,200
Allowance for dependents, EUR per month	165	165	175	175	200	230	250

In Latvia the tax rate of 31.4 per cent does not apply to employment income during the tax year. Namely, during the tax year, the income tax payer from the income up to EUR 1667 per month (EUR 20,004 a year / 12 months) withholds the PIT rate of 20 per cent, from the part of the income exceeding EUR 1667 per month - the PIT rate is 23 per cent, but for income exceeding EUR 55,000 a year, a solidarity tax is imposed (subject to a 10.5 per cent employee tax rate). This portion is transferred by the State Social Insurance Agency to the distribution account of the PIT, ensuring that the taxpayer, submitting an annual income statement and performing a recalculation of the PIT with three PIT rates (the third rate of 31.4 per cent), the tax calculated in the budget will be equivalent to the PIT already paid and to the solidarity tax.

*** When calculating the taxable income not only wages, but also other income (such as dividends and income from real estate) will be taken into account. Similarly, if a person works in several jobs, the salaries will be added together and the non-taxable minimum will be applied to total revenue.*

Data Source: Ministry of Finance

Table No.38

The number of persons receiving tax allowance for dependent person and amount of tax allowance received in 2014-2017

Year	Number of recipients	Amount of tax allowance, EUR
2014	231,732	490,311,640
2015	224,858	497,270,595
2016	211,971	485,932,023
2017	212,318	499,749,514

Data source: The State Revenue Service

Table No.39

Differentiated non-taxable minimum criteria's

	2016	2017	Tax Reform		
			2018	2019	2020
Maximum non-taxable minimum, euro per month	100	115	200	230	250
Minimum non-taxable minimum, euro per month	75	60	0	0	0
Taxable income* minimum threshold up to which the maximum annual non-taxable minimum will be applied, euro per month	380	400	440	440	440
Taxable income* maximum threshold up to which the annual non-taxable minimum will be applied, euro per month	1,000	1,100	1,000	1,100	1,200

* When calculating the taxable income not only wages, but also other income (such as dividends and income from real estate) would be taken into account. Similarly, if a person works in several jobs, the salaries would be added together and the non-taxable minimum will be applied to total revenue

Data source: Ministry of Finance

Table No.40

Amount of Vehicle Operation Tax Relief (for a person who has three or more minors as dependents) in 2014-2017

Year	Amount of Tax Relief, EUR*
2014	261,569
2015	317,194
2016	939,695
2017	1,252,720

*Without reimbursement of the vehicle operation tax (the vehicle operation tax shall be reimbursed by the State Revenue Service after receipt of a relevant request of the payer of the vehicle operation tax).

Data source: The Road Traffic Safety Directorate

Table No.41**Benefits for facilitation of family welfare in the country**

	2014	2015	2016	2017
Family State benefit				
Total expenditure for family State benefit (EUR)	42 971 290	72 516 866	73 448 464	77 871 684
% from GDP	0.2%	0.3%	0.3%	0.3%
Supplement to family State benefit				
Expenditure of supplement to family State benefit (EUR)	9 777 275	9 991 562	10 046 605	10 055 287
% from GDP	0.04%	0.04%	0.04%	0.04%
Child care benefit				
Total expenditure for child care benefit (EUR)	40 379 430	58 241 590	65 442 052	65 958 183
% from GDP	0.2%	0.2%	0.3%	0.2%
Parent's benefit				
Total expenditure for parent's benefit (EUR)	70 877 418	76 388 525	92 627 914	98 961 145
% from GDP	0.3%	0.3%	0.4%	0.4%
Child birth benefit (together with supplements)				
Expenditure on 1 benefit recipient per month (EUR)	421.17	421.17	421.17	421.17

Data source: State Social Insurance Agency

Table No.42

Number of children (0-17) at the beginning of the year

Year	Number of children
2014	345837
2015	348660
2016	352298
2017	356527
2018	358762

Data source: The Central Statistical Bureau

Table No.43

Number of births

Year	per 1000 inhabitants
2014	10.9
2015	11.1
2016	11.2
2017	10.7

Data source: The Central Statistical Bureau

Table No.44

Number of unemployed Roma participated in several training activities funded by ESF to support integration of unemployed and job-seekers into the labour market in a period of 2014 – 2017

Type of training activity	Number of Roma participated in training			
	2014	2015	2016	2017
	Training			
Non-formal training (including in official language) (including Youth Guarantee)	51 (0,3% from all participants)	47 (0,4% from all participants)	68 (0,4% from all participants)	60 (0,4% from all participants)
Vocational training, requalification, qualification improvement ³⁰ (including Youth Guarantee)	9 (0,2% from all participants)	13 (0,4% from all participants)	14 (0,2% from all participants)	15 (0,2% from all participants)
Training at employer's ³¹	0	0	0	0
Measures to increase competitiveness ³²	241 (0,5% from all)	194 (0,5% from all)	192 (0,5% from all)	169 (0,5% from all)

³⁰ Include different training programmes (continuing vocational training to acquire vocational qualification, advanced vocational training to reach vocational proficiency, non-formal and on-the-job training) organized in cooperation with educational institutions and employers. Funding: ESF (80%) and state budget (20%).

³¹ Training of unemployed at the employers' request in the priority branches - work-based training measures will be expanded in 2013 by launching the ESF-financed activity initiated by the Ministry of Economics and designed in cooperation with the economic partners. Funding: ESF (80%) and State budget (20 per cent).

³² Measures include different short courses, seminars, lectures and consultations offered to unemployed in areas such as communications skills, networking, negotiation, job-finding and interview skills, motivation etc.

	participants)	participants)	participants)	participants)
	Employment measures			
Public works programme / Paid temporary public works (started in 2012) ³³	256 (1,3% from all participants)	134 (1,6% from all participants)	188 (1,7% from all participants)	282 (2,2% from all participants)
Subsidised employment measures for the most vulnerable groups of unemployed ³⁴ (including Youth Guarantee)	6 (0,4% from all participants)	1 (0,1% from all participants)	3 (0,2% from all participants)	4 (0,3% from all participants)
Development of skills required by the work in non-governmental sector	1 (0,1% from all participants)	2 (0,2% from all participants)	4 (0,3% from all participants)	5 (0,4% from all participants)
Workshops for the youth	0	3 (0,7% from all participants)	9 (1,4% from all participants)	13 (2,2% from all participants)
	Complex inclusion measures			
Complex inclusion measures ³⁵ - training in groups	14 (0,6% from all participants)	-	-	-
Complex inclusion measures - consultations	125 (1,1% from all participants)	-	-	-
Rehabilitation programme from addiction (Minnesota) ³⁶	1 (0,5% from all participants)	0	1 (0,4% from all participants)	0
Activation programme for the long-term unemployed ³⁷	-	-	32 (0,9% from all)	294 (1,1% from all)

³³ This programme was launched in 2012 upon the expiry of the measure "Workplaces with stipend emergency public works programme". The aim of the measure is activation of disadvantaged unemployed by maintaining and developing their work related skills, simultaneously establishing a better linkage of labour market measures with social assistance services in order to avoid shrinkage of the economic potential. Funding: ESF (80 per cent) and State budget (20 per cent).

³⁴ Subsidised employment for the most vulnerable groups of unemployed, different projects aimed at specific target groups of unemployed – people with special needs, youth, older workers, long-term unemployed, women returning to the labour market after maternity leave etc. The aim of the measure is to facilitate the development of sustainable and long-term working places for unemployed with lower productivity level and preserve their skills and competencies. Funding: ESF (50 per cent) and State budget (50 per cent).

³⁵ Complex inclusion measures were expanded significantly during the economic downturn in 2010. The decision was taken to transform the measures, by targeting the resources to young unemployed, mostly hit during the crisis. In the whole, complex inclusion measures are aimed at specific target groups - long-term unemployed, unemployed with special needs, unemployed after child-care leave and young unemployed. The measures provide an opportunity for refreshing, acquiring and retaining skills necessary for finding work and include work experience activities for young unemployed. Funding: ESF (80 per cent) and State budget (50 per cent).

³⁶ Medical rehabilitation programme from alcohol, drug addiction (call "Minnesota")

³⁷ Activation programme for the long-term unemployed - more targeted support to the long-term unemployed, to facilitate their employability, implementation of several measures was accelerated (involvement of participants

			participants)	participants)
Total number of Roma participants in different trainings and supporting measures (one person could participate in different training programmes)	704	394	511	842

Data source: State Employment Agency, 2018

Table No.45

Statistical portrait of unemployed Roma
(on March 31, 2018)

Range by specific characteristics		Percentage of unemployed Roma, %
Unemployment duration	Less than 6 months	39
	6 -12 months	20
	1-3 years	16.7
	3 years and longer	24.2
Education level	Tertiary education	0.2
	Specialized secondary	6.3
	General secondary	3
	Elementary school (including primary school) (1–9)	60.2
	Lower than Elementary school (including cases when level of education is not specified)	30
	Not specified	0.3
Age	15-24	11.1
	25-39	32.4
	40-54	36.4
	55 and older	20.2
Gender	Male	40
	Female	60

Data source: State Employment Agency, 2018

Table No.46

Number of registered Roma in Latvia

Year	Number of Romans
2013	8401
2014	8194
2015	7883
2016	7654
2017	7456
2018	7096

Data source: The Office of Citizenship and Migration Affairs, 2018

started at the end of 2016). Participants allowed to receive vocational guidance support, undergone rehabilitation from addiction, checked their health and received recommendations on suitable job placements, received psychological and psychiatric help, participated in motivation programmes and received mentoring support.

Table No.47**Number of Roma permanent residents in Latvia**

Year	Number of Roma
2014	5594
2015	5388
2016	5297
2017	5191
2018	5082

Data source: The Central Statistical Bureau

ARTICLE 17: THE RIGHT OF CHILDREN AND YOUNG PERSONS TO APPROPRIATE SOCIAL, LEGAL AND ECONOMIC PROTECTION

ARTICLE 17 PARA. 1

“With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

- a. to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;***
- b. to protect children and young persons against negligence, violence or exploitation;***
- c. to provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family’s support.”***

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

On March 7, 2013 Latvia has signed Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. On August 18, 2014 the Convention was ratified by Latvia. The ratification came into force on December 1, 2014.

Education process is provided in accordance with the Education Law. Article 3.¹ of the Education Law defines the prohibition of unequal treatment and states the right to education regardless of economic or social status, race, nationality, ethnicity, gender, religious or political beliefs, state of health, occupation or place of residence.

Information regarding the changes to the laws and regulations in relation to the minimum age for admission to employment is provided under Point No.1 of Article 7, Paragraphs 1 and 3 of this Report.

Concerning protection of children and young persons against labour exploitation – on 23 October 2014 amendments have been made to Paragraph 2 of Article 37 of the Labour Law (the amendments came into force on 1st January 2015) supplementing with a new sentence which prescribes that the provisions of Paragraph 4 of this Article regarding employment of adolescents shall apply to a child up to 15 years of age who continues the acquisition of basic education. According to the Paragraph 4 of the mentioned Article it is prohibited to employ adolescents in jobs in special conditions which are associated with increased risk to their safety, health, morals and development. Within the meaning of this Law, an adolescent shall mean a person between the ages of 15 and 18 who is not considered a child within the meaning of Paragraph 1 of this Article. Work in which the employment of adolescents is prohibited and exceptions when employment in such jobs is permitted in connection with occupational training of the adolescent shall be determined by the Cabinet (respectively, by the Regulation of the Cabinet of Ministers No.206 of 28 May 2002

“Regulations regarding Work in which Employment of Adolescents is prohibited and Exceptions when Employment in such Work is Permitted in Connection with Vocational Training of the Adolescent”.

For more information please see also the answers provided under Point No. 1 of Article 7, Paragraphs 1 and 2 of this Report.

In case, child (person under 18) suffered from violence, he/she is eligible to receive social rehabilitation in institution or at place of residence.

Social rehabilitation institutions provide services for children who have suffered from illegal acts, ensuring psychological assistance, social rehabilitation, safe lodging, catering and other assistance for children in a crisis situation.

Social rehabilitation service at place of residence is provided as consultations of a psychologist or psychotherapist.

A parent may have custody rights removed if:

- 1) due to his/her fault (due to deliberate actions or negligence) the health or life of the child is endangered;
- 2) the parent misuses his/her rights or does not care for the child or does not ensure the supervision of the child and it may endanger the physical, mental or moral development of the child (Article 200 of Civil Law).

Custody rights shall be terminated for a parent if the Orphan's and Custody Court find that:

- 1) there are factual impediments which prevent the parent from the possibility of caring for the child;
- 2) the child is located in circumstances dangerous to health or life due to the fault of the parent (due to the deliberate actions or negligence of the parent);
- 3) the parent misuses his/her rights or does not ensure the care and supervision of the child;
- 4) the parent has given his/her consent for the adoption of the child, except for the case when he/she as a spouse has given the consent for the adoption of the child by the other spouse;
- 5) violence against the child by the parent has been established or there is good cause for suspicion regarding violence against the child by the parent (Article 203 Paragraph 1 of Civil Law).

Custody rights shall be terminated for a parent also in cases when the parent misuses his/her rights upon failing to fulfil the court ruling in a case arising from custody or access rights, if it causes significant harm to the child and if there are no obstacles for the other parent to take care of the child (Article 203 Paragraph 3 of Civil Law).

A child may be separated from his/her family, if:

- 1) the life, health or development of the child is seriously threatened due to violence or if there are justified suspicions regarding violence against the child, as well as due to lack of care or due to the circumstances of his/her home (social environment);
- 2) the child is seriously threatening his/her health or development by using alcohol, narcotic or toxic substances; or
- 3) the child has committed a criminal offence (Article 27 Paragraph 1 of the Law on the Protection of the Children's Rights).

In the cases provided for in Paragraph 1, Clauses 1 and 2 of this Article, a child shall be separated from the family if it is not possible to allay the circumstances unfavourable to the development of the child if he/she remains in the family. The eviction of a family from accommodation place may not be a reason to separate a child from his/her parents (Article 27 Paragraph 2 of the Law on the Protection of the Children's Rights).

In general, before the separation of the child from the child's family the Orphan's and Custody Court has to carry out an initial assessment whether primarily the parents are able to solve the unfavourable conditions for the child's development. Only when the parents does not solve these conditions and when the child's stay in the family threatens the child's life and health, the Orphan's and Custody Courts has to made decision on the separation of the child from the child's family and consecutively on the parents' custody rights (Decision No. SKA-1182/2017 (A420218516) of 29 December 2017 of the Supreme Court).

Chapter VII of the Regulations of Cabinet of Ministers No.1037 of 19 December 2006 "Regulations for the Operation of an Orphan's Court"³⁸ provides for risk assessment in matters of removal or renewal of child care rights and in matters of releasing of the guardian. Risk assessment shall be performed prior to the taking of a decision regarding the removal of custody rights for parents, except for the cases, when an individual decision is taken in accordance with Article 23 of the Law on Orphan's and Custody Courts.

The Orphan's and Custody Court shall perform risk assessment by filling in the relevant questionnaires (Annex 1 of the mentioned Regulation) and taking into account the specified criteria (Annex 2 of the Regulation).

In performing risk assessment, the Orphan's and Custody Court may invite the relevant professional persons and representatives of authorities or request the information at their disposal.

The risk assessment shall be performed also prior to the renewal of the custody rights for parents and prior to releasing of the guardian.

The completed risk assessment questionnaire shall be attached to the relevant file.

Article 23 Paragraph 1, 3 and 5 of the Law on Orphan's and Custody Courts provides for that if during an inspection of the living conditions of a child or otherwise it is detected that the child lives in conditions that are dangerous to health or life, as well as if further living of the child in the family may endanger his/her health or life, the Chairperson of an Orphan's and Custody Court, the Vice-Chairperson of an Orphan's and Custody Court or a Member of an Orphan's and Custody Court shall take unilateral decision to:

- 1) discontinue the child custody rights of the parents;
- 2) take off the child from the family of the guardian and suspend the guardian from fulfilment of duties;
- 3) take off the child from the foster family.

Unilateral decision shall be taken in oral form and shall be drawn up in writing within 24 hours, and the parents, guardian or foster family of a child shall be notified of such decision as well.

³⁸ <https://likumi.lv/ta/en/en/id/150736-regulations-for-the-operation-of-an-orphan's-court>

This unilateral decision shall be executed without delay. Submission of an application to a court regarding the cancellation, declaration of repeal or invalidity of such decision shall not suspend the operation of the decision.

Decisions of an Orphan's and Custody Court shall come into effect and shall be executed without delay. Decisions of an Orphan's and Custody Court are obligatory to all natural persons and legal persons. The interested party may appeal a decision of Orphan's and Custody Court to a court in accordance with the procedures laid down in the Administrative Procedure Law. Submission of an application to a court shall not suspend the operation of the decision (Article 49 Paragraph 1 and 2 of the Orphan's and Custody Court).

Criminal Law (hereinafter – CL) protects children and youth against negligence, violence and abuse, in particular the regulation, covered by Chapter XII “Homicide” (Article 116 - Article 124), Chapter XIII “Criminal Offences against Health of a Person” (Article 125 – Article 142), Chapter XV "Criminal Offences against Personal Liberty, Honour and Dignity" (Article 152 – Article 157, in particularly indicating Article 154¹ "Human Trafficking") and Chapter XVII "Criminal Offences against the Family and Minors" (Article 167 – Article 174) of the CL.

In a scope of substantive criminal law CL Article 125 (Intentional Serious Bodily Injury), 126 (Intentional Moderate Bodily Injury), 130 (Intentional Slight Bodily Injury), 130.¹ (Torture) and 132.² (Stalking) have been amended to ensure that appropriate measures are further developed to combat violence against minors.

Also CL Article 159 (Rape), 160 (Sexual violence), 161 (Acts of Sexual Nature with a Person who has not Attained the Age of Sixteen Years), 162 (Leading to Depravity), Article 162.1 (Encouraging to Involve in Sexual Acts), 164 (Involvement of a Person in Prostitution and Use of Prostitution), 165 (Living on the Avails of Prostitution) and Article 166 (Violation of Provisions Regarding the Demonstration of a Pornographic Performance, Restriction of Entertainment of Intimate Nature and Handling of a Material of Pornographic Nature) have been amended to guarantee better protection against any form of sexual violence and exploitation. For more information on amended sections please see information under Article 7 and 16 of this Report.

According to Article 11 of the Criminal Law, a natural person who, on the day of the commission of a criminal offence, has attained fourteen years of age may be held criminally liable. An under aged person, that is, a person who has not attained fourteen years of age, may not be held criminally liable.

According to Article 65 of the Criminal Law, to minors who have committed criminal acts the following forms of basic punishment shall apply - deprivation of liberty by placing the minor in correctional institution for juveniles, community service, fine, as well as the additional punishments according to Article 36 Paragraph 2 of the Criminal Law. According to Article 55 of the Criminal Law, offender can be punished with a sentence that is suspended. According to Article 65 Paragraph 2 of the Criminal Law, for a person who has committed a criminal offence prior to attaining eighteen years of age, the period of deprivation of liberty may not exceed: ten years - for especially serious crimes; five years - for serious crimes which are related to violence or the threat of violence, or have given rise to serious consequences; two years - for other serious crimes. For criminal violations and for less serious crimes the punishment of deprivation of liberty shall not be applied for such person.

If a person has committed a criminal offence prior to attaining eighteen years of age

regarding which the minimum limit of the applicable punishment of deprivation of liberty has been provided for in the sanction of the relevant Article of Special Part of this Law, a court may impose a punishment which is lower than this minimum limit also in the cases when a court has recognised that a criminal offence has been committed under liability aggravating circumstances. For a person who has committed a criminal offence prior to attaining eighteen years of age a punishment for several criminal offences or after several judgments shall be determined in accordance with the provisions of Article 50 and 51 of this Law, taking into account that the total period of the added up punishments of deprivation of liberty for several criminal offences may not exceed twelve years and six months and after several judgments - fifteen years. Conditional release from a punishment before serving the term may be proposed in relation to a person who has committed a criminal offence prior to attaining eighteen years of age, if he/she has served not less than half of the imposed punishment. Conditional release from a punishment before serving the term with determination of electronic monitoring may be proposed in relation to a person who has committed a criminal offence prior to attaining eighteen years of age, if he/she has served not less than one third of the imposed punishment.

According to Article 273 Paragraph 4 of the Criminal Procedure Law, if an underage person is held suspect or accused of committing of a less serious intentional crime, arrest shall be applied only if one of the following circumstances exists: 1) the relevant person has violated the provisions of another compulsory measure or a security measure of correctional nature - placement in a social correctional educational institution; 2) the person has committed a crime as a suspect or an accused in the committing of an especially serious crime. According to Article 278 of the Criminal Procedure Law, there are specific Terms of Arrest for Minors:

“(1) The term of arrest for a minor who has been applied arrest in conformity with Article 273, Paragraph 4 of this Law shall not exceed 30 days, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than 20 days.

(2) The term of arrest for a minor, who has been applied arrest in conformity with Article 273, Paragraph 3 of this Law shall not exceed three months, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than two months.

(3) The term of arrest for a minor who is suspected of, or accused of, the committing of a serious crime shall not exceed six months, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than three months. An investigating judge during pre-trial proceedings and a judge of a higher level court may each extend the term for one month during trial, if the person directing the proceedings has not allowed for a delay, or the faster completion of the proceedings has not been possible due to the particular complexity of such proceedings.

(4) The term of arrest for a minor who is suspected of, or accused of, the committing of an especially serious crime shall not exceed 12 months, of which the minor shall be permitted to be held under arrest during pre-trial proceedings not longer than eight months. An investigating judge during pre-trial proceedings and a judge of a higher level court may each extend the term for three months during trial, if the person directing the proceedings has not allowed for an unjustified delay, or the person who performs defence has not intentionally delayed the course of proceedings, or the faster completion of the proceedings has not been possible due to the particular

complexity of such proceedings.”

According to Article 18.8 Subsection C of the Council of Europe: Committee of Ministers, Recommendation Rec(2006)2 of the Committee of Ministers to Member States on the European Prison Rules (adopted by the Committee of Ministers on 11 January 2006 at the 952nd meeting of the Ministers' Deputies), in deciding to accommodate prisoners in particular prisons or in particular sections of a prison due account shall be taken of the need to detain young adult prisoners separately from older prisoners. This standard has been adapted into national legislation, i.e., according to Article 13 Paragraph 3 of the Sentence Execution Code of Latvia, male minors so convicted shall serve their sentence in juvenile correctional institutions and female minors - in separate sections of women's prisons which have been arranged as juvenile correctional institutions. According to Article 11 Paragraph 2 of the Law on the Procedures for Holding under Arrest, Arrested men and women, as well as minors and adult arrested persons shall be accommodated separately. Means of security – custody, and deprivation of liberty as criminal punishment for minors is executed in two imprisonment places: Cesu Correctional Institution for Juveniles and Ilguciema prison correctional department for juveniles.

Article 112 of the Constitution of the Republic of Latvia establishes everyone`s rights to education. Article 11 Paragraph 1 and 2 of the Law on the Protection of the Children's Rights provides that the State shall ensure that all children have equal rights and opportunities to acquire education commensurate to their ability.

Regarding the right to education of the imprisoned persons, Latvian Prison Administration specifies the following.

According to Article 28.1 of the Council of Europe: Committee of Ministers, Recommendation Rec(2006)2 of the Committee of Ministers to Member States on the European Prison Rules (adopted by the Committee of Ministers on 11 January 2006 at the 952nd meeting of the Ministers' Deputies), every prison shall seek to provide all prisoners with access to educational programmes which are as comprehensive as possible and which meet their individual needs while taking into account their aspirations. According to Article 28.3 of the previously mentioned Recommendation, particular attention shall be paid to the education of young prisoners and those with special needs. Based on what is noted in the Recommendation, quotas regarding prisoner participation in educational activities have been included in the normative acts of the Republic of Latvia that regulate the execution of deprivation of liberty sentence and detention. According to Article 61.3 Clause 1 of the Sentence Execution Code of Latvia, education - involving of a convicted person in general, vocational and interest educational programmes; however, according to Article 24 of the Law On the Procedures for Holding under Arrest, the administration of the investigation prison shall ensure as much as possible that arrested persons acquire general, vocational and interest education.

When in prison, persons, including underage persons, are provided the opportunity to participate in general primary education and general secondary education programmes, as well as informal education activities without charge.

Educational programmes in imprisonment places are implemented by the State and local governments educational institutions, therefore, the learning process is analogous to the learning process in freedom and their organization is regulated by unified normative acts. The document certifying the education does not indicate that the education was obtained during imprisonment.

To respect the rights to education of underage person with special needs, in Cesu Correctional Institution for Juveniles also special education programmes are being implemented for underage prisoners.

Besides Paragraph 2.7. and 2.8. of the Regulation of the Cabinet of Ministers No.289 adopted on April 11, 2006 "Regulations regarding the List of Objects Permitted for the Storage in the Short-time Place of Detention" permit to store in the short-time place of detention a writing paper and a ball point pen or a pencil, books and publications. So the statutory rights of detained minors to education are observed and ensured.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

In 2017 an assessment of the child participation was implemented by the association "Latvijas Bērnu labklājības tīkls"

(http://www.bernulabklajiba.lv/wp-content/uploads/2017/04/Bernu_Lidzdaliba_Zinojums_Latvija_final_LV_red.pdf).

The assessment was co-financed by the Ministry of Welfare and the Council of Europe. The assessment was implemented in accordance to the guidance of the Council of Europe on the implementation of the Child Participation Assessment Tool

(<https://www.coe.int/en/web/children/child-participation-assessment-tool>).

The aim of the Council of Europe Child Participation Assessment Tool is to support states in meeting the goals of the Recommendation on participation of children and young people under the age of 18. The Assessment Tool offers a method, at European level, to facilitate and support the implementation of the child's right to participate. The Assessment Tool provides 10 basic indicators enabling states to: undertake a baseline assessment of current implementation of the recommendation; help identify measures needed to achieve further compliance by states; measure progress over time.

Protection against negligence, violence or exploitation

In 2017 the Ministry of Welfare in cooperation with the Court Administration, the State Police and the foundation "Centrs Dardedze" organized a pilot project "the Establishment of Barnahus". The aim of the pilot project was to pilot an Icelandic model of multidisciplinary cooperation of institutions and professionals to support children who have become victims of sexual abuse. The pilot project followed the guidance encompassed in The European Barnahus Quality Standards

(http://www.childrenatrisk.eu/promise/wp-content/uploads/sites/4/2018/06/LV_StandardsSummary_FINAL.pdf).

The Barnahus pilot project started in July 2018 and lasted for six months until December 2018. In the framework of the project 22 children victims of sexual abuse were interviewed in a child friendly environment in accordance to an evidence-based interviewing protocol. The project also encompassed furnishing of child friendly premises where to carry out the interviews of children, a series of trainings of professionals as well as round table discussions for professionals. At the end of the pilot project a report was drafted assessing the results of the project. In 2018 the piloting of the project has been continued with the foundation "Centrs Dardedze" in

the lead. The implementation of the pilot project is supported with the expertise of the countries that have already established a Barnahus model. Significant support is provided by the international partners via the cooperation platform of the Council of the Baltic Sea States Expert Group on Children at Risk (<http://www.childrenatrisk.eu/>).

According to a research (Sprinģe L., Rīgas Stradiņa Universitāte, “Health Problems caused by violence in children and young adults”, summary of the doctoral thesis for obtaining the degree of a Doctor of Medicine, 2017,

[https://www.rsu.lv/sites/default/files/dissertations/Lauma-](https://www.rsu.lv/sites/default/files/dissertations/Lauma-Springe_kopsavilkums_EN.pdf)

[Springe_kopsavilkums_EN.pdf](https://www.rsu.lv/sites/default/files/dissertations/Lauma-Springe_kopsavilkums_EN.pdf)) most often young adults in childhood have experienced emotional violence (31.5 per cent), physical (27.0 per cent) and emotional (23.8 per cent) neglect, but less frequently suffered from physical (16.4 per cent) and sexual (10.3 per cent) violence. Women have experienced violence more often than men. Children whose families had the following risk factors: low socio-economic status, parents' divorce, father's violence against mother, psycho-emotional health problems and alcohol abuse, had higher odds for experiencing one or more forms of violence, as compared to the children from families without the above mentioned risk factors. Multivariate regression analysis suggested that the young adults who had experienced some form of violence (except sexual abuse) in childhood, had a 1.2–2.2 times (depending on the form of violence) higher odds for poor health self-assessment, compared to young adults who did not witness violence in childhood. Physical and emotional violence experienced during childhood increased the odds ratio of excessive alcohol use in adolescence by 1.4 and 1.2 times. Young adults who experienced physical and emotional violence, and emotional neglect during childhood, had a respectively 2.6, 2.3 and 2.1 times higher odds of developing mental health problems during adolescence, compared to young adults without such experience. Violence (except sexual violence) experienced during childhood increased the odds of suicide attempts at adolescence by 2.0–4.0 times, compared to young adults without violent experience.

The project “Net-Safe Latvia”, carried out by the Latvian Internet Association in partnership with The State Inspectorate for Protection of Children’s Rights is prolonged until December, 2020. The substance of the project:

- Information and education of children, youth, teachers and parents on Internet content security and on the potential dangers of the Internet.
- An opportunity is provided to the public to report electronically infringements found on the Internet. The reports received on the website www.drossinternets.lv or via mobile app are processed anonymously by competent experts and, where appropriate, the information about possible violation is forwarded to the State Police or INHOPE Association of hotlines.
- The State Inspectorate for Protection of Children’s Rights through Child Helpline (116111) provides anonymous psychological consultations for children and young persons who have experienced online violence and other kinds of abuse.

The project is co-funded by the European Commission and the Latvian Internet Association. Certain activities of the project are co-funded from the State budget.

For more information please see also information under Article 7 Paragraph 10 of this Report.

Support for young people in childcare institutions

An Action Plan for Implementation of Deinstitutionalisation 2015-2020 has been approved in order to enhance support measures for children living in residential institutions (approved by Order No. 63 of 15 July 2015 of the Minister for Welfare). According to the Action plan the situation of every child living in a residential institution has been assessed by a multidisciplinary team and an individual “exit plan” has been drafted for the child to ensure allocation of a suitable family-type environment. The Action plan envisages that over the implementation period of it the old residential institutions are either transformed, reorganised or closed. At the same time the availability of familial care of children who are left without parental care is promoted. For young persons who need to learn independent life skills a network of youth houses is being developed across the country. For younger children free places in foster families are being sought and promoted. For children with disabilities a set of specialised community services is being developed enabling the child with disabilities to live with his/her family without the need of abandoning it. For children with disabilities who according to the assessment of the multidisciplinary team need to stay in an institutional care the conditions there should be adapted to the environment which is equivalent to a familial environment.

The State has also established time limits for State provided funding for the child’s stay in a residential institution (according to the amendments in the Law on Social Services and Social Assistance, approved by the Parliament on 12 January 2017). After the set time, the State ceases to fund the residential services provided by the child and the local government need to fund the residential services for the child by itself or look for an alternative care services for the child. According to Section 9¹ of the Law on Social Services and Social Assistance the services of long-term social care and social rehabilitation institutions shall be financed from the State budget to:

children with severe and extremely severe mental and physical development impairments at the age up to four years to whom it is not possible to ensure care in the family, by a guardian or in a foster family due to the level of severity of functional disorders;

children with severe and extremely severe mental impairments at the age from four years up to 18 years to whom it is not possible to ensure care in the family, by a guardian or in a foster family due to the level of severity of functional disorders;

orphans at the age up to two years - for a time period until care by a guardian or in a foster family is commenced, but overall not more than six months, excluding the adoption process of the child from this period, if it has been commenced within the first six months since the placement of the child in the long-term social care and social rehabilitation institution;

children left without parental care at the age up to two years - for a time period until a child returns in the family or until his/her care is commenced by a guardian or in a foster family, but overall not more than six months, excluding the adoption process of the child from this period, if it has been commenced within the first six months since the placement of the child in the long-term social care and social rehabilitation institution.

Article 12 Paragraph (2³) of the Law on Social Services and Social Assistance establishes that while a child left without parental care is in a long-term social care and social rehabilitation institution, the social service office shall provide the information to Orphan's and Custody Court and the long-term social care and social

rehabilitation institution regarding the performed social work in order to promote a return of the child in the family not less than once every three months regarding a child younger than three years of age and not less than once every six months regarding a child older than three years of age, but younger than 18 years of age. The Information System for the Support of Minors shall be used for the provision and receipt of information (according to the amendments in the Law on Social Services and Social Assistance, approved by the Parliament on 12 January 2017).

3. Please provide pertinent figures, statistics or any other relevant information, in particular on the number of public and private schools, their geographical distribution in urban and rural areas, average class sizes and the ratio teacher per pupil; figures on primary and secondary school enrolment; on the number of children in the care of the State, the number placed with foster families and in institutions, the number of children per unit in child welfare institutions; on the number and age of minors in pre-trial detention or imprisoned or placed in a disciplinary institution.

Table No.48

Total number of adopted children in Latvia and abroad

Year	2014	2015	2016	2017
Number of children adopted:	300	267	246	196
in Latvia	122	132	127	127
abroad	178	135	119	69

Data source: Ministry of Welfare

Table No.49

Indicators characterising guardianship at the end of the year

Year	2014	2015	2016	2017
Number of children under guardianship	4 831	4 620	4 548	4 459
Number of guardians	3 993	3 757	3 664	3 560

Data source: Ministry of Welfare

Table No.50

Number of foster families at the end of the year

Year	2014	2015	2016	2017
Number of families to which the status of a foster family is assigned	579	585	575	600
Children placed in foster families	1224	1232	1193	1173

Data source: The State Inspectorate for Protection of Children's Rights

Table No.51**Social rehabilitation for children who have suffered from illegal acts**

Year	2014	2015	2016	2017
Number of children received social rehabilitation in institution	1542	1237	1156	1071
Number of children received social rehabilitation in the place of residence	1258	1236	1137	817

Data source: Yearly Statistical reports on social rehabilitation for children have suffered from illegal acts, Ministry of Welfare

Childcare in the institutions for care and upbringing outside the family**Table No.52****State social care centres at the end of the year**

Year	2014	2015	2016	2017
Number of institutions	15	15	15	15
Number of children at institutions	424	392	331	276

Data source: Central Statistical Bureau

Table No.53**Social care centres of local governments and other organisations at the end of the year**

Year	2014	2015	2016	2017
Number of institutions	33	33	31	33
Number of children at institutions	1 165	1 068	926	875

Data source: Central Statistical Bureau

Table No.54

Number of children in the long-term social care and social rehabilitation institutions at the end of year

Year	2014	2015	2016	2017
Number of children in long-term social care and social rehabilitation institution	1618	1491	1300	1170
State financed institutions for children 0-3 years of age	170	147	100	51
Local municipalities financed orphanages for children 2-18 years of age	1165	1068	926	875
State financed institutions for children with severe mental impairments 4-18 years of age	254	245	231	225

Data source: Yearly Statistical reports from long-term social care and social rehabilitation institutions, Ministry of Welfare

Table No.55

Number of children occurred in long-term social care and social rehabilitation institutions and reasons of occurrence

Year	2014	2015	2016	2017
Total	753	679	655	647
Orphans	10	6	12	5
Children left without parental care	total	743	673	643
	due to disease	15	7	26

Data source: Yearly Statistical reports from long-term social care and social rehabilitation institutions, Ministry of Welfare, Ministry of Welfare

Table No.56

Number of children exit from the long-term social care and social rehabilitation institutions and reasons of exit

Year	2014	2015	2016	2017
Total	935	724	791	778
Return to parents	311	242	222	240
Adopted	135	118	111	65
Foster family	109	94	110	156
Under guardianship	114	65	92	102
Reached the full age	135	103	121	111

Data source: Yearly Statistical reports from long-term social care and social rehabilitation institutions, Ministry of Welfare

For information about services used by children in crisis centers – please see Article 16 in this Report.

Table No.57

The number of convicted minors as regards the length of imprisonment

For the date of:	01.01.2014.	01.01.2015.	01.01.2016.	01.01.2017.
Total number of convicted minors	24	23	20	22
1-3 month (incl.)	0	0	0	2
3-6 month (incl.)	0	1	0	3
6 month-1 year (incl.)	3	4	3	0
1-3 years (incl.)	11	5	10	6
3-5 years (incl.)	5	5	1	2
5-10 years (incl.)	5	7	4	7
10-20 years incl.	0	1	2	2

Data source: Ministry of Justice

Table No.58

The number of minors in pre-trial detention or imprisoned or placed in a disciplinary institution

For the date of:	01.01.2014.	01.01.2015.	01.01.2016.	01.01.2017.
Total number of minors taken into custody	22	15	22	21

Data source: Ministry of Justice

Table No.59

The number of underage students in imprisonment places 2014-2017

Time period	Total number of minors in imprisonment	Number of students		Percentage of students (%)	
		Secondary education	Professional education	Secondary education	Professional education
01.09.2007.	183	156	66	72%	36%
01.09.2008.	176	166	53	94%	30%
01.09.2009.	173	145	90	84%	52%
01.09.2010.	100	85	85	85%	85%
01.09.2011.	64	64	20	100%	31%
01.09.2012.	54	53	17	98%	32%
01.09.2013.	48	48	30	100%	63%
01.09.2014.	36	36	19	100%	50%
01.09.2015.	37	37	14	100%	38%
01.09.2016.	39	39	25	100%	64%
01.09.2017.	38	38	17	100%	48%

Data source: Ministry of Justice

Table No.60

State Compensation to Victims in 2014

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	72	51	59	57	49	35	62	44	49	51	69	57	655
Decisions on payment of compensation, total	21	58	45	51	50	29	51	40	47	47	37	88	564
int.al., death of the person	6	15	16	8	5	6	19	9	11	12	7	15	129
int.al., violated sexual inviolability	6	9	2	9	16	11	8	7	15	9	4	21	117
int.al., human trafficking	0	1	0	0	0	0	1	0	0	0	0	0	2
int.al., severe bodily injuries	3	9	9	13	11	4	5	8	8	8	8	22	108
int.al., moderate bodily injuries	6	24	18	21	18	8	18	16	13	18	18	30	208
int.al., HIV, type B or C hepatitis	0	0	0	0	0	0	0	0	0	0	0	0	0
Refusals of the state compensation payment	4	4	11	3	4	3	6	2	0	8	1	3	49

Data source: Legal Aid Administration

Table No.61

Funds Paid to State Compensation to Victims, LVL in 2014

Total	22338,83	46875,65	31164,91	41663,98	49767,43	49815,75	41191,98	49794,23	49602,27	49990,86	35829,45	94166,65	562201,99
int.al., death of the person	8537,10	14121,10	12002,84	18314,25	9245,70	11200,00	13867,60	14666,66	15022,84	16000,00	10400,00	22756,18	166134,27
int.al., violated sexual inviolability	5976,00	8964,00	996,00	5815,43	9960,00	18245,14	8836,00	10456,00	16676,00	9708,00	3236,00	24944,00	123812,57
int.al., human trafficking	0,00	996,00	0,00	0,00	0,00	0,00	996,00	0,00	0,00	0,00	0,00	0,00	1992
int.al., severe bodily injuries	2988,00	6972,00	7966,00	7220,00	14936,00	8190,60	3360,00	11337,28	7592,00	10060,00	7970,59	23216,00	111808,47
int.al., moderate bodily injuries	4837,73	15822,55	10200,07	10314,30	15625,73	12180,01	14132,38	13334,29	10311,43	14222,86	14222,86	23250,47	158454,68
int.al., HIV, type B or C hepatitis	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00

Data source: Legal Aid Administration

Table No.62

State Compensation to Victims in 2015

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	61	59	64	57	62	53	66	59	47	66	69	54	717
Decisions on payment of compensation, total	42	50	61	51	50	63	49	51	48	48	49	75	636
int.al., death of the person	10	6	12	15	7	9	4	13	11	5	10	19	121
int.al., violated sexual inviolability	8	8	12	5	13	10	5	11	9	12	3	15	111
int.al., human trafficking	0	0	0	0	0	0	0	0	0	1	0	0	1
int.al., severe bodily injuries	7	12	12	7	6	8	11	6	2	8	9	14	102
int.al., moderate bodily injuries	17	24	25	24	24	36	29	21	26	22	27	26	301
int.al., HIV, type B or C hepatitis	0	0	0	0	0	0	0	0	0	0	0	0	0
Refusals of the state compensation payment	5	3	8	3	6	12	4	8	4	6	7	5	71

Data source: Legal Aid Administration

Table No.63

Funds Paid to State Compensation to Victims, EUR in 2015

Total	27072,66	47316,42	47351,43	50442,85	70357,14	60484,10	49884,26	60382,86	59900	60620,00	43280,00	87429,28	664521,00
int.al., death of the person	9066,66	8200,00	8800,00	22022,85	13899,99	10600,00	14000,00	12100,00	20900,00	9800,00	8800,00	32400,00	170589,50
int.al., violated sexual inviolability	6700,00	8736,42	10360,00	5280,00	12740,00	14776,00	4620,00	13440,00	13300,00	16100,00	3640,00	21000,00	130692,42
int.al., human trafficking	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	1260,00	0,00	0,00	1260,00
int.al., severe bodily injuries	4106,00	10080,00	13580,00	7840,00	13720,00	7280,00	8680,00	15820,00	0,00	12460,00	9640,00	13460,00	116666,00
int.al., moderate bodily injuries	7200,00	20300,00	14611,43	15300,00	29997,15	27828,10	22584,26	19022,86	25700,00	21000,00	21200,00	20569,28	245313,08
int.al., HIV, type B or C hepatitis	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00

Data source: Legal Aid Administration

Table No.64

State Compensation to Victims in 2016

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	61	57	78	67	63	67	53	63	59	78	61	63	770
Decisions on payment of compensation, total	48	53	50	76	58	63	53	53	60	51	65	64	694
int.al., death of the person	13	14	8	18	11	15	7	11	10	8	13	13	141
int.al., violated sexual inviolability	7	8	5	16	9	12	20	12	12	15	14	17	147
int.al., human trafficking	0	0	0	1	0	0	0	0	0	0	0	2	3
int.al., severe bodily injuries	9	9	12	11	9	10	10	9	9	5	11	11	115
int.al., moderate bodily injuries	19	22	25	30	29	26	16	21	29	23	27	21	288
int.al., HIV, type B or C hepatitis	0	0	0	0	0	0	0	0	0	0	0	0	0
Refusals of the state compensation payment	6	1	2	6	3	6	6	2	3	9	6	6	56

Data source: Legal Aid Administration

Table No.65

Funds Paid to State Compensation to Victims, EUR in 2016

Total	51931,15	55041,00	55425,00	60635,00	98550,00	52985,00	48951,67	59976,67	94080,00	54940,00	41983,50	90022,01	764521,00
int.al., death of the person	12000,00	19575,00	10850,00	23950,00	27950,00	15225,00	9866,67	14166,67	22200,00	17575,00	5550,00	21215,00	200123,34
int.al., violated sexual inviolability	6300,00	12231,00	3780,00	10080,00	20160,00	14770,00	8890,00	21735,00	25760,00	11250,00	15365,00	23457,01	173778,01
int.al., human trafficking	0,00	0,00	0,00	1260,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	1260,00
int.al., severe bodily injuries	11189,00	10710,00	15520,00	8995,00	15190,00	3815,00	12845,00	11350,00	16695,00	5827,50	4881,00	16800,00	133817,50
int.al., moderate bodily injuries	22442,15	12525,00	25275,00	16350,00	35250,00	19175,00	17350,00	12725,00	29425,00	20287,50	16187,50	28550,00	255542,15
int.al., HIV, type B or C hepatitis	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00

Data source: Legal Aid Administration

Table No.66

State Compensation to Victims in 2017

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	58	67	74	54	65	44	57	70	56	77	74	70	766
Decisions on payment of compensation, total	59	50	66	62	55	54	44	53	44	59	79	90	715
int.al., death of the person	9	4	11	16	11	6	8	6	6	13	10	14	114
int.al., violated sexual inviolability	11	8	13	14	10	9	12	19	12	13	18	16	155
int.al., human trafficking	1	0	0	0	0	0	0	0	0	0	0	0	1
int.al., severe bodily injuries	15	11	6	12	8	10	3	8	7	10	16	11	117
int.al., moderate bodily injuries	23	27	36	20	26	29	21	20	19	23	35	49	328
int.al., HIV, type B or C hepatitis	0	0	0	0	0	0	0	0	0	0	0	0	0
Refusals of the state compensation payment	5	8	10	2	4	4	6	6	10	9	0	14	84

Data source: Legal Aid Administration

Table No.67

Funds Paid to State Compensation to Victims, EUR in 2017

Total	79991,85	89962,85	60271,43	69795,00	65095,00	60094,33	59830,00	59935,00	70075,99	60175,00	59645,00	140366,55	875238,00
int.al., death of the person	21275,00	18499,99	9400,00	19650,00	19575,00	17683,33	10210,00	8855,00	6554,99	19000,00	5700,00	28925,00	185328,31
int.al., violated sexual inviolability	19693,99	12985,00	16870,00	14040,00	15195,00	10535,00	14385,00	20430,00	24831,00	14420,00	15925,00	29860,00	209169,99
int.al., human trafficking	2590,00	1295,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	3885,00
int.al., severe bodily injuries	19285,00	23310,00	9170,00	9980,00	14525,00	7576,00	11900,00	7875,00	13265,00	10605,00	13895,00	21131,55	162517,55
int.al., moderate bodily injuries	17147,86	33872,86	24831,43	26125,00	15800,00	24300,00	23335,00	22775,00	25425,00	16150,00	24125,00	60450,00	314337,15
int.al., HIV, type B or C hepatitis	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00	0,00

Data source: Legal Aid Administration

ARTICLE 17 PARA. 2

“With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Education Development Guidelines 2014-2020 promote the implementation of inclusive education principle, which ensures equal opportunities regardless of students' needs and abilities, economic or social status, race, nationality, gender, religious or political beliefs, state of health, occupation or place of residence.

