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19/12/2014 RAP/RCha/LVA/1(2015)

**EUROPEAN SOCIAL CHARTER**

1st National Report on the implementation of the European Social Charter

submitted by

**THE GOVERNMENT OF LATVIA**

(Articles 7, 8, 16, 17, 19, 27 and 31

for the period

01/01/2010 – 31/12/2013)

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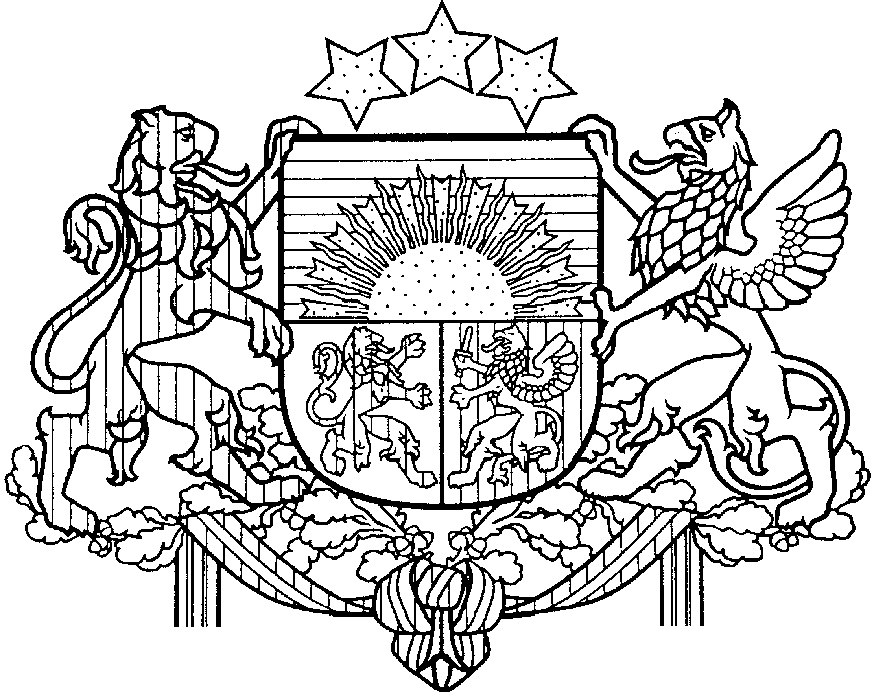
Report registered by the Secretariat on

19 December 2014

**CYCLE 2015**

**MINISTRY OF WELFARE**

**OF THE REPUBLIC OF LATVIA**

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**10th Report**

**on the implementation of the**

**European Social Charter (Revised)**

**(Article 7, Article 8, Article 16, Article 17,**

**Article 19§1, §4-12, Article 27 and Article 31§1)**

**Riga**

# **2014**

**Table of Content**

[**Text abbreviations** 3](#_Toc405541918)

[***ARTICLE 7:*** ***THE RIGHT OF CHILDREN AND YOUNG PERSONS TO PROTECTION*** 4](#_Toc405541919)

[***ARTICLE 8:*** ***THE RIGHT OF EMPLOYED WOMEN TO PROTECTION OF MATERNITY*** 22](#_Toc405541920)

[***ARTICLE 16:*** ***THE RIGHT OF THE FAMILY TO SOCIAL, LEGAL AND ECONOMIC PROTECTION*** 34](#_Toc405541921)

[***ARTICLE 17:*** ***THE RIGHT OF CHILDREN AND YOUNG PERSONS TO APPROPRIATE SOCIAL, LEGAL AND ECONOMIC PROTECTION*** 92](#_Toc405541924)

[***ARTICLE 19:*** ***THE RIGHT OF MIGRANT WORKERS AND THEIR FAMILIES TO PROTECTION AND ASSISTANCE*** 119](#_Toc405541925)

[***ARTICLE 27:*** ***THE RIGHT OF WORKERS WITH FAMILY RESPONSIBILITIES TO EQUAL OPPORTUNITIES AND EQUAL TREATMENT***………………………………………………………………...…………146](#_Toc405541930)

[***ARTICLE 31:*** ***THE RIGHT TO HOUSING*** 166](#_Toc405541931)

[***Responses to Queries raised by the European Committee of Social Rights in its Conclusions XIX-4 (2011) (Latvia)*** 175](#_Toc405541932)

[***Appendix No. 1- Regulation of Cabinet of Ministers No. 206 of 28 May 2002***………………………………………………………………………………………..204](#_Toc405541934)

[***Appendix No. 2- Regulation of Cabinet of Ministers No. 206 of 28 May 2002***………………………………………………………………………………………..207](#_Toc405541935)

[***Appendix No. 3- Regulation of Cabinet of Ministers No. 660 of 2 October 2007*** 208](#_Toc405541936)

# **Text abbreviations**

Constitution – Constitution of the Republic of Latvia;

CSB – Central Statistical Bureau;

ESF - European Social Fund;

EC - European Commission;

ESF - European Social Fund;

Fund - Maintenance Guarantee Fund;

IMF - International Monetary Fund;

MES - Ministry of Education and Science;

NCE - National Centre for Education;

PEI - pre-school education institutions;

SEA – State Employment Agency;

SEIS - State Education Information System;

SLI – State Labour Inspectorate;

SSIA - State Social Insurance Agency;

SRS - State Revenue Service;

TIS - Courts` Information System.

***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.**

The Paragraph 1 of the Article 37 of the Labour Law of June 20, 2001 provides that it is prohibited to employ children in permanent work. Within the meaning of this Law, a child shall mean a person who is under 15 years of age and who until the age of 18 continues to acquire a secondary education.

Besides the Paragraph 2 of the Article 37 of the Labour Law states that in exceptional cases children from the age of 13, if one of the parents ( or guardian) has given written consent, may be employed outside the school hours, and can do light work not harmful to the safety, health, morals and development of the child. Such employment shall not interfere with the education of the child. Work in which children may be employed from the age of 13 shall be determined by the Cabinet of Ministers. The Regulation of Cabinet of Ministers No.109 of 8 January 2002 “Regulations regarding Work in which Employment of Children from the Age of 13 is permitted” prescribe work in which employment of children from the age of 13 years is permitted if one of the parents (or guardian) has given a written consent. According to the Paragraph 2 of the mentioned Regulations children from the age of 13 outside of school hours may be employed in the following work:

- the weeding and watering of gardens;

- harvesting;

- the picking of flowers;

- the collection of vulnerary plants;

- the packaging of fruit, vegetables and berries;

- the planting and maintenance of trees, flowers and plants;

- the preparation of saplings;

- the feeding, care and pasture of domestic animals if the work is not performed in places in which artificial breeding and mating of animals is performed, and if the work is not related to the caring of predatory animals, breeding stallions and bulls;

- the non-mechanical preparation of hay;

- cleaning up of squares and public gardens;

- the sorting and ironing of clean laundry;

- the performance of the work of a domestic;

- the upkeep of offices, hotels, cafes and other similar premises;

- the washing of means of transport, windows and other objects if the work is not related to the cleaning of various tanks and equipment, as well as the cleaning of pipes, furnaces, gas-pipes and ventilation equipment;

- the performance of courier work;

- the wrapping and packaging of goods;

- the sticking of labels on goods and products;

- the cleaning of footwear and the provision of other simple street services (attachment of posters, window cleaning, performance of messenger duties);

- the delivery of goods at home; and

- the retailing of food and non-food products on the street.

As well as, the Paragraph 3 of the Article 37 of the Labour Law provides that in exceptional cases if one of the parents (or guardian) has given written consent and a permit from the State Labour Inspectorate (hereinafter – SLI) has been received, a child as a performer may be employed in cultural, artistic, sporting and advertising activities if such employment is not harmful to the safety, health, morals and development of the child. Such employment shall not interfere with the education of the child. The procedures for issuing permits for the employment of children as performers in cultural, artistic, sporting and advertising activities, as well as the restrictions to be included in such permits with respect to working conditions and employment conditions, shall be determined by the Cabinet of Ministers. 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” prescribe the procedures by which the SLI shall issue permits for the employment of children as performers in cultural, artistic, sporting and advertising activities, as well as determine the restrictions to be included in permits with respect to working conditions and employment conditions. In pursuance with the Paragraph 2 of the mentioned Regulation of the Cabinet of Ministers the employer according to location shall submit a written submission to the SLI for the receipt of a permit, attaching the written consent of one of the parents (guardian). The submission shall specify the following information:

2.1. the given name, surname, personal identity number and address of the place of residence of the child;

2.2. the type of employment;

2.3. the place of employment;

2.4. the intended working and rest time;

2.5. the duration of the employment; and

2.6. the results of inspection of the work place.

Prior to the granting of a permit the SLI has the right:

- to request a statement from an educational institution in order to ascertain that the employment of the child will not interfere with the education of the child; and

- to request that the employer shall ensure a safe work environment and work conditions in order not to create a risk to the safety and health of the child (Paragraph 3, Regulation of Cabinet of Ministers No.205).