Regulation of the Cabinet of Ministers No. 871, adopted on 4 August 2009 “Procedures for registration of children who have reached mandatory school age” determines the tracking of children aged 7 through 18, i.e., compulsory education age, and with a declared place of residence in the territory of the Republic of Latvia, who are not registered at any of the educational institutions in Latvia, is done using the State Education Information System. The local government has a duty to trace information about all the children of compulsory education age, who are not registered in any school and enter the information about their statuses (e.g. has left the country etc.) and the situation description. In 2016 monitoring has been improved by involvement of children aged 5-6 in monitoring about enrolment in education.

Regulation of the Cabinet of Ministers No. 89, adopted on 1 February 2011 “Procedures by which the educational institution shall inform parents (persons who exercise custody) of educatees, local government or state institutions, if an educatee fails to attend educational institution without a justifying reason” determines the nation-wide monitoring of tracking and preventing long-term unjustified absences (the limit is three days of pre-school or 20 classes missed during a semester), which was started in 2014. In case of a longer absence the school principal is obliged to file a report to the local government explaining the absence. At the local government, specialists work to identify the causes for non-attendance, and, if needed, co-ordinate an intervention with the municipal social services, the police, an orphans' court or other actors. In 2016, monitoring of unjustified absences has been improved. Schools are obliged to enter information in State Education Information System about the absences, the reasons for absences and the actions taken.

Regarding schools

Regulations of the Cabinet of Ministers No.591 of 13 October 2015 "Regulations Regarding the Procedures for Enrolment of Students in and Discharge from General Educational Institutions and the Mandatory Requirements for Moving Them up to the Next Grade" define the procedure

according to which the students are admitted to the general educational institutions and discharged from them (except boarding schools and special educational establishments) and mandatory requirements for moving up to the next grade.

Binding Regulations of Riga City Council No. 137 of 27 January 2015 "Procedures for Registration and Enrolment of Children in the 1st Grade in General Educational Institutions of Riga City Municipality" define the procedure for starting acquisition of education in general educational establishments (hereinafter referred to as - Establishments) of Riga City Municipality.

Parents or custodians (hereinafter - Parents) can enrol a child in Establishment for acquisition of education in the 1st grade when the child has reached the statutory education age (5 years). Parents can enrol the child for acquisition of basic education programme in several Establishments.

If due to extraordinary circumstances child has not started acquisition of education in statutory education age the issue of his education is settled with Department after coordination with Parents.

Each Establishment is bound to certain urban district. For the purposes of these binding regulations the urban district shall be the division of administrative territory of Riga City into territorial units from which the registered children has priority rights to be admitted in Establishment located in the respective territorial unit.

Registration of children takes place all year when Parents submit an application as well as produce the birth certificate of a child or a document with indicted child's personal identification code and identity card or passport of Parent (for a custodian - decision of Orphan's court confirming the fact of establishment of custody).

Principal of Establishment or administrator of electronic data base registers the application in the data base of Establishment's students (hereinafter - Electronic Data Base) in the presence of applicant by filling out the application form electronically and informing the Parents in advance about the basic education programmes implemented in the Establishment and finding out the basic education programme in which the Parent would like to enrol his/her child.

Each year until 1 April the Department shall determine the number of 1st grade classes to be opened. Regard the maximum number of students determined by the Department, each year until 1 May Principal of Establishment shall determine the number of 1st grade's students.

Each year until 1 June Establishment shall make a list of 1st grade candidates who has reached the age of 7 in the following priority order:

- 1) children, whose place of residence together with Parents is registered in Establishment's urban district and whose siblings are mastering the basic education programme in the Establishment, are admitted according to the sequence of registration of applications for registering the place of residence;

2) children whose place of residence together with Parents is registered in Establishment's urban district are enrolled according to the sequence of registration of applications for registering the place of residence;

3) children, whose siblings are mastering the basic education programme in Establishment, are admitted according to the sequence of registered applications;

4) children of employees working in the Establishment are enrolled according to the sequence of registered applications;

5) children, whose place of residence together with Parents is registered in the administrative territory of Riga City, are enrolled according to the sequence of registration of applications;

6) children whose place of residence is not registered in administrative territory of Riga City, are enrolled according to the sequence of registration of applications.

Within five working days Establishment informs Parents about inclusion of a child in the list of students or about refusal.

Within 15 days Parents shall submit to Establishment an application regarding the admission of the child the 1st grade or on the withdrawal of the application.

If Parents have not submitted any reply within 15 calendar days, the application shall be annulled and the Establishment informs next candidates about inclusion in the list of students according to the previously mentioned priority order.

Child is enrolled in special educational establishment or Establishment implementing the special education programme pursuant to the procedure as set forth in normative acts and regulations of Establishment based on the opinion of municipality's Pedagogical Medical Commission or State Pedagogical Medical Commission and application submitted by Parents.

Child is enrolled in the 1st grade of boarding school as set forth in normative acts and regulations of the boarding school.

Regarding interest-related education

Riga City Council provides the widest offer of interest-related education both in children and youth centres, children music, art and sport schools as well as in Riga culture centres. Catalogue of interest-related education (field, contact information, location of classes, children age etc.) is available at www.izglitiba.riga.lv.

In all general educational establishments of Riga City Municipality, just like before, there will be extracurricular activities (dance, music, applied and fine arts, environment sciences, technical innovation, sports).

According to binding Regulation of Riga City Council No.188 of 2 October 2012 and Decision No. 5376 of 23 October 2012 if the student's place of residence is declared in the administrative territory of Riga City interest-related education in Riga City Municipal Education Institutions are provided:
1) without tuition fee for children with disabilities and children from poor, low-

income families or from families with 3 or more children; 2) half of tuition fee if two children from one family acquire interest-related education programme.

Regarding education support measures

Support staff, including psychologists, speech therapist, social pedagogues, is provided in Riga schools and pre-schools.

Municipality's Pedagogical Medical Commission or State Pedagogical Medical Commission provide an opinion with a recommendation for a child who need special education programme. If it is necessary to obtain an opinion on the most appropriate special education programme, a child's ability and development test shall be carried out by psychologist, speech therapist, social pedagogue or other the Commission specialist. The Commission provides opinion and consultation for Parents about Riga City Municipality education institutions implementing the recommended special education programme. The Commission provides an opinion about training at home for children with long-term illness and provides information on the educational training centres in schools.

According to the Regulations of Cabinet of Ministers No.1206 adopted on 28 December 2010 "Procedures for Calculating, Granting and Using the Funds Provided for in the State Budget for Local Governments for the Catering of Elementary Education Institutions" the cost of catering (lunch) for students in Grade 1-4 are covered from the State budget. In order to provide support to families and to promote the physical development and health of children, ensuring healthy nutrition, the Riga City Council on 15 December 2015 took decision to cover from the Riga City Municipality budget:

1) costs of catering (lunch) for students in Grade 5-12 who acquire the basic and secondary education in the administrative territory of Riga City;

2) costs of catering (breakfast, lunch, afternoon snacks) for all students who acquire a pre-school education programme in the municipal or private educational institutions in the administrative territory of Riga City if the family has the status of a poor or low-income family or families with 3 or more children.

Riga Education and Informative Methodical Centre ensures the further education of Riga educational establishments as well as lifelong learning of residents.

Please see also information provided under Paragraph 1 of the same Article of this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

In order to identify the measure for reducing the early school leaving and to plan the ESF support, several studies have been carried out in 2014-2015:

– opinion of youth aged 18-24 – early school leavers who have chosen to return to education system – on reasons for early school leaving and on issues related to returning in education system;

- education institution employees' survey on reasons for and risks of early school leaving among youths aged 13-18;
- survey of early school leavers aged 15-20 on reasons for early school leaving and on factors influencing school leaving decision, as well as interviews with experts in the field on proposals for alternative solutions in the Latvian policy on early school leaving.

Based on these studies, a conceptual report "On Creation of Alternative Policies in Solving Early School Leaving Issues" was drawn up as a precondition for the preparation of the EU funds support programme.

From March 2017 until December 2022, the State Education Quality Service in cooperation with the local governments and state vocational educational institutions is implementing the ESF project "To reduce early school leaving in the implementation of preventive and intervention measures". Individual aid is targeted to general education 5th-12th grade students, as well as vocational education 1st-4th year students who have risks of early school leaving (one of risks is long-term unjustified absence). The aim is to create a sustainable and effective prevention system, which would involve the local government, the school, teachers and parents to identify in a timely manner the children and youths at risk of school leaving and provide them with customised support. These children and young people will have access to specialist advice, mentors, additional classes, as well as material support of educational services accessibility. By the end of 2017, 74 cooperation agreements have been concluded, involving 224 education institutions, within the framework of which 2514 individual support plans for pupils were reviewed.

Support to career development also contributes to diminishing the early school leaving. On 15 December 2015, "Plan on Implementation of Career Guidance in State and Municipal General and Vocational Education Institutions for years 2015-2020" was adopted by the Cabinet of Ministers. The plan provides a framework for governance of career guidance in schools, training provision for school guidance professionals, implementation of guidance activities in schools (including improving links with the labour market), and provision of information and methodological support.

In order to increase career support accessibility, the ESF project "Improving access to career support for students in general and vocational education institutions" has been implemented since 2016. As a result of this project, 328 general and vocational education institutions will provide career support for students by 2020. In academic year 2017/2018, 74 local governments and associations and 15 vocational education competence centres are involved in the project and 371 teachers-career consultants have been employed. 139 600 pupils in 410 general and vocational education institutions have received support for career development in academic year 2017/2018 within the framework of the project.

One of the tasks of the Roma mediators is to encourage Roma raising parents' awareness of the importance of pre-school education and prevent Roma pupils' school drop-out cases. In addition Roma mediators motivate Roma parents to use the possibility to participate in European Social Fund

supporting measures, for instance, in the program “Support for reducing early school leaving”.

In four cities (Jelgava, Daugavpils, Limbaži and Viļķene) Roma teacher assistants provide individual support to the Roma pupils in order to improve their skills and knowledge, as well as to foster their regular school attendance. The research „Roma in Latvia” reveals the positive role of Roma teacher-assistants especially in the pre-school and primary school period – they ensure essential support to Roma children in acquiring the study material and enhance the involvement of parents in the study process by changing their understanding about the importance of education in their child’s life.

Mostly Roma teacher assistants are supported by local authorities on regular basis, only in Daugavpils city Roma teacher assistant work on the project basis. Since 2017 in Daugavpils Secondary School No.6 within the European Social Fund project “Support for the development of individual competences of learners” a Roma teacher assistant provides individual support for 1-6th grade Roma students in the learning process, for instance, provides explanatory consultation for the children for better understanding of the learning material, completing their homework exercises in the extended day group, as well as assists teachers in organizing extracurricular activities and inclusive cultural events.

In addition the project “Support for Roma children: Prepared for studies!” was implemented in 2016 by the NGO “Centre for Education Initiatives” in cooperation with the Educational Board of Daugavpils City and funded by The World Childhood Foundation of Sweden. The project was aimed at the improving home and community learning environment for Roma children of pre-school age, to empower skills and knowledge of Roma parents and Roma community leaders in Daugavpils city. Main activities of the project were the elaboration of the Program “Prepared for studies”, preparation of learning materials, awareness raising lessons for Roma parents on the importance of education for their children's future, etc. Target group of the project is 25-30 Roma children under 5 years age and 34 Roma parents (together around 60 Roma persons).

The main outcomes of the project:

- the programme and model for the support of Roma parents with children of pre-school age will be created and adapted;
- physical, social and cognitive development of Roma children of the pre-school age will be improved;
- Roma parents will have experience in parenting their children and preparing them for academic studies;
- Baby School program will provide for Roma children equal start position to start studies in educational institution;
- Roma families will be included in the educating process of their children.

For more information please see: <http://www.childhood.org>

In 2017, the “PUMPURS” project has launched in order to implement the ESF project "Support for Reducing Early Childhood Drop Out", which aims to reduce the number of children and young people dropping out of school and completing their education. The project promotes the development of a

system for sustainable cooperation between local governments, schools, teachers and parents in order to identify pupils and young people, incl. Roma students, which have a risk of dropping out, and provide them a personalized support.

3. Please provide pertinent figures, statistics or any other relevant information, in particular on the number of children failing to complete compulsory schooling dropping out of education without qualifications and on measures to combat absenteeism.

Table No.68

Number of general education day schools by founder

	Municipalities	State	Private	Total
2017/2018	696	2	50	748
2016/2017	712	2	49	763
2015/2016	733	2	48	783
2014/2015	746	2	48	796

Data source: Ministry of Education and Science

Table No.69

Number of schools in urban and rural areas

	Urban	Rural
2017/2018	364	384
2016/2017	366	397
2015/2016	371	412
2014/2015	380	419

Data source: Ministry of Education and Science

Table No.70

Primary and secondary school enrolment

	Primary school (1-6 grade)	Secondary school (7-12 grade)	Total
2017/2018	121416	83697	205113
2016/2017	121261	83004	204265
2015/2016	120110	82605	202715
2014/2015	117152	81967	199119

Data source: Ministry of Education and Science

Table No.71

Students / teacher ratio

Regions	10:1
Municipality regions (around Riga (capital))	14:1
Cities of regional importance	13:1
Riga (capital)	16,5:1
Other cities of republic importance	15,5:1

Data source: Ministry of Education and Science

Table No.72

Early leavers from education and training (% of the population aged 18-24 with at most lower secondary education and not in further education or training)

2014	2015	2016	2017
8.5	9.9	10.0	8.6

Data source: Eurostat

Ministry of Education and Science in Latvia and other institutions are constantly monitoring achievements of Roma students, thriving towards the higher achievements among them. With accordance to the student's educational needs and issues involving Roma families, there has been a focus on training assistant teachers with Roma background, as well as on publishing manuals targeted towards Roma children's educators. In collaboration with the local government Education boards and education institutions Roma pupil monitoring was conducted by collecting data on the number of Roma pupils and their achievements in 2016/2017:

- Roma pupils who acquire general education programs, including pre-school, primary, secondary and vocational education programs;
- Roma pupils who haven't got the document for compulsory primary education;
- Roma pupils who have received supporting measures to improve academic achievement. As well as data on Roma teacher assistants who work in general educational institutions.

Outcomes of the survey "Roma in Latvia" show that though the situation of Roma education has slightly improved during the last ten year period, still one of the basic problems is the low education level among Roma population. The education level of almost half of the interviewed Roma is lower than primary, slightly more than one third (34 per cent) have primary education, while higher than primary education – only 17.2 per cent. At the same time Roma aware of the importance of education, – 98.8 per cent admit that it is important for their children to be literate and 97.5 per cent want their children to acquire primary education.

The survey demonstrates also the fact that the Roma pay special attention to their children's health and try to use all available health care services they know about. 98.2 per cent of the surveyed Roma have their own family doctor and that during the last year, 87.8 per cent of respondents have visited their family doctor. However, lack of knowledge and understanding about the accessibility of definite services limits their efficient use.

Low and irregular employment and insufficient income along with the absence of savings reduce Roma possibilities not only to rent or acquire housing but also cause difficulties in the maintenance of housing and deny them the possibility to enjoy the needed and desired living conditions in the chosen housing.

Based on the outcomes and recommendations of this study the consultation process was held with experts and Roma representatives to discuss which activities should be implemented in the framework of the national policy for Roma integration to improve current situation of Roma in key areas such

education, employment, healthcare and housing. English version of the survey is available on website of the Ministry of Culture³⁹.

³⁹https://www.km.gov.lv/uploads/ckeditor/files/Sabiedribas_integracija/Romi/Papildu/romi_latvija_petijums_ENG.pdf

ARTICLE 19: THE RIGHT OF MIGRANT WORKERS AND THEIR FAMILIES TO PROTECTION AND ASSISTANCE

ARTICLE 19 PARA. 1

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Immigration Law, adopted by the Parliament on 31 October 2002, regulates the rights of third-country nationals to receive residence permits in Latvia, including for the purpose of employment, commencement of entrepreneurship and investment. In accordance with the procedure prescribed by this law, a foreigner has the right to request a temporary residence permit for a time period up to five years, when entering into an employment contract, becoming a member of the board or council, investing into business activities or immovable property, becoming a representative of the representative office of a foreign entrepreneur for two years and a self-employed person for one year. The recent amendments to the Immigration Law provide three significant directions - attracting of highly qualified specialists, shortened and improved general process for attracting labour force, as well as a possibility for foreign students to work 20 hours per week with any employer.

On 15 February 2018, the Cabinet of Ministers of the Republic of Latvia supported the Conceptual Report on Immigration Policy (hereinafter – Report), which included the task to develop a new Immigration Law by the end of March 2019. It is provided in the Report to include in the new Immigration Law several provisions related to the employment of third-country nationals. For example, to exempt potential employers who wish to employ a foreigner, who has been employed in the Republic of Latvia for at least two years, from the necessity to register a vacancy in State Employment Agency (hereinafter - SEA); to withdraw the requirement to receive a new right to work for a third-country national who after six months of employment changes the position within an enterprise; etc.

The legal acts in force are directly applied, without providing for special measures (except training of employees in State administration) for implementation thereof.

If a foreigner enters Latvia with a purpose of employment, his/her spouse and minor children are entitled to enter together with him/her.

The Immigration Law determines the right to employment without limitation to a spouse of a foreigner who has received a permanent residence permit, staying in Latvia on the basis of a temporary residence permit.

The State Employment Agency's support includes various active labour market policy measures (measures to increase competitiveness, non-formal education programs, including Latvian language training courses, vocational training, retraining and raising qualification, training at the employer, subsidized employment, paid temporary public works, business start-ups, etc.), available according to profiling results and individual job search plan of the unemployed person, as well as preventive unemployment reduction measures (e.g. career consultations and information on the SEA's webpage).

In October 2013 Amendments to the Citizenship Law came into force, after more than two years of meticulous work. Considering Latvia's historical background, currently increasing mobility of persons and the need to sustain ties with citizens all over the world, the latest amendments significantly extended the scope for dual citizenship. In this respect the amendments followed the best practices in the world. Secondly, with the amendments the procedure for granting citizenship and naturalization process has been further simplified. For example, the Latvian citizenship is granted automatically to children of stateless persons and non-citizens.

In 2014 the Criminal Law was amended providing criminal liability for discrimination due to racial, national, ethnic or religious belonging or for the violation of the prohibition of any other type of discrimination, if a substantial harm is caused thereby.

In January 2016 a new Asylum Law entered into force in Latvia. The new law further widens the scope of the rights of asylum seekers. For example, the State funded legal assistance services will be made more available.

In order to ensure balanced development of the labour market and economy in the medium term perspective, the Cabinet of Ministers on 20 February 2018 adopted the Regulations of the Cabinet of Ministers No. 108 "Specialities (Professions), Where Significant Shortage of Labour Force is to be Expected and Where Foreigners May be Invited for Work in the Republic of Latvia". It contains a list of professions, where significant shortage of labour force is currently observed and where foreign specialists could be attracted by applying preferential provisions, arranging work permits in cases, when third-country nationals are invited to the Republic of Latvia for work in these professions. Labour market policy in the context of attraction of third-country nationals is aimed at attracting highly qualified specialists that would help to solve the shortage of labour force currently observed for number of companies, in particular in the processing industry and information communication technology sectors that is limiting the economic growth of Latvia, productivity increase for companies and attraction of investments, and thus also creation of well-paid work places.

As far as the prevention of misleading propaganda relating to emigration and immigration is concerned, the Law on the Press and other Mass Media prohibits the publication of content that promotes national or religious superiority and intolerance (Article 7). Similarly, the Electronic Mass Media Law prohibits incitement to hatred or discrimination against a person or group of persons on the grounds of sex, race or ethnic origin, nationality, religious affiliation or faith, disability, age, or other circumstances (Article 26). It also requires the electronic media to ensure that facts and events in programmes

are presented fairly and objectively, with due accuracy and impartiality, in order to promote the exchange of opinions and that they meet the generally accepted principles of journalism and ethics. Comments and opinions shall be separated from the news and the author of an opinion or comment shall be named. In informative documentary and news broadcasts, the facts shall be presented in such a way as not to deliberately mislead the audience (Article 24).

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

The Ministry of Culture of the Republic of Latvia as the competent authority in the field of national integration policy initiates and implements measures aimed at democratic society and community development process.

On 20 October 2011 "Guidelines on National Identity, Civil Society and Integration Policy 2012–2018" (hereinafter – Guidelines) were approved in government.

The primary goal of the Guidelines is a strong and united nation of Latvia – a national and democratic community ensuring the preservation and enrichment of its unifying foundation – the Latvian language, culture and national identity, European democratic values, and a unique cultural space – for a balanced development of Latvia as a national and democratic state.

Democracy can function well only when all the population of Latvia takes responsibility for their country and participate in the rational solution of social problems through democratic institutions. It is important that the skills of mutual collaboration and participation are gained both - through the formal education process and through participation in the activities of the civil society and by organizing them.

The Guidelines define society integration as social inclusion of all people living in Latvia.

The Guidelines have been implemented in three main directions:

1. Civil society and integration

Tasks:

1.1. To develop civic education by using formal and informal education methods.

1.2. To strengthen the traditional and non-traditional forms of civic participation.

1.3. To promote inclusion of socially excluded groups into the society and to prevent discrimination.

1.4. To strengthen democratic information space of high quality and increase the role of media in integration.

2. National identity – language and cultural space

Tasks:

2.1. To ensure the use of the Latvian language in the public space of Latvia.

2.2. To strengthen the Latvian language skills of the Latvians living abroad, national minorities, non-citizens and new immigrants.

2.3. To strengthen the Latvian cultural space as a cohesive framework of the society and to promote the affiliation to the cultural space on local, national and European level.

2.4. To strengthen the Latvian identity and affiliation to Latvia of the Latvians residing abroad.

3. Shared social memory

Tasks:

3.1. To enhance understanding of the World War II and the Soviet occupation in Latvia based on true facts and according to democratic values.

3.2. To promote exploration, research and understanding of local and European history.

In line with the Guidelines a wide range of measures have been implemented. One part is oriented to the society as a whole, another measure is tailored and targeted to specific groups.

As mainstreaming are all the activities provided for development of civil society. Civic participation helps to create a lasting connection between an individual and the State and increases people's responsibility for the society in which they live. Civic participation includes a wide spectrum of activities: participation in elections, political parties and political organizations, trade unions, employer organizations, NGO's – associations and foundations, professional associations and self-governing bodies. It includes joining together in informal societies, as well as meeting in one's own and in society's interests.

Along with the non-governmental organizations, also the development of new forms of participation characterises the civic activity in Latvia – community funds, public forums, informal associations and the use of social media. They often provide original approaches for solution of social and political problems. The Big Cleanup (50,000 participants in 2004, 190,000 in 2011) may be mentioned as an example of innovative participation unifying various community groups.⁴⁰ Donating, philanthropy, voluntary work and patronage traditions, as well as private-public partnership can also be considered to be new forms of participation in Latvia which have begun to develop in the past decade and encompass a considerable number of people. Therefore, the integration policy has not only promoted traditional civic participation, but also has to strengthen sustainability of the new participation forms.

Every year Ministry of Culture provides financing for development of civil society, for example, in 2015 the State budget was allocated for NGO support programme NGO Fund (EUR 400 000 per year), regional support programme for NGO (EUR 160 000 per year).

Antidiscrimination measures:

These include further development of discrimination monitoring system, review of existing anti-discrimination norms, educational and awareness-raising events.

In 2014/2015 The Society Integration foundation in cooperation with the Ministry of Culture implemented a project "Different people. Various experiences. One Latvia - II" which is financed under the PROGRESS

⁴⁰ Results of the big clean-up, <http://www.talkas.lv/?page=567>

programme section “Anti-discrimination and diversity”. In the framework of the project several activities aimed at raising awareness, knowledge and skills of public workers, professionals and experts, which work with ethnic minorities and other non-discrimination groups, were implemented. For example, (i) organization of trainings for trainers on non-discrimination, diversity and equality issues for police officers, social, government and municipality employees, including the employees of public libraries and cultural workers; (ii) implementation of measures to foster **diversity management** as well as the examination and promotion of existing best practices in the private (business) sector. Think tanks "Diversity management - future potential" were organized in October 2015, where business leaders met together and learned how to get their employees to higher productivity, attracting new customers to the company and find the way to foreign markets through diversity management approach. Information on the current situation and experience of Latvian enterprises using diversity management approach and the benefits as well as the advantages of this approach is shared among participants of think tanks. In June 2015 during *Sustainability Index* closing ceremony Latvian companies were awarded as Diversity Champion 2015, Best company open to Diversity 2015. (iii) organization of activities to raise public awareness of discrimination and harassment on the grounds of race and ethnic origin (including Roma), disability, age and religion or belief, **sexual orientation** through digital storytelling on social networks and internet media (TV) about cases of prejudice and discrimination and their negative effects. There are short films "7 stories about us" was directed by “Jura Podnieka studija”, which reflects the difference in treatment based discriminatory biases of gender, ethnicity, disability, race, religion, sexual orientation and age.

Tailored integration measures:

Every year in Latvia arrive about 2000 new third country nationals (furthermore –TCN), most of them are considered as long term residents as the reason of immigration is family reunification. Very important is necessity of the system connecting reception with following integration measures for TCN just arrived or already residing for some period. Special attention should be paid on vulnerable groups of TCN such as beneficiaries of international protection, children, elderly or any other in vulnerable condition. Mutual respect of different groups is of very high importance, where values of EU and receiving country and society also have to be respected and met in different aspects.

In 2013 a Consultative Council for the Integration of Third-Country Nationals was established. The purpose of the Council is to foster discussion and collaboration between institutions in the field of third-country nationals, to promote involvement of these persons, as well as non-governmental organisations representing these persons in the formation of the State policy in the field of integration of the society.

The following measures have been taken in the field of integration:

- Establishment of resource centres to third-country nationals, including regions with access to the required information on public and private services, rights and obligations of immigrants;

- Consulting of third-country nationals has taken place by providing consultations in the field of social affairs, legal affairs, employment, education and other issues;
- Programmes of language courses and integration courses of various levels have been elaborated;
- Informative events, as well as the society education events aimed to improve mutual understanding have been held;
- The capacity of service providers representing both private and public sectors has been increased — training and other qualification improvement measures have been taken within the scope of the projects;
- A study on equality data audit has been conducted and it has attracted attention to the necessity of collecting equality data and recognition of discrimination cases;
- Experience exchange events to form and implement the integration policy have been organised among the Member States wherein employees of at least 94 various institutions and organisations have been involved;
- Information exchange, good practice and collaboration events have been organised among NGOs, providers of public and private services, employers, policy makers and implementers in the Member State;
- NGO collaboration platforms have been set up in the field of integration of third-country nationals.

At the end of 2015, the Cabinet of Ministers adopted the Action Plan for Relocation and Reception of Persons in Need of International Protection (Order of Cabinet of Ministers No. 759 of 9 December 2015). The Action Plan includes several measures aiming at social and economic inclusion of asylum seekers, refugees and persons with subsidiary protection (alternative status) through the provision of information about Latvia, support by social workers and social mentors, Latvian language training, promoting employment, etc.

Since 2016, the SEA has implemented a specialized project aiming at improving employment prospects for asylum seekers, refugees and persons with alternative status and their social and economic inclusion. In addition to active labour market measures, offered to refugees and persons with alternative status, asylum seekers are offered an introductory course “Work opportunities in Latvia” and consultations on work opportunities in the Reception centre for asylum seekers “Mucenieki”. There is also an e-leaflet “First steps to employment” including information on work, education, housing social support in 5 languages (www.nva.gov.lv). The SEA has developed cooperation with 109 employers who would like to hire refugees and persons with alternative status.

As concerns victims of trafficking in human beings, the SEA implements the following preventive measures to decrease the risk of trafficking: 1) provision of information to licensed companies and job-seekers about trafficking in human beings and reducing its risk (at webpage, during consultation, etc.); 2) inspections at licensed companies (once per two years or out-of-plan) 3) verification and evaluation of documents of licensed companies to prevent their non-compliance with legal acts and incorrect translation).

As EU Member State, Latvia has an active participation in the High Level Group on Non-Discrimination, Equality and Diversity, which is established by

European Commission in 2015. During its Presidency in EU Council, Latvia also actively contributed the development of the European Union-wide legal framework on equal treatment and antidiscrimination, making a progress in adoption of the Proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation. For example, Latvia as the Presidency has elaborated discussion paper in order to map the positions of the Member States on the main outstanding issues and identify possible solutions.

3. Please provide pertinent figures, statistics or any other relevant information, including the patterns of emigration and immigration between States party for employment purposes.

Table No.73

First temporary residence permits issued to third-country nationals in relation to employment

Year	Number of employees	Number of family members
2013	620	121
2014	801	211
2015	1437	329
2016	1518	409
2017	1879	562

Data source: Office of Citizenship and Migration Affairs, 2018

In 2013 the highest number of first temporary residence permits in relation to employment were issued – to the citizens of Russia, Ukraine, Philippines, Belarus and United States of America;

In 2014 the highest number of first temporary residence permits in relation to employment were issued – to the citizens of Ukraine, Russia, Belarus, Moldova and United States of America;

In 2015 the highest number of first temporary residence permits in relation to employment were issued - to the citizens of Ukraine, Russia, Belarus, India and China;

In 2016 the highest number of first temporary residence permits in relation to employment were issued - to the citizens of Ukraine, Russia, Belarus, China and United States of America;

In 2017 the first temporary residence permits in relation to employment (highest number) were issued - to the citizens of Ukraine, Russia, Belarus, China and India.

During the time period from 1 January 2016 until 30 July 2018 the SEA has registered 151 refugees and persons with alternative status; 13 refugees or persons with alternative status were registered at the end of July 2018. Since 2016, 46 – refugees or persons with alternative status have found a job with the assistance of SEA (40 of them are still working – e.g., in supermarkets, storehouses, woodworking, etc.).

Information on employment statistics during the period from 2014-2017 is provided in the attachment of this Report. Please see the Annex No.4 of this Report.

Since 18 May 2016 the Information Centre for Immigrants (hereinafter - ICI) has been operating all over Latvia as a one-stop agency. Until 31 December 2017 its operations have been ensured by NGO "Shelter "Safe House"" within the framework provided by the Asylum, Migration and Integration Fund. The ICI was created and developed within co-financing of the European Union (Grant Agreement No. PMIF/12/2016/1/1).

By 20 December 2017 ICI has provided support to 2514 persons – 1451 in Riga, 462 in Liepaja, 199 in Jelgava, 223 in Daugavpils, 179 in Cesis. In total, 3655 consultations have been provided regarding various legal and social issues. Most frequently, customers have chosen to receive consultations in person – in 2106 cases, 1021 consultations were provided by phone, 332 – using Skype, and 196 times by e-mail. The opportunity of follow-up consultations was often used.

Foreign citizens were mostly interested in migration, employment, business opportunities and family matters in Latvia, as well as possibilities to learn Latvian. Customers have used consultations of an ICI psychologist 121 times. In total, free consultations were provided to people from 81 countries. TOP 20 countries: Russia, Syria, Ukraine, India, China, Turkey, Belarus, Pakistan, Uzbekistan, Tajikistan, Iraq, Georgia, Afghanistan, Egypt, United States of America, Azerbaijan, Eritrea, Armenia, Vietnam, Sri-Lanka.

Qualitative communication with the ICI's customers was ensured with the help of 33 translators / language specialists with the following language skills: Dari, Farsi, Pashto, Urdu, Arabic, French, Tajik, Kurdish, Punjabi, Chinese, Turkish, Uzbek, Hindi, Spanish, Tamil, Bengali, Vietnamese, and Armenian.

Interpreter services were provided not only for customer communication with the ICI's consultants, but also for professionals working with foreigners, for example, various State administration institutions, social services, crisis centres, education and healthcare institutions of several local governments, banks and employers. In total, the interpreting service has been provided 1845 times to 618 clients. It has to be noted that there are cases where translation is not needed due to language skills.

Professional support for working with third-country nationals has been provided to 422 specialists of various areas (social workers, managers of companies and NGOs, librarians, employees of orphan's courts and education institutions).

In order to strengthen the civil society and develop favourable and open environment for societies and foundations in working with immigrants, NGO Dialogue platform is being created and developed by ICI experts, currently involving 25 non-governmental organizations, which are active in the area of integration. Special Informative Days have also been organized in Liepaja, Riga and Daugavpils, where foreigners were provided with an opportunity to learn about the informative and practical resources available.

More than 130 volunteers have made significant contributions to organizing the ICI's activities. They have implemented 48 informative and integration events in different regions of Latvia, including cultural nights of different nations, which have become popular in Latvia.

LNT (*Latvian Independent Television*) informative stories and newspaper articles have been prepared to raise public awareness on the topic of migration; educational seminars and webinars as well as three international conferences on migration issues were organized.

Those who want to live, study, work or start their own business in Latvia might find it useful to visit valuable and practical resource – website www.integration.lv. It provides foreigners and professionals with answers to various practical questions and up-to-date information on Latvian language courses and integration courses, as well as on events organized by various organizations from all over Latvia.

Third-country nationals, who have legal ground to stay in Latvia, have access to free individual consultation with the career consultant⁴¹ at the SEA. The consultation includes:

- interview, during which the consultant evaluates the particular situation and selects the appropriate consultation methods, taking into account motivation, education, current needs, health status of the person and other nuances;
- upon finding out the wishes and skills of the person, the consultant helps to find and purposefully use their personal abilities;
- provides information about the most appropriate services of the SEA in the particular case and, if necessary, helps to draw up CV, motivation letter and to establish the strategy for searching a job.

SEA organizes “Informative days” for persons with a status of an unemployed person or job seeker, where information is provided about the range of services available at the SEA as well as providing informative support in searching for a job. Such “Informative days” take place in all branches of SEA at least once per week.

⁴¹ As far as all services of SEA are provided in the official language, then if a third-country national has failed to acquire the official language in the level in order to be able to understand information, as much as possible the opportunity to ensure free translation services is used within the framework of the project of the Non-governmental organization “Shelter “Safe Home”” or a person commanding the language is attracted, providing information in the language understandable to the customer.

Table No.74

Information about projects aimed at the migrant integration into the society of Latvia, involving mass media (funded within the framework of the Asylum, Migration and Integration Fund (2014 -2020))

Organization	Project	Project's main goal
Riga Stradins University	„Development of responsible, diverse and high-quality journalism in national and regional mass media in Latvia, promoting the integration of third-country nationals in Latvia”.	To raise public awareness and promote constructive dialogue between different groups of society, ensuring the improvement of the professional quality and content of mass media on reflection of third-country nationals and the events, problems and processes associated with migration.
Vidzeme University of Applied Sciences	„Involvement of the mass media in the integration of third-country nationals in Latvia”.	To improve the quality of the information provided by mass media and the availability of content on third-country nationals, thus preparing and involving the media in constructive dialogue and mutual understanding between third-country nationals and the local community.

Data source: Ministry of Culture

The National Electronic Mass Media Council is the independent regulatory authority responsible for ensuring that the electronic media comply with the law. The Council has its own monitoring centre and is obliged to investigate complaints. The Council has not received any complaints about misleading propaganda relating to emigration and immigration.

ARTICLE 19 PARA. 4

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:

- a. remuneration and other employment and working conditions;***
- b. membership of trade unions and enjoyment of the benefits of collective bargaining;***
- c. accommodation;"***

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

a) During the time period from 2014 till 2017 there have been no changes to the Paragraphs 1 and 2 of the Article 7, Paragraph 1 of the Article 32, Articles 29, 34, 48, 60, 95 of the Labour Law.

On 25 April 2017 Regulation of the Cabinet of Ministers No. 225 "Regulations Regarding the Amount of Financial Means Necessary for a Foreigner and the Determination of the Existence of Financial Means" came into force, replacing the Regulation of the Cabinet of Ministers No. 550 of 21 June 2010.

The Regulation No.225 prescribes the amount of financial means necessary for a foreigner to enter and reside in the Republic of Latvia or other Schengen Agreement Member State, to return to the country of residence or to depart to a third country in which he/she has the right to enter, and the procedures by which the existence of such financial means is determined. In accordance with the mentioned Regulation, the necessary amount of financial means shall not be less than remuneration for work pursuant to the average gross monthly work remuneration of persons working in the Republic of Latvia for the previous year (in accordance with the last information published by the Central Statistical Bureau, in 2017 – EUR 926 gross), if a foreigner wants to receive a visa and the right to employment. This provision does not apply to the EU citizens. This means that employer has responsibility to pay the salary in the level of average gross monthly salary of the employee in the Republic of Latvia in the previous year – if the foreigner has requested a residence permit due to employment. Regulation No.225 determines amount of the work remuneration (not less than the work remuneration in the Republic of Latvia in accordance with the average gross monthly work remuneration of working persons for the previous year) for the third-country national depending on the basis on which residence permit is requested. As concerns seasonal workers in agriculture, forestry and fishery sector, the minimum amount of work remuneration shall be in accordance with the average monthly gross salary of employees in the planned employment sector of the foreigner.

In accordance with the Regulations of the Cabinet of Ministers No.55 of 28 January 2014 "Regulation on Employment of Foreigners", if the employer wants to employ a third-country national in his/her company, a vacancy notice should be submitted to the SEA. Vacancy should be unoccupied for at least a month before the day when the employer submits a request on the confirmation of the residence permit for the foreigner to the SEA. For the attraction of specialist who will be employed in the list of professions approved by the Cabinet of Ministers, where a significant shortage of labour force is forecasted (the Regulation of the Cabinet of Ministers No.108 of 20 February 2018 "Specialities (Professions), Where Significant Shortage of Labour Force is to be Expected and Where Foreigners May be Invited for Work in the Republic of Latvia"), the vacant position should be registered with the SEA for at least 10 working days.

b) During the time period from 2014 till 2017 there have been no changes to the Article 8 of the Labour Law, Article 102 of the Constitution.

On 1 November 2014 a new Trade Unions Law of 6 March 2014 came into force. Thereby the Law "On Trade Unions" of 13 December 1990 lost its force. According to the Paragraph 1 of the Article 4 of the Trade Unions Law everyone has the right freely, without any discrimination, to form trade union and to join it, taking into account the trade union statutes.