The SLI shall issue a permit for employment of the child or take a decision not to issue the permit and within a period of five days after the receipt of the submission shall inform the employer regarding the decision (Paragraph 4, Regulation of Cabinet of Ministers No.205). The SLI shall specify in the permit:

- the given name, surname, personal identity number and address of the place of residence of the child;

- the type of employment;

the place of employment;

the intended working and rest time;

the duration of employment;

the time period of validity of the permit; and

information regarding the consent of parents (guardians) (Paragraph 5, Regulation of Cabinet of Ministers No.205).

The SLI shall specify in the permit that it is prohibited to employ children in the following cases:

- labour protection measures are not complied with;

- norms for carrying or movement of heavy loads determined for children of the age of 13-15 years (for boys - 4 kg, for girls – 2kg) are not complied with;

- where direct contact with hazardous chemical substances and hazardous chemical products is allowed;

- activities are equivalent to testing work;

- activities are equivalent to work involving fire and explosion hazard;

- activities take place in areas in which the falling of various objects is possible and the life and health of the child as a performer is endangered;

- activities take place under water, underground or without supervision on water;

- activities take place in excavations, quarries, trenches, ditches and other similar places the depth of which exceeds two metres;

- activities are related to caring for predatory animals;

- activities are related to the production, testing, storage and marketing of weapons, combat equipment, explosives, alcoholic beverages and tobacco products;

- the fall of the child as a performer from the height of more than one and a half meters is possible;

- the fall of the child as a performer from objects in movement (means) is possible;

- electric and pneumatic instruments are used;

- activities take place in places where the processing of metal and other work tools is performed;

- activities are related to the utilisation of precious metals, alloys thereof and precious stones;

- activities take place in places where there is an armed security guard;

- activities take place in places where artificial breeding and mating of animals is performed;

- activities take place in places where plants containing narcotic substances are grown, stored, processed and marketed;

- there is contact with the processing of dirty laundry;

- activities take place in municipal waste landfills, waste water stations and precipitation drainage wells;

- activities are related to the recycling of secondary raw materials and waste paper;

- activities are related to the manufacture of leather and raw materials of leather, fur and sheepskin;

- activities are related to the dead bodies of animals and carrion;

- activities take place in public toilets;

- activities take place in places of imprisonment;

- activities take place in places where energy equipment is in operation;

- activities take place in places where gambling games are played;

- activities take place in the washing compartments of a sauna;

- activities take place in places where erotic and pornographic products are produced, marketed and demonstrated;

- activities are related to the evaluation of outer appearance of the child (Paragraph 6, Regulation of Cabinet of Ministers No.205).

The SLI also has the right to specify in the permit particular labour protection measures taking into account the nature of employment of the child (Paragraph 7, Regulation of Cabinet of Ministers No.205).

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

During the time period from 2 June, 2014 until 31 August, 2014, the State Employment Agency (hereinafter – SEA) organised the employment measures during the summer holidays for persons who acquired an education in general, special or vocational educational institutions. An aim of these measures were to enable young people to work during the summer holidays, thus gave them an opportunity to obtain the basic skills, skills and first work experience. The measures were organized for pupils between the age of 15 and 20, who studied in general, special or vocational educational institution. Participation was also allowed for pupils who, during the implementation of measure this activity (from 2 June, 2014 to 31 August, 2014), had reached the age of 15. 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 for the pupils. Within the framework of the activity the pupils were employed for not more than 4 hours a day and not more than 20 hours a week, if they had not reached the age of 18 and continued to acquire secondary education; the pupils were employed for not more than 7 hours a day and not more than 35 hours a week, if they had acquired primary education and continued to study in general, special or vocational educational institution. The implementation of this measure gave an opportunity for the pupils to perform duties of various specialists` assistants and to work in the professions like a gardener, an archivist, a customer service operator, a secretary, a register of accounting display, a passenger service agent at the airport, a shop-assistant, an agricultural auxiliary worker.

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). The State Labour Inspectorate Law, the Labour Law and the Latvian Administrative Violations Code regulate the procedure how it shall be done.

In accordance with the Paragraph 1 of the 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 the 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 SLI also provides consultations free of charge to employers and employees regarding the requirements of regulatory enactments with respect to employment legal relationships and labour protection, examines received claims and provides replies on questions at presence and by advisory phone).

Officials of the Labour Inspectorate have the right toissue warnings and orders to employers in order to ensure the observance of the requirements of the regulatory enactments regulating employment legal relationships and labour protection; as well as to impose administrative fines on employers, as well as on other persons for the examination of administrative violations in accordance with the procedures prescribed (Subparagraphs 6, 9, Paragraph 2, Article 5, State Labour Inspectorate Law).