At the same time on 22 June 2017 amendments have been made to the Paragraph 1 of the Article 23 of the Associations and Foundations Law (the

amendments came into force on 1 July 2017) supplementing with the words “unless otherwise specified in Paragraph 1.¹ of this Article”. Thereby the mentioned Paragraph 1 of the Article 23 now provides that natural persons and legal persons may be founders of an association, as well as partnerships with legal capacity unless otherwise specified in Paragraph 1.¹ of this Article. Also the mentioned amendments to the Associations and Foundations Law supplemented Article 23 with the new Paragraph 1.¹, which determines that the founders of a sports organisation may also be sports educational institutions within the meaning of the Sports Law, which do not have the status of a legal person.

c) During the time period from 2014 till 2017 there have been no changes to the Article 97 of the Constitution.

According to Law on Social Services and Social Assistance, the right to receive social services and social assistance specified in this Law is enjoyed by the following persons residing in the Republic of Latvia:

- 1) citizens and non-citizens of Latvia;
- 2) aliens who have received a permanent residence permit or who have been granted the status of a permanent resident of the European Union in the Republic of Latvia;
- 3) citizens of the European Union Member States, European Economic Area states and the Swiss Confederation who:
 - a) have obtained the right of permanent residence,
 - b) are entitled to reside in the Republic of Latvia and who have stayed in the Republic of Latvia for at least three months,
 - c) who have stayed in the Republic of Latvia for at least six months if entering into employment legal relations in the Republic of Latvia has been the purpose of their stay, and their attempt to find a job is attested by registration thereof in the State Employment Agency;
- 4) family members of the persons referred to in Clauses 1, 2 and 3.

Persons who reside in the Republic of Latvia and who have been granted alternative status, as well as family members of these persons residing in the Republic of Latvia have the right to receive the benefit for ensuring the guaranteed minimum income level, shelter and night shelter services, as well as information and consultations from the social service office referred to in this Law. The social service office of a local government is entitled to grant a housing allowance to a person who has been granted alternative status according to the procedure and in the amount specified to the inhabitants of the relevant local government.

The procedures by which social services provided by local government are received shall be determined by local government binding regulations.

The right to receive social services determined in this Law is also enjoyed by persons who have not been specified previously and who have the right to enter and reside in the Republic of Latvia if the relevant persons demand the referred to services specifically from the relevant service provider and they settle the payment thereof in full amount.

For more information on social services and social assistance ensured by this law, please see the information provided on the Article 31 of this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

a), b) During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

No other changes.

3. Please provide pertinent figures, statistics or any other relevant information, in particular concerning the number of migrant workers, if possible, which have had access to subsidised housing.

Table No.75

Yearly amount of necessary financial means for a foreigner, when staying in the Republic of Latvia for the purpose of employment

Year	Amount of financial means
on 1 st January 2014	684 EUR
on 1 st April 2014	716 EUR
on 1 st April 2015	765 EUR
on 1 st April 2016	818 EUR
on 1 st April 2017	859 EUR

Data source: Office of Citizenship and Migration Affairs, 2018

ARTICLE 19 PARA. 5

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals with regard to employment taxes, dues or contributions payable in respect of employed persons;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Paragraph 2 of Article 15 of the Law on Personal Income Tax stipulates that from 2018 the tax rate (till 2017 the tax rate was flat – 24 per cent from 2013 till 2014 and 23 per cent from 2015 till 2017) which shall be paid from the annual taxable income, is following:

- 1) 20 per cent - for annual income of up to EUR 20 004;
- 2) 23 per cent - for the part of the annual income which exceeds EUR 20 004, but does not exceed EUR 55,000;
- 3) 31.4 per cent - for the part of the annual income which exceeds EUR 55 000.

According to the Law on Personal Income Tax non-taxable minimum is not applicable for non-residents, except for a non-resident, who is a resident of other European Union member state or European Economic Area state and who in a taxation period has gained in Latvia more than 75 per cent of his/her total annual income.

Non-residents are not entitled to personal income tax allowances mentioned in Article 13 of the Law On Personal Income Tax (for dependent persons and additional allowances of personal income tax), except for such non-residents, receiving pensions under the legislation of the Republic of Latvia and those non-residents, who are residents of other European Union or European Economic Area member state and have gained in Latvia at least 75 per cent of their annual taxable income.

Self-employed persons must register with the Taxpayer Register of the State Revenue Service if their monthly income exceeds statutory minimum monthly wage (EUR 320 in 2014; EUR 360 – 2015; EUR 370 – 2016; EUR 380 – 2017; EUR 430 – 2018).

Paragraph 1 of Article 6 of the Micro-enterprise Tax Law stipulates that the rate of the micro-enterprise tax is 15 per cent starting from 2018 (till 2016 the rate of the micro-enterprise tax was 9 per cent, but from January 1, 2017, the rate of the micro-enterprise tax is 12 per cent, if turnover is up to EUR 7000 while for turnover from EUR 7,000.01 to EUR 100,000 – 15 per cent). The micro-enterprise tax comprises the mandatory social insurance contributions, the personal income tax, corporate income tax and risk fee.

The taxpayer may choose to pay a patent fee instead of personal income tax and State social insurance contributions, if his/her revenue in the pre-taxation year does not exceed EUR 15,000 and if he/she conforms to the conditions in relation to the following fields of economic activity:

- 1) leather and textile craftsmanship;
- 2) making and repair of clothing and footwear, repair of watches and locks, as well as other public services;
- 3) preparation of craft products;
- 4) floristry;
- 5) photography, video recording and audio recording services;
- 6) beauty services;
- 7) private household services;
- 8) home care services.

Paragraph 9 of Article 15 of the Law On Personal Income Tax stipulates that the amount of the patent fee, depending on the field of economic activity for which the payer can make a patent fee, is from EUR 50 to EUR 100 per month from 2018 (till 2018 patent fees were set from EUR 43 to EUR 100, depending on the regional breakdown and the professions).

Paragraph 12 of Article 15 of the Law on Personal Income Tax stipulates that the rate of the income tax of seasonal agricultural workers is 15 per cent, but not less than EUR 0.70 per each day of employment.

In Latvia the payers of the personal income tax are not classified basing on the criteria of the citizenship, the main criterion for the application of the rate, the non-taxable minimum income, the tax reliefs and eligible expenses is the

criterion of residence (for the purpose of application of the personal income tax, a citizen of another country can also be deemed a resident if he/she complies with the residence criteria). The same tax rates (20 per cent, 23 per cent and 31.4 per cent in 2014) are applied to both residents and non-residents. The only exception is that the non-taxable minimum income, the tax relief for dependent persons and eligible expenses, as well as certain types of non-taxable income are applicable to non-residents if the non-resident is the resident of another Member State of the European Union or the European Economic Area who has obtained more than 75 per cent of his/her total income in Latvia during a taxation year.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

No changes in practice introduced during the reference period.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

The number of employees paying mandatory state social insurance contributions according to the general terms in 2014 was 860 602; in 2015 – 866 903; in 2016 – 851 064; in 2017 – 857 440, but the number of employees in micro-enterprises in 2014 was 95 149, in 2015 – 105 071; in 2016 – 108 812 and in 2017 – 96 437.

There were 15 462 self-employed persons in 2014; in 2015 – 15 886; in 2016 – 16 430; in 2017 – 18 759 as well as persons who made economic activity and for that paid the patent fee in 2014 was 1101 (from which 64 persons who have reached the pension age or to whom the old age pension was granted); in 2015 – 1639 from which 57 persons who have reached the pension age or to whom the old age pension was granted); in 2016 – 2266 (from which 73 persons who have reached the pension age or to whom the old age pension was granted); in 2017 – 3468 (from which 152 persons who have reached the pension age or to whom the old age pension was granted).

In 2014 there were 594; in 2015 – 1 198; in 2016 – 1 384; in 2017 – 1 506 persons who were obtaining the income of seasonal agriculture workers and who were socially insured (this new tax regime is in place as of 1 June 2014).

Besides persons being economically active could obtain different statuses at the same time.

ARTICLE 19 PARA. 6

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Foreigner employees' rights to the unity of their families in the Republic of Latvia are established in the Immigration Law and subordinate legislative acts – Regulations of Cabinet of Ministers No. 564 adopted on 21 June 2010 "Regulations Regarding Residence Permits".

Immigration Law determines the procedures for the entry, residence, transit, exit and detention of foreigners, as well as the procedures by which foreigners are kept under temporary custody in the Republic of Latvia and returned from it in order to ensure the implementation of migration policy conforming with the norms of international law and the State interests of the Republic of Latvia.

Occasions, when a foreigner may apply for a temporary residence permit are stipulated in Article 23 of the Immigration Law, for example, the temporary residence permit for a period of time which does not exceed five years, if a foreigner is an individual entrepreneur registered in the Register of Enterprises; or for a period not exceeding a year if he/she is a self-employed person; etc. Article 23 (4) of the Immigration Law establishes that the spouse of a foreigner, minor children (also those under guardianship) and persons under trusteeship of the foreigner or his/her spouse have the right to request a temporary residence permit for the duration of the temporary residence permit issued to the foreigner in the cases referred to in Article 23 (1) of the Immigration Law.

Article 24 (1) point 2 of the Immigration Law stipulates that the right to request a permanent residence permit is granted to the spouse of a foreigner who has received a permanent residence permit in accordance with Article 26 of the Immigration Law, as well as to a child of the spouse in accordance with Article 29 of the Immigration Law.

According to Article 26 (1) of the Immigration Law a foreigner who is the spouse of a foreigner holding a permanent residence permit shall be entitled to request:

- 1) when submitting documents for the first time - a temporary residence permit for one year;
- 2) when submitting documents for the second time - a temporary residence permit for four years;
- 3) when submitting documents for the third time - a permanent residence permit.

According to Article 29 (1) of the Immigration Law for the period of the residence permit issued to a spouse of a foreigner who has received a permanent residence permit, the child of the spouse is entitled to request a residence permit, except in the case where:

- 1) there are legal restrictions for the exit of a child from the country of residence;
- 2) a child has reached legal age at the time of requesting the first residence permit;
- 3) a child has entered into marriage or he/she has a separate household.

The procedure for requesting and issuing a temporary residence permit is determined in Regulations of Cabinet of Ministers No. 564 adopted on 21 June 2010 "Regulations Regarding Residence Permits", which among other establishes the list of documents necessary for obtaining the permit, as well as cases when the foreigner is entitled to submit the documents specified in the regulations for requesting a residence permit.

The Immigration Law stipulates full list of grounds of refusal of the residence permits. The authorities cannot make a decision which has not the appropriate justification stipulated in the law. Each case is evaluated individually, based on the Article 62 of the Administrative Procedure Law (when decision is made in regard to the issuing of such administrative act as might be unfavorable to the addressee or a third party; institution shall clarify and assess the opinions and arguments of the addressee or the third party in such matter).

Article 34 (1) of the Immigration Law establishes reasons for the refusal of the issue or registration of a residence permit, Article 35 (1) of the Immigration Law stipulates occasions when a temporary residence permit shall be annulled.

Article 34 of the Immigration Law stipulates condition for refusal to issue or registration of a residence permit, for example, if a foreigner does not have the necessary financial resources for residence in the Republic of Latvia; a foreigner has been included in the list or it has been determined that he/she is prohibited from entering the Schengen territory; etc. Article 35 of the Immigration Law establishes occasions when a temporary residence permit shall be annulled, and Article 36 of the Immigration Law provides condition when a permanent residence permit shall be annulled.

Article 40 (1) and (2) provide a foreigner with the right to dispute a decision to refuse to issue or register a residence permit to a foreigner or to annul it to the Head of the OCMA within 30 days after the day of the entering into effect of such decision and the right to appeal to a court a decision made by the Head of the OCMA to refuse to issue or register a residence permit to a foreigner or to annul it (according to procedure laid down in Administrative procedure law). Article 40 (4) establishes conditions when a foreigner who has been refused the issue or registration of a residence permit or whose residence permit has been annulled has the right to reside in the Republic of Latvia throughout the dispute of the decision or appeal thereof.

According to Article 75 of the Law on the Protection of the Children's Rights a child whose parents live in another state has the right, except in special circumstances, to regularly maintain a personal relationship and direct connection with them (visit them). With respect to the right of the parents to enter the State or to exit from it only such restrictions shall be in force as are laid down in law and are necessary for the protection of national security, public order, the health and morals of the public, or the rights and freedoms of other persons.

A mother or father living in a different state has the right, in accordance with procedures prescribed, to enter Latvia for purposes of unification of the family.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

The existing legislation is applied directly without any specific measures for its implementation.

3. Please provide pertinent figures, statistics or any other relevant information, in particular on the number of applications for family reunion, and the percentage of applications which were granted and turned down, respectively.

Detailed information about denials of residence permits is not collected; the level of denials is not exceeding 1 per cent from the total number of applications.

ARTICLE 19 PARA. 7

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals in respect of legal proceedings relating to matters referred to in this article;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

In accordance with Article 13 of the Civil Procedure Law, for the participants in the case who receive State ensured legal aid or are released from the payment of court expenses, a court shall ensure the right to get acquainted with materials of the case and to participate in procedural actions, by using assistance of an interpreter, if they do not understand the language of the court proceedings.

The Legal Aid Administration (hereinafter – LAA) ensures legal aid within the scope of appeal against the decision regarding the disputed voluntary return decision or against the decision regarding the disputed removal order.

A foreigner is entitled to receive legal aid, if:

- his/her funds are not sufficient, he/she resides in the Republic of Latvia and a voluntary return decision or a removal order has been issued with regard to him/her;
- in the events and under procedure prescribed by the Immigration Law he /she has been detained and resides in specially arranged premises or accommodation centre in the Republic of Latvia.

LAA in accordance with the Asylum Law and the State Ensured Legal Aid Law ensures the provision of legal aid to the asylum seeker in the cases when the asylum seeker would like to appeal:

1. A decision taken by the State Border Guard - to the district (city) court:
 - a. regarding registration to the unit of the State Border Guard;
 - b. regarding detention.
2. A decision adopted by the Office of Citizenship and Migration Affairs (hereinafter - OCMA) – to the Administrative District Court:
 - a. regarding decision to leave the application without examination;
 - b. regarding refusal to grant refugee or alternative status;
 - c. regarding transfer of the asylum seeker to appropriate Member State, which will examine his/her application in accordance with the Regulation No. 604/2013;
 - d. regarding discontinuance of examination of the application;
 - e. regarding refusal to resume examination of the application;
 - f. regarding refusal to pay the subsistence and daily allowance.

LAA ensures legal aid also for the person who has been granted refugee or

alternative status, in the event if he/she would like to appeal against the OCMA decision regarding on the loss or revocation of refugee or alternative status.

When the asylum seeker is legally resident in Latvia (receiving a residence permit) in accordance with the established procedures in the Asylum Law and the Immigration Law, then he/she is entitled to receive the same legal assistance (for example – to regard recovery of unpaid work remuneration) provided by the State as receives, for example, a citizen of Latvia.

Overall regulations for determining whether someone qualifies for legal aid are:

- the status of a low-income or needy person (local government social service shall issue a relevant statement);
- finding themselves suddenly in a situation and material condition which prevents person from ensuring the protection of their rights (due to a natural disaster or force majeure or other circumstances beyond their control) – only the person him/herself may submit information and proof of that;
- are on full support of the State or local government – information shall be provided by the relevant State or municipal authority pursuant to the request of the person or LAA.

LAA shall grant the State ensured legal aid in:

- civil disputes – out-of-court legal;
- civil matters – legal aid in the court;
- administrative matters within the framework of appealation of the decision taken by the Orphan's Court regarding protection of rights and legal interests of a child, appellate proceedings within the framework of the proceedings on granting asylum and eviction.

In the above mentioned categories of matters the legal aid may be requested until the day of the final judgement comes into force.

For receiving the legal aid a person shall submit to LAA a completed request for legal aid (submission form), which shall be enclosed with copies of documents, certifying the information set forth in the submission:

- a statement regarding compliance with the status of a low-income or needy person (or any other document, confirming the right for the State ensured legal aid);
- documents regarding the nature of the civil dispute, decision taken by the Orphan's Court and the course (such as agreement, court summons, decision of the Orphan's Court).

It is significant to request for legal aid in a timely manner and to inform the LAA on changes in the provided information.

- a person shall submit to the LAA documents on the compliance with the criterions for receipt of the State ensured legal aid during the whole period of receipt of the legal aid.

In addition, there are cases where the request for legal aid is refused and is set forth in Article 6 of the State Assured Legal Aid Law. Legal aid shall be

refused if:

- 1) the person does not conform with the criteria for getting legal aid;
- 2) this Law does not provide for the respective case for ensuring legal aid;
- 3) the legal aid requested by a person is unfounded;
- 4) a person has not requested legal aid in a timely manner;
- 5) a competent authority has assisted a person by indicating the options for solving the legal situation, preparing the documents necessary for the protection or implementation of the protection of the rights of the person or by providing aid of another kind, which indicates that legal aid is no longer necessary;
- 6) during the last two years since the previous application for legal aid the provision of legal aid to a person has been discontinued due to the fact that, in applying for legal aid, he/she had provided false information;
- 7) the person who was bound to cover the expenses related to legal aid has not done it within the time period and in the amount specified;
- 8) it concerns a claim directly connected with the commercial activities or independent professional activities of the applicant;
- 9) it is related to customs or tax matters;
- 10) it concerns a claim regarding defamation and injuring dignity;
- 11) it is related to the compensation of moral detriment, except the case when provision of legal aid is related to reimbursement of moral detriment caused to the victim as a result of a criminal offence;
- 12) a dispute is settled in a court of arbitration or by using other alternative mechanisms for the settlement of disputes;
- 13) it concerns a claim related to luxury items or luxury services;
- 14) the costs related to the provision of legal aid are incommensurably high in comparison with the amount of the claim;
- 15) a decision has been taken in respect of a person regarding the suspension of the provision of legal aid, based on Article 33, Paragraph 7, Clause 4 of this Law and a year has not passed since the taking of this decision; or
- 16) the opinion of a legal aid provider regarding the inexpediency of further legal aid has been received.

Besides, the provision of State-guaranteed legal assistance may be suspended at some point. For example, if a person has improved his property situation and no longer obtains the status of a needy person, or the legal aid provider has issued an opinion regarding the inexpediency of further legal aid has been received.

Article 7 (4) of the Asylum Law ensures that the asylum seeker is able to exercise the rights laid down for him/her in this Law and to comply with the obligations provided for him/her, the State Border Guard and the OCMA shall inform him/her regarding the asylum procedure, his/her rights and obligations during such procedure, regarding the institutions providing legal aid, and also regarding reception conditions, including the rights to receive health care services, etc. An official of the State Border Guard and the OCMA shall provide the above-mentioned information to the asylum seeker in writing in a language which he/she understands or is reasonably supposed to understand.

Article 11 (2) of the Asylum Law establishes that an asylum seeker has the right to receive State ensured legal aid in the amount laid down in the laws and regulations, when appealing the decision of the State Border Guard on registration of the asylum seeker with the unit of the State Border Guard or to detain the asylum seeker to the city (district) court and when appealing to the District Administrative Court the decision of an official authorized by the OCMA to leave the application without examination, to refuse to grant refugee or alternative status, to transfer the asylum seeker to the responsible Member State, which will examine the application, to discontinue examination of the application, to refuse to resume examination of the application, and to refuse to disburse the subsistence and daily allowance, if the asylum seeker does not have sufficient resources in order to invite a person for receipt of legal aid. Asylum seeker will receive an explanation of the OCMA decision, the procedures for appealing it, and the conditions for granting State ensured legal aid in a language which he/she understands or is reasonably supposed to understand.

Article 15 (4) and (5) provide conditions and procedure for asylum seeker to appeal decision of the State Border Guard to register regularly at the unit of the State Border Guard.

Article 59 (4) of the Asylum Law establishes that if a person who has been granted refugee or alternative status wishes to receive State ensured legal aid in order to appeal a decision of an official authorized by the head of the OCMA to lose or revoke refugee or alternative status, he/she shall submit an application to the OCMA for requesting State ensured legal aid and an application regarding his/her income.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

Regulatory enactments of the Republic of Latvia do not determine different provisions in respect of legal proceedings.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

In 2014 the state funded legal aid was provided to 10 asylum seekers; in 2015 to 83; in 2016 to 68 and in 2017 to 53 asylum seekers.

Table No.76

State Ensured Legal Aid in 2014

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	251	216	230	177	171	167	201	165	210	201	169	160	2318
Decisions on Ensuring Legal Aid	175	163	227	161	144	138	153	134	132	133	153	137	1850
Refusals of Ensuring Legal Aid	25	25	21	14	21	13	24	26	10	21	16	11	227
Adjournment of Ensuring Legal Aid	56	28	42	28	19	22	36	40	58	38	31	28	426
Requests of Legal Aid for Asylum Seekers	0	1	0	1	1	1	0	0	0	2	0	3	9

Data source: Legal Aid Administration

Table No.77

Funds Paid for Legal Aid, EUR in 2014

Total	70692,13	94104,94	80365,28	114425,56	103538,42	105867,59	89407,57	89409,11	85178,24	112112,21	102071,26	102071,26	1159624,58
int.al., administrative cases	483,56	216,99	0,00	218,92	202,89	211,00	127,27	99,92	0,00	91,89	210,16	0,00	1862,6
int.al., civil cases	5754,50	9057,83	4807,54	14052,57	6167,33	11214,49	5412,34	7160,98	7483,18	9101,08	9162,25	8241,54	97615,63
int.al., criminal cases upon request of person directing the proceedings	64370,83	84208,57	75263,17	99823,23	96708,56	94380,20	83451,02	81598,73	76908,27	102513,69	102714,86	93583,54	1055524,67
int.al., according to Article 68 ¹ of the Medical Treatment Law	83,24	621,55	294,57	330,84	459,64	61,90	416,94	549,48	786,79	405,55	365,00	246,18	4621,68

Data source: Legal Aid Administration

Table No.78

State Ensured Legal Aid in 2015

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	197	244	243	180	162	156	187	183	174	217	193	177	2313
Decisions on Ensuring Legal Aid	141	160	210	155	127	143	148	132	142	182	167	158	1865
Refusals of Ensuring Legal Aid	11	20	20	17	19	15	15	16	19	17	14	26	209
Adjournment of Ensuring Legal Aid	37	21	20	24	20	19	29	48	49	30	22	34	353
Requests of Legal Aid for Asylum Seekers	1	2	3	1	3	10	21	15	9	8	3	4	80

Data source: Legal Aid Administration

Table No.79

Funds Paid for Legal Aid, EUR in 2015

Total	82252,79	112251,46	117652,77	127675,16	122657,40	127664,41	127650,65	142672,54	182660,35	162658,44	192662,12	192923,55	1691381,64
int.al., administrative cases	410,96	240,98	228,94	778,31	375,34	737,26	297,04	973,09	6247,93	1617,00	1226,33	1868,00	15001,18
int.al., civil cases	7462,62	7464,07	10397,23	13310,24	9201,86	13095,04	8354,97	11382,95	9796,01	11755,00	14067,22	14222,27	130509,48
int.al., criminal cases upon request of person directing the proceedings	74094,62	103834,49	106616,76	112830,92	112828,32	113437,24	118645,73	129883,15	166264,93	148989,74	176797,24	176347,33	1540570,47
int.al., according to Article 68 ¹ of the Medical Treatment Law	284,59	711,92	409,84	755,69	251,88	394,87	352,91	433,35	351,48	296,70	571,33	485,95	5300,51

Data source: Legal Aid Administration

Table No.80

State Ensured Legal Aid in 2016

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	246	213	199	185	206	169	136	142	180	191	181	161	2209
Decisions on Ensuring Legal Aid	162	164	158	132	194	139	122	108	142	126	158	146	1751
Refusals of Ensuring Legal Aid	19	25	22	18	16	23	19	18	22	18	17	21	238
Adjournment of Ensuring Legal Aid	28	28	20	37	23	24	22	35	29	46	36	24	352
Requests of Legal Aid for Asylum Seekers	2	4	6	8	3	11	1	4	8	1	5	2	55

Data source: Legal Aid Administration

Table No.81

Funds Paid for Legal Aid, EUR in 2016

Total	111577,76	152385,43	162403,46	212388,92	192384,23	182399,37	182378,11	142397,94	162401,01	162392,18	192357,98	179731,11	2035197,50
int.al., administrative cases	406,60	685,87	879,98	1084,78	1450,07	630,65	1254,21	1492,96	1148,92	1278,68	471,50	662,37	11446,59
int.al., civil cases	8827,74	11014,92	9734,42	18394,41	17211,99	11148,72	13430,49	7780,36	10663,90	9775,04	14607,04	10191,23	142780,26
int.al., criminal cases upon request of person directing the proceedings	102104,26	140131,46	151077,94	192353,34	173274,64	170043,65	167493,48	132781,68	149644,01	150903,46	176664,44	168322,51	1874800,87
int.al., according to Article 68 ¹ of the Medical Treatment Law	239,16	547,18	711,12	556,39	447,53	576,35	199,93	342,94	944,18	435,00	615,00	550,00	6169,78

Data source: Legal Aid Administration

Table No.82

State Ensured Legal Aid in 2017

	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	Total
Number of Applications	161	160	191	134	135	153	115	138	147	127	150	120	1731
Decisions on Ensuring Legal Aid	129	128	149	93	104	129	107	91	117	116	114	123	1400
Refusals of Ensuring Legal Aid	19	18	30	19	23	15	13	11	10	27	11	14	210
Adjournment of Ensuring Legal Aid	19	16	33	15	29	26	13	22	27	26	24	18	268
Requests of Legal Aid for Asylum Seekers	1	6	3	4	2	12	6	4	2	0	6	1	47

Data source: Legal Aid Administration

Table No.83

Funds Paid for Legal Aid, EUR in 2017

Total	162384,44	163012,61	202397,31	182705,38	116482,45	148838,67	159870,95	109715,12	112505,73	154768,16	135922,06	138330,60	1786933,48
int.al., administrative cases	337,19	84,75	1006,00	852,36	304,30	205,00	536,19	1491,82	1710,17	710,32	75,00	1115,96	8429,06
int.al., civil cases	10814,67	11337,04	13358,79	10151,16	8253,33	9132,18	9196,36	6735,24	6389,43	9779,55	8803,47	7747,35	111698,57
int.al., criminal cases upon request of person directing the proceedings	150869,98	151185,32	187457,52	171136,86	107224,82	139101,49	149432,63	101096,51	104086,13	143858,59	126273,70	128856,22	1660579,77
int.al., according to Article 68 ¹ of the Medical Treatment Law	362,60	405,50	575,00	565,00	700,00	400,00	705,77	391,55	320,00	419,70	769,89	611,07	6226,08

Data source: Legal Aid Administration

ARTICLE 19 PARA. 8

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to secure that such workers lawfully residing within their territories are not expelled unless they endanger national security or offend against public interest or morality;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

According to Article 1 point 6¹ of the Immigration Law the foreigners are considered to enter and stay in the territory of the Republic of Latvia illegally if they do not fulfil the requirement of Article 4, Article 4¹ of the Immigration Law or the provisions of Article 4 of Regulation (EU) Nr. 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders. The procedure of expulsion is laid down in Chapter V of the Immigration Law⁴².

Article 50 of the Immigration Law stipulates that a foreigner has the right, within seven days after entering into effect of a voluntary return decision or a removal order and the decision included therein to include in the list and to prohibit entering the Schengen territory, to contest these to a higher authority in accordance with the procedures regarding subordination. According to Article 50¹ of the Immigration Law a decision of a higher authority to include the voluntary return decision or the removal order and the decisions included therein and decision on the entry ban in the Schengen territory may be appealed to the Administrative District Court within seven days from the day when it entered into effect. Submission of an application to the court shall not suspend the operation of the abovementioned decisions. A judgment of the Administrative District Court may be appealed by submitting a cassation complaint to the Department of Administrative Cases of the Supreme Court.

Immigration Law contains provisions regarding the refusal of issue and registration of a residence permit and regarding annulment of a permanent residence permit.

Article 16 (1), (2), (3) of the Immigration Law establish the provisions of refusal to issue a long-stay visa, of annulment and revocation of such visa.

According to Article 42 point 3 of the Immigration Law a removal order shall not be issued or a voluntary return decision shall not be taken, if the Head of the Office of Citizenship and Migration Affairs or his/her authorized official has, on humanitarian grounds, taken a decision to allow the foreigner to reside in the Republic of Latvia for a specific period of time, but not more than for a year.

According to Article 47 of the Immigration Law a foreigner shall not be removed, if removal is in contradiction with the international obligations of the Republic of Latvia.

⁴² Immigration Law of 31 October 2002; available at: <https://likumi.lv/ta/en/en/id/68522>

Article 49 of the Immigration Law stipulates that the Head of the Office of Citizenship and Migration Affairs or of the State Border Guard may revoke or suspend execution of the voluntary return decision issued or the removal order and the decision included therein on inclusion in the list and prohibition to enter the Schengen territory taken by an official of the relevant institution, if the circumstances have changed, which were the basis for the issue of the relevant administrative act, including such circumstances have been determined, which are referred to by Article 47 of this Law, or on humanitarian grounds (Article 42 point 3 of this Law).

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

To satisfy legal provisions of the Immigration Law there are no additional measures used, like special programmes, projects, etc.

3. Please provide pertinent figures, statistics or any other relevant information, in particular on the number of migrant workers nationals of States party served with an expulsion order.

In the light of the answer to this question, there are no such statistics.

ARTICLE 19 PARA. 9

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

There are no distinctive or particular restrictions on the transfer of the movable property or transfer of earnings (cash) and savings of migrant workers. Common arrangement, as well as, restrictions is applied according to the national and the EU legislation. Information concerning traveling arrangements outside the EU can be found in the State Revenue Service homepage⁴³.

Please see the information provided under point No.3 of this Article.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

The existing legislation is applied directly without any specific measures for its implementation.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Table No.84

⁴³ <https://www.vid.gov.lv/en/travelling-outside-european-union>

Submitted cash declarations

Month	2014				2015				2016				2017			
	Declared cash				Declared cash				Declared cash				Declared cash			
	Total		of which: cash declared by non-residents		Total		of which: cash declared by non-residents		Total		of which: cash declared by non-residents		Total		of which: cash declared by non-residents	
	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)	Number of declarations	Sum (million EUR)
January	43	3.5	32	1.18	45	31.62	20	1.19	54	24.94	33	1.59	44	22.06	21	0.63
February	42	2.77	31	2.1	39	24.71	26	2.04	63	10.68	44	3.86	83	15.99	55	1.63
March	74	6.15	51	3.21	78	29.26	49	2	65	26.01	44	2.77	87	32.21	52	1.69
April	59	2.66	40	2	63	34.49	38	2.09	59	12.6	34	3.17	66	16.46	43	1.49
May	46	3.01	31	2.09	42	32.34	28	1.17	77	19.77	46	5.58	70	21.9	37	2.51
June	55	2.56	35	1.57	63	26.82	37	2.46	67	26.3	41	6.48	82	32.96	43	2.32
July	67	3.41	45	2.58	83	50.5	55	5.94	52	30.98	31	1.85	77	18.33	49	2.18
August	57	3.1	39	2.43	51	36.4	32	2.22	57	21.26	38	1.75	60	29.75	23	1.28
September	71	4.12	51	3.16	62	38.04	36	4.96	57	26.11	29	1.67	78	17	46	2.95
October	65	8.94	38	3.24	58	37.81	33	3.19	72	31.1	39	2.36	73	26.62	50	3.28
November	43	7.36	31	2.33	61	36.06	40	3.96	52	27.63	22	3.93	79	30.2	48	2.53
December	73	7.06	47	5.69	72	32.6	43	4.53	79	34.03	47	2.4	90	21.69	58	2.38

Data source: State Revenue Service Customs Administration

ARTICLE 19 PARA. 10

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to extend the protection and assistance provided for in this article to self-employed migrants insofar as such measures apply;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Please see the information concerning self-employed migrants provided in the Paragraphs 1, 5, and 6 under the Article 19 of this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

Please see the information concerning self-employed migrants provided in the Paragraphs 1, 5, and 6 under the Article 19 of this Report.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Please see the information concerning self-employed migrants provided in the Paragraphs 1, 5, and 6 under the Article 19 of this Report.

ARTICLE 19 PARA. 11

"With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

The Education Law defines the prohibition of unequal treatment and states the right to education regardless of economic or social status, race, nationality, ethnicity, gender, religious or political beliefs, state of health, occupation or place of residence.

Refugees have the access to education and refugee children have the right to attend free pre-school, primary and secondary school.

The asylum seekers provided with preparation from the age of five for the acquisition of basic education and an opportunity to acquire basic education and general education in accordance with the laws and regulations regarding the procedures by which the educatees are enrolled in the general educational institutions and expelled from them, and also moved up into the next grade.

In order to provide the asylum seekers with the general education, the educational institution shall conclude an agreement with the Ministry of Education and Science (hereinafter – MoES) regarding granting of financing. An estimate of expenditure regarding expenditure items for the provision of remuneration for teachers and the list of teaching aids approved by the head of the educational institution shall be appended to the agreement.

The Latvian Language Agency (hereinafter - LLA), which is a body subordinated to the MoES, provides systemic and sustainable support for minority education by utilizing funding both from the central government budget and the ESF and European Fund for Integration of Third Country Nationals. Teachers, pupils and parents of all ethnic minority schools have received this assistance, as have teachers and pupils at schools with Latvian as the language of instruction that have a linguistically varied environment.

In order to provide the acquirement of the Latvian language for asylum seekers, LLA from 2016 implements the project “Initial language acquisition for asylum seekers”, planning to ensure 120-hour courses and educating 531 persons (both children and adults).

Starting from 2017, LLA also implements the project “The acquisition of the Latvian language in order to facilitate the integration of third-country nationals into the labour market”, planning to educate 500 third-country nationals, as well as to provide state language testing for 250 third-country nationals.

In response to significant public interest and the language policy implemented in Latvia, which requires that persons employed in certain professions must be proficient in State language, the LLA has been providing language courses tailored to the needs of specific professional groups since 1997. These courses are provided for free and have been taken by more than 66 000 persons.

Although since 1999 the State regulations require teachers’ State language proficiency at the highest level, the LLA organizes Latvian language and methodology combined courses for professional needs for teachers of ethnic minority schools, preschool educational institutions. Since 2004, the LLA trained 7830 teachers.

Since 2004, the LLA devoted special attention to a new target audience – parents of children attending national minority schools. LAT2 courses are in much demand among this social group; they not only help to learn the language, but also provide the parents with a deeper understanding of the educational reforms being carried out in the country and draw them closer to the school and their children who already have comparatively good language skills.

The LLA developed further education programmes for teachers at ethnic minority schools and teachers working in a varied linguistic environment. Varied and innovative forms of further education have been used in the professional development of educators: such as creative camps for teachers, pedagogy master classes, professional development courses of various scope and subject matter for teachers, both in full-time and distance learning format. The LLA projects and events have promoted cooperation between educators at Latvian ethnic minority schools and schools with Latvian as the language of instruction, as well as strengthened school autonomy by involving school administration, teachers, pupils and their parents in project activities.

The LLA has developed methodologies for the acquisition of the Latvian language as second and foreign language, produced and published textbooks and methodological literature for Latvian language acquisition and bilingual studies: sets of LAT2 study aids for grades 1 to 9 have been developed; self-check disks for pupils have been created; methodological collections on Latvian as a native, second and foreign language have been published; a Reference Dictionary of Linguo-didactic Terms has been published, as well as learning and methodological material for teachers and students in grades 7 to 12; and a Manual on Formative and Summative Assessment

for Teachers of the Latvian Language and Literature has been released in digital format. In 2012, the online internet platform www.maciunmacies.lv was created by the LLA for teaching and learning Latvian (it is a part of the LLA homepage www.valoda.lv). Following new user needs there are also links to the Android and Apple educational programs “Latvian Nouns” and “Latvian Verbs”. For informative matters in 2012 was created Twitter account @LVA_DIASPORA with 441 followers.

In order to support bilingual education, Latvian ethnic minority schools have been provided with thematic plans for secondary education in ten academic subjects (Physics, Chemistry, Biology, Mathematics, Geography, Economics, Politics and Law, History and Latvian language and literature); with manuals on the Latvian experience with bilingual education and current issues in the field; with methodological editions for the development of writing ability in bilingual studies, as well as for content and language integrated learning in History, Geography, Biology, Physics, Chemistry and Mathematics.

In order to ensure the acquisition of knowledge and skills in an electronic environment, nine study films have been produced for the acquisition of the Latvian language, literature and culture, as well as an interactive learning resource “From Modernism to Post-Modernism”; seven methodological films on best practices in bilingual education; interactive board material for grades 7, 8 and 9 have been released, as well as a DVD feature on best teaching practices in work with interactive board materials; more than 500 teachers have been trained in working with interactive board material; a digital dictionary for pupils e-PUPA has been developed, and Latvian schools have been provided with an interactive map system JSBaltija2 the schools edition, for the purpose of contemporary acquisition of the geography of Latvia and the Baltic region.

Since 2012, specific attention has been given to pre-school education: the LLA developed programs for Latvian language acquisition and bilingual education and have introduced new interactive teaching and learning materials (such as interactive ABC, language games, animation films etc.). The LLA organized the Language school for minority children in a popular public place – a shopping center – and received great public attention and participation. In addition, 28 TV programs “Ar smaidu” (“Learn joyfully”) were made, where families learned the Latvian language in different interesting places, such as botanic garden, fitness center, shops etc. These materials are available online: www.valoda.lv, www.sazinastilts.lv.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2010 until the end of 2014, the SEA provided Latvian language courses also for employed persons in training programs for adults in lifelong learning. Since 2015, Latvian language training is provided only for unemployed in the framework of non-formal education programs.

Following the adoption of the Action Plan for Relocation and Reception of Persons in Need of International Protection (Order of Cabinet of Ministers No. 759 of 9 December 2015), Latvian language acquisition has become available for asylum seekers in the framework of projects, co-funded by the Asylum, Migration and Integration Fund (hereinafter – AMIF). In 2016-2017, the 120 hour Latvian language course for asylum seekers was provided by the Latvian Language Agency in the framework of the AMIF project, administered by the Ministry of the Interior. Since the beginning of 2018, the project is implemented by a non-governmental organisation “Shelter – Safe Home”. The project includes 80 hour Latvian language course and an introductory course about Latvia for asylum seekers, refugees and persons with

alternative status. There is an opportunity to pass the State language exam after completing the courses.

Once an asylum seeker is granted the status of refugee or alternative status, he/she have an opportunity to continue Latvian language training after registration at the SEA. The SEA offers participation in three language courses in one year period, receiving financial support in an amount of EUR 5 for a training day. Since 2017, each language level within language courses without intermediary language has been divided into two sublevels, ensuring a more gradual language acquisition. Third-country nationals, who are not refugees and persons with alternative status, also have the right to participate in Latvian language courses without intermediary language. Since June 2018, a new measure – Latvian language mentor – has become available for employed refugees and persons with alternative status. The measure aims at improving professional vocabulary and social adaptation at work.

Additionally, Latvian language courses are available for third-country nationals, including refugees and persons with alternatives status, in the framework of other projects co-funded under AMIF, administered by the Ministry of Culture. The Riga City Council has also supported Latvian language training projects for persons, who have registered their place of residence in Riga.

In accordance with the plan of the AMIF (2014 -2020) on the implementation of the National programme in the area of integration, it is planned to support coordinating structure and capacity increase of various specialist; activities of the advisory platform of NGOs representing third-country nationals; integration measures improving the cross-culture dialogue skills; integration courses; measures enabling to improve specific programmes for third-country nationals; improvement of information availability; courses of the Latvian language for different groups and development of methodology for teaching Latvian and media quality increase by training journalists from the funds of AMIF.⁴⁴

In order to promote inclusion of third-country nationals, who lawfully stay in Latvia, in the education system and labour market, the Ministry of Culture provides a possibility for third-country nationals to learn Latvian and to attend free integration courses during events supported within the framework of the PMIF project.

In its turn, in order to ensure sustainable establishment of the coordination system in order to support participation of immigrants and operation in all Latvian regions, as well as in order to establish a coordinated support system for immigrants, providing valuable information about the support, adaptation and integration measures, the Information Centre for Immigrants was established in 2016, which continues the work as the Information Centre for Newcomers in 2018.

One of the key policy planning documents in the area of integration of third-country nationals into labour market is “Guidelines on inclusive employment in 2015-2020”⁴⁵, the purpose of which is to facilitate creation of the inclusive labour market, using the potential of human resources of the Latvian inhabitants valuably, including reducing the social consequences of unemployment, supporting the return of unemployed persons on the labour market and remaining of representatives of groups subject to the risk of social exclusion on the labour market as long as possible, as well as

⁴⁴ Study of the situation of third-country nationals in Latvia in 2017; Available http://www.biss.soc.lv/downloads/publications/BISS_Petijuma_zinojums_2017.pdf

⁴⁵ Order of Cabinet of Ministers No. 244 “Guidelines on inclusive employment for 2015 - 2020”, adopted in Riga on 12 May 2015 (Minutes No. 32, §21), available: http://www.lm.gov.lv/upload/darba_tirgus/pamatnostadnes_latvijas_vestnesis.pdf.

improving the quality of work places. One of the basic principles of guidelines is “to establish policy, promoting development of the labour market and social integration of immigrants and their children, as well as policy within the framework of which the skills of immigrants would be used for promotion of economic growth”.

State funded social integration courses are available only to asylum seekers. Latvian and integration courses that are mostly implemented within the framework of programmes of the European Union funds are available to third-country nationals. Introduction of Multi-annual programme for 2007 - 2013 of the European Fund for the Integration of third-country nationals was performed in Latvia during the time period until 2015. Availability and provision of services determined in regulatory enactments to third-country nationals and persons of international protection are regularly provided from the national budget. Since January 2016 the activities in the area of admission and integration of third-country nationals and persons of international protection are implemented within the framework of the AMIF planning period for 2014 - 2020.

Employers, who employ qualified third-country nationals, implement measures for integration of such persons in the society of Latvia, providing Latvian classes, health insurance services and providing a support on the issue of dwelling.⁴⁶

3. Please provide pertinent figures, statistics or factual information, in particular on how migrants are being taught the national language of the receiving State.

Table No.85

Number of participants in lifelong learning programs - language courses for employed (other EU and third country citizens)

Year	Participants
2014	11

Data source: SEA

Table No.86

Number of participants in non-formal education programs - national language courses (other EU and third country citizens)

Year	Unemployed and job seekers
2014	415
2015	386
2016	361
2017	362

Data source: SEA

Since 2016, 51 refugees and persons with alternative status have attended Latvian language courses offered by the SEA.

⁴⁶ Baltic Institute of Social Sciences, *Trešo valstu pilsoņu situācijas izpēte Latvijā 2017* (Study of the situation of third-country nationals in Latvia, 2017). Report on results of the study, available https://www.km.gov.lv/uploads/ckeditor/files/Sabiedribas_integracija/Petijumi/TVP_petijuma_zinojums_2017-BISS.pdf

List of projects aimed at teaching Latvian language

Organization	Project
Non-governmental organization "Shelter "Safe Home""	„Support measures for persons who need international protection”
Non-governmental organization "Education Development Centre"	„Living in Latvia – learning Latvian”
The Latvian Language Agency	„Learning Latvian language to promote inclusion of third country nationals into the labour market”
University of Daugavpils	„Latvian language courses for third country nationals "Latvia – my home”
Non-governmental organization „White house”	„Measures for the integration of third-country nationals and consolidation of society in the Latgale region”
Non-governmental organization "Shelter "Safe Home""	„Extensive solutions for education and integration of society 3”
Foundation „Foundation for Society”	„United, not apart!”
International Organization for Migration	<i>„Security and Tolerance – Towards successful integration of Immigrants in Latvia”</i>
Non-governmental organization „Movement for the Democratic Thought”	„Together we are force!”
The Latvian Language Agency	„ Support to third-country nationals before entering and during adaptation period”
Non-governmental organization „Creative Ideas”	„Our home - Latvia”
Non-governmental organization „Creative Association for youth „TREPES””	„United in diversity”
Non-governmental organization "Shelter "Safe Home""	"Diverse Solutions for Public Education and Integration"
The Latvian Language Agency	„ Support to third-country nationals before entering and during adaptation period”
Non-governmental organization „Social innovation centre”	„Co-operation and creativity as a path to integration and cohesion of society”
Non-governmental organization "Education Development Centre"	„Living in Latvia”
International Organization for Migration	„Security and Tolerance – Towards successful integration of Immigrants in Latvia”
Non-governmental organization „Cooperation Platform”	„ABC of Integration”
Non-governmental organization „The Latvian Red Cross”	„Open to the World, Open to Diversity”
Department of Education, Culture and Sport of the City Council of Riga	„We are Rigans!”
Foundation „ Latvian Ethnographic Open Air Museum Support Foundation”	„Dream Land Latvia”

Non-governmental organization „Development Agency „Pieci””	„Open for Integration 2014/2015”
Non-governmental organization „ Creative Ideas”	„Our home - Latvia II”
University of Daugavpils	„Socio-cultural adaptation measures for third-country nationals for integration into Latvian society - FRIENDS WITH LATVIA”
Non-governmental organization „ White house”	„Measures for the integration of third-country nationals and consolidation of society in the Latgale region”
Foundation „Turkish Business, Trade and Culture Institute”	„Latvia and Turkey: far and near”

Data source: Ministry of Culture

ARTICLE 19 PARA. 12

“With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

to promote and facilitate, as far as practicable, the teaching of the migrant worker’s mother tongue to the children of the migrant worker.”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Please see the information provided under Paragraph 2, Article 17 of this Report as well as Paragraph 11 of this Article.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

Please see the information provided under Paragraph 2, Article 17 of this Report as well as Paragraph 11 of this Article.

3. Please provide pertinent figures, statistics or factual information, in particular on how migrants are being taught the mother tongue of their parents.

The government supports State-funded ethnic minority education programmes in seven minority languages: Russian, Polish, Belarusian, Ukrainian, Estonian, Lithuanian, and Hebrew both at primary and secondary school levels.

In 2016/2017, there were 618 schools in Latvia with the Latvian language as the sole language of instruction, 94 schools had the Russian language of instruction (implementing a Russian-Latvian bilingual education programme), 4 schools had the Polish language of instruction; 2 – Hebrew; 1 – Belarusian; 1 – Ukrainian; 1 – Estonian; 1 – Lithuanian language of instruction and 68 were two parallel track schools (schools with both education programmes: only in Latvian and Russian-Latvian bilingual education programme).

In 2015/2016, there were 637 schools in Latvia with the Latvian language as the sole language of instruction, 94 schools had the Russian language of instruction (implementing a Russian-Latvian bilingual education programme), 4 schools had the Polish language of instruction; 2 – Hebrew; 1 – Belarusian; 1 – Ukrainian; 1 – Estonian; 1 – Lithuanian language of instruction and 71 were two parallel track

schools (schools with both education programmes: only in Latvian and Russian-Latvian bilingual education programme).

In 2014/2015, there were 643 schools in Latvia with the Latvian language as the sole language of instruction, 97 schools had the Russian language of instruction (implementing a Russian-Latvian bilingual education programme), 4 schools had the Polish language of instruction; 2 – Hebrew; 1 – Belarusian; 1 – Ukrainian; 1 – Estonian; 1 – Lithuanian language of instruction and 75 were two parallel track schools (schools with both education programmes: only in Latvian and Russian-Latvian bilingual education programme).

ARTICLE 27: THE RIGHT OF WORKERS WITH FAMILY RESPONSIBILITIES TO EQUAL OPPORTUNITIES AND EQUAL TREATMENT
ARTICLE 27 PARA. 1

"With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

to take appropriate measures:

a. to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;

b. to take account of their needs in terms of conditions of employment and social security;

c. to develop or promote services, public or private, in particular child day care services and other childcare arrangements;"

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

a) There are no restrictions for the employees (with family responsibilities or without) to enter training or re-training.

Supporting improvement of employee qualifications, the aim is to provide the employed with an opportunity to improve their professional competence by mastering professional improvement, continuing education or non-formal education programmes.

During the time period from 2014 till 2017 there have been no changes to the Paragraphs 1 and 2 of the Article 7, Subparagraph 2 of the Paragraph 2 of the Article 33, Article 29, Paragraph 1 of the Article 32, Paragraph 2 of the Article 34, Article 48, Article 60, Article 95, Paragraph 3 of the Article 109 and Subparagraphs 1, 2, 3, 4, 5, and 10 of the Paragraph 1 of the Article 101, Paragraph 5 of the Article 154, Paragraph 6 of the Article 155, Paragraph 4 of the Article 156 of the Labour Law.

On 23 October 2014 amendments have been made to the Paragraph 1 of the Article 109 (the amendments came into force on 1 January 2015) supplementing with the words "but no longer than until two years of age of the child". Thereby at the moment the mentioned provision of the Paragraph 1 of the Article 109 provides that an employer is prohibited from giving a notice of termination of an employment contract to a pregnant woman, as well as to a woman following the period after birth up to one year, but if a woman is breastfeeding — during the whole period of breastfeeding, but no longer than until two years of age of the child, except in cases laid down in Article 101, Paragraph 1, Subparagraphs 1, 2, 3, 4, 5, and 10 of this Law.

Also by the same amendments to the Labour Law changes have been made to the Subparagraph 11 of the Paragraph 1 of the Article 101 of this Law now prescribing that an employer has the right to give a written notice of termination of an employment contract only on the basis of circumstances related to the conduct of the employee, his/her abilities, or of economic, organisational, technological measures or measures of a similar nature in the undertaking in the following cases: 11) the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within a three-year period, if the incapacity recurs with interruptions, excluding a prenatal and maternity leave in such period, as well as a period of incapacity, if the reason of incapacity is an

accident at work, the cause whereof being related to the exposure to the environment factors or an occupational disease.

b) The provisions of part-time work are regulated in the Article 134 of the Labour Law. The Paragraphs 1 to 7 of the Article 134 prescribes that:

“(1) An employer and an employee may agree in an employment contract on part-time work that is shorter than the regular daily or weekly working time.

(2) An employer shall determine part-time work if requested by a pregnant woman, a woman for a period following childbirth up to one year, but if the woman is breastfeeding then for the whole period of breastfeeding, as well as by an employee who has a child less than 14 years of age or a disabled child under 18 years of age.

(3) The same provisions, which apply to an employee who is employed for regular working time, shall apply to an employee who is employed part-time.

(4) Refusal by an employee to change over from regular working time to part-time or vice versa may not of itself serve as a basis for a notice of termination of an employment contract or restriction of the rights of an employee in any other way. This provision shall not restrict the right of an employer to give a notice of termination of an employment contract if such notice is adequately substantiated with the performance of urgent economic, organisational, technological or similar measures in the undertaking.

(5) An employer shall, upon the request of an employee, transfer the employee from regular working time to part-time or vice versa if such possibility exists in the undertaking.

(6) An employer shall inform employee representatives regarding the possibility of employing employees part-time in the undertaking if the employee representatives request such information.

(7) If part-time is determined for an employee, employing of him/her over such working time is permissible on the basis of a written agreement between the employer and the employee.”.

However, Eurostat involuntary part-time employment indicator is above the EU average - 34.5 per cent in 2017, compared to 26.4 per cent for EU.

Relating to time off from work the Paragraphs 2 to 4 of the Labour Law provides that:

“(2) An employee has the right to temporary absence if his/her immediate presence at work is not possible due to *force majeure*, an unexpected event or other exceptional circumstances.

(3) An employee having care of a child under 18 years of age has the right to temporary absence in the case of the child's illness or accident, as well as for the purpose of participating in the child's health examination when it is not possible to undergo this examination outside working hours.

(4) The employee shall inform the employer of such temporary absence in due time. Temporary absence shall not serve as a basis for the right of an employer to give notice of termination of an employment contract.”.

During the time period from 2014 till 2017 there have been no changes to the Paragraph 7 of the Article 37, Article 99, Paragraph 3 of the Article 53, Paragraph 3 of the Article 134, Paragraphs 6 and 7 of the Article 138, Article 146, Subparagraph 1 of the Paragraph 1 of the Article 151, Subparagraph 2 of the Paragraph 1 of the Article 152, Paragraph 5 of the Article 154, Paragraph 6 of the Article 155 and Paragraph 4 of the Article 156 of the Labour Law. Also there have been no significant

changes to the Paragraph 2 of the Article 134, Paragraph 5 of the Article 150 and Paragraph 2 of the Article 153 of the Labour Law.

At the same time on April 7, 2015 several amendments have been made to the Regulations of the Cabinet of Ministers No.660 of October 2, 2007 “Procedures for the Performance of Internal Supervision of the Work Environment” (the amendments came into force on 1 June 2015) also making changes in the Annex 2 of the Regulation. The last wording of the mentioned Regulation is appended to this Report as Appendix No.3.

Also on 23 October 2014 amendments have been made to the Paragraph 3 of the Article 62 (the amendments came into force on 1 January 2015) supplementing with the words “but no longer than until two years of age of the child”. Thereby at the moment the mentioned provision of the Paragraph 3 of Article 62 provides that if a piecework salary has been determined for a pregnant woman, for a woman during a period following childbirth up to one year, but if a woman is breastfeeding then during the whole period of breastfeeding, but no longer than until the age of two years of the child, and in accordance with a doctor’s opinion work norms have been reduced for her, the employer has a duty to pay the employee for such period the previous average earnings.

By the same amendments changes have been made also to the Paragraph 7 of the Article 136 of the Labour Law supplementing with the words “but no longer than until two years of age of the child”. At the moment Paragraph 7 of the Article 137 of the Labour Law provides that a pregnant woman, a woman for a period up to one year after giving birth, and a woman who is breastfeeding for the whole period of breastfeeding, but not longer than until two years of age of the child, may be employed in overtime work if she has given a written consent.

By the mentioned amendments to the Labour Law also changes have been made to the Paragraphs 4 and 5 of the Article 143. Paragraph 4 of the mentioned Article now determines that an employee, with a written order by the employer, may be engaged to work during the week’s day of rest, granting him/her equivalent compensatory rest and ensuring not less than two weekly rest periods referred to in Paragraph 1 of this Article in any time period of 14 days, in the following cases:

- 1) if this is required by the most urgent public need;
- 2) to prevent the consequences caused by *force majeure*, an unexpected event or other exceptional circumstances which adversely affect or may affect the usual course of activities in the undertaking;
- 3) for the completion of urgent, unforeseen work within a specified period of time.

For its part, Paragraph 5 of the mentioned Article now provides that in accordance with the provisions of Paragraph 4 of this Article, it is prohibited to employ persons who are under 18 years of age, pregnant women and women for a period following childbirth up to one year, but if a woman is breastfeeding — during the whole period of breastfeeding, but no longer than until two years of age of the child.

Article 3 Paragraph 3 of the Law On State Social Insurance prescribes that socially insured persons who are subject to health insurance are entitled to health care services to be paid from the State budget.

Pursuant to Article 4 of the same law the types of social insurance are as follows:

- 1) State pension insurance (hereinafter - pension insurance);
- 2) social insurance in case of unemployment (hereinafter - unemployment insurance);

- 3) social insurance in respect of accidents at work and occupational diseases (hereinafter - occupational accident insurance);
- 4) disability insurance;
- 5) maternity and sickness insurance;
- 6) parents' insurance.
- 7) health insurance.

Concerning the entitlement of workers with family responsibilities to parental/childcare and paternity leave and benefits (including the possibility to combine the benefits with work) please see the Article 16 of this Report.

Article 11 Paragraph 2 of the Law on Maternity and Sickness Insurance stipulates that sickness benefit is granted if a person is absent from work and thereby loses salary or if a self-employed person loses income due to the following reasons:

- 1) loss of capacity for work due to sickness or injury;
- 2) a need to receive medical assistance of therapeutic or prophylactic nature;
- 3) isolation is necessary due to quarantine;
- 4) treatment in a medical treatment institution during the period of recuperation after a sickness or injury, if such treatment is required in order to restore capacity for work;
- 5) nursing of a sick child aged up to 14 years;
- 6) prosthetics or orthotics in a hospital.

Grounds for granting of sickness benefit shall be a sick-leave certificate issued in accordance with the procedures stipulated by the Cabinet of Ministers.

According to the amendments adopted to the Law On State Social Insurance (Article 6) the State covers the following social insurance contribution payments for pension insurance on behalf of:

- persons who take care of a child who has not reached one and a half years of age and receive parental benefit;
- persons receiving maternity, paternity or sickness benefit;
- persons receiving a disabled child care benefit;
- persons who receive an allowance for the care of an adopted child;
- persons who take care of a child who has not reached the age of one year or one and a half years, and receive a parental benefit.
- persons receiving remuneration for the fulfillment of foster family duties.

Therefore all the above mentioned periods of leave due to family responsibilities are taken into account for determining the right to pension equally for men and woman.

c) According to Article 4 of the Education Law, the preparation of children from the age of five for the acquisition of basic education is compulsory.

Ensuring access to and quality of preschool education, the issue of queues most often is being solved by searching options to create additional groups, renovating preschool education institutions and building their extensions, optimising the number of children in education institutions that have the needed space per child and that can ensure the relevant hygiene norms. At the same time, possibilities to form groups under basic schools, basic boarding schools, secondary schools, and children and youth centres are considered.

In Latvia one of the autonomous functions of local governments is to take care for the education of people, namely it has to provide in its administrative territory equal accessibility of pre-school educational institution for children from the age of one and a half years. If not then to cover the costs of a private preschool education institution, if a child who has reached the age of one and a half years and whose declared place of residence is in the administrative territory of the respective local government, is not

provided a place in a local government kindergarten. Since 2016, a single method and procedure for assessment of costs is in force in order to ensure a transparent and similar approach in calculations of local governments. The amount of local government support for private kindergartens is calculated in accordance with the Regulations of the Cabinet of Ministers No. 709 of December 8, 2015 "Regulations on the methodology for determining costs and the procedure by which the local government, in accordance with the average costs determined by it, shall cover pre-school education program expenses for a private educational institution". The main principle calculating the support is that the local government pays the private kindergarten so much support as the average amount paid by the municipality to one local government municipal kindergarten. The support is calculated separately for children from one and a half years to four years old and for children who are subject to compulsory education for basic education.

Regarding preschools

Binding Regulation of Riga City Council No.191 of 16 February 2016 "Procedure According to which Riga City Council Ensures the Preschool Education" (hereinafter - Regulations No.191) define the registration procedure of preschool age children for the preschool education service financed by Riga municipality, procedure for providing a child with place in municipal educational establishment implementing preschool education programme as well as procedure for private education establishments implementing certified preschool education programmes to involve municipalities in financing and/or co-financing the preschool education service.

To register a child for preschool education service financed by the municipality one of child's parents or custodian must register this child in electronic data base.

Applications can be registered in electronic data base throughout the year provided that parents arrive at registration office or fill out the application electronically in the portal.

Applications in electronic data base are arranged by educational establishments according to registration applications indicating the date, month, year when the place in educational establishment is necessary.

When a new educational establishment by local government is founded, a new group funded by municipality in a Private educational establishment is created or new programme in educational establishment is launched, Education, Culture and Sports Department of Riga City Council (hereinafter referred as Department) publishes information about possibility to enrol for acquisition of education in newly created education establishments (programmes, groups) in portal, website www.e-skola.lv as well as ensures the placement of such information in a visible place in registration offices and sending to the electronic communication means indicated by parents or custodians who have filled out the applications. Applications are registered within time-limit and procedure published by Department.

An extraordinary status can be assigned to a child in data base - statutory education age, "brother/sister" or "Commission decision" which allows to be admitted into educational establishment in order of priority.

Child who during the calendar year becomes five, six or seven years old receives status "statutory education age" in electronic data base in the beginning of each calendar year unless the place of residence is registered in the administrative territory of Riga City.

Status "brother/sister" is granted to a child in electronic data base if the place of residence of a child and parents or custodian is registered in administrative territory of Riga City and his/her brother or sister is or will be the student of the educational establishment where the child is enrolled to preschool education service funded by the local government.

Commission established by Department adopts a decision about granting the status "Commission's decision" and extraordinary place in educational establishment if a child has reached the age from which he/she is admitted to the educational establishment and place of residence of a child, parents or custodian is registered in the administrative territory of Riga City and:

- 1) State or municipal commission has issued an opinion with a recommendation for a child who has mastered special programme to master the general programme;
- 2) child is left without parental care;
- 3) child is adopted (except the cases when a person has adopted children of his/her spouse);
- 4) educational establishment where a child is admitted is being liquidated or reorganized and educational programme is not provided in other educational establishment which is located closest to the one being liquidated or reorganized.
- 5) child is a sibling of triples or more births;
- 6) both parents (or one of parents if child is cared about by one parent) are entitled to receive disability status which restricts the capability of parents to provide continuous supervision and upbringing of a child provided that opinion is issued by the competent institution.
- 7) one of child's parents is pedagogic employee in preschool education establishment.

In order to grant a status "Commission decision" to a child, the parents or child's custodian must submit an application addressed to Commission requesting to provide a child with an extraordinary place in educational establishment and, if necessary, produce supporting documents.

According to the number of vacant places in educational establishment provided in the electronic data base the Principal of educational establishment creates an applicant list where the name, surname, registered address of parents or custodian of a child are indicated.

The place in educational establishment is granted only to the following children from the applicant list:

- a) statutory enrolment age in educational establishment is 1.5 years and one and a half year has remained until September 1 or the day of filling the list;
- b) child becomes three or five years old in the respective calendar year, provided that statutory admittance age in educational establishment is starting from three or five years.

Principal of educational establishment informs Department if insufficient number of children is enrolled in the preschool education programme. Department publishes information about the vacant places in educational establishment in portal and website www.e-skola.lv as well as places it in a visible place in registration offices.

A list of applicants is created in data base according to the order of registration and the following priorities:

- 1) children with granted status "statutory education age";
- 2) children with granted status "Commission's decision";
- 3) children with granted status "Brother/sister";
- 4) children registered in the administrative territory of Riga City and whose parents or custodians have the place of residence registered in the administrative territory of Riga City;
- 5) children registered in the administrative territory of Riga City and whose parents or custodians don't have the place of residence registered in the administrative territory of Riga City.
- 6) children whose registered place of residence is not in the administrative territory of Riga City.

As of May 1 the Principal of educational establishment creates an applicants' list and informs the parents or custodian of the enrolled child in a written form about the possibility to admit the child to the educational establishment from September 1, as well as about submission of the necessary documents.

Principal of educational establishment arranges groups according to the procedure defined by Department.

Principal of educational establishment makes a decision about enrolment of a child to the educational establishment by indicating a programme which the child would master and registers the child as student in data base of State education system within one working day.

In cases stipulated in the General Education Law mastering of programme can be prolonged or reduced by one year. In order to reduce or prolong acquisition of programme for a child for one year, the parents or custodian submit an application and opinion by family doctor or psychologist to the Principal of educational establishment until April 30.

Municipality's co-financing in the amount of EUR 231.00 per month for child 1.5-4 years; EUR 174.88 per month for child 5-7 years for provision of preschool education service in a private educational establishment is granted and paid under the following conditions:

- 1) child is at least one and a half year old;
- 2) place of residence of child and parents or custodian is registered in the administrative territory of Riga City;
- 3) child has not received preschool education service funded or co-financed by municipality;
- 4) State education information system data base contains registered data that child is enrolled and masters preschool education programme in a private educational establishment;
- 5) founder of the private educational establishment and Department have concluded a cooperation contract and contract on providing the preschool education service co-financed by municipality;
- 6) child has not received evaluation for acquisition of contents of preschool education and reference about mastering the programme.

In order to ensure the availability of preschool education services, Education, Culture and Sports Department of Riga City Council has concluded cooperation agreements with 140 private educational establishments implementing certified preschool education programmes.

Regarding child supervision private services

According to binding Regulation of Riga City Council No.204 of 17 May 2016 "Procedures by which Riga City Municipality provides co-financing for a child supervision private service" the local government of Riga City provides co-financing for a child supervision private service – a full time (not less than eight hours a day) in working days at the place of residence of the child or in another suitable place outside the place of residence of the child in the administrative territory of Riga City Municipality. Co-financing is intended for the provision of a child supervision service for children from one and a half years of age until the child is included in the list of candidates for admission to the public pre-school.

By May 1, 2017, 75 936 children visited municipalities kindergartens. In turn, 8,513 children attended the private kindergartens, and 1,667 children used childcare services. In 2017, the average amount of local government support for 1.5 - 4 years old children was EUR 212.61 per month, while for the children undergoing mandatory preparation for basic education it was EUR 155.26 on average. The average local government support level per child was EUR 134.80 per month.

The local governments carry out a recalculation of the amount of the aid each year and the Ministry of Environmental Protection and Regional Development monitors whether the municipalities have done the calculations correctly and in accordance with the legislative acts. Several local governments, in line with their budget possibilities, pay more support than the Regulations of the Cabinet of Ministers prescribe. Although the regulatory enactments do not require local governments to provide support to children who use childcare services, however, in general, 20 municipalities have, according to their budgetary possibilities, determined the amount of support for children using childcare services (babysitters). In 2017, the average municipal support for using child supervision services was EUR 132.32.

During the reference period efforts have been made by the Ministry of Education and Science to improve the monitoring mechanism and data collection methods to get real view on situation of education of Roma children. The Ministry of Education and Science regularly provides these data to responsible bodies, professionals, experts and scientists.

To enter or to stay in employment, the workers from families with family members who need care due to old age or functional disorders can use social care services.

Home care provides services at home for the satisfaction of the basic needs of persons who has objective difficulties in taking care of himself/herself due to old age or functional disorders.

Day care centre is an institution for persons what during the day provides social care and social rehabilitation services, development of social skills, education and opportunities for spending free time. In day-care centre social workers and social carers work with clients. A person may stay at a day-care centre for a full working day or in accordance with regulations prescribed in an agreement.

Both – home care as well as day care services are provided by local governments.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

a) Measures for unemployed and persons seeking employment are aimed at promoting inclusive labour market, by providing appropriate training and educational programmes, as well as other employment services (vocational guidance, information on available vacancies) in order to match the knowledge and the experience with the labour market needs. Organization of Active Labour market policy measures

(hereinafter – ALMP measures), especially development of training and educational programmes in Latvia are based on the results obtained in the Labour Market researches, forecasts and assessments carried out by different experts, public institutions, academic sector, non-governmental institutions and international experts and organisations.

The SEA through its network of 28 regional affiliates provides career guidance advice and counselling free of charge to jobseekers, the employed and all other persons, including in education or planning to return to education that require information or support to achieve their career goals.

Involvement of registered unemployed in ALMPs is based on individual approach, and a profiling system is used to choose most suitable support measures and unique path to the labour market for each unemployed.

During the reference period from 2014 until 2017 the following programmes were implemented and organized by the SEA:

1. Job-search assistance and guidance:

- Profiling an individual job search plan:

In order to identify needs of the unemployed a profiling system has been developed with an aim to shorten the period of unemployment and prevent potential risks that could delay return in the labour market by providing most appropriate measures and intensity. As a result of profiling, the individual job search plan is prepared and persons are involved in the most appropriate and best suited measures sequenced in a way that would ensure the most effective labour market outcome based on job opportunities by demographic characteristics, self-esteem and motivation to look for job and cooperate with the PES.

- Informative days:

Informative days are organised by the PES with an aim to provide information about the available services, as well as informative support in the process of seeking employment. Unemployed receive informative materials about PES services, presentation materials, and samples for writing resume and letter of application etc. Informative days are held in all 28 PES Local Employment Offices at least once a week.

- Career consultations:

Career consultations are aimed to provide assistance to the unemployed, job seekers and people at risk of unemployment in determining professional compatibility, planning career and retraining. The services provided individually or in groups include consultations on choosing education and career, vocational development, returning to the labour market and changing occupations, assessment of client's vocational aptitude, interests and preferences, abilities, skills and suitability for a given profession, consultations about effective ways of job search, provision of information about the content and requirements of different occupations, information about educational and training opportunities in Latvia and abroad.

- PES portal of CV and Vacancies:

PES portal of CV and Vacancies is the largest vacancy database in Latvia covering all districts of Latvia, where job seekers can register their CV and search for available vacancies by various parameters. At the same time employers can register their vacancies and search the necessary employees. Additionally assistance in personnel selection is provided by the PES.

2. *Training programmes* organized in co-operation with educational institutions and employers:

- Measures to Increase Competitiveness (basic competencies):

Measures to Increase Competitiveness include individual consultations and group lessons (5-36 acad. hours courses, seminars, lectures) for psychological support, acquiring job seeking methods and the basic abilities and skills demanded in labour market, e.g. CV writing, job-finding and interview skills, communications skills, networking, negotiation, motivation etc.

- Vocational training, requalification, qualification improvement and non-formal training programmes:

Vocational training, requalification, qualification improvement and non-formal training programmes are organized by the PES in co-operation with educational institutions and employers only for registered unemployed and job-seekers.

Since 2011, all the training programmes are implemented by applying the method of training vouchers. Training fields and educational programmes are organized in accordance with the labour market demand and national economy development forecasts, and agreed with economic and social partners and experts at National Commission for defining the training fields and approving the training programmes.

The length of training programmes may vary from 60-160 hours for non-formal training programmes, from 160 to 320 hours for advanced vocational training to reach vocational proficiency, from 480 to 1280 hours for vocational training programmes. Participation in programmes may last up to 6 months – full day participation (8 hours) is usually applied. Simple or low-skilled occupations are excluded from the list of training programmes.

Participants are also receiving financial support during training - EUR 100 monthly stipend. The following additional expenses are also covered by the PES: training place adaptation for persons with disabilities, involvement of care personnel for persons with disabilities, such as assistants, silent language experts etc. and other related expenses.

- Training at the employer:

Training at the employer is organised to prepare a specialist demanded by the employer. Within the measure acquisition of a new profession can be organised that lasts in total for up to six months. This training is organized only for registered unemployed. The PES in co-operation with employers carries out the selection of unemployed persons to be involved in the practical training in conformity with the qualification requirements stated by the employer. The suitability of a person is determined by the employer. The employer is obliged to employ a person starting with the first day of practical training and at least 6 months after the practical training is finished. The employer must pay at least a monthly minimum wage to a person. The PES covers a part of a salary paid to the unemployed.

3. *Employment Programmes:*

- Subsidised employment for the most vulnerable groups of unemployed:

Measures for the most vulnerable groups are aimed to help the unemployed understand labour market requirements and promote the unemployed person inclusion in society and settling in permanent job by employing unemployed persons in subsidised work places. The target group of the measure are persons with disabilities, long-term unemployed, persons aged 55 years and more.

The employer may be a merchant (with the exception of medical institutions and education establishments effecting education programmes), self-employed persons, societies or foundations (with the exception of political parties).

Employer provides a qualified work supervisor for each participating unemployed person that assists the unemployed person in acquiring the basic skills and abilities required for work (the involvement of supervisor may be different and depends on complexity of work to be done, unemployed person profile (longer involvement in case of persons with disabilities and young unemployed) and other characteristics).

The financial aid for employing unemployed persons is granted for a period of 12 months (for unemployed at least for 12 months, for 55+), 24 months (for unemployed for at least for 24 months, for adult who has one or more dependants or is older than 55 and is jobless at least 12 months), or 36 months (for disabled unemployed). Support includes monthly wage subsidy for unemployed person which equals to 50 per cent of the total wage costs, but it cannot exceed minimum monthly wage set by the government (EUR 380 in 2017). If the employer employs a person with disabilities, monthly wage subsidy cannot exceed 1,5 minimum monthly wage and equals to the minimum monthly wage if the employer provides workplace requiring low qualification.

Additional expenses for work supervisors, working place adaptation for persons with disabilities, involvement of different experts, such as assistants, silent language experts etc. are covered by the PES.

Previously the financial aid for employing unemployed persons is granted for a period of 12 months (24 months for unemployed with disabilities).

Amendments to the programme design (since 2014):

The time period for the provision of financial aid for employment of one disadvantaged worker who conforms to the criteria laid down in Article 2 (18) of Commission Regulation (EC) No 800/2008 shall not exceed 12 months, while for employment of a severely disadvantaged worker who conforms to the criteria laid down in Article 2 (19) of Commission Regulation (EC) No 800/2008 – 24 months.

- Paid temporary public works:

Paid temporary public works is an active labour market measure for unemployed persons to acquire and maintain work skills by performing socially beneficial work. Paid temporary public work is offered by municipalities, societies or foundations without the intention of gaining profit.

Main features of public works in Latvia are following:

- The measure targets exclusively the long-term unemployed who have been registered with the PES as unemployed for longer than 6 months or have been registered as unemployed for less than 6 months but have been without employment for at least 12 months. Besides, in order to be eligible for participation in the activity, the unemployed person shall not receive unemployment benefit or old-age pension.
- The jobs are non-commercial activities in areas that are additional to tasks currently carried out by the local governments (cleaning and improvement of municipal territories - parks, streets, municipal buildings, tourism areas etc., improvement of graveyard territories, repairs of municipal buildings and communications and others).

Substitution of workers is prohibited. Workplaces should be newly created or they have to be vacant for at least a period of 4 months. Besides, the unemployed can not

have previous work experience in the body providing a workplace (at least for 12 months before participation in the activity).

For performing paid temporary public work the unemployed person receives a monthly remuneration of EUR 150. In addition, social insurance contributions are made for them to cover the pension insurance and participants are insured against accidents at work. Expenses for compulsory health examinations are covered for participants of the programme. As well monthly subsidy for one paid temporary public work coordinator in local government is paid in an amount of EUR 128 depending on the days of actual employment.

- Entrepreneurship and self-employment:

Measures to facilitate start-up of business activities and self-employment are aimed to provide consultative and financial support measures helping unemployed persons with the appropriate skills and motivation to start business activities or self-employment and successfully work in the chosen field at least 2 years.

Support is provided to unemployed with appropriate level of knowledge - who have gained a sufficient level of education or completed vocational training or non-formal education programmes in the PES (different training courses in business administration, for example, basics of business administration, project management, business plan developing, accounting and finance, marketing and basic management etc.).

The measure includes consultations on developing and implementing a business plan, business grant up to EUR 3000 depending on the approved budget estimate and monthly subsidies for the first six months of business plan implementation in the amount of minimum monthly wage.

4. Youth Guarantee programme:

The aim of the Youth Guarantee is to establish a long-term and comprehensive approach on timely activation of young people, by providing job-search support, employment and training measures or returning into an education system. The initiative is implemented since 2014.

The target group of the Youth Guarantee programme is young people aged 15-29, who after the registration at the PES or gaining the status of Youth Guarantee client within the 4 month period receive a quality offer of training, employment, continued education, job-search assistance or career guidance.

The following measures are implemented within the Youth Guarantee:

- Profiling, job-search assistance, career counselling, development of basic competencies (please see description of programmes above);
- Non-formal training programs (please see description of programmes above);
- Vocational education programs (please see description of programmes above);
- First work experience for youth: the aim of the measure is to give an opportunity to gain a work experience for up to 12 months in newly created workplaces (labour contract). Within the measure, the employer receives a gradually decreasing monthly wage subsidy - EUR 200 within the first 6 months (for persons with disabilities – EUR 300) and EUR 160 within the last 6 months (for persons with disabilities – EUR 240). Additional expenses also are covered for supervisors (50 per cent of minimum monthly wage for the first 3 months).

- First work experience for youth in NGOs: considering the limited amount of newly created workplaces and realizing that not all companies are able to provide work experience schemes to young people, additional measure is aimed at supporting the acquiring of basic working skills in non-governmental organizations. Both work experience measures are monitored and supervised to increase or limit their scale in conformity with changes in the labour market (the increase or decrease in the number of newly available jobs, the results of “Dual VET” pilot project). The aim is to give an opportunity to gain a work experience for up to 6 months in NGOs. Within the measure, a young person receives a monthly allowance (EUR 90).
- Youth workshops: the aim is to help young unemployed with insufficient level of education or without any work experience to make a decision about future education and employment choices. Within the measure, the young person has the possibility to try out one, two or three different professions (on average two weeks in one profession) in workshops at vocational schools under guidance of a teacher. A monthly allowance of EUR 60 is paid (EUR 90 for young unemployed with disabilities). The activity takes place 5 times a week for at least 6 academic hours per day, includes at least 60 per cent of practical classes and no more than 40 per cent of theoretical classes.
- Subsidized workplace for young unemployed (please see description of programmes above);
- Measures to support the young unemployed to enter self-employment or entrepreneurship (please see description of programmes above);
- Implementation of 2nd chance vocational education programmes: the aim of the measure is to provide support for those young people who have left school or training without achieving a qualification and who have not succeeded on the labour market. Vocational education programmes with length 1 or 1,5 years are provided (2nd and 3rd level vocational qualifications). Programmes are implemented either as work based learning or with a traineeship in company component. Provision of training programmes for imprisoned youth (15-29 years) is also foreseen.
- Measures to support inactive young people, who are not in training or employment and are not registered as unemployed people: aim of the project is to motivate and activate young NEETs aged 15-29 years and to foster their involvement into educational system, job market, youth centres or NGOs. The project encompasses outreach activities to support detached youth in their progression towards the labour market. These activities aim to create a network of services providers and specialised workers to keep contact with disengaged youth, motivate them and eventually bring them towards second-chance programmes or labour market re-integration measures (information activities, individual and group work, psychological support, workshops, training, development of basic skills, visits to companies etc.).

5. Measures aimed at long-term unemployed with addiction problems:

Support measures for the unemployed with addiction problems are aimed to treat the dependence on alcohol, narcotic or psychotropic drugs through Minnesota 12 Step Programme (28 day treatment), thus promoting a sooner entrance in the labour market. The target group of the measure are unemployed persons (at least 3-6 months) that have received a narcologist's conclusion for alcohol, narcotic or psychotropic drug dependence.

6. Special activation programme for the long term unemployed:

Programme with an aim to improve the effectiveness and targeting of ALMPS programmes - reaching out for those at the margins of labour market.

The following support is provided within the measure:

- Individual and group consultations (incl. career consultations, psychological and psychotherapeutic support).
- In-depth health checks to assess suitability for the possible job opportunities, including laboratorial and functional investigation costs and also transport costs to/from doctor.
- Assessment of professional suitability to be provided by State Social Integration agency within special 10 days programme.
- Motivation programmes – provided by outsourced service providers. Motivation programme can be supplemented by paid temporary work component (4 to 12 weeks). Service provider has to ensure psychological support, motivation measures, support and consultation to provide help for solving the social problems. Service provider has to provide the service individually or in group (max 12 persons). Service provider has to ensure meals and transportation of participants. After completion of motivation programme the mentor has to be provided (person that helps in job-search activities and provides psychological support, one mentor for max 6 persons) for up to three months (for disabled unemployed – 6 months).
- Stipend for the participant of motivation programme (EUR 150 per month) is provided.

7. Promotion of regional mobility:

The regional mobility support is available within the Youth Guarantee programme and also to other unemployed participating in subsidized employment measures, training or if an unemployed person wants to enter labour relations.

The regional mobility support for covering transportation or living costs is available in various labour market policy measures, if training or working place is created at least 20 km far from a declared place of residence. An amount of support depends on real costs of transportation or living - a person shall submit to PES all documents justifying expenses. The maximum amount of support is up to EUR 100 per month for all training period or for first 4 months, if a person starts labour relations (both, normal ones or subsidized by the PES).

8. Programme to prolong workability and employment of older employed persons:

The target group are working persons under the risk of unemployment aged 50+ who meet at least one of following criteria:

- Health condition doesn't meet the requirements of duties assigned (according to conclusion of mandatory health examination or person has been absent at last for four weeks in a row during last year);
- Educational background does not exceed secondary or vocational secondary education;
- Family care obligation limit fulfilment of their duties;
- Employment is part-time and has low-income (less than 80 per cent of the minimum wage).

Support available:

- Evaluation and promotion of active aging potential in enterprises (voluntary active ageing audits);
- Support measures for older employees (Career consultations; Informal training; Measures to raise competitiveness – consultations, lessons and

trainings (incl. psychologist, occupational physician); Workplace adjustment; Health improvement procedures (medical)).

In 2017, the implementation of the ESF project “Improving the Professional Competence of Employed” was started. Within this project, persons (at least 17 years old) upon their request receive support for improvement of their professional qualifications and competences, including provision of career consultant services. In cooperation with the local governments, a basis for joint and sustainable adult education support system is created. The project extends to more than 38 000 persons, primarily providing support to employed persons from social risk groups.

The first enrolment round closed in November 2017, where employed persons could apply for studies according to the needs of four priority sectors of national economy. In the 1st quarter of 2018 the first cycle of studies for the employed started involving 3695 persons in mastering of 193 education programmes. The creation of the study supply for the second enrolment round in 12 sectors started in 2017. In 2018, the third enrolment round is organised offering employed persons to master general skills. The development of the supply of studies for the improvement of general skills also started. Approximately 8890 persons have applied for the studies altogether.

c) In order to provide child care arrangements to employees working non-standard working hours, a project “Provision of flexible working hours for employees who work non-standard hours”⁴⁷ was implemented for 36 months (from 1st August 2015 till 31st July 2018). The project was implemented by the Ministry of Welfare with the support of EU’s employment and social innovation programme EaSI PROGRESS for the period 2014.-2020. The project was implemented as an experiment, introducing flexible childcare service to the companies and organisations, where the employees work non-standard working hours.

Objective of the project was to support flexible childcare services for children with parents who work non-standard hours, and develop long term model to subsidise this service, thus promoting employment of the parents and reconciliation of work and family life.

The project was implemented as experiment, where service recipients - experimental group was compared to the control group (participated in the project but did not receive the service). The experiment was implemented in three phases. The first phase took place for 4 months, where the services were fully paid by the project, without co-financing from the employers. The second phase took place for 2 months, where the service was paid at 80 per cent, co-financing was provided by the employer and/or the service recipient. During the third phase, with duration of 4 months, the private co-financing amounted to 40 per cent.

The project was implemented within the administrative territories of Jelgava, Riga and Valmiera cities.

The direct target groups of the project were families with children aged up to 7 years, whose parents working non-standard hours, and companies and organisations, where the parents work. The potential benefits for the employees from participation in the project were the subsidised childcare services, which improved work and family life reconciliation. The potential benefits for the employers from participation in the project were development of an optimum employment and work time model, which

⁴⁷ <http://darbsungimene.lv/lv/aktualitates/publikacijas-un-petijumi/izpetes-rezultati-projekta-elastiga-bernu-uzraudzibas-pakalpojuma-nodrosinasana-darbiniekiem-kas>

had positive impact upon productivity and decrease absence and departures of the employees.

It was confirmed that the service received improves the organisation of family life, but in the short term – also the satisfaction with life and job.

The childcare service is intended to reduce existing inequalities regarding availability of time and financial resources for people who work non-standard working hours via provision of childcare services during the required time, as well as co-financing them. However, the necessity of the service for different parties comes from various needs and enables achievement of specific goals for each group.

The following positive impact factors of the service were identified:

- factors related to the promotion of entrepreneurship and employment - flexible childcare services as the support that local government could provide for the development of entrepreneurship, naming their larger companies.
- flexible childcare services as one of the ways that could promote women's employment and thus reduce the risk of poverty for them in the future. The emphasis was placed on single parents.
- decreased inequalities in terms of time and financial resources, a possibility to provide employees who work non-standard hours with equal opportunities for management of their time and financial resources as those who work standard working hours.
- child safety factors - institutionalized services reduced the number of unsafe childcare precedents. Institutionalized childcare was safer in the context of disadvantaged families. The benefit of flexible childcare services provided in the project was that these could be provided without stigmatizing potential customers, since the concept of "non-standard working hours" is not stigmatizing.
- the possibility of diminishing absence from work, that was related to illness of children.
- preservation of the existing job. When non-standard working hours created major problems (in this case, the target group was primarily the single parents), the employees seriously considered possibility to change work.

Flexible childcare services are significant resources that encourage reconciliation of work and family life, since they tackle those work and family life conflicts that are related to time management and role pressure. At the same time, they promote development of a safe childcare system. The results of the study confirm that the employers gain more rested employees with better arranged life, who can think more about work in their work place, since the study proves the connection between improved organisation of family life and availability of the service.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Table No.88

**Participation in early childhood education
% of the age group between 4-years-old and the starting age of compulsory
education**

2014	2015	2016
94.4	95.0	95.5

Data source: Eurostat

Table No.89**Pre-school education institutions**

Academic year	Municipal		Private	
	Number of pre-school education institutions	Number of children	Number of pre-school education institutions	Number of children
2013/2014	526	74128	91	5063
2014/2015	524	72244	109	6303
2015/2016	525	72706	122	6167
2016/2017	522	74692	125	6255

Data source: Ministry of Education and Science

Table No.90**Institutions that carry out pre-school education programs**

Academic year	Groups in general education institutions		Groups in interest related educational institutions	
	Number of institutions	Number of children	Number of institutions	Number of children
2013/2014	392	13611	15	731
2014/2015	381	12967	14	705
2015/2016	371	12610	10	612
2016/2017	357	12674	9	628

Data source: Ministry of Education and Science

Table No.91**Pre-school education**

	Children enrolled in pre-school education programmes	Institutions implementing pre-school education programmes
2017/2018	96626	1005
2016/2017	94249	1013
2015/2016	92095	1028
2014/2015	92219	1028

Data source: Ministry of Education and Science

Table No.92**Number of children at the pre-school institutions**

2013/2014	93533
2014/2015	92219
2015/2016	92095
2016/2017	94249

Data source: Central Statistical Bureau

Table No.93**Enrolment rate of pre-school education establishments**

(share of children aged 3-6 years in the total number of children in the respective age group)

2013/2014	91,4 %
2014/2015	91,8 %
2015/2016	92,7 %
2016/2017	93,5 %

*Data source: Central Statistical Bureau***Table No.94****Roma students enrolled in mainstream education institutions**

	2014/2015	2015/2016	2016/2017
Roma students enrolled in mainstream education institutions	940	896	813

Data source: Ministry of Education and Science

Dynamics of number of people in Riga City Municipality educational establishments which implement preschool education programme:

Table No.95

Academic year	Number of children
2014/2015	25 063
2015/2016	25 385
2016/2017	25 713
2017/2018	25 981

Data source: Riga City Municipality

During 2014-2018 additionally opened 49 preschool groups for 980 children, including 3 renovated buildings (Riga, Mars Gatve 16 (11 groups), Moscow Street 256 (6 groups) and Slokas Street 130 (12 groups)).

In order to ensure the availability of preschool education services in administrative territory of Riga City, Education, Culture and Sports Department of Riga City Council has concluded cooperation agreements with 140 private educational establishments who provide pre-school education services for 6625 children. Riga City Municipality co-financing amount is EUR 231.00 per month for child 1.5-4 years and EUR 174.88 per month for child 5-7 years of age.

In 2018 Riga City Municipality has cooperation agreements with 585 child supervision private service providers who provide child supervision services for 1244 children. Riga City Municipality co-financing amount is EUR 116.07 per month per child.

Table No.96**Employment rate of women aged 15-64 years without children (%)**

	2014	2015	2016	2017
EU 28 countries	62.9	64.1	65.0	66.2
Latvia	67.9	70.0	71.6	72.6

Data source: Eurostat

Table No.97

Employment rate of women aged 15-64 years with 1 child (%)

	2014	2015	2016	2017
EU 28 countries	69.0	69.5	70.6	71.4
Latvia	74.9	76.2	78.5	75.5

Data source: Eurostat

Table No.98

Employment rate of women aged 15-64 years with 2 children (%)

	2014	2015	2016	2017
EU 28 countries	69.0	69.5	70.5	71.5
Latvia	74.5	74.8	75.5	77.4

Data source: Eurostat

Table No.99

Employment rate of women aged 15-64 years with 3 children and more (%)

	2014	2015	2016	2017
EU 28 countries	54.5	54.6	55.6	56.8
Latvia	60.2	65.7	61.8	65.7

Data source: Eurostat

Table No.100

**Groups at risk of unemployment, including persons after childcare leave
(% of total number of registered unemployed, at the end of the year)**

Number of unemployed 31.12.2014.		Total number	% of total number of unemployed
Groups at risk of unemployment	Long term unemployed (longer than 1 year)	27039	33.0
	Youth (15-24 years)	7522	9.2
	Unemployed at a pre-retirement age	11687	14.2
	Persons with special needs	8355	10.2
	Persons after childcare leave	2698	3.3
	Persons released from the places of imprisonment	310	0.4

Data source: SEA

Table No.101

Number of unemployed 31.12.2015.		Total number	% of total number of unemployed
Groups at risk of unemployment	Long term unemployed (longer than 1year)	24322	29.7
	Youth (15-24 years)	6827	8.3
	Unemployed at a pre-retirement age	11867	14.5
	Persons with special needs	8343	10.2
	Persons after childcare leave	2028	2.5
	Persons released from the places of imprisonment	241	0.3

Data source: SEA

Table No.102

Number of unemployed 31.12.2016.		Total number	% of total number of unemployed
Groups at risk of unemployment	Long term unemployed (longer than 1year)	22450	
	Youth (15-24 years)	6075	
	Unemployed at a pre-retirement age	11655	
	Persons with special needs	9441	
	Persons after childcare leave	1530	
	Persons released from the places of imprisonment	184	

Data source: SEA

Table No.103

Number of persons who received home care or service of day care center

year	2014	2015	2016	2017
home care	12519	14518	14022	15437
day care centre for children with disability	606	490	365	227
day care centre for disabled persons	439	494	383	465
day care centre for persons with mental impairments	811	1064	954	939
day care centre for children from needy families and families with circumstances unfavorable to the development of the child	1806	1839	1858	1343
day care centre for persons of pensionable age	6313	4859	1539	1487

Data source: Yearly Statistical reports of Municipal social offices'

ARTICLE 27 PARA. 2

"With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and

conditions of which should be determined by national legislation, collective agreements or practice;”

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the reference period from 2014 till 2017 there have been no changes to the Articles 154 and 155, Paragraphs 1 to 4 of the Article 156, Paragraph 3 of the Article 153 of the Labour Law.

On 23 October 2014 amendments have been made to the Article 156 (the amendments came into force on 1 January 2015) supplementing with the new Paragraph 5, prescribing that an early termination of parental leave before the term of the granted leave shall be performed according to the procedures laid down by the collective agreement or employment contract, or based on the agreement between the employer and the employee. An employee has the right to return to work by notifying the employer thereof no less than two weeks in advance, if objective grounds for further parental care no longer exist.

Law on Maternity and Sickness Insurance Article 10.⁴ prescribes that parents' benefit is granted and disbursed to a socially insured person who takes care of the child or several children born during one childbirth (to one of the parents of the child, one of adopters under the care and supervision of whom the child to be adopted has been placed with a decision of the Orphan's court before approval of the adoption in the court, a member of the foster family who has entered into an agreement with a local government, guardian or another person who in accordance with a decision of the Orphan's court actually takes care of and raises the child), if such person:

1) is employed on the day of granting of the benefit (is considered as an employee or self-employed person in accordance with the Law On State Social Insurance) and:

a) as one of parents of the child who has requested the parental benefit, is on a child care leave,

b) as one of adopters under the care and supervision of whom the child to be adopted has been placed with a decision of the Orphan's court before approval of the adoption in the court, as a member of the foster family who has entered into an agreement with a local government, as a guardian or another person who in accordance with a decision of the Orphan's court actually takes care of and raises the child, is on leave without retaining of work remuneration granted in relation to the necessity to take care of the child,

c) does not earn income as a self-employed person due to the child care;

2) is employed on the day of granting of the benefit (is considered as an employee or self-employed person in accordance with the Law On State Social Insurance) and is employed during the child care but is not on child care leave or leave without retaining of work remuneration which is granted in relation to the necessity to take care of the child, or earns income as a self-employed person during the child care.

(2) Parental benefit shall not be granted and disbursed concurrently with the childcare benefit to one of the persons referred to in Paragraph one of this Article for the same child and for the same period of time. Parental benefit shall not be granted for a child in relation to the birth or the care of which a maternity benefit has been granted for the same period of time.

(3) The right to parental benefit shall retain also in the case, if an employer in accordance with that laid down in the collective agreement or employment contract

has disbursed supplements or bonuses to the person during a child care leave or leave without maintaining remuneration for work, which is granted in relation to the necessity to take care of the child, for work performance before granting of the leave or allowances and remuneration of other type which are not directly related to the work performance.

(4) Parental benefit may be selected for the same child in respect of one of the following periods of time:

- 1) for childcare up to the age of one year;
- 2) for childcare up to the age of one and a half year.

(5) A benefit recipient has no right to change disbursement period selected for the same child.

Both parents – mother and father, have a right to non-transferable parental leave regulated in the Article 156 of the Labour Law. According to the Paragraph 1 of the Article 156 of the Labour Law such leave shall be granted for a period not exceeding one and a half years up to the day the child reaches the age of eight years. Parental leave, upon the request of an employee, shall be granted as a single period or in parts. The employee has a duty to notify the employer in writing one month in advance of the beginning and the length of the parental leave or parts thereof (Paragraph 2 of the Article 156 of the Labour Law).

Concerning other conditions of workers with family responsibilities to parental/childcare leave and benefits (including the possibility to combine the benefits with work) please see the Article 16 of this Report.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

During the time period from 2014 till 2017 there have been no changes to the State Labour Inspectorate Law regarding functions, tasks and rights of the SLI.

No other changes.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Table No.104

	2014	2015	2016	2017
Parental benefit recipients (total), average per month	12 541	16 188	23 053	23 564
Female	11 612	13 122	18 464	19 173
Male	929	3 066	4 589	4 391
Parental benefit according to the duration chosen by the applicant (as a percentage of the total)				
for child care up to 1 year of age	100%*	35%	14%	12%
for child care up to 1,5 years old	x	65%	86%	88%
Total expenditure for parental benefit, million EUR	70.9	76.4	92.6	99.0
% from GDP	0.3%	0.3%	0.4%	0.4%

*till October 2014, the benefit was granted for child care up to 1 year of age

Data source: State Social Insurance Agency

ARTICLE 27 PARA. 3

"With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment."

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

During the time period from 2014 till 2017 there have been no changes to the Paragraphs 1 and 2 of the Article 7, Paragraphs 1, 8 and 9 of the Article 29, Articles 48 and 95, Paragraph 5 of the Article 101, Articles 124 and 126 of the Labour Law. Also there have been no changes to the Article 1779 and Paragraphs 1 and 2 of the Article 1635 of the Civil Law.

On 23 October 2014 amendments have been made to the Subparagraph 11 of the Paragraph 1 of the Article 101 of this Law (the amendments came into force on 1 January 2015) now prescribing that an employer has the right to give a written notice of termination of an employment contract only on the basis of circumstances related to the conduct of the employee, his/her abilities, or of economic, organisational, technological measures or measures of a similar nature in the undertaking in the following cases: 11) the employee does not perform work due to temporary incapacity for more than six months, if the incapacity is uninterrupted, or for one year within a three-year period, if the incapacity recurs with interruptions, excluding a prenatal and maternity leave in such period, as well as a period of incapacity, if the reason of incapacity is an accident at work, the cause whereof being related to the exposure to the environment factors or an occupational disease.

According to Article 5 of Labour Dispute Law individual disputes regarding rights in an undertaking shall be settled as far as possible in negotiations between an employee and an employer. The employer and the representatives of employees may agree regarding the establishment of a labour dispute commission in the undertaking for the settlement of individual disputes regarding rights in relation to which an agreement between the employee and the employer has not been reached in negotiations. The employer and the representatives of employees may also agree regarding other procedures according to which individual disputes regarding rights shall be settled in the undertaking. Pursuant to Article 7 of the same law any party to an individual dispute regarding rights has the right to apply to the court if the individual dispute regarding rights has not been settled in negotiations between an employee and an employer or any of the parties is not satisfied with the decision of the labour dispute commission. The fact that parties have not tried to settle an individual dispute regarding rights in mutual negotiations may not serve as a basis for refusal to accept an application and examination of the matter on its merits (Article 7 Paragraph 2).

Paragraph 3 of the same law prescribes that the following individual disputes regarding rights shall be settled directly in court not applying to the labour dispute commission:

- 1) regarding the declaration of employer's notice of termination invalid, as well as reinstatement of the employee to the previous employment;

- 2) following an application from the employer if the employee trade union does not agree to the notice of termination of the employment contract concluded with a member of the employee trade union;
- 3) regarding the recovery of work remuneration not paid in a timely manner;
- 4) regarding violation of the prohibition of differential treatment;
- 5) following an application from an employee or employer if the undertaking does not have a labour dispute commission and
- 6) upon an application of an employee or employer if a third person requests to terminate the employment contract.

A dispute regarding individual rights shall not be settled in an arbitration court (Article 7 Paragraph 4).

Civil Procedure Law Article 149 Paragraph 8 defines that in cases regarding the reinstatement of an employee in work and cases regarding the annulment of an employer's notice of termination, the date of the court hearing shall be determined not later than 15 days after the receipt of explanations or the end of the time period for the submission thereof, or after a preparatory hearing or after the end of the time period for the mediation.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

No changes.

3. Please provide pertinent figures, statistics or any other relevant information, if appropriate.

Please see Point 3 of Article 8 Paragraph 2 of this Report for general statistics on claims on reinstatement.

ARTICLE 31: THE RIGHT TO HOUSING

"With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

to promote access to housing of an adequate standard."

1. Please describe the general legal framework. Please specify the nature of, reasons for and extent of any reforms.

Adequate housing

The definition for the adequate housing is given in the Law on Assistance in Solving Apartment Matters, prescribing which categories of persons have the right to receive assistance in solving residential matters, as well as the procedures by which the assistance is provided. Assistance is provided by local governments, in the administrative territory of which the relevant person has declared the place of residence. Article 16 of the mentioned law states that residential space rented out in accordance with the procedures specified shall be fit for living. A residential space fit for living is a lighted, heated room, suitable for long-term human accommodation and for placing household items and it must comply with the construction and hygiene requirements specified in the Regulations of Cabinet of Ministers.

Also, the Law on Residential Tenancy regulates the right of the tenant to receive basic and auxiliary services. According to provisions of this law the lessor has a duty to transfer a residential house (residential space) with all the fittings thereof to a tenant in a condition that allows the tenant to be able to use the residential house (residential space) and obtain all the possible benefit which the tenant has a right to receive in accordance with the lease contract. The lessor shall ensure the maintenance of the residential house (residential space) in accordance with the construction and hygiene requirements specified by regulatory enactments, as well as perform capital repairs. The lessor shall bear responsibility for the damages to the constructional elements and engineering and communications systems, which have occurred due to the general deterioration of the house.

Article 11.³ of the Law on Residential Tenancy lists the types of services, which shall be included in a lease contract:

1) the basic services which are linked to the use of the residential space (heating, cold water, sewerage and removal of municipal waste); and

2) the auxiliary services regarding the provision of which the lessor and the tenant have agreed upon in the lease contract (hot water, gas, electricity, parking place, etc.) and which the tenant may decline by notifying the lessor in writing (two weeks in advance).

International Covenant on Economic, Social and Cultural Rights (Article 11) states that the States Parties to the Covenant recognize the right of everyone to an adequate standard of living for himself/herself and his/her family, including adequate food, clothing and housing, and to the continuous improvement of living conditions. Committee on Economic, Social and Cultural Rights, General Comment 4, The right to adequate housing (Sixth session, 1991), U.N. Doc. E/1992/23, annex III at 114 (1991), reprinted in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.6 at 18 (2003).

Taking into account the above mentioned, national legislation provides all that is stated in the International Covenant on Economic, Social and Cultural Rights, namely the requirement that the housing must be protected against the cold, damp, heat, rain wind, or other health hazards, disease vectors, are stated in the Law on Assistance in Solving

Apartment Matters - suitable for long-term human accommodation and for placing household items. Demands for safety from the design point of view, include the obligations of the owner of the residential house regarding maintenance (physical preservation) -according to the legal requirements set out in the Law on Administration of Residential Houses Management of Residential Housing(Article 6, second paragraph), that also includes the sanitary servicing of the residential house and the inspection, technical servicing and current repairs , the facilities and communications located therein. Consequently, if the house is not safe from the design view point, at the same time it is not fit for living.

Requirement for access to water supply systems, access to energy for cooking, heating, lighting, sanitation, hygiene, food storage and waste disposal systems are provided both in Law on Assistance in Solving Apartment Matters and the Law on Housing Support; a residential space fit for living shall be lighted, heated room. Even the apartment without conveniences is provided with the oven heating, cold water and sewers (in the apartment or outside the apartment), household waste. Consequently, the mentioned space can provide for persons' basic needs, namely it is provided with heat, lighting, cold water, the opportunity to wash, prepare a meal, use the toilet, as well as provided with waste removal. At the same time the right to housing doesn't include the State obligation to ensure that the heating, water and sanitation or food preparation should be provided in a particular way. For example, water for washing can be heated or food can be cooked on electric oven.

Responsibility for adequate housing and legal protection

Person who is responsible for adequate housing is the owner- who owns the house or apartment. If requirements stated in legislation are not met, there are several ways how public authorities can intervene or control these issues.

Regulation of Cabinet of Ministers No. 500 adopted on August 19, 2014 „General Construction Regulations” lays down the rules for cases if the house isn't safe. A structure must be put into order, preservation or demolition carried out (depending on particular circumstances), if:

- 1) condition thereof fails to comply with the requirements of the Construction Law or significant requirements of the structure and it is recorded in a decision of the building authority;
- 2) technical condition or external appearance of the facade of the structure and other external sections fail to comply with the requirements for city environment landscape or territory valuable from the point of view of the landscape (a structure degrades environment or damages a landscape) laid down in the binding regulations of the local government .

A local government shall determine the following duties for the owner of the structure:

- 1) to put in order the structure, to carry out preservation of the structure or to demolish it in order not to cause danger, if the structure is completely or partially collapsed or is under such technical condition that makes it dangerous;
- 2) to put in order the structure so as it would comply with the requirements of the city environment landscape or territory valuable from the point of view of the landscape, if the structure damages the landscape.

The initiator of the construction shall co-ordinate with the building authority the amount of conservation of the structure, works to be carried out and time schedule.

If the owner of the structure fails to comply with the requirements regarding putting into order of the completely or partially collapsed structure, preservation or demolition of the

structure to the extent as not to cause danger, the local government council takes a decision on forced execution of the administrative act (in conformity with the Administrative Procedure Law). The local government council or institution thereof takes a decision to put in order the structure only to the extent as to prevent danger and threat to human safety.

According to the Law on Residential Tenancy (Article 11 (3)) of the Law on Residential Tenancy, the lessor is not allowed not to provide (to discontinue or not to commence) the basic services referred to in the Law on Residential Tenancy. In case of non-compliance with this provision, the lessor shall compensate the losses caused to the tenant (through Court procedure).

According to the Article 28.³ on the Law on Residential Tenancy, if the owner (lessor) has taken a decision to demolish the house, the lessor may terminate a lease contract, providing the tenant and his/her family members with other equivalent residential space. An equivalent residential space is a residential space which, in comparison to the residential space the tenant occupied previously, has the same level of amenities, is equivalent in terms of space and other essential conditions characterizing the residential space, as well as is located in the same town or parish.

Article 28.⁴ of the same law states that if the owner (lessor) of a residential house (a residential space) has decided to perform capital repairs and is unable to perform such repairs while a tenant resides in the house or uses the relevant space, the lessor may terminate a lease contract, providing the tenant and members of his/her family with other equivalent residential space.

All the disputes between tenant and lessor are resolved in Court.

With the aim to improve housing stock, Ministry of Economics is working on the following priorities:

1. Develop further the living fund:

- create new State support programs for construction of affordable rental housing: (result – improved living fund in local governments for persons who cannot afford to rent apartment on market conditions or buy apartment.
- develop model building projects, with the aim to achieve that costs pays off in future.
- improve more attractive environment for investors (simplification of the construction process (building permissions), rent regulation improvement.

2. Improve housing management to ensure quality:

- create new financial instruments for improving existing living fund.
- improve legal regulation with the aim to promote home-owners planning repair works -to avoid emergency situations in future.
- evaluate decision making process that prevents home-owners improving the condition of their house.

Measures in favour of vulnerable groups

Law on Assistance in Solving Apartment Matters foresees special aid for low-income persons. Assistance is provided by the local government in the administrative territory of which the relevant person has declared the place of residence. A person who wishes to receive assistance submits to the relevant local government a written application in which is indicated the potential types of assistance preferred and documents, certifying that the person involved is entitled to receive assistance. A person shall be registered in

a register of assistance to be provided, if he/she has been recognised as entitled to receive assistance.

There are the following types of assistance in solving apartment matters:

- rent of local government-owned or leased thereof residential spaces;
- renting out a social apartment;
- provision with temporary residential space;
- assistance in exchanging a rented residential space for other residential space;
- allocation of allowance to cover payment for residential tenancy and payment for services associated ;
- allocation of housing benefit to child-orphan and child left without parental care;
- allocation of a one-off allowance for renovation of a residential space or residential house;
- allocation of a one-off allowance for vacation of a residential space;
- renovation of a residential space;
- assistance in purchase or construction of a residential space (purpose: provide housing guarantees to families with children, having insufficient means for mortgage down payments);
- assistance in the renovation and restoration of residential housing;
- assistance in renting residential space for a qualified specialist.

The Law states that local government's support in solving apartment matters is available to all the administrative territory concerned citizens who according to the law and binding regulations are recognized as eligible for such assistance, regardless of ethnic origin, including Roma families. As the main criteria for assistance is level of the person's income. Therefore, the Roma may receive aid in the same manner as the rest of the population.

Latvia has no specific measures targeted to Roma aimed at housing inclusion however Roma is included in mainstreaming measures as one of target group. Survey results show that on average 75-80 per cent of Roma families encounter difficulties regarding availability and quality of housing. Low and irregular employment and thus insufficient income along with lack of savings reduce Roma possibilities not only to rent or acquire housing but also cause difficulties in the maintenance of housing and deny the possibility to enjoy the needed and desired living conditions in the chosen housing.

2. Please indicate the measures taken (administrative arrangements, programmes, action plans, projects, etc.) to implement the legal framework.

Please see also the information provided under Article 16 of this Report.

3. Please provide pertinent figures, statistics or any other relevant information to demonstrate effective access to adequate housing, including the length of waiting periods.

Table No.105

Number of housing allowance recipients and ratio of housing allowance recipients of total number of population, resources spent (2014 – 2017)

Indicators	2014	2015	2016	2017
Number of population in total in the beginning of year (<i>source: CSB</i>)	2 001 468	1 986 096	1 968 957	1 950 116
Number of housing allowance recipients (persons), total (needy and low-income persons)	133 864	113 018	100 779	93 738
<i>Ratio of housing allowance recipients from total number of population %</i>	6.69	5.69	5.12	4.81
Number of housing allowance recipients (households), total (needy and low-income persons)	73 629	66 147	61 374	58 743
Resources spent for housing allowance, <i>EUR</i>	20 472 702	18 390 069	16 656 819	16 570 182
Average amount of housing allowance for person per year, <i>EUR</i>	152,94	162,72	165,28	176,77
Average amount of housing allowance for person per month, <i>EUR</i>	12,74	13,56	13,77	14,73

Data source: Ministry of Welfare

Table No.106

Categories of persons receiving housing allowance (2014 – 2017)

Indicators	2014	2015	2016	2017
Number of housing allowance recipients (persons)	133 864	113 018	100 779	93 738
incl. children	33 012	25 748	21 335	18 841
incl. employed persons	16 709	12 283	9 552	8 536
incl. unemployed persons	22 412	19 222	16 878	14 353
incl. persons on child care leave	3 679	2 892	2 318	2 085
incl. persons with disability	16 476	14 998	14 266	13 768
incl. persons at retirement age	43 203	39 240	37 546	37 151

Data source: Ministry of Welfare

Table No.107

Persons registered for the receipt of aid for the solution of housing issues as on 1 April 2018 in Riga City Council

Number of persons registered for the tenancy of a social flat or social residential space		
Register 1	Persons registered for the tenancy of a social flat or social residential space.	Total:1278 (246 tenants of denationalised houses)
Number of persons registered for tenancy of the residential space on a first-priority basis		
Register 2	Persons evicted from leased or owned residential space, on the basis of a court judgment.	14 (3 tenants of denationalised houses)
Register 3	Orphans and children left without parental care.	347

Register 5	Persons registered on a first-priority basis, released from prison after serving a sentence.	12
Register 6	Low income large families meeting the conditions mentioned in the binding regulations of the municipality.	229
Register 7	<ul style="list-style-type: none"> - Repatriates. - Low income politically repressed persons. - Low income persons with special merits. - Tenants of denationalised houses meeting the conditions mentioned in the binding regulations of the municipality. 	739 (738 tenants of denationalised houses)
Register 8	Persons, who are: <ul style="list-style-type: none"> - tenants of denationalised houses, with whom the tenancy contract is terminated in the case mentioned in Paragraph 2 Article 28⁴ of the law On Tenancy of Residential Space; - tenants of residential premises owned by the municipality, with whom the tenancy contract is terminated in the case mentioned in Paragraph 1 Article 28³ or Paragraph 1 Article 28⁴ of the law On Tenancy of Residential Space. 	364
		Total: 1705 (741 tenants of denationalised houses)
Number of persons registered for the tenancy of residential space		
Register 9	Persons, who wish to exchange residential space leased from the municipality to another residential space, which meets the criteria mentioned in the binding regulations of the municipality	22
Number of persons registered for tenancy of residential space under the general procedure		
Register 10	Persons, who are registered for the receipt of aid till 20 th of July 2010	22
Number of tenants of denationalised houses registered for the receipt of benefit for the vacation of residential space		
Register 4	For the receipt of benefit for the vacation of residential space on a first-priority basis	69
Register 4 ¹	For the receipt of benefit for the vacation of residential space	252
		Total: 321 (tenants of denationalised houses)
As on 1 April 2018 there are 3 414 families registered in total (1 308 tenants of denationalised houses)		

Data source: Riga City Council Housing and Environment Department

There are approximately 15 500 flats in the housing fund of Riga City Council.

In accordance with Riga City Council binding regulations No.202 of January 15, 2013 "On Acknowledging Status of a Family or an Individual as Deprived or Low-income and on Benefits Granted by Riga Municipality", Riga City Council grants an allowance for covering rental and/or maintenance costs, and for covering expenses of services that are related to the use of living space.

In 2014 the allowance was granted to 25 858 persons (amounting to EUR 9 256 781), in 2015 to 20 393 persons (amounting to EUR 7 813 848), in 2016 to 15 687 persons (amounting to EUR 6 518 234) and in 2017 to 12 915 persons (amounting to EUR 6 222 583).

During the reference period the Riga City Council has concluded 1382 lease contracts on lease of social apartments (in 2014 – 442, in 2015 – 226, in 2016 – 469 and in 2017 – 245).

The respective figures regarding the lease contracts on lease of other municipal apartments were 699 agreements (in 2014 – 133, in 2015 – 211, in 2016 – 140 and in 2017 – 215).

More detailed information about different kind of social services and social assistance provided to inhabitants of Riga Municipality, is included in a yearbook created by the Welfare Department of Riga City Council - Social Benefit System and Healthcare in Riga in 2017 (as well as for the rest period of reference years), to be found on Welfare Department's webpage⁴⁸.

Some local governments with significant numbers of Roma population provide support for social housing for socially disadvantaged Roma families. The amount of funding and number of beneficiaries of this support are not provided by local governments, because of sensitivity of data. As survey "Roma in Latvia" (2015) shows, Roma make an active use of the assistance the local governments and NGOs provide regarding housing. The most frequently used possibility is to receive from the local government a housing benefit. In the last three years more than half of the respondents (53.7 per cent) have received it. Roma also use the hygiene services that local governments and NGOs offer (in the previous three years 14.4 per cent of Roma have used shower services while laundry services have been used by 12.7 per cent of Roma). During the last three years more than half of the surveyed Roma (53.7 per cent) have received a housing benefit. In cooperation with local government housing experts and housing managers different issues associated with supply of the housing are being settled and housing management skills of Roma inhabitants as well as understanding of the need to pay for public utilities is enhanced by discussing matters with the debtors and explaining possible consequences.

⁴⁸http://www.ld.riga.lv/files/Gadagramatas/SOCIALA_SISTEMA_UN_VESELIBAS_APRUPE_RIGA_2017_GADA.pdf (available only in Latvian)

Responses to Queries raised by the European Committee of Social Rights in its Conclusions 2015 (Latvia)

Article 7 - Right of children and young persons to protection

Paragraph 1 - Prohibition of employment under the age of 15

Query: The Committee notes that the performance of the work of a domestic is listed among the activities permitted for children from the age of 13. The Committee recalls that domestic work and work within the family also come within the scope of Article 7§1 of the Charter. Although the performance of such work by children may be considered normal and even forming part of their education, it may nevertheless entail, if abused, the risks that Article 7§1 is intended to eliminate. The supervision required of States must, in such cases, concern not just the Labour Inspectorate but also the educational and social services (International Commission of Jurists (CIJ) v. Portugal, Complaint No. 1/1998, Decision on the merits of 9 September 1999, §§27-28). The Committee asks how the authorities monitor work done at home by children and domestic work and which are their findings in this respect.

Response: If domestic work and work done at home by children are performed as employment legal relationships (if in the case of performance of those works, the features of the employment legal relationships are evident), the SLI has a right to control the fulfilment of the requirements of the Labour Law. Inspection can be carried out, if the SLI receives any information on the violations. Until now the SLI has not received any complaints on cases when the domestic work or work done at home by children has been done. Thereby at the moment the SLI has no experience in this issue.

In case of possible abuse of parental rights the child has the following mechanism how to protect himself/herself. According to Article 185, Paragraph 2 of the Civil Law a child may turn for help to an Orphan's and Custody Court if the parents have specified unjustified restrictions or have caused other differences of opinion in their relations. For the resolution of differences of opinion, if necessary, a guardian shall be appointed for the child. The Orphan's and Custody Court is the primary agency on the local level responsible for the protection of children's rights. According to Article 17, Clause 1 of the Law on Orphan's and Custody Courts an Orphan's and Custody Court shall defend the personal and property interests and rights of a child or a person under trusteeship. If needed assistance to the state or local government police and local government Social Service is required. An alternative way for seeking for help of a child in a risk situation is the Children Hotline 116111 operated by the State Inspectorate for Protection of Children's Rights. The hotline is available 24/7 free of charge. There children receive professional psychological assistance by qualified psychologists. If there is a substantiated suspicion on the violation of children's rights the information is being forwarded to the competent law enforcement agencies.

Query: The Committee recalls that the effective protection of the rights guaranteed by Article 7§1 cannot be ensured solely by legislation; the legislation must be effectively applied in practice and rigorously supervised. The Labour Inspectorate has a decisive role to play in this respect. The Committee asks the next report to provide information on the activities and findings of the Labour Inspectorate of monitoring the prohibition of employment under the age of 15 and whether the conditions for involving children in light work from the age of 13 are met. The

Committee requests information on the violations detected and sanctions applied in practice by the State Labour Inspectorate with regard to the illegal employment of children.

Response: Information on the violations detected and penalties applied in practice by the SLI with regard to the illegally employed persons under the 18 years of age:

	2014	2015	2016	2017
The number of detected illegally employed persons under the 18 years of age	28	17	33	36
The number of imposed administrative penalties for the detected cases of illegal employment of persons under the 18 years of age	22 + 2 oral admonishments	14 + 1 oral admonishment	26 + 2 oral admonishments	30 + 4 oral admonishments
The number of victims (under the 18 years of age) of accidents at work	5	5	4	5

Data source: SLI

Please see also the information provided under Article 7§1 of this Report.

Article 7 - Right of children and young persons to protection

Paragraph 2 - Prohibition of employment under the age of 18 for dangerous or unhealthy activities

Query: The Committee notes from the report that according to Article 37(5) of the Labour Law, an employer has the duty, prior to entering into an employment contract, to inform one of the parents of the adolescent about the assessed risk of the working environment and the labour protection measures at the relevant workplace. Persons under 18 years of age shall be employed only after a prior medical examination and they shall, until reaching the age of 18, undergo a mandatory medical examination once a year (Article 37(6) of the Labour Law).

The Committee recalls that if such hazardous work proves absolutely necessary for their vocational training, young persons may be permitted to perform it before the age of 18, but only under strict, expert supervision and only for the time necessary. The Labour Inspectorate must monitor these arrangements (Conclusions 2006, Norway). The Committee asks information on the activities of the State Labour Inspectorate of monitoring the exceptional cases when employment in dangerous or unhealthy activities is permitted in connection with vocational training of the adolescent.

Response: Clause 3 of the Regulation of the Cabinet of Ministers No.206 of 28 May 2002 "Regulations regarding Work in which Employment of Adolescents is prohibited and Exceptions when Employment in such Work is Permitted in Connection with

Vocational Training of the Adolescent” prescribes that employment of the adolescents in work referred to in this Regulation is permissible only in exceptional cases if it is related to vocational training of the adolescent, the work is performed in direct presence of the supervisor of the work or a trusted representative, and compliance with regulatory enactments related to labour protection has been ensured. During the time period from 2014 till 2017 the SLI has not detected the violations of the Clause 3, Regulation of the Cabinet of Ministers No. 206 of 28 May 2002.

As regards student's training practice, work place of the training practice must meet requirements of the labor protection, fire safety and also sanitary hygiene norms. According to the definition in Labour protection law employee is any natural person employed by an employer, including State civil servants and persons employed during production or training practice. The SLI has a right to control the fulfilment of the requirements of the labour protection, especially in cases when an accident has occurred at the work place or an application on violation has been submitted to the SLI.

Query: The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the activities and findings of the State Labour Inspectorate in relation to the prohibition of employment under the age of 18 for dangerous or unhealthy activities and the exceptions permitted, including the number of violations detected and sanctions applied.

Response: The number of detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraphs 4 to 6:

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 4 Article 37 of Labour Law	1	2	-	1
Paragraph 5 Article 37 of Labour Law	1	-	-	-
Paragraph 6 Article 37 of Labour Law	1	3	4	4

Data source: SLI

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 4 Article 37 of Labour Law	1	2	-	1
Paragraph 5 Article 37 of Labour Law	-	-	-	-
Paragraph 6 Article 37 of Labour Law	1	2	2	4

Data source: SLI

Information on the detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraphs 2 and 3 is provided under Point No.3 of Article 7§1 of this Report.

Please see also the information provided in the answer to the previous query under the Article 7§2 of this Report.

Article 7 - Right of children and young persons to protection

Paragraph 3 - Prohibition of employment of children subject to compulsory education

Query: As regards supervision, the report indicates that the State Labour Inspectorate shall supervise and control observance of the requirements of the regulatory enactments governing employment relations and labour protection. The

Committee would like to receive information on the activities and findings of the State Labour Inspectorate, including on violations detected and sanctions applied, in relation to work performed by children who are still subject to compulsory education.

Response: Please see the information provided under the previous responses (information on the violations detected and penalties applied in practice by the SLI with regard to the illegal employment of children and the number of detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraphs 4 to 6; information on the violations detected and penalties applied in practice by the SLI with regard to the illegal employment of children). Please see also the information provided under Point No.3 of Article 7§1 of this Report.

Query: The Committee refers to its Statement of interpretation on Article 7§3 (Conclusions 2011) and recalls that in order not to deprive children of the full benefit of their education, States Parties must provide for a mandatory and uninterrupted period of rest during school holidays. Its duration shall not be less than 2 weeks during the summer holidays (Statement of interpretation on Article 7§3, Conclusions 2011). The Committee asks if children who are still in compulsory education benefit of two consecutive weeks free from any work during the summer holidays. Pending receipt of the information requested the Committee reserves its position on this point.

Response: According to Article 132 of Labour Law for persons who are under 18 years of age a working week of five days shall be specified. Children who have reached the age of 13 years may not be employed: for more than two hours a day and more than 10 hours a week if the work is performed during the school year; for more than four hours a day and more than 20 hours a week if the work is performed at the time when there are holidays at an educational institution; if the child has reached 15 years of age - for more than seven hours a day and more than 35 hours a week. Adolescents may not be employed for more than seven hours a day and more than 35 hours a week. If persons who are under 18 years of age continue to, in addition to work, acquire primary education, secondary education or an occupational education, the time spent on studies and work shall be summed and may not exceed seven hours a day and 35 hours a week. If persons who are under 18 years of age are employed by several employers, the working time shall be summed.

According to Article 142 Paragraph two of Labour Law for children the length of a one-day rest within 24 hours shall not be less than 14 consecutive hours. According to Article 143 Paragraph one, two and three of Labour Law the length of a weekly rest period within a seven-day period shall not be less than 42 consecutive hours. This provision need not apply if aggregated working time has been prescribed. If a working week of five days is specified, an employee shall be granted two of the week's days of rest, and if a working week of six days is specified, one of the week's day of rest. Both of the week's days of rest are customarily granted as consecutive days. Generally the week's day of rest shall be Sunday. If it is necessary to ensure continuity of a work process, it is permitted to have an employee work on a Sunday, granting him/her a day of rest on another day of the week.

According to Article 15 Paragraph 1 of the Law on the Protection of the Children's Rights a child has the right to be protected from economic exploitation, and from employment in conditions that are dangerous or harmful to his/her health or physical, psychological or moral development, or in night work or during such working periods as hinder his/her education.

According to Article 16 of the Law on the Protection of the Children's Rights a child has the right to recreation and free time appropriate to his/her age and physical and mental development, and the right to take part in games and amusement events, and cultural activities, and to engage in art.

Article 66, Paragraph 2, Clause 6 of the Law on the Protection of the Children's Rights prescribes that local government is responsible for primary schools and extracurricular child institutions, public libraries, as well as for organisation of child recreation.

According to the information provided by the Ministry of Education and Science the school year 2018/2019 started on 3 September 2018 and will last until 31 May 2019 (for grades 1-8 and 10-11). For pupils in grade 9 the studies will end on 17 May and the school year after completion of the state examinations – on 14 June. For pupils in grade 12 the studies will end on 17 May and the school year – on 21 June.

During the school year the following school holidays have been established in 2018:
 -Autumn holidays – from 22 October 2018 until 26 October 2018;
 -Winter holidays – from 24 December 2018 until 4 January 2019;
 -Spring holidays from grades 1-11 from 11 March 2019 until 15 March 2019; for grade 12 the spring holidays from 18 until 22 March 2019;
 -Summer holidays for grades 1-8 and 10-11 will start on 3 June 2019 and last until 30 August 2019.

It is parents' primary responsibility to ensure that their children acquire the necessary free time from work.

Article 7 - Right of children and young persons to protection

Paragraph 4 - Working time

Query: The Committee recalls that the situation in practice should be regularly monitored. It asks that the next report provide information on the activity of the State Labour Inspectorate, its findings and sanctions applied in cases of breach of the applicable rules to reduced working time of young workers who are no longer subject to compulsory education.

Response: In accordance with Paragraph 1 Article 41 of the Latvian Administrative Violations Code in the case of a violation of regulatory enactments regulating employment legal relations, except for the cases, which are specified in Paragraphs 2 and 3 of this Article – a warning shall be issued or a fine shall be imposed on the employer – for a natural person or an official in an amount from EUR 35 up to EUR 350, and for a legal person – from EUR 70 up to EUR 1100. In the cases of the violations provided for in Paragraph 1 of this Article, if they have been recommitted within a year after the imposition of administrative sanction – a fine shall be imposed on the employer – for a natural person or an official in an amount from EUR 350 up to EUR 700, and for a legal person – from EUR 1100 up to EUR 2900.

The number of detected violations and administrative penalties imposed by the SLI in accordance to Article 132, Paragraphs 1, 3 and 5:

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 1 Article 132 of Labour Law	-	-	-	2
Paragraph 3 Article 132 of Labour Law	1	1	1	2
Paragraph 5 Article 132 of Labour Law	-	-	-	-

Data source: SLI

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 1 Article 132 of Labour Law	-	-	-	1
Paragraph 3 Article 132 of Labour Law	-	-	-	1
Paragraph 5 Article 132 of Labour Law	-	-	-	-

Data source: SLI

Article 7 - Right of children and young persons to protection

Paragraph 5 - Fair pay

Young workers

Query: In order to assess on the conformity of the situation with the Charter, the Committee requests information on net values of both minimum and average wages for the relevant reference period. The Committee underlines that it requests information on the net values, that is, after deduction of taxes and social security contributions. Net calculations should be made for the case of a single person. In the meantime, the Committee reserves its position on this point.

Response: There is a decentralised wage bargaining system in Latvia and one minimum wage level that is binding for all the employees.

Average and minimum monthly wages (neto, EUR)

	Average net monthly wage, EUR	Minimum net monthly wage taking into account one-(single) person tax relief, EUR
2014	560	235,66
2015	603	265,34
2016	631	272,24
2017	676	275,68

Data source: CSB

In addition to the national regulation of the minimum wage, there is also the local regulation of the minimum wage, namely social partners may specify the minimum wage in the relevant company or industry in collective agreements with employers or in the industry. According to the principle of labour rights that a collective agreement may not impair the status of an employee in comparison with laws and regulations (Article 6 Labour Law), thus only a higher wage may be specified in collective agreements.

Apprentices

Query: The report does not provide any information on the allowances paid to apprentices during the reference period. The Committee asks whether there is a legal framework on the status of apprentices in Latvia. In order to assess on the conformity of the situation with Article 7§5 of the Charter, the Committee requests to be provided with the net values of the allowances paid to apprentices (after deduction of social security contributions) at the beginning and at the end of the apprenticeship. Pending receipt of the information requested, the Committee reserves its position on this point.

Response: The Law on Vocational Education stipulates *work-based learning* (hereinafter - WBL) as a form of the implementation of vocational education (starting from 2016). WBL programmes for both secondary and post-secondary students provide opportunities to achieve employment-related competencies in charge at the school and the workplace. Work-based learning is often undertaken in conjunction with classroom or related learning and may take the form of work placements, work experience, workplace mentoring, and instruction in general workplace competencies and broad instruction in all aspects of industry. The term *apprenticeship* is not applicable regarding the education system in Latvia.

In WBL employer provides employment contract, thus paying at least minimum wage (of EUR 344 monthly net minimum wage) or Scholarship agreement between enterprise and student. In addition, according to the Law on Personal Income Tax, the scholarship for students paid by employers in WBL (if it does not exceed 280 EUR) is exempt from the personal income tax. The Regulation of the Cabinet of Ministers No. 484 of 15 July 2016 "Procedures by which Work-based Learning is Organised and Implemented" (creates a legal framework for the organization and implementation of the WBL) is not defining minimum and maximum amount of monthly scholarship.

According to the Vocational Education Law, an organisation of the vocational education determines the organisational procedures for in-service training, which is a part of a vocational education programme. The purpose of which is to strengthen and supplement the knowledge of a trainee, as well as to improve his/her vocational skills in accordance with the requirements of a particular profession. For in-service training allowances is not defined. However, the trainee may enter into a bilateral agreement regarding the procedures for settling mutual accounts (employment contract). Apprenticeship/work-based learning schemes in Latvia are legally approved only within formal education system.

Article 7 - Right of children and young persons to protection

Paragraph 6 - Inclusion of time spent on vocational training in the normal working time

Query: The report indicates that Article 137 (2) of the Labour Law provides that for employees who, on the basis of an order of the employer, concurrently are acquiring an occupation (profession, trade), the time spent on studies and work shall be summed and shall be regarded as working time. Furthermore, Article 132 (4) of the Labour Law specifies that if persons who are under the age of 18 continue to, in addition to work, acquire primary education, secondary education or an occupational education, the time spent on studies and work shall be summed and may not exceed seven hours a day and 35 hours a week.

The Committee asks confirmation that the time spent on training mentioned in the above situations is thus remunerated as normal working time.

Response: The time spent on training mentioned in the Paragraph 2 Article 137 and in Paragraph 4 Article 132 is considered as working time and thereby remunerated accordingly.

Query: The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the activity and

findings of the State Labour Inspectorate in relation to the inclusion of time spent on vocational training in the normal working time.

Response: Please see the information provided under Point No.3 of Article 7§6 of this Report.

Article 7 - Right of children and young persons to protection

Paragraph 7 - Paid annual holidays

Query: The report states that according to Article 149 of the Labour Law, all employees, including young workers under 18 years of age, have the right to annual paid leave which shall not be less than four calendar weeks, with public holidays excluded. The Committee asks confirmation that this right cannot be waived by young persons under 18, in exchange for additional pay.

Response: The right provided in Article 149 of the Labour Law can not be waived by young persons under 18 in exchange for additional pay. According to the Paragraph 5 of Article 149 of the Labour Law it is not permitted to compensate annual paid leave with money, except in cases when employment legal relationships are terminated and the employee has not utilised his/her annual paid leave. An employer has a duty to disburse remuneration for the entire period for which the employee has not used his/ her annual paid leave.

According to the Paragraph 1 of Article 149 of the Labour Law persons under 18 years of age shall be granted annual paid leave of one month.

Query: The Committee asks whether young workers who suffer from illness or temporary incapacity during their holiday are entitled to take the days lost at another time.

Response: Paragraph 6 Article 150 prescribes that annual paid leave shall be transferred or extended in case of temporary incapacity of an employee.

Query: The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the activity and findings of the State Labour Inspectorate in relation to the paid annual holidays of young workers under 18.

Response: Please see the information provided under Point No.3 of Article 7§7 of this Report.

Article 7 - Right of children and young persons to protection

Paragraph 8 - Prohibition of night work

Query: The report indicates that according to Article 138 (6) of the Labour Law, it is prohibited to employ at night persons who are under 18 years of age. The Committee notes that the Labour Law provides that night work shall mean any work performed at night for more than two hours. Night-time shall mean the period of time from 22 to 6 o'clock (Article 138 (1)).

The Committee asks whether exceptions are made with regard to certain occupations or sectors and, if this is the case, which is the number/proportion of young workers concerned by such derogations.

Response: There are no exceptions in Paragraph 6 of Article 138 of the Labour Law with regard to certain occupations or sectors.

According to the Paragraph 1 Article 138 of the Labour Law night-time with respect to children within the meaning of this Law shall mean the period of time from 20 to 6 o'clock.

Query: The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the activity of the State Labour Inspectorate, its findings and sanctions imposed in relation to possible illegal involvement of young workers under 18 in night work.

Response: The number of detected violations and administrative penalties imposed by the SLI with respect to Article 138, Paragraph 6*:

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 6 Article 138 of the Labour Law	-	1	-	-

Data source: SLI

*There is no statistical information on detected violations of Paragraph 6 Article 138 concerning persons under 18 years of age.

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 6 Article 138 of the Labour Law	-	1	-	-

Data source: SLI

* There is no statistical information on imposed administrative penalties for the violations of Paragraph 6 Article 138 concerning persons under 18 years of age.

Article 7 - Right of children and young persons to protection

Paragraph 9 - Regular medical examination

Query: The report indicates that Article 37 (6) of the Labour Law specifies that persons under 18 years of age shall be employed only after a prior medical examination and they shall, until reaching the age of 18, undergo a mandatory medical examination once a year.

The Committee recalls that the medical examinations must be adapted to the specific situation of young workers and the particular risks to which they are exposed (Conclusions (2006) Albania). The Committee asks how the medical examinations of young workers are organised in practice.

Response: Medical examinations of the young workers are carried out in accordance with the general rules, respectively according to the provisions of the Regulations of the Cabinet of Ministers No.219 of 10 March 2009 "Procedures for Performance of Mandatory Health Examinations" (hereinafter – Regulations No.219). The Regulations prescribe the procedures for performance of mandatory health examinations (hereinafter – health examination) for those employees whose state of health is affected by or may be affected by factors of the working environment harmful to health, and those employees who have special conditions at work. According to the definition in Labour protection law employee is any natural person

employed by an employer, including State civil servants and persons employed during production or training practice. Regulations No.219 determines that health checks should be performed once a year or 3 years according the exposure of risk factors. However according Article 37 (6) of the Labour Law employer shall ensure medical examination of persons under 18 years every year, following the procedure prescribed in the Regulations No.219 and risks to which they are exposed.

Query: The Committee recalls that the situation in practice should be regularly monitored and asks that the next report provide information on the activity and findings of the State Labour Inspectorate in relation to the medical examination of young workers under 18.

Response: The number of detected violations and administrative penalties imposed by the SLI with respect to Article 37, Paragraph 6:

The number of detected violations by the SLI	2014	2015	2016	2017
Paragraph 6 Article 37 of the Labour Law	1	3	4	4

Data source: SLI

The number of administrative penalties imposed by the SLI	2014	2015	2016	2017
Paragraph 6 Article 37 of the Labour Law	1	2	2	4

Data source: SLI

Article 7 - Right of children and young persons to protection

Paragraph 10 - Special protection against physical and moral dangers

Protection against the misuse of information technologies

Query: In light of the fact that new information technologies have made the sexual exploitation of children easier, States must adopt measures in law and in practice to protect children from their misuse. As for example the Internet is becoming one of the most frequently used tools for the spread of child pornography, States parties must take measures to combat this, such as by providing that Internet service providers be responsible for controlling the material they host, encouraging the development and use of the best monitoring system for activities on the net (safety messages, alert buttons, etc.) and logging procedures (filtering and rating systems, etc.).

The Committee asks for full information concerning supervisory mechanisms and sanctions for sexual exploitation of children through the information technologies. It further asks whether legislation or codes of conduct for Internet service providers is foreseen in order to protect children.

Response: The Law On Information Society Services Article 10 Paragraph 5 presumes that an intermediary service provider who performs storage of the information of a service recipient has duty immediately perform activities in order to liquidate or deny access to the stored information as soon as the knowledge of illegal activity or information of a service recipient was obtained.

The Latvian Internet Association's Hotline offers opportunity for the public anonymously report via web site www.drossinternets.lv or mobile app reporting form that has been designed to report illegal online content and/or activities. Reporting form is available in Latvian, English and Russian. It is possible to report anonymously and no reporter is obliged to leave personal information. Every report is assessed by

trained hotline operator according to Guidelines developed on the current legislation. The Hotline's Operational Manual is endorsed by Law Enforcement and Cooperation Agreement signed with the State Police stating notice and take-down procedures for illegal content hosted in Latvia.

Members of Latvian Internet Association – major Internet Service Providers have signed Memorandum of Understanding to combat child sexual abuse images online and provide support to Hotline in removing illegal content from public access.

The Latvian Internet Association's Hotline is full member of Inhope Association of Internet Hotlines. INHOPE is an active and collaborative global network of 48 Hotlines in 42 countries, dealing with illegal content online and committed to stamping out child sexual abuse from the Internet. Latvian Hotline is contributing child sexual abuse reports hosted outside of Latvia to INHOPE ICCAM Database and has been contributing since the beginning of the development of the URL Database.

The Government of the Republic of Latvia is providing financial support for the operation of the project "Net Safe Latvia" carried out by the Latvian Internet Association's Safer Internet Centre <https://drossinternets.lv/en/info/about-us> in partnership with State Inspectorate for Protection of Children's Rights. In the framework of the project the Children Hotline 116111 operated by the State Inspectorate for Protection of Children's Rights is providing psychological support for children who have had negative online experienced, the inspectorate also checks whether educational institutions have ensured safety measures on school computers to ensure child online safety. According to Article 19, Paragraph 1, Clause 17 of the Electronic Communications Law electronic communications merchants have the following duties, to: inform individually the user regarding the possibility of installing a content filter, which restricts access of such material, in which cruel behaviour, violence, erotica and pornography is propagandised and which creates a threat to the mental development of children, as well as to ensure the free of charge installation of content filters if the subscriber demands it from the electronic communications merchant. Article 71 Paragraph 2, Part 1 of the Electronic Communications Law states that data to be retained shall be retained and transferred to pre-trial investigation institutions, bodies performing operational activities, State security institutions, the Prosecution Office and the court in order to protect State and public security or to ensure the investigation of criminal offences, criminal prosecution and criminal court proceedings. Information regarding the given name, surname or designation and address of the subscriber or registered user to whom an Internet Protocol (IP) address, user ID or telephone number was allocated at the time of the connection in order shall be retained and submitted to State Police to ensure the protection of the rights and legal interests of the individual infringed in the electronic environment in the administrative offence cases on physical and emotional violence against the child.

Beside sanctions in relation to the violence against child are stated in both Administrative Violations Code and Criminal Law depending on the severity of the offence.

Protection from other forms of exploitation

Query: In its Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Latvia, the Group of Experts against Trafficking in Human Beings (GRETA) considered that the Latvian authorities should step up their efforts to inform the general public about the problem

of trafficking in human beings in its various forms. GRETA noted that according to Article 154§2 of the Criminal Code when a victim of trafficking is a minor, there is no need to prove the use of any means to establish the offence of trafficking.

However, pursuant to Section 3 of the Act on the Protection of the Rights of the Child, a minor is a person below 18 years of age, with two exceptions: a person who has not attained 18 years of age, but has been declared of legal age in accordance with the law, or has entered into marriage, is no longer considered a child. Therefore, the Latvian authorities have indicated that Article 154§2 of the Criminal Code would not apply to children who are considered as adults before they attain 18 years of age.

The Committee asks in this respect whether protection against trafficking has been extended to all children, including those who have attained majority before 18 years of age.

Response: The aforementioned matters have been solved by the amendments of 26 November 2015 to the Law on the Protection of the Children's Rights.

Article 3 Paragraph three of the Law on the Protection of the Children's Rights establishes that in the area of administrative offences against law and criminal law, all relevant legal provisions applicable to minors shall be applied to a person under 18 years of age. The amendments were adopted by the Parliament (*Saeima*) on 26 November 2015 and came into force on 29 December 2015.

Query: The Committee notes from the report that the Law on Protection of the Rights of the Child defines street children as children who have insufficient connection with family and who spend the greater part of their time on the streets or in other circumstances inappropriate for the development of a child. A municipality local government and a town local government shall analyse the situation in the field of observance of the rights of the child, and shall develop and implement a programme for the protection of the rights of the child in the administrative territory of the municipality or the city. The municipality shall provide assistance and support to families in which there are children, guaranteeing shelter, clothing, and nutrition appropriate to the age and state of health of each child residing in the territory of municipality.

The Committee wishes to be informed about the implementation of this act in practice.

Response: The Government of the Republic of Latvia has not conducted a research on street children in Latvia lately, (the actual activities are implemented by the local governments) while there is no such a research.

Even though there exists such a term "street children" in the Law on the Protection of the Children's Rights, in practice this term is not being recognised and applied by the practitioners working with children in risk situations and their families since there exists more individualised and less stigmatising ways how to describe children who are in need of support and protection. At the same time the group of children usually are included in different target group taking into account the primary risk indicators, conditions that have led to the insufficient connection with family (domestic violence, abuse and/or neglect, substance abuse, illness, disability etc.).

According to the statistical data provided by the State Police (www.vp.gov.lv/doc_upl/2017_12_men_parskats_.docx) in 2017 130 children aged 7-18 came under the supervision of the State Police due to systematic vagrancy. In

2017 the search for 520 missing under aged persons were announced. From them at the end of 2017 49 under aged persons were still missing and therefore search for them was being continued. The relative high number of missing children is being explained by the fact the under aged persons were announced missing for several times (repeatedly). This refers to children who have an inclination to vagrancy and running away from the residential institutions. The high number of reported missing children has also been explained with the fact the recently the society has become more vigilant/aware of cases of child disappearances.

The Law on the Protection of the Children's Rights considers "street children" as one of the risks groups that have risk to commit an offence. Therefore vagrant children, child-beggars and children with "other similar behaviour that could lead to committing an offence" are encompassed in the target group for whom the local governments develop individual programs for social correction of child's behaviour. Article 58 of the Law on the Protection of the Children's Rights establishes that work with children for the prevention of violations of law shall be carried out by local governments in collaboration with the parents of children, educational institutions, the State Police, the State Probation Service, if the child is a probation client, public organisations and other institutions. A local government shall establish a prevention file and draw up a programme for social correction of behaviour for each child who: has committed a criminal offence and is not in detention during the pre-trial investigation period; is found guilty of the commission of a criminal offence, but whose sentence is not connected with deprivation of liberty; is released from criminal liability; is released from imprisonment or from the place where they are serving sentence; has committed, prior to attaining 14 years of age, illegal acts set out in the Criminal Law; has committed illegal acts as set out in the Latvian Administrative Violations Code more than two times; begs, is vagrant or performs other acts which may lead to illegal actions.

The State Police may enter into prevention records a children who has committed a criminal offence and is not in detention during the pre-trial investigation period; is found guilty of the commission of a criminal offence, but whose sentence is not connected with deprivation of liberty; is released from criminal liability; is released from imprisonment or from the place where they are serving sentence; has committed, prior to attaining 14 years of age, illegal acts set out in the Criminal Law; has committed illegal acts as set out in the Latvian Administrative Violations Code more than two times. In addition the State Police may enter into prevention records other children, for whom there is a prevention file established at a local government, if the drawn up programme for social correction of behaviour provides for the joint participation of the police in a specific case.

The State Inspectorate for Protection of Children's Rights in the framework of a project co-funded by the European Union has established (European Social Fund project "Improvement of the support system for children with challenging behaviour and domestic violence"

http://www.bti.gov.lv/lat/esf_projekts_/par_konsultativo_nodalu/).

The Multidisciplinary Consultative Unit which provides consultations and recommendations to the family as well as the professionals at the local government on the advisable support plan for the individual child who has a challenging behaviour also has been established. According to the recommended plan elaborated by the multidisciplinary team the local government is urged to organize the necessary support measures for the child. The individual support plan for the child developed by the Consultative Unit takes into account the available resources

and services that the respective local government could provide to the child. Time period of the project is 2016 – 2021. The number of children for whom the support plans will be developed until the end of the project: 1000. Support and advice will be provided to 2250 professionals as well as parents and carers of children.

Ministry of Interior has established a helpline 116000 concerning the missing children.

In case Riga City Council receives information that children is vagrant, do not attend school, use intoxicated substances, have infringed the law, social employees of social service are involved in the work with families and children. Upon provision of social work service, social workers more frequently work with families with children who have difficulties related to child upbringing, they have faced conflict situations, children do not attend school, children leaving unattended or family has faced crisis situation (divorce of parents, heavy disease or death of relatives, etc.), any of the members of family has suffered violence, in case of alcohol, drugs, gambling addiction problem and cases of other addictions. Upon getting the information on family situation, social workers provide assessment of social functioning, namely, evaluated resources of client and possible support systems, helps the client to understand and acknowledge identified problems and participates in their settlement. At the end of reporting year 2017, 69.5 social workers of Riga Social Service (hereinafter - RSS) provided social work service for families with children. But during the year, number of workers with families and children varies per quarters from 66 to 76 workers.

During 2015, 2016, 2017, number of families that have received social work service has remained at the level of previous years. In 2017 social work service was provided to 3 084 families where the total number of the members of family is 12 405, out of which 5 151 children and 7 254 adult members of family. In 2017 on average one worker simultaneously had 33 client files.

Inspections at the place of residence of clients (families) are substantial component of social situation settlement because communication with family takes place in its natural environment where social worker can assess not only household conditions, but also mutual communication of the members of family.

Number of clients of social worker for families with children

Year	Number of families received social work service	Total number of the members of family	Adult members of family	Total number of children in families
2015	3 089	11 985	7 034	4 951
2016	3 087	12 146	5 108	7 038
2017	3 084	12 405	5 151	7 254

Data source: Riga City Council, Welfare department

In 2017 RSS social workers have identified and worked with problems of children behavior (vagrant, begging, etc.), regarding which State Police has submitted the request in Under-age person support information system (hereinafter - UPSIS) in order to let the local government to develop social correction program for under-age persons according to Article 58 of Law on the Protection of the Children's rights. UPSIS requests continue to increase: in 2017 State Police has submitted 181 requests to RSS, in 2016 - 120 requests. But rehabilitation program/plans have not been developed in all cases because parents do not cooperate with RSS. During the assessment RSS worker states that there is no necessity to start social work with particular case. In 2016 two programs for children with behavior disorders were

piloted, as well as within SOS „Ģimeņu atbalsta centrs” (“*Family support center*”) project the work with those families was carried on.

In 2017 new 1 223 files (cases) have been registered, out of which 380 families were voluntary clients, but 862 families were registered as mandatory client, meaning that more time resource is required for motivation of client to cooperate and provide positive changes in social functioning.

Growing tendency for identified problems related to the lack of social skills for parents, still remain, namely, in 2017 - 1 640 problems were identified; settled - 1 527 (159 cases more if compared to 2016). Lack of social skills that results in children upbringing – has been identified in 1 188 cases, settled - 1 119 situations. Lack of caring skills, inconvenienced management of social life has been identified in 379 situations, as well as the lack of self-care skills – in 73 cases.

Social problems of adult clients (above the age of 18), stated additionally, were communication problems, namely, divorce, generation conflicts, conflicts in social environment, lack of social contacts/essential relations – these problems were identified in 1 190 cases that is 135 cases more than in the previous reporting period, and settled in 1 091 cases. Number of problems caused by addiction still increases, addictions has been identified in 887 cases, settled in 819 cases; mostly it is related to increased use of alcohol. As well as violence in family – both emotional and physical, has been identified in 1 157 cases, settled in 1 135 cases.

Violence in family by adults, improper household and habitation conditions, education problems, namely, studying difficulties, school nonattendance, use of substances causing addiction activates and addiction to new technologies were also stated among the under-age persons. Communication problems and conflicts among teenagers in education institutions, relations of generations and in cases of the divorce of parents are substantial.

Within the process of social case management, social workers cooperate with institutions and specialists of various industries – Riga Custody court, State and Municipality police, and social teachers of educational institutions, crisis centers, as well as day, supporting and day care centers for children. As situations of clients to be settled are complicated and relate various aspects of social life, one of essential instruments of team work is meetings between intermediary professionals. During such meetings, professionals provide information on social situation of families and related changes. Besides each involved party proposes tasks, corresponding to his/her competence, for advancement of the settlement of families' social problems, agree on coordinated activities.

In 2017, within the scope of social case settlement, social workers have organized 556 meetings with various professionals that advanced the settlement of families' social problems and have provided 567 conclusions in Custody court hearings.

On December 31, 2016 the realization of project contract on “Support program for Riga families”, namely, on social work service provision for social risk families of Riga city municipality (No DL-14-42-lī), launched on January 28, 2014, between association “Latvijas SOS Bērnu ciematu asociācija”, Welfare department of Riga City Council and RSS, was finished. Succession of this project is carried on, and on December 30, 2016 delegation contract was concluded with the aforementioned association and RSS on social work service provision for 100 risk families.

SOS „Ģimeņu atbalsta centrs” (hereinafter referred as SOS FSC) service is provided by 5 social workers, 2 social rehabilitators, as well as other service providers and specialists are involved, if required.

In 2017 social workers of SOS FSC have provided social work service for 129 families with total number of the members of family – 525, including, 262 adults and 263 children.

Likewise RSS, social workers of SOS FSC mostly identify and work with cases related to negligence towards children, namely, 41 cases have been identified, but settled in 35 cases. While, in 206 cases the lack of social skills for adults was identified, including, the lack of children upbringing and care in 147 cases; 135 cases were settled, as well as inconvenienced household management in 59 cases and 54 cases were settled. Simultaneously, children still have issues related to education problems, i.e., in 92 cases, including, 51 cases difficulties with studies and 41 cases – school nonattendance. Problems in educational institution related to conflicts with teachers have been also stated, namely, in 13 cases, and social workers have settled such problems for 8 times. Addiction to new technologies is also undeniably identified – in 12 cases.

On June 5, 2017 new Project contract has been signed with SOS FSC, Welfare department and RSS for ensuring of the provision of social work service for families and children who are subjected to Article 58 of Law on the Protection of the Children's Rights – development of individual behavior social correction program - thus advancing the possibility for each child and teenager to grow and progress in loving, family environment, strengthening capacity of biologic parents. In 2017 within the project such service was provided for 27 families with 56 children.

Mobile team has been established in structural unit “Krīzes centrs” (“*Crisis center*”) of Riga municipality - Center of children and youth. Mobile team provides social and informative support to children of social risk groups and their families by inspecting the places of residence, raids in cooperation with Riga Municipal police, as well as reacting to crisis and extraordinary situations (operates since 01.12.2009.). Two social workers are engaged in Mobile team.

Goal of the Mobile team is to carry out inspections of the place of residence of families with children during evening hours, based on the request of RSS, Riga Custody court and other institutions, in order to assess social situations in families, as well as to carry out raids in places of teenagers' gatherings.

Prescribed functions of the Mobile team activity are:

- inspection in the place of residence (within Riga City Council territory) after 5:00 p.m. in business days (time can be changed due to submitted application or request) – on the basis of Inspection application submitted by Riga Custody court, Crisis centers, as well as justified application submitted by Riga Municipal police, social teacher of school;
- after inspection, report are provided to the submitter of application, as well as instructions for further settlement of situation are provided (if required);
- raids in cooperation with Riga Municipal police that are carried out in places of teenagers' gatherings (inspections at the place of residence are also carried out (if required));
- cooperation with involved institutions: Riga Custody court, RSS, crisis centers, institutions of social service providers, general educational institutions, Riga Municipal police, etc.

In 2017 Mobile team of Riga municipality - Center of children and youth has carried out inspections of 574 places of residence, 18 transportations of clients were made, cooperation with Riga Municipal police, SOS “Ģimeņu atbalsta centrs” (“*Family support center*”) and Riga Custody court has been established.

Main reasons for inspection at the place of residence are provision of basic needs of child, clarification of family situation at the moment of inspection (use of alcohol, household conditions, etc.).

Article 8 - Right of employed women to protection of maternity

Paragraph 1 - Maternity leave

Right to maternity leave

Query: The Committee previously noted that the Labour Law (Article 154) provides for a total of at least 16 weeks (112 days, up to 140 in certain cases) of maternity leave, including however only two weeks of postnatal compulsory leave (Article 37(7) of the Labour Law) instead of six as required under Article 8§1 of the Charter. It accordingly asked what legal safeguards exist to avoid any undue pressure on employees to shorten their maternity leave, whether there is an agreement with social partners on the question of postnatal leave which protects the free choice of women, and whether collective agreements offer additional protection.

Response: According to statistics and in practice, women choose to take full postnatal paid leave. Please see Table No. 16 on maternity benefit under Article 8 Paragraph 1 in this Report. After the postnatal leave women are entitled to child care leave.

Query: According to data presented in the report, the average length of maternity paid leave was 105.33 days in 2010 (including 60.30 days after birth), 106.33 days in 2011 (including 59.62 days after birth), 108.52 days in 2012 (including 60.53 days after birth) and 107.31 days in 2013 (including 59.15 days after birth). The Committee asks the next report to indicate the proportion of women taking less than 42 days of postnatal paid leave.

Response: Please see Table No. 16 on maternity benefit under Article 8 Paragraph 1 in this Report.

Query: The Committee furthermore notes from the European Network of Legal Experts in the field of Gender Equality (Fighting Discrimination on the Grounds of Pregnancy, Maternity and Parenthood – The application of EU and national law in practice in 33 European countries, 2012) that Article 29.5 of the Labour Code expressly provides that less favourable treatment on the grounds of pregnancy or in connection with the use of the right to maternity or paternity leave is to be considered as direct discrimination on the grounds of sex. It asks the next report to provide information on any relevant case-law on complaints of discrimination based on pregnancy or maternity leave.

Response: Please see the information provided under Article 8 Paragraph 1 and Table No. 17 in this Report.

In addition SLI has received complaints from employees who have been dismissed during the pregnancy period. The number of complaints received: in 2014 – 2; 2015 – 2; 2016 – 1; 2017 – 4.

Query: It also reiterates its request for information on any guarantees related to maternity leave which might be enshrined in collective agreements or result from agreements with social partners.

Response: According to Paragraph 1 Article 17 of the Labour Law parties to a collective agreement shall reach agreement on the provisions regulating the content of employment legal relationships, in particular the organisation of work remuneration and labour protection, establishment and termination of employment legal relationships, raising of qualifications, work procedures, social security of employees and other issues related to employment legal relationships, and shall determine mutual rights and obligations.

Thereby there can be many different guarantees related to maternity leave which might be enshrined in collective agreements.

Query: As the report does not reply to the question of whether the same rules on Maternity leave apply to employees of the public sector, the Committee reiterates it and holds that, should the next report not provide this information, there will be nothing to establish that the situation is in conformity in this respect.

Response: According to the Paragraph 1 Article 40 of the Law On Remuneration of Officials and Employees of State and Local Government Authorities (hereinafter – the Law On Remuneration) leave of officials (employees), duration and procedures for granting thereof, as well as other matters related to leave shall be regulated by the relevant norms of the Labour Law, in so far, if it is not otherwise specified in this Law. Besides Paragraph 4 Article 2 of the State Civil Service Law prescribes that the norms of regulatory enactments regulating legal employment relations that prescribe the principle of equal rights, the prohibition of differential treatment principle, prohibition to cause adverse consequences, working hours and rest time, remuneration, the financial liability of employees and terms shall apply to the legal relations of the State civil service in so far as such are not prescribed by this Law. Also Paragraph 2 Article 3 of the Law On the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration determines that the norms of the laws and regulations governing employment legal relationships shall not be applicable to officials, except the norms determining the time periods, including limitation period, the prohibition of differential treatment, the term, type, and calculation of payment of work remuneration, the remuneration in cases when an employee does not work due to justifiable reasons, the deductions from work remuneration and limits thereof, the civil legal liability of an employee, the period of time which gives the right to annual paid leave, granting of prenatal and maternity leave, granting of leave to the father, adopter of the child or another person, and granting of parental leave, as well as the rights pertaining to pregnant women and breastfeeding women and women during the period following childbirth up to one year.

The Law on Remuneration, the State Civil Service Law and the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration do not provide different provisions on the maternity leave regarding public sector officials and employees. Thereby the same provisions of the Labour Law on maternity leave are applied to them. All employees of all types, including self-employed receive maternity benefit for maternity period from State Social Insurance Agency according to the provisions of the Law on Maternity and Sickness Insurance.

Right to maternity benefits

Query: The Committee notes that the report does not provide any information on this point. It notes however from the MISSOC and ILO databases, as well as from the official website of the State Social Insurance Agency that the Maternity benefit scheme was modified in 2011, during the reference period. According to the Law on Maternity and Sickness Insurance, as amended, all employed women are entitled to Maternity benefit, which is paid before and after childbirth for a maximum of 140 days (56 or 70 days before and after childbirth). The amount of benefit, which was previously 100% of the average wages paid over the six months prior to leave, corresponds since 2011 to 80% of the average insurance contributions salary of the worker, calculated over a period of 12 calendar months ending two months before the month in which the pregnancy leave began. The Committee considers that the situation remains in conformity with the Charter on this point.

As the report does not reply to the question of whether the same rules on Maternity benefits apply to employees of the public sector, the Committee reiterates it.

Response: Please see the information provided under Article 8 Paragraph 1 in this Report. All employees of all types, including self-employed receive maternity benefit for maternity period from State Social Insurance Agency according to the provisions of the Law on Maternity and Sickness Insurance.

Query: With reference to its Statement of Interpretation on Article 8§1 (Conclusions 2015), the Committee furthermore asks whether the minimum rate of maternity benefits corresponds at least to the poverty threshold, defined as 50% of the median equivalised income, calculated on the basis of the Eurostat at-risk-of-poverty threshold value.

Response: Please see Table No. 16 on maternity benefit under Article 8 Paragraph 1 in this Report.

Article 8 - Right of employed women to protection of maternity

Paragraph 2 - Illegality of dismissal during maternity leave

Query: The Committee takes note of the statistical data provided in the report concerning the claims on reinstatement and their length, in particular as regards the claims of reinstatement in connection with dismissal during pregnancy or maternity leave in 2014-2015. The Committee asks the next report to provide updated information in this respect, in particular as regards any relevant case-law concerning claims of reinstatement following dismissal of women during pregnancy or maternity leave under Article 101§1 of the Labour Code. In the meantime, in the length of the information provided, it considers that the situation is in conformity with Article 8§2 of the Charter.

Response: Please see the information provided under Article 8 Paragraph 2 in this Report.

Article 8 - Right of employed women to protection of maternity

Paragraph 3 - Time off for nursing mothers

Query: It previously noted (Conclusions XVII-2 (2005)) that Article 146 of the Labour Law provides that additional breaks of at least 30 minutes (one hour in case of two or more children) every three hours should be granted, upon request, to nursing employees until the child is 18 months old. The length of the breaks shall be determined by the employer in consultation with the staff representatives, taking into account as far as possible the wishes of the employee. Breaks for feeding a child may be added to regular work breaks or, if so requested by the employee, transferred to the end of the day, thus shortening the length of the working day. Breaks for feeding a child are considered as working time and therefore remunerated as such. Employees for whom a piecework salary has been specified for such time shall be average earnings.

The report does not answer the Committee's question of whether the same regime applies to women employed in the public sector. The Committee therefore reiterates it and holds that, should the next report not provide this information, there will be nothing to establish that the situation is in conformity in this respect.

Response: Paragraph 4 Article 2 of State Civil Service Law prescribes that norms of regulatory enactments governing legal employment relations that prescribe the principle of equal rights, the prohibition of differential treatment principle, prohibition to cause adverse consequences, working hours and rest time, remuneration, the financial liability of employees and terms shall apply to the legal relations of the State civil service insofar as such are not prescribed by this Law. Also Paragraph 2 Article 3 of Law On the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration determines that the norms of the laws and regulations governing employment legal relationships shall not be applicable to officials, except the norms stating the time periods, including limitation period, the prohibition of differential treatment, the term, type, and calculation of payment of work remuneration, the remuneration in cases when an employee does not work due to justifiable reasons, the deductions from work remuneration and limits thereof, the civil legal liability of an employee, the period of time which gives the right to annual paid leave, granting of prenatal and maternity leave, granting of leave to the father, adopter of the child or another person, and granting of parental leave, as well as the rights pertaining to pregnant women and breastfeeding women and women during the period following childbirth up to one year.

The State Civil Service Law and the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration do not provide different provisions on the breaks for feeding a child regarding to the public sector officials and employees. Thereby the same provisions of the Labour Law on the mentioned breaks are applied to women employed in the public sector.

Article 8 - Right of employed women to protection of maternity

Paragraph 4 - Regulation of night work

Query: The Committee previously noted that night work, i.e. work performed for more than two hours in the period of time from 10 pm to 6 am, is regulated by Article 138 of the Labour Law, which prohibits to employ at night pregnant women and women having given birth for a period of up to one year following childbirth which can be

extended, upon medical certification, to the whole nursing period. All employees who work at night undergo a medical examination before starting night work and on a regular basis afterwards and must be transferred to an appropriate daytime post if so required for medical reasons. Furthermore, an employee who has a child under three years of age may be employed at night only with his or her consent.

The Committee notes that this situation, which it had previously found to be in conformity with the Charter, has not changed. However, the report fails to clarify, as requested, whether the same protection applies to women employed in the public sector. Accordingly, the Committee reiterates its question and holds that, should the next report not provide this information, there will be nothing to establish that the situation is in conformity in this respect.

Response: According to the Paragraph 4 Article 2 of the State Civil Service Law the norms of regulatory enactments governing legal employment relations that prescribe the principle of equal rights, the prohibition of differential treatment principle, prohibition to cause adverse consequences, working hours and rest time, remuneration, the financial liability of employees and terms shall apply to the legal relations of the State civil service insofar as such are not prescribed by this Law. Also Paragraph 2 Article 3 of the Law On the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of Interior and the Prisons Administration determines that the norms of the laws and regulations governing employment legal relationships shall not be applicable to officials, except the norms stating the time periods, including limitation period, the prohibition of differential treatment, the term, type, and calculation of payment of work remuneration, the remuneration in cases when an employee does not work due to justifiable reasons, the deductions from work remuneration and limits thereof, the civil legal liability of an employee, the period of time which gives the right to annual paid leave, granting of prenatal and maternity leave, granting of leave to the father, adopter of the child or another person, and granting of parental leave, as well as the rights pertaining to pregnant women and breastfeeding women and women during the period following childbirth up to one year.

The State Civil Service Law and the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of the Interior and the Prisons Administration do not provide different provisions on the protection of women in case of night work. Thereby the same provisions of the Labour Law on the protection of women in case of night work are applied to women employed in the public sector.

Article 8 - Right of employed women to protection of maternity

Paragraph 5 - Prohibition of dangerous, unhealthy or arduous work

Query: It previously noted that under Article 37 of the Labour Law, women cannot be employed during pregnancy, during a period of up to one year following childbirth or during the nursing period if according to a doctor's note the work of the women concerned - present a threat on their safety and health or that of their child.

The report points out that the Regulation of the Cabinet of Ministers No. 660 of 2 October 2007 obliges the employer not only to carry out a risk assessment of the work environment in general, but to assess in particular the risks to which pregnant women, women who have just given birth or are nursing might be exposed (Part IV of the Regulation). These categories of women should not be employed in underground

work (shafts) and work which would expose them to specific hazards in relation with physical (blows, vibrations, noise, carrying of heavy loads, extreme temperatures, radiation etc.), biological and chemical factors. The Committee finds that these regulations are sufficiently detailed for the purposes of Article 8§5 of the Charter.

In addition, Article 99 of the Labour Law provides that, in order to prevent risks on the health and safety of pregnant women, employers must adapt the working time and conditions in such a way that pregnant women will not suffer adverse effects on their health and safety in their work. If this is not possible, the women concerned must be transferred to a different post without loss of pay. Should no transfer be possible, the employees concerned must be granted paid leave. This also applies to women having given birth for up to one year after childbirth and to women who are nursing during the whole nursing period. Upon request, the employer might also transfer the employees concerned to part-time work, in accordance with Article 134(2) of the Labour Law.

As the report fails to clarify, as requested, whether the same protection applies to women employed in the public sector, the Committee reiterates its question and holds that, should the next report not provide this information, there will be nothing to establish that the situation is in conformity in this respect.

Response: According to the Paragraph 4 Article 2 of State Civil Service Law the norms of regulatory enactments governing legal employment relations that prescribe the principle of equal rights, the prohibition of differential treatment principle, prohibition to cause adverse consequences, working hours and rest time, remuneration, the financial liability of employees and terms shall apply to the legal relations of the State civil service insofar as such are not prescribed by this Law. Also Paragraph 2 Article 3 of the Law On the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of Interior and the Prisons Administration determines that the norms of the laws and regulations governing employment legal relationships shall not be applicable to officials, except the norms stating the time periods, including limitation period, the prohibition of differential treatment, the term, type, and calculation of payment of work remuneration, the remuneration in cases when an employee does not work due to justifiable reasons, the deductions from work remuneration and limits thereof, the civil legal liability of an employee, the period of time which gives the right to annual paid leave, granting of prenatal and maternity leave, granting of leave to the father, adopter of the child or another person, and granting of parental leave, as well as the rights pertaining to pregnant women and breastfeeding women and women during the period following childbirth up to one year.

The State Civil Service Law and the Law on the Career Course of Service of Officials with Special Service Ranks Working in Institutions of the System of the Ministry of Interior and the Prisons Administration do not provide different provisions on prohibition of dangerous, unhealthy or arduous work regarding to public sector officials and employees. Thereby the same provisions of the Labour Law and labour protection regulation are applied to women employed in the public sector.

Article 17 - Right of children and young persons to social, legal and economic protection

Paragraph 1 – Assistance, education and training

Query: The Committee recalls that Article 17 guarantees the right of children, including unaccompanied minors to care and assistance, including medical assistance (International

Federation of Human Rights Leagues (FIDH) v. France, Complaint No. 14/2003, decision on the merits of September 2004, § 36). In fact, Article 17 concerns the assistance to be provided by the State where the minor is unaccompanied or if the parents are unable to provide such assistance.

States must take the necessary and appropriate measures to guarantee for the minors in question the care and assistance they need and to protect them from negligence, violence or exploitation, thereby posing a serious threat to the enjoyment of their most basic rights, such as the rights to life, to psychological and physical integrity and to respect for human dignity (Defence for Children International (DCI) v. Belgium, Complaint No. 69/2011, decision on the merits of 23 October 2012, §82).

The Committee asks what assistance is given to children in an irregular situation to protect them against negligence, violence or exploitation.

Response: The unaccompanied child (a child in an irregular situation) is treated equally to a child in a “regular situation” who is left without parental care.

According to Article 3 Paragraph 2 of the Law on Protection of the Children's Rights the State shall ensure the rights and freedoms of all children without any discrimination - irrespective of race, nationality, gender, language, political party alliance, political or religious convictions, national, ethnic or social origin, place of residence in the State, property or health status, birth or other circumstances of the child, or of his/her parents, guardians, or family members.

According to Article 27 Paragraph 3 of the Law on Protection of the Children's Rights when separating a child from his/her family (also when the child does not have a family), he/she shall be ensured out-of-family care with a guardian, a foster family or in a child care institution, as well as free-of-charge emergency care in medical treatment institutions or assistance in rehabilitation institutions. A child shall be primarily ensured a possibility to grow with a guardian or in a foster family.

Out-of-family care in a child care institution shall be ensured if care received from a guardian or in a foster family is not appropriate for the particular child. The child shall stay in a child care institution until he/she is ensured appropriate care by a guardian or in a foster family.

The State compensates the expenses of the local government for the provision of alternative care for the unaccompanied child.

Article 17 - Right of children and young persons to social, legal and economic protection

Paragraph 2 – Free primary and secondary education – regular attendance at school

Query: The Committee asks whether unlawfully present children have a right to education.

Response: Currently the majority of municipal institutions of education in Riga, similarly to 2014, have experience in working with integration of children of new migrants and re-emigrants, and the issues of educating children of new migrants and re-emigrants are relevant. In 2017 more than 75 per cent of municipal institutions of education in Riga indicate that such children are currently studying or have studied during the last 3 years in these institutions.

In total, children from more than 30 countries attend municipal institutions of education in Riga. During both research periods, the majority of new migrant children

come from Russia. Also, the statistical data on foreign citizens in Latvia indicate that prevailing number of migrants come from Russia.

Over the last two years the number of those students, who are new migrants or re-emigrants and who receive financial support from the Riga City Council for additional Latvian language acquisition, has increased. Institutions of education assess this as very important support in their work with children of new migrants and re-emigrants at school.

Part of municipal institutions of education in Riga (24.3 per cent) currently do not face issues of integrating children of new migrants and re-emigrants, because such children do not attend these institutions or have studied there only temporarily.

Since March 2014, improvements have been made to legislation pertaining to admitting children of new migrants and re-emigrants to institutions of education, the Regulations of Cabinet of Ministers, which defines the activities by education institutions, has been adopted. This Regulation improves the work of educational institutions and provides a sense of security. During research of 2014, it was concluded that activities by institutions of education in admitting new migrants and re-emigrants were not legally defined and that caused difficulties in admitting these children to an institution of education.

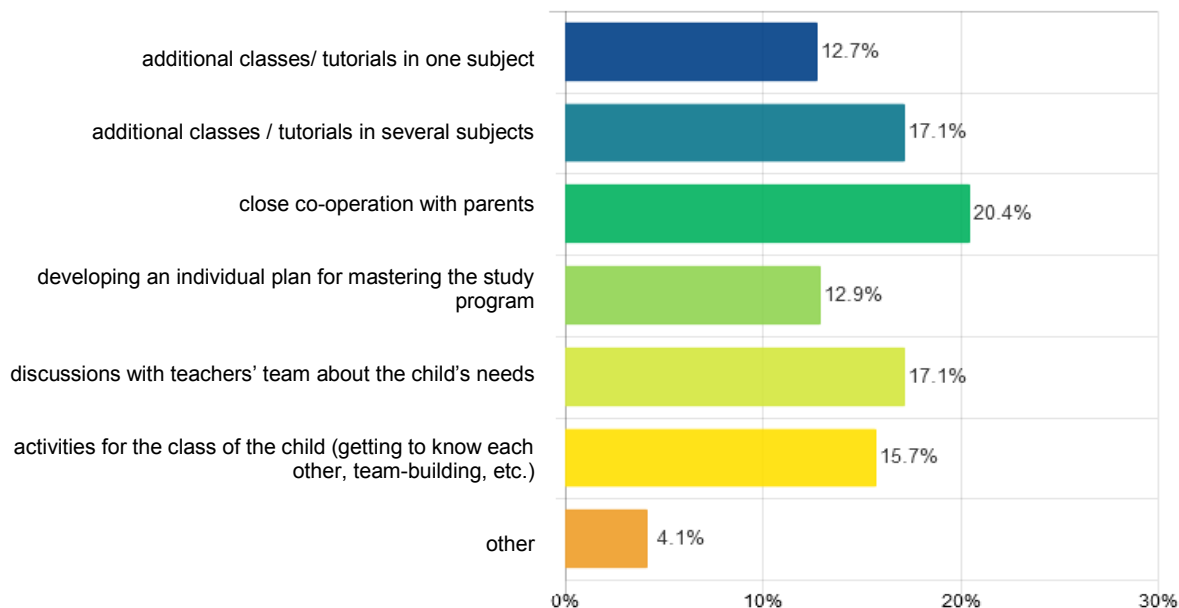
Studies consistently highlight the main support measures provided by institutions of education to children of new migrants and re-emigrants - active cooperation with parents, discussions among the teachers' team on children's needs, ensuring additional classes/ tutorials in a number of subjects, as well as organising team-building activities for the class. It is still important for institutions of education to receive information on how to do this more effectively.

Institutions of education in Riga consider that the most valuable resources that help to admit children of new migrants and re-emigrants are methodological and study materials (printed and available online) prepared by the Latvian Language Agency, professional continuous education courses for teachers, seminars and experience of other educational institutions and colleagues in working with new migrants and re-emigrants. Currently part of education institutions is actively using these resources.

Approximately one-third of municipal institutions of education in Riga acknowledge that they are suitable for admitting children of new migrants and re-emigrants. To improve self-assessment of other educational institutions regarding suitability, additional support is required. Institutions of education indicate that additional financing, continuous education courses for teachers, human resources, advice, as well as experience sharing would be required most of all to improve their work.

The survey data of both 2017 and 2014 consistently show that most often active cooperation with parents (mentioned in 20.4 per cent of questionnaires) is mentioned by institutions of education among the main support measures for children of new migrants and re-emigrants, which is followed by discussions with teachers' team about the children's needs and ensuring additional classes/ tutorials in a number of subjects (mentioned in 17.1 per cent of questionnaires), as well as organising team-building events for classes (mentioned in 15.7 per cent of the questionnaires).

The support measures the school provide to children of new migrants and re-emigrants



To facilitate the acquisition of the Latvian language and promote the integration of students in the study process, the Municipality of Riga continues to grant financing to remunerate teachers for teaching the Latvian language to re-emigrant students and new migrants. Since 2014 these students can have two additional Latvian language classes per week on top of those included in the curriculum. The order on granting additional financing is issued twice per year, if necessary – more frequently, to include all students, who have just arrived in the country, started attending school or who need it.

The table shows the number of students financed by the Riga City Council since January 2014. The number of recipients has increased every year: in 2014 it was granted to 134 students, in 2015 – to 331 students, in 2016 – to 406 students.

January – May, 2014	65 students
September – December, 2014	69 students
January – May, 2015	113 students
September – December, 2015	218 students
January – May, 2016	248 students
September – December, 2016	158 students
January – May, 2017	185 students

The municipality also finances additional Latvian language classes to those children, who have acquired the refugee or the alternative status in Latvia and continue studies at educational institutions in Riga.

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 1 – Assistance and information on migration

Free services and information for migrant workers

Query: The Act on Support for Unemployed Persons and Persons Seeking Employment makes provision for support to all residents of Latvia, be they Latvian citizens, EU citizens, or third-country nationals with permanent or temporary residence permits, including refugees and beneficiaries of temporary (subsidiary) protection status and victims of human trafficking. The Committee asks what support measures are given to such employment seekers. It notes that discrimination on the grounds of gender, race or ethnic origin is prohibited in the implementation of active employment measures to reduce unemployment.

Response: During the period from 2013 to 2015 the Society Integration Foundation was responsible for functioning of National Integration Center (hereinafter – Center). The main tasks of the Center were the provision of services for third-country nationals. Services included consultations in areas related to social, health, education and employment issues as well as legal advice; provided support to clients in crisis situations; Latvian language courses and communication and training activities on tolerance and antidiscrimination.

Measures against misleading propaganda relating to emigration and immigration

Query: The Committee notes from the third Migration Policy Index (MIPEX III) that Latvian law does not explicitly prohibit religious or nationality discrimination in all areas of life (unlike racial/ethnic discrimination). It notes that MIPIX III also criticised the enforcement mechanisms in place to follow up incidents of discrimination. The Committee requests that the next report provide details of the bodies responsible for preventing and responding to these issues, and examples of their activities. It also asks whether police and other public servants receive training on issues of racism and discrimination.

Response: Since April 2016 the Society Integration Foundation provides the service of social workers and social mentors for asylum seekers and persons with refugee or alternative status (more information <https://ej.uz/1nv7>). Please see also the information provided under the Article 19§1 of this Report.

Query: The Committee recalls that to be effective, action against misleading propaganda should include legal and practical measures to tackle racism and xenophobia. Such measures, which should be aimed at the whole population, are necessary, *inter alia*, to counter the spread of stereotyped assumptions that migrants are inclined to crime, violence, drug abuse or disease (Conclusions XV-1 (2000), Austria). Authorities should take action in this area as a means of preventing illegal immigration and trafficking in human beings (Conclusions 2006, Slovenia). It asks for complete and up-to-date information on any measures taken to target illegal immigration and in particular, trafficking in human beings.

Response: The Society Integration Foundation organizes the trainings on intercultural communication and diversity management since 2011. During the period 2014 - 2017 more than 500 public and private sector participants attended relevant training courses. Please also see information from State Border Guard's office at: <http://www.rs.gov.lv/?setlang=1>

Query: The Committee requests that the next report provide a full and up-to-date description of the situation in Latvia, in particular any legislation and policy initiatives which aim to combat and reduce misleading propaganda concerning migrant workers and their families, and the training of law enforcement officers and public officials who are liable to deal with migrants.

Response: In 2014 in order to promote the public interest and to raise awareness about gender equality issues Society Integration Foundation implemented public awareness campaign.

In 2014 the Society Integration Foundation organised awareness-raising activities targeted at the general public about integration of third country nationals.

In 2015 the Society Integration Foundation provided the trainings on no-hate for journalists.

In 2015 Society Integration Foundation organised awareness-raising activities targeted at the general public by demonstration of cases of discrimination through digital storytelling; 7 video stories were produced on 7 grounds of discrimination by giving a voice to the representatives of discriminated groups. Video stories were broadcasted in social media, internet media, televisions, cinemas and had initiated intensive public discussions status (more information <https://ej.uz/tar9>).

Please also see information from State Border Guard's office at: <http://www.rs.gov.lv/?setlang=1>

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 4 - Equality regarding employment, right to organise and accommodation

Remuneration and other employment and working conditions

Query: The Committee recalls that compensation for all acts of discrimination including discriminatory dismissal, must be both proportionate to the loss suffered by the victim and sufficiently dissuasive for employers. Any ceiling on compensation that may preclude damages from making good the loss suffered and from being sufficiently dissuasive is proscribed. (Conclusions 2012, Article 1§2, Albania). It notes that Article 29(8) states that “if the prohibition against differential treatment and the prohibition against causing adverse consequences is violated, an employee in addition to other rights specified in this Law, has the right to request compensation for losses and compensation for moral harm. In case of dispute, a court at its own discretion shall determine the compensation for moral harm.” The Committee asks for further information on the calculation of compensation, in particular in cases relating to migrant workers.

Response: Article 1635 (2) of the Latvian Civil law states that „by moral injury is understood physical or mental suffering, which are caused as a result of unlawful acts committed to the non-financial rights or non-financial benefit delicts of the person who suffered the harm. The amount of compensation for moral injury shall be determined by a court at its own discretion, taking into account the seriousness and the consequences of the moral injury”. In accordance with Article 5 of Latvian Civil law when determining compensation for non-material damage, the judge must decide the matter in accordance with a sense of justice and the general principles of law. This means that the judge should follow the values existing in the society and the principle of justice, which are essentially aimed at reconciliation of conflicting

interests. In accordance with Article 193 (5) of Latvian Civil Procedure Law the Court must state in the reasoned part of the judgment the arguments why it considers that the determined amount by the court is fair and proportionate – it gives satisfaction to the injured party, and at the same time serves as means of reconciliation between the parties and reaches the goal of general prevention. National legislature has stipulated the determination of compensation for moral damage on courts own discretion, because due to complexity and individuality it is not possible to list in the law all cases when compensation has to be determined and the amount of compensation in each individual case.

The Supreme Court of Latvia (one of the basic functions of Supreme Court of Latvia is Creation of uniform case-law and development of legal thought), has stated in one of its judgments that - when determining compensation for non-material damage, The European Court of Human Rights (hereinafter - ECHR) case-law on the amount of non-material damage must also be taken into account. When determining the compensation for non-material damage, it is necessary to compare the compensation provided by the ECHR in similar cases and to take into account not only the economic opportunities of Latvia, but also that the compensation must not be significantly lower than the minimum established in comparable cases by the ECHR.

Membership of trade unions and enjoyment of the benefits of collective bargaining

Query: The new Trade Unions Law came into force on 1 November, 2014. The provisions of the new law determine that everyone has the right freely, without any discrimination, to form trade union and to join it, taking into account the trade union statutes. The Committee asks for information about steps taken to implement the new law in practice.

Response: In the period 2014-2017 activities of the Free Trade Union Confederation of Latvia aimed at implementing the adopted Trade Union Law and promoting rights of trade unions, including rights to collective bargaining, include:

- implementation of the ESF project “New Model of Social Cooperation – Facilitating Employees Financial Participation and Involvement in management of Economic Processes” (VS/2015/0382)). Activities of the project are aimed at defining challenges and possibilities of employee’s financial participation in Latvia to improve involvement of employees in the economic governance of the enterprise and possibilities to improve working conditions. The project focused on trade union rights and role in financial participation of employees;
- participation in the implementation of the project “Promoting Anticipation of Changes in the Labour Market and Development of Skills by Involving Trade Union Representatives in Information and Counselling at Workplaces” (SACADOS, VS/2016/0285). The aim of the project is to support and train trade union representatives in order to better use information and consultation procedures, which in turn would help to better adapt to changes in the labour market and improve the skills of the workforce. Within the framework of the project, it is planned to provide recommendations for the development of a European trade union strategy. Project is realised in partnership with German, Italian, Rumanian and Bulgarian trade unions;
- implementation of the ESF project “Improvement of Bilateral Social Dialogue of the Free Trade Union Confederation of Latvia in the development of a better legal framework for the organization of the business environment”

- (3.4.2.2/16/I/002, implementation 2017–2021). The aim of the project is to ensure the development of bilateral sectoral social dialogue and sign sectoral collective agreements in five priority sectors – forest industry, chemical industry, construction industry, transport and logistics industry and telecommunications industry. The Free Trade Union Confederation of Latvia actively participates in assessing challenges to sectoral collective bargaining, proposing both policy and legislative solutions and facilitating collective bargaining negotiations of its affiliates – sectoral trade unions;
- drafting and publication of the Commentaries to Labour Law (http://www.lbas.lv/upload/stuff/201102/dl_ar_kom.pdf) to improve knowledge of labour rights of employers and employees and facilitate correct application of law (2015);
 - participation in drafting and organising publication of Commentaries to the Law On Remuneration (<http://www.lbas.lv/upload/stuff/201701/atlidzibaslikumsarkomentariem.pdf>) to improve correct application of the law and improve enforcement of labour rights in public sector;
 - participation in National Tripartite Cooperation Council in shaping political and legislative documents regarding labour rights;
 - renewal the national level social partners cooperation agreement between the Free Trade Union Confederation of Latvia and Employers' Confederation of Latvia (http://www.lddk.lv/wp-content/uploads/2013/12/LDDK_LBAS_vieno%C5%A1an%C4%81s_2013.pdf)
 - organising annual Labour law Forums with the support of FES to discuss labour law updates, labour law implementation challenges and come up with solutions (2015-2018) that included issues related to rights of trade unions.

Also the Ministry of Welfare of the Republic of Latvia inserted on its website explanatory information about the new Trade Union Law after its enforcement.

Query: The Committee refers to the Statement of Interpretation in the General Introduction (Conclusions 2015) and asks for information concerning the legal status of workers posted from abroad, and what legal and practical measures are taken to ensure equal treatment in matters of employment, trade union membership and collective bargaining.

Response: In Latvia the principle of equal treatment shall be applied in the employment legal relations. Equal employment conditions shall be ensured to everyone, who is legally employed in Latvia and which employment legal relations are regulated by the Labour Law (also to foreigners).

Please see also the information provided under the Article 19§4 of this Report.

Regarding equal treatment in matters of employment, trade union membership and collective bargaining, the Free Trade Union Confederation of Latvia membership is open for migrant workers and support and legal advice is provided for members-migrant workers. The Free Trade Union Confederation of Latvia has a cooperation agreement with the SLI and cooperates (consultations) in matters related to violation of rights of migrant workers. The Free Trade Union Confederation of Latvia actively participates in the Task Force on Posting of Workers organised by the European Trade Union Confederation and its related activities. In 2015 the Free Trade Union

Confederation of Latvia signed bilateral cooperation agreement with trade union confederation LO Sweden, which focuses on cooperation and fast support and exchange of information regarding free movement of workers and posted workers.

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 5 - Equality regarding taxes and contributions

Query: According to Section 12(2) of the Law on Personal Income Tax, the non-taxable minimum is not applicable for non-residents, except for a non-resident, being a resident of another European Union member state or a European Economic Area state, whom in a taxation period has gained more than 75% of his or her total annual income in Latvia. The Committee wishes to know what the non-taxable minimum is, and how it is applied. In particular it wishes to know whether the denial of this benefit to non-resident foreigners results in a greater tax liability for migrant workers.

Response: According to the Law on Personal Income Tax, non – taxable minimum is tax payers' part of the income that is not subject to personal income tax.

The monthly non-taxable minimum forecasted by the State Revenue Service shall be applied monthly to the taxable income, where the salary tax booklet has been submitted. The income which amounts to the annual differentiated non-taxable minimum of the payer shall not be included in the taxable annual income of the payer, unless it is otherwise provided for in Law.

The annual differentiated non-taxable minimum of the payer shall be calculated according to the formula laid down by the Cabinet of Ministers. The annual taxable income of the payer shall be taken into account in the formula, and also the following values laid down by the Cabinet of Ministers:

- 1) the maximum annual non-taxable minimum;
- 2) amount of the annual taxable income up to which the maximum annual non-taxable minimum is applied;
- 3) amount of the annual taxable income above which the annual differentiated non-taxable minimum is not applied.

All annual income of the payer (including income which is taxable with the reduced tax rate) shall be taken into account for the determination of minimum amount of the annual differentiated non-taxable minimum of the payer, except for non-taxable income as dividends, income equal to dividends or notional dividends if regarding calculated dividends, income equal to dividends or notional dividends on the level of undertaking from the part of the profit from which the dividends, income equal to dividends or notional dividends are paid if one of the following conditions is fulfilled:

a) the enterprise income tax has been paid in the Republic of Latvia in accordance with the Enterprise Income Tax Law (this exemption shall not be applied if the enterprise income tax has been paid in accordance with the law On Enterprise Income Tax);

b) the enterprise income tax or tax equal thereto has been paid in a foreign state or the personal income tax or tax equal thereto has been deducted from dividends, income equal to dividends or notional dividends, and income from economic activity for which a licence fee is paid, and income for which a micro-enterprise tax is paid.

There are many situations where non-resident foreigners are not impacted by lack of the non-taxable minimum as they are not residents for tax purposes and do not pay taxes in Latvia as example if they do not reside in Latvia more than 183 days.

Query: Section 12(3) defines the taxable income of the non-resident foreign taxpayer. The Committee notes in particular that non-residents are not entitled to personal income tax allowances mentioned in Section 13 of the Law on Personal Income Tax (for dependent persons and additional allowances of personal income tax), except for such non-residents receiving pensions under the laws of the Republic of Latvia and those non-residents who are residents of another European Union member state or European Economic Area state that have gained in Latvia at least 75% of their annual taxable income. The Committee wishes the next report to contain greater detail on the values and purposes of the allowances specified under that section. In the meantime, it considers that there is not sufficient information provided in the report for it to assess the situation properly.

Response: The Law on Personal Income Tax Article 13 states relief provided for the payer. Relief provided in 2018 is EUR 200 per person mentioned in The Law on Personal Income Tax (Article 13), if such person has not been granted a pension and does not receive a pension in accordance with the Law on State Pensions or a pension of another country, except the loss of provider pension. Relief of Personal Income Tax is also provided for persons with disabilities. Relief provided for persons with I or II disability group is EUR 1848 and EUR 1440 for persons with III disability group; EUR 1848 for politically repressed persons. However significant changes to tax law have taken place linking the entitlement to any relief to income situation thus people earning more than EUR 1000 per month in 2018 gross income do not receive any relief.

Query: The Committee notes that Latvia has concluded Double Taxation Prevention treaties with the majority of States party to the Charter, excluding Andorra, Bosnia and Herzegovina and Cyprus. However, since the annual non-taxable minimum is not applicable for non-resident workers, it considers that their total tax liability in both non-resident and resident countries may be inflated, and therefore the treaties do not have the effect of nullifying the discriminatory environment engendered by the failure to apply the non-taxable minimum to non-resident workers. The Committee asks what contributions are payable in relation to employment, and whether migrants are treated equally with nationals.

Response: Both residents and non-residents earned income is equally taxable. Mandatory state social insurance contributions: 11 per cent according to the Law on State Social Insurance Article 14 Paragraph 1. The only difference is that the mandatory state social insurance contributions are calculated from the entire income object, while the personal income tax is deducted from the part of the income from which the mandatory contributions and the non-taxable personal income tax are deducted.

Progressive personal income tax:

- for income up to EUR 20,004 — 20 per cent;
- for income from EUR 20,004 to EUR 55,000 — 23 per cent;
- for a part of income, exceeding EUR 55,000 — 31.4 per cent.

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 6 – Family reunion

Scope

Query: The Committee also recalls that migrant worker's family members, who have joined him or her through family reunion, may not be expelled as a consequence of his or her own expulsion, since these family members have an independent right to stay in the territory (Conclusions XVI-1 (2002), Netherlands). It asks whether family members retain their right to stay in Latvia upon deportation of the migrant worker who sponsored them.

Response: If the sponsor's residence permit is revoked, the family members of the sponsor shall leave the territory of Latvia unless there are some individual and exceptional circumstances or the family members have other ground for issuance of residence permit.

Conditions governing family reunion

Query: Section 24(5) of the Immigration Law provides that a family member has the right to receive a permanent residence permit if he or she has acquired the official language. The level of knowledge of the official language, the procedures for the testing of knowledge of the official language and the exemptions in the completion of testing of knowledge of the official language (...) shall be determined by the Cabinet. The Committee asks what level of language is necessary in order to receive a permanent residence permit. Section 24(5) states that a foreigner shall pay a State fee in the amount and according to the procedures stipulated by the Cabinet. The Committee asks what the level of this fee is.

Response: In order to receive a permanent residence permit in Latvia it is necessary to have the command of the official language at the level A2. To obtain the A2 level state language certificate, candidates conduct a state language proficiency test. A state fee for it is EUR 14.23.

Query: Under Section 34 of the Immigration Law, the issue or registration of a residence permit shall be refused if a foreigner does not have the necessary financial resources for residence in the Republic of Latvia. The Committee asks what the necessary financial means are for the purposes of family reunion. It recalls that the level of means required by States to bring in the family or certain family members should not be so restrictive as to prevent any family reunion (Conclusions XVII-1 (2004), the Netherlands). Social benefits shall not be excluded from the calculation of the income of a migrant worker who has applied to sponsor a relative for the purposes of family reunion (Conclusions 2011, Statement of interpretation on Article 19§6).

Response: The level of income equals to minimum salary level for each adult (EUR 430 per month) and 30 per cent of minimum salary level for each minor. The income of the sponsor is taken into account when evaluating the available financial means. Each case is considered individually, evaluating the specific circumstances.

Query: Another ground for refusal under Section 34(5) is where a foreigner has such a health disorder or disease that endangers the safety of the public and the health of the members thereof, or there is a reason to believe that the foreigner may cause a threat to public health, except in the cases where the foreigner with the consent of

the Ministry of Health enters for medical treatment of the relevant health disorder or disease. The Cabinet shall determine a health disorder and disease list. The Committee recalls that a State may not deny entry to its territory for the purpose of family reunion to a family member of a migrant worker for health reasons. A refusal on this ground may only be admitted for specific illnesses which are so serious as to endanger public health (Conclusions XVI-1 (2002), Greece). These are the diseases requiring quarantine which are stipulated in the World Health Organisation's International Health Regulations of 1969, or other serious contagious or infectious diseases such as tuberculosis or syphilis (Conclusions XV-1 (2000), Finland). The Committee asks for details of the illnesses included on the list drawn up by the cabinet. In the meantime it reserves its position on this issue.

Response: Disease, that endangers the safety of the public and the health of the members thereof and the issue or registration of a residence permit shall be refused based on the state of health, according to the Regulations of the Cabinet of Ministers No.825 of October 3, 2006 "Health disorders and illnesses that cause the refuse to alien issue or register a residence permit", is an active phase of tuberculosis. The prohibition relates to the objective of preventing the spread of the disease as the disease considering its course is sufficiently dangerous.

Query: Finally, the Committee notes that Section 34(12) states that a foreigner who has joined a foreign military service will be refused a residence permit. The Committee asks under what circumstances this ground for refusal would apply, and whether family members who have previously served in a foreign military service remain eligible for family reunion.

Response: Immigration law, Article 34 (12) envisages the refusal of the residence permit for those persons who are currently carrying out military service as they are not able to spend time in the territory of Latvia anyway. Previous military service is not an obstacle to receive a residence permit.

Query: The Committee considers that restrictions on the exercise of the right to family reunion should be subject to an effective mechanism of appeal or review, which provides an opportunity for consideration of the individual merits of the case consistent with the principles of proportionality and reasonableness. The Committee asks what appeal mechanisms exist to challenge decisions against the grant of family reunion.

Response: Each decision on refusal/revocation of residence permit can be appealed to the Head of the Office of Citizenship and Migration Affairs. The decision of the Head of the Office of Citizenship and Migration Affairs can be appealed to the court. According to Article 40 Paragraph one of the Immigration Law an inviter or a foreigner for whom in accordance with Cabinet regulations an invitation for requesting a residence permit is not necessary, has the right to dispute a decision to refuse to issue or register a residence permit to a foreigner or to annul it to the Head of the Office within 30 days after the day of the entering into effect of such decision. The persons referred to in Paragraph one of this Article have the right to appeal to a court in accordance with the procedures laid down in law a decision by the Head of the Office to refuse to issue or register a residence permit to a foreigner or to annul it (Article 40 Paragraph two).

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 7 - Equality regarding legal proceedings

Query: The Committee asks whether legal aid covers the provision of interpretation for migrants, and to what extent interpreters are available to assist them.

Response: The Legal Aid Administration points out that the answer depends on whether the dispute is to be resolved with or without a cross-border element.

Taking into account that the dispute may be resolved in a situation where the person is staying and the dispute is settled in the Republic of Latvia, communication and submission of documents to the public authorities and the courts is in accordance with the laws and regulations, that is – in the Latvian language. The Legal Aid Administration concludes contracts with the legal aid providers that provide state-guaranteed legal aid. One of the criteria for assignment of the legal aid provider is foreign language skills of the legal aid provider. By appointment of a legal aid provider, the condition is taken into account regarding the language in what the client communicates.

In accordance with the laws and regulations, the court guarantees the rights to the parties not having knowledge in the language of proceedings to examine the case materials and participate in proceedings with the assistance of an interpreter/translator (the recipients of the State-guaranteed legal aid are exempted from payment of expenses).

In cross-border cases, that is, if the dispute, in which the place of the permanent residence or domicile of the person requesting the legal aid, is not in the State of hearing process or execution of court ruling or authentic instrument, the Legal Aid Administration assigns the legal aid provider to that person, taking into consideration the language in which the client communicates, or provides translation and interpreter services from the State budget (document translation and communication).

Query: The state shall ensure legal aid for an asylum seeker in the appeals procedures during the process of granting an asylum. The Committee refers to the Statement of Interpretation on the rights of refugees under the Charter, and asks under what conditions refugees and asylum seekers may receive legal aid assistance.

Response: The State ensures legal aid for an asylum seeker in the appeal procedures during the process of granting asylum. The institution (Office of Citizenship and Migration Affairs) which is responsible for the examination of an application for asylum shall ensure the evaluation of the need for legal aid and the communication of the applicant for legal aid with the provider of legal aid.

In the cases specified by the Immigration Law the State shall ensure legal aid within the scope of a disputed return decision or the re-appeal of a decision regarding a disputed return decision to a foreigner to be forcibly returned who is residing in the Republic of Latvia. The institution which has detained the foreigner to be forcibly returned in the cases and by the procedure specified by the Immigration Law, ensure the communication of the person requesting legal aid with the legal aid provider, who shall be invited to provide legal aid in compliance with the list of legal aid providers. If the legal aid provider provides legal aid at its place of practice, the communication of

the legal aid applicant with the legal aid provider shall be ensured by the Legal Aid Administration. For more details please visit website: <http://jpa.gov.lv/services-eng>
The interpreter is provided during the whole process (including communication with a lawyer) in the language managed by the person. If necessary, The State Border Guard and the Office of Citizenship and Migration Affairs shall invite an interpreter, whose services are paid for from the State budget funds provided for such purpose. The legal aid is provided to person, if his/her funds are not sufficient.

Query: The Committee notes that in 2013, 2,443 applications for legal aid were received, and 262 were refused, whilst another 580 were adjourned. The Committee asks for the next report to describe in detail the regulations for determining whether someone qualifies for legal aid.

Response: The Legal Aid Administration according State Ensured Legal Aid Law until the final court ruling enters into force shall grant the State legal aid in:

- civil cases,
- administrative cases in:
 - 1) the appeals procedures during the process of granting an asylum (asylum seeker);
 - 2) the process of appealing decisions to issue an expulsion order or decisions of the contested decision on forced expulsion within the scope of the Immigration law (third-country nationals staying illegally in Latvia);
 - 3) the process of appealing Orphan's Courts' decisions related on the rights of the child;
 - 4) court process, if the case is complicated and the judge decided to grant legal assistance to low-income person.

In civil and some kind of administrative cases the persons are entitled to request State-guaranteed legal assistance if they have obtained status of low-income and needy person under the procedure specified by laws and regulations in which a natural person is declared of low-income and needy, as well as if they suddenly get into a situation and a material condition that prevents their protection of their rights (due to natural disasters, force majeure or other circumstances beyond control of the person), or are under full maintenance by the government or local authority. In asylum and immigration cases the legal aid is provided to person, if his/her funds are not sufficient.

There is a different scheme for legal aid in criminal proceedings. An advocate in criminal proceedings is appointed to a person (accused person and victim) in accordance with the procedures specified in the Criminal Procedure Law. However the Legal aid administration's responsibility is to pay out funds to advocates who have provided State ensured legal aid in criminal proceedings.

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 11 – Teaching language of host state

Query: The report states that language courses for the employed are available, however, the Committee notes that in 2010, only five people participated, in 2011, 33, in 2012, seven and in 2013, eleven. The Committee asks for more details on the arrangement of these courses and funding opportunities for adult learners of Latvian. It notes from another source that the National Integration Centre offers language courses up to level C1 free of charge. The Committee asks for details of any other

language learning opportunities. It notes the progress made in various Acts which have extended the right to education and training to all foreigners and their families. However, it considers that the implementation of these reforms during the reference period, in particular for adult migrants, does not appear significant, and wishes the government to comment on the low number of learners enrolled.

Response: During the period 2014-2015 Society Integration Foundation through the National Integration Center provided Latvian language courses for more than 600 persons.

As well as Society Integration Foundation provides Latvian language courses for adults since 2003 (State financing). During the period 2014-2018 more than 3800 persons attended Latvian language courses for adults.

Please see also activities of State Employment Agency providing language training to job seekers. Also local governments may provide language training courses and private services are available.

Please see also the information provided under the Article 19§11 of this Report.

Article 19 - Right of migrant workers and their families to protection and assistance

Paragraph 12 – Teaching mother tongue of migrants

Query: The Committee notes the existence of bilingual schools for children of foreign origin. It asks what languages are available in these schools. It also asks whether mother tongue language courses are available in the mainstream school system, and how the mainstream and bilingual schools are organised.

Response: Please see the information provided under the Article 19§11 and §12 of this Report.

Query: The Committee considers that States should also promote and facilitate the teaching of the languages most represented among the migrants present on their territories within their school systems or in other contexts such as voluntary associations or non-governmental organisations (Conclusions 2011, Statement of interpretation on Article 19§12). It asks whether any non-governmental organisations provide teaching of migrants' languages, and whether they receive support.

Response: Please see the information provided under Article 19§11 and §12 of this Report.

**Appendix No. 1 - Regulations of Cabinet of Ministers No. 206 of 28 May 2002
(with latest amendments, available only in Latvian)**

Ministru kabineta noteikumi Nr.206

Rīgā 2002.gada 28.maijā (prot. Nr.22 21.§)

Noteikumi par darbiem, kuros aizliegts nodarbināt pusaudžus, un izņēmumi, kad nodarbināšana šajos darbos ir atļauta saistībā ar pusaudža profesionālo apmācību

(Regulations regarding Work in which Employment of Adolescents is prohibited and Exceptions when Employment in such Work is Permitted in Connection with Vocational Training of the Adolescent)

Izdoti saskaņā ar Darba likuma 37.panta ceturto daļu

1. Noteikumi nosaka darbus, kuros aizliegts nodarbināt pusaudžus, un izņēmumus, kad nodarbināšana šajos darbos ir atļauta saistībā ar pusaudža profesionālo apmācību.

2. Pusaudžus aizliegts nodarbināt:

2.1. šo noteikumu 1.pielikumā minētajos darbos;

2.2. darbos, kuros pusaudži tieši pakļauti šo noteikumu 2.pielikumā minētajiem darba vides riska faktoriem.

3. Pusaudža nodarbināšana šajos noteikumos minētajos darbos ir pieļaujama izņēmuma gadījumos, ja tā ir saistīta ar pusaudža profesionālo apmācību, darbs tiek veikts tiešā darba vadītāja vai uzticības personas klātbūtnē un ir nodrošināta ar darba aizsardzību saistīto normatīvo aktu ievērošana.

4. Noteikumi stājas spēkā ar 2002.gada 1.jūniju.

Informatīva atsauce uz Eiropas Savienības direktīvām

(MK 07.04.2015. noteikumu Nr.164 redakcijā)

Noteikumos iekļautas tiesību normas, kas izriet no:

1) Padomes 1994. gada 22. jūnija Direktīvas 94/33/EK par jauniešu darba aizsardzību;

2) Eiropas Parlamenta un Padomes 2014. gada 26. februāra Direktīvas 2014/27/ES, ar ko groza Padomes Direktīvas 92/58/EEK, 92/85/EEK, 94/33/EK, 98/24/EK un Eiropas Parlamenta un Padomes Direktīvu 2004/37/EK, lai tās pielāgotu Regulai (EK) Nr. 1272/2008 par vielu un maisījumu klasificēšanu, marķēšanu un iepakojšanu.

Ministru prezidents A.Bērziņš

Labklājības ministrs V.Jaksons

Annex No. 1 - Work in which Employment of Adolescents is Prohibited

1.pielikums
Ministru kabineta
2002.gada 28.maija noteikumiem Nr.206

Darbi, kuros aizliegts nodarbināt pusaudžus
(Work in which Employment of Adolescents is prohibited)

(Pielikums grozīts ar MK 31.07.2007. noteikumiem Nr.523; MK 07.04.2015. noteikumiem Nr.164)

1. Darbs ir pielīdzināms glābšanas darbam avāriju gadījumos.
2. Darbs ir pielīdzināms izmēģināšanas darbam.
3. Darbs ir pielīdzināms ugunsbīstamam un sprādzienbīstamam darbam.
4. Darbs ir tieši saistīts ar pastāvīgu smaguma pārnēsāšanu vai pārvietošanu, ja tas pārsniedz 10 kg (zēniem) un 4 kg (meitenēm).
5. Darbs ir tieši saistīts ar ventilācijas, ūdens, kanalizācijas, attīrīšanas iekārtu sistēmu apkalpi un apkopi.
6. Darbs ir tieši saistīts ar ieroču, to sastāvdaļu, munīcijas, sprāgstvielu, spridzināšanas ietaišu, pirotehnisko izstrādājumu un pašaizsardzībai vai sabiedriskās kārtības un drošības garantēšanai paredzētu speciālo līdzekļu ražošanu, izmēģināšanu, glabāšanu, lietošanu, tirdzniecību un reklāmu.
7. Darbs ir tieši saistīts ar dažādu objektu un būvju nojaukšanu.
8. Darbs ir tieši saistīts ar vilcienu kustību (mašīnista darbs vilcienos un citos līdzekļos, kustības dispečers, konduktors, regulētājs, vagonu un ceļu apskatītājs, pavadonis).
9. Darbs ir tieši saistīts ar dažādu konstrukciju montāžu (piemēram, ar metāla, dzelzsbetona konstrukciju montāžu).
10. Darbs ir tieši saistīts ar inficētu personu un psihiski slimu cilvēku kopšanu un uzraudzību (arī slimnīcās).
11. Darbs ir tieši saistīts ar naftas ieguvi un naftas produktu ražošanu, kā arī ar urbšanu saistīts darbs.
12. Darbs ir tieši saistīts ar elektrības un siltuma ražošanu, kā arī piegādi AES, TES un HES.
13. Darbs ir tieši saistīts ar rūpniecisku keramikas ražošanu, ja darbā tiek izmantoti svinu saturoši savienojumi, vai stikla ražošanu.
14. Darbs ir tieši saistīts ar pasažieru un kravu (produkcijas) pārvadāšanu (autotransporta vadīšana).
15. Darbs ir tieši saistīts ar celulozes, papīra un to izstrādājumu ražošanu.
16. Darbs ir tieši saistīts ar drukāšanu (iespiešanu), izņemot gadījumu, ja pusaudzim ir attiecīgā specialitāte un kvalifikācija.
17. Darbs ir tieši saistīts ar gumijas un plastmasas izstrādājumu ražošanu.
18. Darbs ir tieši saistīts ar ķīmisko vielu, maisījumu un izstrādājumu, kā arī ķīmisko šķiedru ražošanu.
19. Darbs ir tieši saistīts ar metāla vai tā izejvielu otrreizēju pārstrādi.
20. Darbs ir tieši saistīts ar narkotisko vielu un narkotiskas vielas saturošu augu pārstrādi, glabāšanu, ražošanu un realizēšanu.
21. Darbs ir tieši saistīts ar mežizstrādi (koku ciršana, atzarošana, izvilksana, balķu iekraušana un izkraušana). Malkas zāģēšana un skaldīšana, izņemot gadījumu, ja pusaudzim ir attiecīgā specialitāte un kvalifikācija.
22. Darbs ir tieši saistīts ar gaļas un gaļas produktu pārstrādi un konservēšanu, izņemot gadījumu, ja pusaudzim ir attiecīgā specialitāte un kvalifikācija.
23. Darbs ir tieši saistīts ar koksnes apstrādi ar ripzāģi vai lentzāģi un frēzēm, izņemot gadījumu, ja pusaudzim ir attiecīgā specialitāte un kvalifikācija.
24. Darbs ir tieši saistīts ar zivju un to produktu pārstrādi un konservēšanu, izņemot gadījumu, ja pusaudzim ir attiecīgā specialitāte un kvalifikācija.
25. *(Svītrots ar MK 31.07.2007. noteikumiem Nr.523)*
26. Darbs ir tieši saistīts ar akmens apstrādi.

27. (Svītrots ar MK 31.07.2007. noteikumiem Nr.523)
28. Darbs ir tieši saistīts ar bērnu pakalpojumu sniegšanu, izņemot vainagu pīšanu, sēru lenšu noformēšanu un līdzīgus darbus.
29. Darbs zem ūdens, zem zemes, gaisā, bez uzraudzības uz ūdens; jūras un upes flotē, aviācijā (gaisa un ūdens transports).
30. Darbs patologanatomijas nodaļās, morgos un vivārijos.
31. Darbs publiskajās tualetēs.
32. Darbs vietās, kurās mākslīgi apsēklo un aplecina dzīvniekus.
33. Darbs ieslodzījuma vietās.
34. Darbs azartspēļu organizēšanas vietās.
35. Darbs vietās, kurās ražo, realizē un demonstrē erotisko un pornogrāfisko produkciju.
36. Ar dzīvnieku un putnu kaušanu un kautķermeņu sadalīšanu saistīts darbs.
37. Ar klaiņojošu suņu un kaķu ķeršanu un iznīcināšanu saistīts darbs.
38. Ar infekcijas slimībām saslimušu dzīvnieku kopšana un ar to saistīts darbs.
39. Darbs, kurā izgatavo mācību materiālus no dzīvniekiem (peles, žurkas, jūrascūciņas).
40. Darbs, kurā darba izpildītāja dzīvību un veselību tieši apdraud nikni, indīgi vai agresīvi dzīvnieki.
41. Darbs, kas saistīts ar saspiestu, šķīdinātu vai izšķīdinātu gāzu ražošanu, uzglabāšanu un izmantošanu, kā arī attiecīgu iekārtu lietošanu.
42. Darbs anestezioloģijas, reanimācijas un intensīvās terapijas nodaļās (palātās).
43. (Svītrots ar MK 31.07.2007. noteikumiem Nr.523)
44. Darbs, kuru veicot ir iespējami nogrūvumi un aizbērumi (kalnrūpniecība un darbs karjeros).
45. Darbs, kuru veicot ir iespējama darba izpildītāja krišana no vairāk nekā pusotra metra augstuma.
46. Darbs, kuru veicot ir iespējama darba izpildītāja krišana no kustībā esošiem objektiem (līdzekļiem).
47. Darbs, kuru veicot ir saskare ar netīrās veļas apstrādi, sadzīves atkritumiem un maitām.
48. Darbs, kuru veicot ir saskare ar līķiem, līķu ādu, orgāniem un asinīm.
49. Darbs, kura tempu nosaka mehānismi un par kuru tiek maksāta akorda alga.
50. Darbs ar mucām, tvertnēm, rezervuāriem vai stikla baloniem, kuros ir šo noteikumu 2. pielikuma 3.2. apakšpunktā minētās ķīmiskās vielas.
51. Darbs ir tieši saistīts ar alkoholisko dzērienu un tabakas izstrādājumu ražošanu, izmēģināšanu, glabāšanu, lietošanu, tirdzniecību un reklāmu.
52. Darbs, kas saistīts ar auramīna ražošanu.
53. Darbs, kas saistīts ar akmeņogļu kvēpos, darvā un piķī esošo policiklisko aromātisko ogļūdeņražu iedarbību.
54. Darbs, kura laikā notiek nodarbināto saskare ar putekļiem, iztvaikojumiem vai aerosoliem, kas rodas, apdedzinot un elektrolītiski attīrot vara un niķeļa rūdas izstrādājumus.
55. Darbs, kas saistīts ar stipro skābju procesu izopropilspirta ražošanā.
56. Darbs, kas saistīts ar cietkoksnes putekļu iedarbību.

Labklājības ministrs V.Jaksons

Annex 2 - Work Environment Risk Factors for which Direct Admission of Adolescents is Prohibited

Darba vides riska faktori, kuriem aizliegts tieši pakļaut pusaudžus
(*Work environment risk factors for which direct admission of adolescents is prohibited*)
(*Pielikums grozīts ar MK 31.07.2007. noteikumiem Nr.523; MK 07.04.2015. noteikumiem Nr.164*)

Pusaudžus aizliegts nodarbināt darbos, kuros viņi ir tieši pakļauti šādiem darba vides riska faktoriem:

1. Fizikālie faktori:

- 1.1. kustībā esoši, rotējoši, krītoši un lidojoši objekti (priekšmeti);
- 1.2. jonizējošais starojums;
- 1.3. augstsprieguma elektrības radīts risks;
- 1.4. paaugstināts vai pazemināts spiediens (darbi zem ūdens vai vairāk nekā 2000 metru virs jūras līmeņa);
- 1.5. trokšņa līmenis, kura standartizētā septiņu stundu atskaites perioda dienas ekspozīcijas vērtība pārsniedz 80 dBA;
- 1.6. plaukstas un rokas vibrācija, kuras standartizētā septiņu stundu atskaites perioda dienas ekspozīcijas vērtība pārsniedz 2 m/s^2 ;
- 1.7. visa ķermeņa vibrācija, kuras standartizētā septiņu stundu atskaites perioda dienas ekspozīcijas vērtība pārsniedz $0,5 \text{ m/s}^2$.

2. Bioloģiskie faktori — 3. un 4.grupas bioloģiskie aģenti (bioloģiskie aģenti, kas ir bīstami nodarbinātajiem, un pastāv risks, ka tie radīs draudus citiem cilvēkiem).

3. Ķīmiskie faktori:

- 3.1. kancerogēnas un mutagēnas vielas;
- 3.2. ķīmiskās vielas un maisījumi, kas atbilst Eiropas Parlamenta un Padomes 2008. gada 16. decembra Regulas (EK) Nr. 1272/2008 par vielu un maisījumu klasificēšanu, marķēšanu un iepakojumu 1. pielikumā minētajiem klasificēšanas kritērijiem vienā vai vairākās turpmāk minētajās bīstamības klasēs un bīstamības kategorijās ar vienu vai vairākiem turpmāk minētajiem bīstamības apzīmējumiem:
 - 3.2.1. akūta toksicitāte, 1., 2. vai 3. kategorija (H300, H310, H330, H301, H311, H331);
 - 3.2.2. kodīgums ādai, 1. A, 1. B vai 1. C kategorija (H314);
 - 3.2.3. uzliesmojoša gāze, 1. vai 2. kategorija (H220, H221);
 - 3.2.4. uzliesmojoši aerosoli, 1. kategorija (H222);
 - 3.2.5. uzliesmojošs šķidrums, 1. vai 2. kategorija (H224, H225);
 - 3.2.6. sprādzienbīstamas vielas, kategorija "nestabilas sprādzienbīstamas vielas" vai 1.1., 1.2., 1.3., 1.4., 1.5. apakšgrupas sprādzienbīstamas vielas (H200, H201, H202, H203, H204, H205);
 - 3.2.7. pašreaģējošas vielas un maisījumi, A, B, C vai D tips (H240, H241, H242);
 - 3.2.8. organiskie peroksīdi, A vai B tips (H240, H241);
 - 3.2.9. toksiska ietekme uz īpašu mērķorgānu pēc vienreizējas iedarbības, 1. vai 2. kategorija (H370, H371);
 - 3.2.10. toksiska ietekme uz īpašu mērķorgānu pēc atkārtotas iedarbības, 1. vai 2. kategorija (H372, H373);
 - 3.2.11. elpceļu sensibilizācija, 1. kategorija, 1. A vai 1. B apakškategorija (H334);
 - 3.2.12. ādas sensibilizācija, 1. kategorija, 1. A vai 1. B apakškategorija (H317);
 - 3.2.13. kancerogenitāte 1. A, 1. B vai 2. kategorija (H350, H350i, H351);
 - 3.2.14. cilmes šūnu mutagenitāte 1. A, 1. B vai 2. kategorija (H340, H341);

3.2.15. toksiska ietekme uz reproduktīvo funkciju, 1. A vai 1. B kategorija, (H360, H360F, H360FD, H360Fd, H360D, H360Df);

3.3. (svītrots ar MK 07.04.2015. noteikumiem Nr.164);

3.4. (svītrots ar MK 07.04.2015. noteikumiem Nr.164);

3.5. svins un tā savienojumi, ciktāl attiecīgās vielas absorbē cilvēka organisms;

3.6. azbests.

Labklājības ministrs V.Jaksons

Appendix No. 2 - Regulations of Cabinet of Ministers No. 656 of 24 November 2015 (with latest amendments, available only in Latvian)

Ministru kabineta noteikumi Nr. 656

Rīgā 2015. gada 24. novembrī (prot. Nr. 62 16. §)

Noteikumi par minimālās mēneša darba algas apmēru normālā darba laika ietvaros un minimālās stundas tarifa likmes aprēķināšanu
(Regulations on the Amount of the Minimum Monthly Wage within the Normal Working Time and on the Calculation of the Minimum Hourly Wage Rate)

Izdoti saskaņā ar Darba likuma 61. panta otro daļu

1. Noteikumi nosaka minimālās mēneša darba algas apmēru normālā darba laika ietvaros un minimālās stundas tarifa likmes aprēķināšanas kārtību.

2. Minimālā mēneša darba alga normālā darba laika ietvaros ir 430 euro.

(Grozīts ar MK 25.10.2016. noteikumiem Nr. 683; MK 29.08.2017. noteikumiem Nr. 511)

3. Minimālo stundas tarifa likmi aprēķina, izmantojot šādu formulu:

$TL_{\min} = MDA / h$, kur

TL_{\min} – minimālā stundas tarifa likme euro;

MDA – valstī noteiktā minimālā mēneša darba alga saskaņā ar šo noteikumu 2. punktu;

h – normālā darba laika stundu skaits mēnesī (piecu dienu darba nedēļa un 40 stundas nedēļā vai piecu dienu darba nedēļa un 35 stundas nedēļā, vai sešu dienu darba nedēļa un 40 stundas nedēļā, vai sešu dienu darba nedēļa un 35 stundas nedēļā), tai skaitā svētku dienu stundu skaits, ja darbinieks neveic darbu svētku dienā, kas iekrīt darbiniekam noteiktajā darba dienā.

4. Darbiniekiem, kuriem noteikta summētā darba laika uzskaites sistēma un kuri pārskata periodā, kas ir garāks par vienu mēnesi, nostrādājuši visu normālā darba laika ietvaros noteikto darba laiku (stundas), darba devējs nodrošina, ka aprēķinātās darba algas kopsumma pārskata perioda beigās nav mazāka par šo noteikumu 2. punktā minēto mēneša darba algu, reizinot ar mēnešu skaitu pārskata periodā.

5. Darbiniekiem, kuriem noteikta summētā darba laika uzskaites sistēma un kuri pārskata periodā nostrādājuši vairāk nekā normālā darba laika ietvaros noteikto darba laiku (stundas), pārskata perioda beigās aprēķinot virsstundu piemaksu, izmanto pārskata perioda vidējo minimālo stundas tarifa likmi, kuru aprēķina, izmantojot šādu formulu:

$TL_{\min v} = MDA * n / h_p$, kur

$TL_{\min v}$ – pārskata perioda vidējā minimālā stundas tarifa likme virsstundu piemaksas aprēķināšanai euro;

MDA – valstī noteiktā minimālā mēneša darba alga saskaņā ar šo noteikumu 2. punktu;

n – kalendāra mēnešu skaits pārskata periodā;

h_p – normālā darba laika stundu skaits pārskata periodā, tai skaitā svētku dienu stundu skaits, ja darbinieks neveic darbu svētku dienā, kas iekrīt darbiniekam noteiktajā darba dienā.

6. Darbiniekiem, kuriem noteikts nepilns darba laiks, minimālo mēneša darba algu nosaka proporcionāli nostrādātajam laikam attiecībā pret šo noteikumu 2. punktā minēto minimālo mēneša darba algu.

7. Darbiniekiem, kuriem nolīgta akorda algas sistēma normālā darba laika ietvaros un kuri nostrādājuši visas mēnesī noteiktās darba stundas, bet kuriem aprēķinātā darba alga ir mazāka par šo noteikumu 2. punktā minēto minimālo mēneša darba algu, aprēķināto darba

algu palielina par starpību starp šo noteikumu 2. punktā minēto minimālo mēneša darba algu un aprēķināto darba algu.

8. Ja darbiniekiem aprēķinātā vidējā izpeļņa par darbu normālā darba laika ietvaros ir mazāka par šo noteikumu 2. punktā minēto minimālo mēneša darba algu, vidējās izpeļņas summu nosaka, palielinot aprēķināto summu par starpību starp šo noteikumu 2. punktā minēto minimālo mēneša darba algu un aprēķināto vidējo izpeļņu.

9. Atzīt par spēku zaudējušiem Ministru kabineta 2013. gada 27. augusta noteikumus Nr. 665 "Noteikumi par minimālo mēneša darba algu un minimālo stundas tarifa likmi" (Latvijas Vēstnesis, 2013, 169. nr.; 2014, 241. nr.).

10. Noteikumi stājas spēkā 2016. gada 1. janvārī.

Ministru prezidenta vietā –
iekšlietu ministrs, satiksmes ministra
pienākumu izpildītājs Rihards Kozlovskis

Labklājības ministrs Uldis Augulis

**Appendix No. 3 - Regulations of Cabinet of Ministers No. 660 of 2 October 2007
(with latest amendments)**

Text consolidated by Valsts valodas centrs (State Language Centre) with amending regulations of:
7 April 2015 [come into force from 1 June 2015].

If a whole or part of a paragraph has been amended, the date of the amending regulation appears in square brackets at the end of the paragraph. If a whole paragraph or sub-paragraph has been deleted, the date of the deletion appears in square brackets beside the deleted paragraph or sub-paragraph.

Procedures for the Performance of Internal Supervision of the Work Environment

*Issued pursuant to
Section 7, Paragraph four of the Labour Protection Law*

I. General Provisions

1. This Regulation prescribes the procedures, by which the internal supervision of the work environment is to be performed (including evaluation of the work environment risk).
2. Internal supervision of the work environment shall consist of the following stages:
 - 2.1. the planning of internal supervision of the work environment;
 - 2.2. the evaluation of the work environment risk, including the evaluation of risk in work performed by pregnant women and women who have recently given birth;
 - 2.3. the implementation of internal supervision of the work environment; and
 - 2.4. the inspection and improvement of internal supervision of the work environment.
3. This Regulation shall not apply to those activities in emergency situations, which are performed in conformity with the Civil Defence Law and inevitably conflict with the requirements of this Regulation.
4. The internal supervision of the work environment in an undertaking shall be performed by a labour protection specialist appointed by the employer or employer himself or herself if there are no more than 10 employees in the undertaking and the employer fulfils the duties of a labour protection specialist.
5. A person who performs the internal supervision of the work environment shall be trained in accordance with regulatory enactments regarding training in labour protection issues.
6. If an undertaking does not have a relevant labour protection specialist, the employer shall involve in the internal supervision of the work environment a specialist or an institution competent in labour protection issues.
7. The employer, the labour protection specialist, the competent specialist or the competent institution, in performing the internal supervision of the work environment, shall co-operate with a trusted representative or a representative of the employees and involve the employees.
8. The employer shall be liable for compliance with this Regulation. The employer shall ensure the resources required for the internal supervision of the work environment (for instance, personnel, financial, technical resources).
9. The involvement of a competent specialist or a competent institution in the internal supervision of the work environment shall not reduce the responsibility of the employer for the compliance with the labour protection and health protection requirements.

10. The compliance with this Regulation shall be controlled by the State Labour Inspection.

II Planning of Internal Supervision of the Work Environment

11. The employer shall at least once a year plan the internal supervision of the work environment, in taking decisions regarding the organisation of labour protection issues in the undertaking, resources necessary for labour protection, responsible persons and other issues related to the internal supervision of the work environment.

12. The employer shall plan the internal supervision of the work environment in co-operation with the labour protection specialist, the trusted representative or the representative of the employees, taking into account:

12.1. the type of activity, nature of the work and working conditions of the undertaking;

12.2. the work environment risk factors existing in the undertaking and the results of the work environment risk evaluation;

12.3. warnings, instructions and decisions of the State Labour Inspection pertaining to labour protection issues in the undertaking; and

12.4. the technical and financial resources of the undertaking.

13. The employer shall provide for and include the planning of internal supervision of the work environment in the planning of economic activity.

III Evaluation of Work Environment Risks

14. In evaluating the work environment risk, the employer shall ensure:

14.1. the inspection of the work environment and the workplaces therein or the types of work, determining the work environment factors existing there and detecting factors, which cause or may cause risk to the safety and health of employees (Annex 1);

14.2. measurements of work environment factors where appropriate in order to determine whether the environment factor causes risk to the safety and health of employees; and

14.3. determination of the work environment factors, which cause or may cause risks to the safety and health of employees.

15. The employer is entitled not to use the form referred to in Annex 1 to this Regulation for the documentation of inspection of a workplace if he or she, in inspecting the workplaces, uses documents, which are more appropriate for the nature of economic activity of the undertaking and which take into account all the work environment factors referred to in Annex 1 to this Regulation.

16. If work environment measurements for the evaluation of the work environment risk have been made by an accredited testing laboratory, the employer shall take into account the testing results of the relevant laboratory when planning labour protection measures.

17. The employer shall ensure the evaluation of work environment risk at all workplaces, except in cases where there are similar conditions at workplaces (for example, similar work equipment, layout of premises, nature of work). If the conditions of work are similar, a work environment risk evaluation of one workplace or type of work shall be sufficient, taking into account the individual differences of each employee and each workplace.

18. The work environment risk shall be evaluated not less than once a year, as well as:

18.1. when practically commencing another type of activity;

18.2. if any changes in the work environment have occurred (for example, work procedures, methods, work equipment, the use or production of substances and mixtures has changed, the workplace has undergone substantial modifications);

- 18.3. if deterioration in the conditions of the work environment or non-compliance with the requirements prescribed by regulatory enactments is determined; and
18.4. if an accident at work has occurred.

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19. In the cases referred to in Sub-paragraphs 18.1, 18.2, 18.3 and 18.4 of this Regulation the work environment risks shall be evaluated in relation to the particular place or type of work.

20. The work environment risk in an undertaking may be evaluated by the employer, a labour protection specialist or a competent specialist or a competent institution invited by the employer, involving in the risk evaluation the trusted representative or the representative of the employees and the employee who works at the relevant workplace and manages it.

21. In evaluating the work environment risk, a person who performs it shall take into account:

21.1. the level of the probability (duration, frequency) of the occurrence of the work environment risk and of the seriousness of the consequences of the risk, observing all work environment factors, which cause or may cause risk to the safety and health of employees, possible interaction thereof and the results of the performed measurements of the work environment;

21.2. the existing interaction between employees and the activities to be performed by the employees in the undertaking;

21.3. the presence of other persons (for example, employees of other undertakings, visitors, students, patients of medical treatment institutions, customers) in the workplace; and

21.4. accidents, which have taken place at work, and the detected occupational diseases.

22. In workplaces where the work procedures are related to unchanging working conditions (for example, in an office), the employer shall take into account the specific and characteristic (usual, permanent) working conditions when evaluating the work environment risk.

23. In workplaces where the work procedures are related to changing working conditions (for example, construction work), the employer shall, in addition to the working conditions referred to in Paragraph 22 of this Regulation, also take into account the intended changes in the working conditions when evaluating the work environment risk.

24. The employer shall document all the materials of inspection of the workplace (also, of the determination of work environment factors and the evaluation of the work environment risk) and keep them for at least three years.

25. During re-evaluation of the work environment risk a person who performs it shall organise repeated measurements of the work environment, taking into account the results of the previous risk evaluation and the requirements of regulatory enactments regarding the periodicity of measurements. Repeated measurements of the work environment shall not be performed if it arises from the results of the previous measurements.

26. In re-evaluating the work environment risk, a person who performs it shall review the results of the previous evaluation of the work environment risk and, if the situation has not changed and the results of the previous risk evaluation correspond to the present situation, new documentation of risk evaluation need not be developed, but notes in the existing risk evaluation regarding the correspondence of the situation on the day of risk evaluation shall be made.

IV Evaluation of Work Environment Risks for Work Performed by Pregnant Women and Women Who Have Recently Given Birth

27. The employer shall, in addition to the evaluation of the work environment risk referred to in Chapter III of this Regulation, ensure the evaluation of the work environment risk for the work performed by pregnant women and women in the period following childbirth up to one year but, if a woman is breastfeeding, during the whole period of breastfeeding.

28. In evaluating the work environment risks referred to in Paragraph 27 of this Regulation, a person who performs evaluation shall determine whether the work environment risk factors referred to in Annex 2 to this Regulation exist at the workplace and whether relevant work is performed, as well as shall determine the nature, degree and duration of the effects of the work environment risk factors in order to:

28.1. evaluate any risk to the safety and health of pregnant women and women who are breastfeeding, as well as any probable consequences in respect of their pregnancy or breastfeeding; and

28.2. determine the labour protection measures required for the prevention of the risk referred to in Sub-paragraph 28.1 of this Regulation.

29. If the employer, on the basis of a work environment risk evaluation, determines that the work to be performed is referred to in Annex 2 to this Regulation or, also, that it is affected by the work environment factors referred to in Annex 2 to this Regulation, which may pose a threat to the safety or health of pregnant women, breastfeeding women or their children, the employer has a duty to take necessary labour protection measures in order to ensure their safety and health but, if this is not possible, to transfer the pregnant woman or the breastfeeding woman to another job.

30. If the employer, on the basis of a work environment risk evaluation, determines that the work to be performed conforms to Annex 3 to this Regulation, the employer is prohibited from employing:

30.1. pregnant women – in jobs, which are affected by the work environment factors referred to in Annex 3, Paragraph 1 of this Regulation; and

30.2. breastfeeding women – in jobs, which are affected by the work environment factors referred to in Annex 3, Paragraph 2 of this Regulation.

31. If the employer determines that, in addition to the work environment factors or the jobs referred to in Annexes 2 and 3 to this Regulation, there are other work environment factors or jobs that may cause a risk to the safety or health of pregnant women, breastfeeding women or their children, the employer has a duty to take the labour protection measures required for the prevention of such risks.

V. Implementation of Internal Supervision of the Work Environment

32. The employer, when ensuring the implementation of the internal supervision of the work environment, shall divide the duties, responsibilities and resources in the undertaking and determine the co-operation between:

32.1. the management of the undertaking, the management of units, trusted representatives, labour protection specialists and employees;

32.2. employees, employees of other undertakings who perform work in their territory (for example, suppliers) and visitors; and

32.3. employees to whom the provision of first aid, the performance of fire fighting, evacuation of employees and other measures required in emergency situations have been entrusted.

33. On the basis of the results of a work environment risk evaluation and the information obtained during inspection of workplaces, the employer shall:

33.1. determine the workplaces and types of work where a work environment risk exists and labour protection measures are required for the prevention or reduction of such risk, as well as employees who are subjected to specific risk;

33.2. ensure the development of a plan of labour protection measures, in which the labour protection measures, the time period for implementation thereof and the persons responsible for the prevention or reduction of the risk referred to in Sub-paragraph 33.1 of this Regulation are determined. In determining and taking labour protection measures for the prevention or reduction of the work environment risk, the employer has a duty to ensure that the risk is not transferred to another place or that another risk is not caused;

33.3. compile the lists and other documents specified in the Labour Protection Law and other regulatory enactments regarding requirements for labour protection. The employer is entitled to combine the referred to lists and documents in one or several lists or documents.

34. The employer shall keep the plan of labour protection measures referred to in Sub-paragraph 33.2 of this Regulation and the lists and documents referred to in Sub-paragraph 33.3 of this Regulation for at least three years if another time period for storage of documents has not been specified in the regulatory enactments regarding requirements for labour protection.

35. The employer shall be responsible for timely performance of the labour protection measures referred to in Sub-paragraph 33.2 of this Regulation and shall examine efficiency thereof.

36. The employer shall inform all employees and trusted representatives or representatives of employees regarding:

36.1. the risk factors and the work environment risk that exists in an undertaking and every workplace as a result of such factors;

36.2. the benefit obtained by employees and the undertaking as a result of the elimination of risk factors and the reduction in the work environment risk;

36.3. their tasks and duties pertaining to internal supervision of the work environment (also, regarding the actions required in emergency situations);

36.4. probable consequences, which may occur as a result of failure to comply with the prescribed work procedures;

36.5. labour protection measures; and

36.6. the results of evaluation of the work environment risk, the conclusions made on the basis of such results, the plan of labour protection measures and the labour protection measures taken or to be taken.

37. The employer shall inform each employee regarding the issues referred to in Paragraph 36 of this Regulation, which apply directly thereto.

38. The employer shall ensure that the information referred to in Paragraph 36 of this Regulation is available and comprehensible to employees.

39. The employer has a duty to inform regarding existing work environment risk factors and necessary labour protection measures:

39.1. lessees of the premises of the undertaking, as well as other employers and their employees if employees of several employers are employed at the relevant workplace; and

39.2. visitors, clients of the undertaking and other persons who may be exposed to the work environment risk.

VI. Inspection and Improvement of Internal Supervision of the Work Environment

40. The employer shall ensure the inspection of the internal supervision of the work environment and detection of conformity to the requirements of regulatory enactments regarding labour protection not less than once a year.

41. When performing the internal supervision of the work environment, it shall be necessary to take into account the results of previous inspections and evaluations of the work environment risk, as well as the type of activity of the undertaking.

42. If it is detected during inspection of the internal supervision of the work environment that it is necessary to make improvements, the employer shall ensure the improvement of the internal supervision of the work environment and performance of the necessary labour protection measures.

43. A person who performs inspection of the internal supervision of the work environment shall inform the employer regarding the results of the inspection if the inspection has not been performed by the employer himself or herself.

44. The employer, on the basis of the results of inspection of the internal supervision of the work environment, shall improve the internal supervision system of the work environment in determining the necessary labour protection measures and including them in the plan of labour protection measures referred to in Sub-paragraph 33.2 of this Regulation.

VII. Closing Provisions

45. Cabinet Regulation No. 379 of 23 August 2001, Procedures for the Performance of Internal Supervision of the Work environment (*Latvijas Vēstnesis*, 2001, No. 123; 2003, No. 60) is repealed.

Informative Reference to European Union Directives

[7 April 2015]

This Regulation contains legal norms arising from:

1) Council Directive 89/391/EEC of 12 June 1989 on the introduction of measures to encourage improvements in the safety and health of workers at work;

2) Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC);

3) Directive 2014/27/EU of the European Parliament and of the Council of 26 February 2014 amending Council Directives 92/58/EEC, 92/85/EEC, 94/33/EC, 98/24/EC and Directive 2004/37/EC of the European Parliament and of the Council, in order to align them to Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures;

4) Council Directive 2010/32/EU of 10 May 2010 implementing the Framework Agreement on the prevention of sharp injuries in the hospital and healthcare sector concluded by HOSPEEM and EPSU.

Prime Minister

A. Kalvītis

Minister for Welfare

D. Staķe

Inspection of Workplace or Type of Work and Determination of Work Environment Factors Therein and Evaluation Thereof
[7 April 2015]

Date _____

No.	Work environment factors		What may cause risk to the safety and health of employees	Whether there is (exists) a specific work environment factor		What is to be evaluated in order to determine whether a risk to the safety and health of employees exists and whether further inspection/labour protection measures are required	Whether present (existing) work environment factors cause a risk to the safety and health of employees and whether it is necessary to take labour protection measures	
				no	yes		no	yes/perhaps
1	2	3	4	5	6	7	8	9
1.	Physical factors	working premises and surroundings of the workplace	layout of working premises			suitability of the layout of the workplace, the area required, etc. (impact)		
			area					
			furniture/equipment					
			routes of transport and passage					
			cleanliness					
			order					
			other (please, specify)					
		noise	machinery			noise level, variable noise level, impulsive noise (duration of exposure)		
			people					

			work with manual instruments and tools					
			ventilation equipment					
			equipment of the undertaking or the institution					
			other (please, specify)					
		vibrations	work with moving, rotary, vibrating manual instruments			vibration intensity (duration of exposure, local, general)		
			work with vibrating machines					
			work on vibrating surfaces					
			other (please, specify)					
		illumination	artificial lighting conditions of workplaces			adequacy of artificial lighting, intensity of illumination of passageways and machines, non-dazzling directions of light		
			artificial lighting conditions of passageways					
			artificial lighting conditions of machines					
			artificial lighting conditions of workbenches					
			artificial lighting conditions of other objects (specify)					
		micro-climate	equipment emitting high heat			temperature (C ⁰) air movement rate (m/s) relative air humidity (%) heat radiation (kcal) maintenance of ventilation system		
			ventilation equipment with the airflow of unbalanced influx and suction etc.					
			lack of ventilation					
			other (please, specify)					
		outside work	work in outside conditions			temperature (C ⁰) air movement rate (m/s) relative air humidity (%) heat radiation (kcal)		
			lowered temperature during the cold time of the year					
			meteorological conditions					
			intense solar radiation					
			other (please, specify)					

		elevated ambient pressure	work in caissons			to what pressure employer is exposed, how long work in elevated pressure takes place, how soon the pressure is reduced		
			work in altitude chambers					
			diver's work					
			other (please, specify)					
		radiation (ionising/non-ionising)	x-ray equipment			quantity of radiation (duration of exposure)		
			electromagnetic field equipment					
			ultraviolet radiation equipment					
			laser radiation equipment					
			other (please, specify)					
		other physical factors						
2.	Physical factors (biomechanical)	heavy work	physically strained work			weight of individual unit and total weight, working methods (termination of exposure), ergonomic indicators		
			lifting of heavy items					
			carrying of heavy items					
			repeated lifting of heavy items					
			hauling, pushing of heavy items					
			other (please, specify)					
		physical efforts which repeat	work connected with frequent repetition of the same work operation			frequency of repeated work operations, energy and accuracy requirements and needs (changes in exposure), ergonomic indicators		
		work postures, static postures	sitting			lifting on height, working squatting, bending down, bending outwards or stretching (termination of exposure), duration of work in one posture, ergonomic indicators		
			walking					
			standing					
			lying					
			squatting					
			other posture (specify)					
		work involving computer	design of workplace			design of workplace (chair, table, monitor), working hours (breaks), software, conformity to the requirements of ergonomics, sight strain		
			long working hours without breaks					
			non-conformity of monitor to the requirements					
			reflective glare					

			non-conformity of software					
			other (please, specify)					
		elevated sight strain	work related to elevated sight strain			work intensity, duration of work, size of details, different elements to be discerned		
			work involving a microscope					
			work involving optical devices					
			jeweller's work					
			work involving small details					
			other (please, specify)					
		overload of vocal cords	continuous load of voice in speaking			duration of incessant load of vocal cords, total load to vocal cords per day (length of talking, singing), intensity of load (loudness of voice, intricacy of speech, singing)		
			continuous load of voice in singing					
		work related to elevated strain of local muscles	work involving different manual tools			work intensity, duration of incessant work, repetition of work		
			work with hands					
			other (please, specify)					
		other physical factors						
3.	Psychological and emotional factors	working hours	organisation of working time			work at night, work in shifts, unplanned overtime work, irregular shifts, duration of shifts		
		shortage of working time	work to be performed is connected with additional effort			work at piece rate, work in groups or individually, speed of work, duration of haste		
		monotonous work	nature and volume of work, which frequently repeat			whether work is monotonous and (or) it requires constant attention, ability to influence the work to be performed		
		inability to influence the working procedures	small (insufficient) possibilities for employees to participate in the planning of their work			possibilities for employees to organise their own work		
		work in isolation	work where employees work protractedly alone or in isolation from others			risk of accidents and violence, lack of communication, lack of support of colleagues, lack of information		
		increased	increased responsibility in work			level of responsibility, the frequency of taking		

		responsibility	taking of important, responsible decisions			of responsible decisions, the scope of people influenced by the decision, the scope and severity of consequences in case of mistake				
		strained psychological atmosphere at work	unfavourable, strained relationship among employees			mutual relationship in work collective, mutual support, psychological isolation, competition, mobbing, bossing				
			unfavourable, strained relationship with employer							
			other (please, specify)							
		violence	physical			potential physical assaults, sexual harassment of employees, clients or other persons				
			sexual harassment							
		other psychological factors								
4.	Dust sprays	abrasive dust	production, processing, utilisation of abrasives			risk of inhalation of dust, density of dust in air, dust particle size, composition of dust, presence and adequate operation of ventilation (natural, general, local), efficiency and maintenance of ventilation systems				
				emerging of dust while working						
				other (please, specify)						
			dust of organic origin	work where plant dust (for example, from flour, tree, tobacco, flax, cotton, hemp) is excreted			risk of inhalation of dust, density of dust in air, dust particle size, composition of dust, presence and adequate operation of ventilation (natural, general, local), allergenic properties of the dust			
					animal (wool, animal hair, skin) dust					
					feather or skin dust of birds					
					skin or hair dust of human being					
					emission of other dust of organic origin into the air, for example, processing of peat, production of natural silk, paper production					
			dust of metals and alloys thereof	mechanical processing of metals			risk of inhalation of dust, density of dust in air, dust particle size, composition of dust, welding (frequency, duration of works), presence and adequate operation of ventilation (natural, general, local)			
					work involving metallic powders					
				metal smelting						
				welding works						
			other (please, specify)							

		dust containing carbon and inorganic compounds thereof, lime, chalk dust	<ul style="list-style-type: none"> utilisation, transport of coal production and processing of soot, coke, graphite processing of diamonds soot dust, other works where dust containing carbon is discharged extraction, production and utilisation of lime and chalk other (please, specify) 			risk of inhalation of dust, density of dust in air, dust particle size, composition of dust, presence and adequate operation of ventilation (natural, general, local)		
		dust containing silicon dioxide, silicates	<ul style="list-style-type: none"> production, processing and utilisation of cement, clay, chamotte production, processing and utilisation of glass and mineral fibres utilisation of asbestos production and processing of quartz, granite, glass, copper-silicon alloys utilisation of sand blasting in work (for example, for cleaning of facades) other (please, specify) 			risk of inhalation of dust, density of dust in air, dust particle size, composition of dust, presence and adequate operation of ventilation (natural, general, local)		
5.	Chemical factors	<p>substances and mixtures (specify particular substances and mixtures, evaluate each substance or mixture individually)</p> <p>technological processes of production of substances and mixtures</p> <p>production waste</p>	<ul style="list-style-type: none"> inhalation of substances or mixtures accidental swallowing contact with the skin in the work procedures other (please, specify) inhalation of substances or mixtures accidental swallowing contact with the skin in the work procedures other (please, specify) inhalation of substances or mixtures 			<p>possibility of absorption of substances or mixtures through the respiratory tract (how much, duration of exposure, how often)</p> <p>possibility of absorption of substances or mixtures through the skin (how much, duration of exposure, how often)</p> <p>possibility of absorption of substances or mixtures through the mouth (how much, duration of exposure, how often), effect of chemical substance on body</p> <p>risk and safety phrases, possible allergic reactions, presence of cancerogenic, mutagenic substances</p> <p>concentration of chemical substances in air, indicators of biological exposure (IBE)</p>		

			accidental swallowing					
			contact with the skin in the work procedures					
			other (please, specify)					
		means of medical treatment, antibiotics, enzyme preparations, bio-stimulators	industrial production of means of medical treatment			possibility of absorption of substances or mixtures through the respiratory tract (how much, duration of exposure, how often) possibility of absorption of substances or mixtures through the skin (how much, duration of exposure, how often) possible allergic reactions		
			utilisation of means of medical treatment in work (for example, in medical practice, agriculture, stock farming)					
			preparation in pharmacy – inhalation, contact with the skin in the work procedures					
			other (please, specify)					
		other chemical factors						
6.	Biological factors	diseases spread by ticks, tick-borne encephalitis, Lyme disease	work in a forest, meadow and other places where tick bites are possible			duration of work in the forest, meadow, work in planting of greenery, incidence of ill ticks in particular zone (endemic area)		
		bites of other insects, diseases spread by insects	work in old houses, attic			duration of work during the time of day-and-night and year when activity of insects is high, possibility of presence of insects (bees, wasps, hornets, gadflies, gnats), possibilities of warding off, individual reaction of employee to insect bites		
			work in a forest, meadow and other places where bites of insects are possible					
			work during the time of day-and-night and year when the activity of insects is high					
			other (please, specify)					
		contact with poisonous animals, bites of poisonous	work in places where the presence of poisonous animals is possible			duration of work during the time of day-and-night and year when activity of poisonous animals, for example, snakes, is high, possibility of the presence of poisonous		
			work in meadows, swamps, forest and other places					

		animals (snakes)	work during the time of day-and-night and year when activity of poisonous animals is high			animals		
			other (please, specify)					
		animal bites, dog bites, rabies	attacks of animals, including dogs (physical trauma)			frequency and duration of work in territories where attacks of animals (wild animals, domestic animals, dogs) are possible, duration of contact with animals, work with ill animals, wild animals		
			bites of ill animals (rabies)					
		infectious diseases, which spread with blood or other body fluids, for example, hepatitis B, hepatitis C, HIV	work where contact with infected tissue fluids is possible			frequency and duration of such work where direct contact with infected or possibly infected materials, tissue fluids and blood, pricking, cutting and injuring oneself and infected material reaching blood is possible		
			work where contact with infected blood is possible					
			infection reaching blood, open wounds					
			possibility of pricking or cutting oneself and presence of infections					
			other (please, specify)					
		tuberculosis	work, which is related to the presence of tuberculosis bacteria or excretion thereof			direct contact with tuberculosis bacteria, work where agents of tuberculosis excrete (how much, duration of exposure, how often)		
		other micro-organisms, which may cause diseases, bacteriological preparations	work, which is related to the presence of bacteria, viruses and other micro-organisms (which are not individually referred to anywhere) or spreading thereof			direct contact with biological agents, as well as possibility of contact with micro-organisms and other organisms, whose effects may cause infectious diseases, allergy, toxic and other effects (how much, duration of exposure, how often)		
		fungi, which may cause diseases	work, which is related to the presence of fungi or excretion thereof			direct contact with fungi, possibility of contact with fungi (for example, mould in agriculture) whose effects may cause infectious diseases, allergy, toxic and other effects (how much, duration of exposure, how often)		

		human and animal vermin, which may occupy human organism	work, which is related to the presence of vermin or spreading thereof			work where contact with human or animal vermin that may cause people to fall ill is possible, contact with vermin carriers (duration of exposure, frequency)		
		hogweed, contact with juice of other poisonous plants which cause health disorders when coming into contact with the skin	work in a forest, meadow and other places where contact with the juice of poisonous plants is possible work in removal of hogweed, mowing			direct contact with poisonous plants, duration of work in a meadow, forest where contact with poisonous plants is possible, duration of work in planting of greenery, duration and frequency of work related to fighting hogweed, mowing in meadows with hogweed, possibility of plant juice reaching the skin, reaction to plant juice, allergic reactions (duration of exposure, how often)		
		allergens	work involving substances causing allergic reactions inhalation of allergens contact of allergens with the skin in the work procedures			contact with allergen (possibility to inhale, contact with skin), frequency and duration of contact, type of the possible caused allergic reaction, for example, late type allergic reactions, quick allergic reactions, and level of seriousness thereof (for example, contact allergy, general allergic reaction, rash, eczema, allergic rhinitis, hyperactivity of bronchi, asthma, anaphylactic shock), individual sensitivity of employee		
		other biological factors						
7.	Traumatic risk factors	machinery, workbenches and devices	rotating and moving parts of machinery, workbenches and devices mechanised instruments other (specify)			unprotected/enclosed rotating, moving parts, parts under voltage of machines, workbenches, devices and active parts of other nature		
		manual tools	manual tools of chiselling, cutting, drilling and other types of processing mechanical manual tools other (please, specify)			technical condition of tools, methods of use thereof, storage, conformity of tools to the work to be performed		

		other technical equipment	transport equipment, including cranes, lifts, pressure blowers, boilers and other dangerous equipment			whether risk of accidents exists (finds expression), technical condition and maintenance of equipment, results of inspections		
		work in height	work of steeplejacks			whether risk of falling, turning over, collapsing exists (finds expression), technical condition and conformity of assembling of scaffolding and stairs, utilisation thereof		
			work in 1.5 m distance from ground, covering or working scaffolding surface					
			work related to rising in height					
			work on scaffolding					
			work on stairs					
			work in buildings					
			work on ladders					
			other (please, specify)					
		possibility of stumbling, falling	uneven flooring			surface bumps, pits, on which employees move, other roughness, slippery surfaces of movement, obstacles in way of movement of employees, order and cleanliness of working premises, arrangement of equipment and other objects		
			slippery flooring					
			different obstacles					
			other (please, specify)					
		possibility of burning, scalding	hot materials			temperature (C°) of products to be produced, materials, surfaces and objects to be used, possibility of contact with boiling, hot liquid, material, surface, duration and frequency of work involving hot, boiling liquids, materials, objects, near hot surfaces		
			hot liquids					
			hot surfaces					
			hot objects					
			other (please, specify)					
		micro-injuries	sparks			whether risk to obtain micro-injury of eye or other part of the body from sparks, splinters (for example, flexing, welding, grinding) exists (finds expression), frequency and duration of such works		
			splinters					
			other (please, specify)					
		internal transport and traffic	transportation and driving up (access) routes (for example, work on internal traffic roads)			whether risk of accidents exists (finds expression), whether pedestrian and vehicle roads are marked, enclosed in the territory of		

		types of transportation and driving up (access)			undertaking, whether safety signs are placed correctly, how heavy is the traffic of vehicles and pedestrians		
		work on internal traffic roads, in direct vicinity thereof					
		moving along internal traffic roads by vehicle or on foot					
		moving along internal traffic roads on foot					
		other (please, specify)					
	work on or near the carriageway	work the on carriageway of a road, street, motorway where movement of vehicles takes place or in direct vicinity thereof where running over, running down, brushing or another accident caused by vehicles may take place			whether risk of accidents exists (finds expression), how often such works take place and duration thereof, whether delimitation, safety signs are placed correctly, how heavy is the traffic of vehicles, ensuring and utilisation of reflective clothing		
	work involving constructions of buildings and edifices	work involving constructions and semi-finished parts work involving materials			whether risk of accidents exists (finds expression) when dealing (working) with building constructions, in contact with semi-finished parts and materials		
	technical maintenance and exploitation of working electrical installations (voltage 50 V and more)	work involving electrical devices			voltage, insulation, grounding of electrical circuit or device, ability of room, walls, floor to conduct electricity, air humidity, servicing of such circuits or devices outdoors, inspection of protective equipment and working procedures		
	driving a vehicle	work of vehicle driver, driving of automobiles, buses, trolleybuses, trams, trains and other vehicles work in aviation – piloting of airplanes, helicopters			whether risk of accidents exists (finds expression) in driving a vehicle, route, intensity of movement, speed of transport, distance (time to be spent on road), road surfacing, technical equipment, safety measures (in relation to persons employed in aviation only such conditions shall be evaluated, which may influence the safety of taking-off, landing and flight)		

underground work	work in ditches and shafts			whether risk of tumbling down, collapsing of walls, ceiling, risk of caving in, trapping of employees exists, what is the type and resistance of developed ground (sand, clay, limestone), depth of works under soil, duration of work, safety measures		
	other work where partial or complete caving in, burying, trapping underground is possible					
danger of fire, explosion, chemical burns and poisoning	stocks of explosives or combustible substances			whether risk of accidents exists (finds expression) in the storage, use of or when dealing with explosives, combustible, poisonous and other substances		
	condition of the electrical circuit and equipment					
	work situations related to the risk of fire					
	work situations related to the risk of explosion					
insufficient occupational preparedness of employee	conformity of occupational preparedness of employee to the work to be performed			level of training, professional conformity of employee to the work to be performed, practical skills for the performance of the work, how long (for example, the first day, month, year, many years) work is performed, whether similar work has been done previously, whether risk of accidents exists (finds expression)		
other traumatic risk factors						

Inspection was performed by _____

Participated:

1) on behalf of employees

_____ (employee, trusted person, representative of the employees (underline the necessary answer))

2) other _____

Minister for Welfare

D. Ståke

**Work Environment Factors and Jobs which may Cause Risk to Safety and
Health of Pregnant Women and Breastfeeding Women**

[7 April 2015]

1. Work environment factors:

1.1. physical factors that are regarded as factors causing foetal lesions and (or) placenta rupture, including:

1.1.1. impacts, vibrations;

1.1.2. carrying of heavy items or loads that may cause the risk of dorsolumbar nature (that may affect pelvis);

1.1.3. noise;

1.1.4. ionising radiation;

1.1.5. non-ionising radiation;

1.1.6. high or low temperature;

1.1.7. movements and postures, moving inside the premises of an undertaking and the territory thereof, mental and physical fatigue and other physical overload that may adversely affect the health of a pregnant woman and (or) the unborn child;

1.2. biological factors — biological agents of groups 2, 3, and 4 — or therapeutic measures taken to eliminate the consequences caused by such factors which endanger the health of a pregnant woman or the unborn child and are not referred to in Annex 3 to this Regulation;

1.3. chemical factors – chemical substances, which endanger the health of a pregnant woman and (or) the unborn child and have not been referred to in Annex 3 to this Regulation:

1.3.1. chemical substances and mixtures that correspond to the classification criteria referred to in Annex 1 to Regulation (EC) No 1272/2008 of the European Parliament and the Council of 16 December 2008 on the classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006, in one or several of the following hazard classes and hazard categories with one or more of the following hazard statements if they have not been referred to in Annex 3 to this Regulation:

1.3.1.1. germ cell mutagenicity, category 1 A, 1 B or 2 (H340, H341);

1.3.1.2. carcinogenicity, category 1 A, 1 B or 2 (H350, H350i, H351);

1.3.1.3. reproductive toxicity, category 1 A, 1 B or 2, or an additional category related to effect on lactation or lactation process (H360, H360D, H360FD, H360Fd, H360Df, H361, H361d, H361fd, H362);

1.3.1.4. specific target organ toxicity after single exposure, category 1 or 2 (H370, H371);

1.3.2. auramine, polycyclic aromatic hydrocarbons;

1.3.3. mercury and substances containing mercury;

1.3.4. antimetabolic substances;

1.3.5. carbon monoxide;

1.3.6. chemical substances with certain and dangerous absorption capacity through skin.

2. Jobs:

2.1. production of auramine;

2.2. jobs related to the effects of polycyclic aromatic hydrocarbons present in coal soot, coal tar and coal pitch;

- 2.3. jobs during which the employees come into contact with dust, fumes and sprays produced during the roasting or electro-refining of cupro-nickel mattes;
- 2.4. strong acid processes in the production of isopropyl alcohol;
- 2.5. jobs involving contact with hard wood dust; and
- 2.6. work in underground (shafts).

Minister for Welfare

D. Staže

Work Environment Factors and Jobs the Exposure to which of Pregnant Women and Breastfeeding Women is Prohibited

1. Work environment factors, the exposure to which of pregnant women is prohibited:
 - 1.1. physical factors – work in a hyperbaric atmosphere (for example, in containers, under the influence of water, under water);
 - 1.2. biological factors unless pregnant women are not immune to such factors:
 - 1.2.1. toxoplasma;
 - 1.2.2. rubella virus;
 - 1.2.3. cytomegalovirus;
 - 1.2.4. herpes virus;
 - 1.3. chemical factors:
 - 1.3.1 lead and compounds thereof in so far as the human body is capable of absorbing them;
 - 1.3.2. arsenic and compounds thereof;
 - 1.3.3. phosphorus and compounds thereof.

2. Work environment chemical factors, the exposure to which of breastfeeding women is prohibited:
 - 2.1. lead and compounds thereof in so far as human body is capable of absorbing them;
 - 2.2. beryllium and compounds thereof;
 - 2.3. cadmium and compounds thereof.

3. Work in underground (shafts).

Minister for Welfare

D. Staže