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

In 2013 there were 308 435 persons in Latvia in the age group of 15-24 and 71 200 persons were employed according to the Central Statistical Bureau.

***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 on Article 7§1, the Paragraph 4 of the Article 37 of the Labour Law provides that it is prohibited to employ adolescents in work 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 age 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 shall be determined by the Cabinet of Ministers. The Regulation of 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” prescribe work in which the employment of adolescents is prohibited and exceptions when employment in such work is permitted in connection with vocational training of the adolescent. According to the Paragraph 2 of the mentioned Regulations it is prohibited to employ adolescents in:

2.1. work referred to in Annex 1 of these Regulations (please see the Appendix No.1 of this Report); and

2.2. work in which adolescents are directly subject to the risk factors of work environment referred to in Annex 2 of these Regulations (please see the Appendix No.2 of this Report).

Furthermore the Paragraph 3 of the Regulations provide that employment of the adolescents in work referred to in these Regulations 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.

In pursuance with the Paragraph 5 of the Article 37 of the Labour Law an employer has a duty, prior to entering into an employment contract, to inform one of the parents (or guardian) of the child or adolescent regarding the assessed risk of the working environment and the labour protection measures at the relevant workplace. Persons under 18 years of age shall be hired only after a prior medical examination and they shall, until reaching the age of 18, undergo a mandatory medical examination once a year (Paragraph 6, Article 37, Labour Law).

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

1) On 1 September 2008 the Free Trade Union Confederation of Latvia launched the ESF project “Practical implementation of the legislation of labour relations and occupational safety in sectors and undertakings” (duration of the project: from 2008 till 2013). An aim of the project was to improve the working conditions of employees and to promote observance of labour rights at every workplace, thereby reducing the number of violations in labour relations and accidents at work.

In the framework of the project the NCE developed 20 training modules (training programmes, training materials for teachers) on labour protection issues for young people in vocational education institutions in different sectors. Teachers of the vocational education institutions were trained on these modules. Until 2013, in total 168 teachers were trained. Within the project other measures were also implemented with an aim to promote awareness of children and young people:

1) the competition "Profs" for vocational school students on labour relations and labour protection issues was organized as every year. This measure gained a lot of popularity and youth responsiveness;

2) In 2011 and 2012 the competition "SMĀRT" for comprehensive school pupils on labour relations and labour protection issues took place;

3) In 2011, the campaign "Safe Todo" was organized, where younger pupils were attractively informed about security issues at home and at work.

2) In the framework of the Employers' Confederation of Latvia implemented ESF project “Practical implementation of the legislation of labour relations and occupational safety in sectors and undertakings” the computer game for young people was designed (available on website: [www.prakse.lv](http://www.prakse.lv)), where young people could virtually slip into the role of occupational health and safety specialist and found out the typical risks in different sectors. The game became popular among young people, during the project about 50 000 young people played it.

3) From 2010 to 2013 the NCE implemented the ESF project ”Promotion of theoretical knowledge and practical competence of the teachers and practice managers of the professional training subjects”. From 2010 to 2011 within the project the module programme for increasing the professional competence in labour legal relations, work environment safety and labour protection was developed, also examination of the module was carried out and the approbation workshop of the module and developed materials was organized. On November, 2012 the implementation of the module program was begun. Until December 31, 2013 1366 teachers and practice managers of the vocational education institutions learned the module.

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

In 2013 one of the main educational work`s target groups of the SLI were young people. In 2013 the SLI organized and coordinated process of several information events for pupils and young people, for example, the informative day for students of the Alberta college was organized several times. In the framework of the mentioned day young people were introduced to the main branches of activities of the SLI, current events, and the basics of labor legal relations. The SLI supported the project "Safe school - safe work", whose main aim was to raise general understanding of students from the professional high schools about labour protection issues and to reduce the number of accidents at work, so as the next generation of young specialists would initially be better prepared for use of safe work methods. As in previous years, the SLI also 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, it participated in jury of the competition "Profs 2013" organized for students of the vocational schools etc.

The European Agency for Safety and Health at work has created 17 animated movies on labor protection, which the main character was NAPO. In 2013 the SLI adapted to Latvian training materials developed by the mentioned agency (worksheets, lesson plans, etc.) 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.

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

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

**Table No.1**

**Distribution of victims of the accidents at work by age**

|  |  |  |  |
| --- | --- | --- | --- |
| **Age** | **Total** | **Serious** | **Fatal** |
| 2013 | 2013 | 2013 |
| Until 18 | 4 | 0 | 0 |
| From 18 to 24 | 251 | 22 | 3 |

Data Source: SLI

***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.**

In Latvia persons who are subject to compulsory education are not employed in such work that deprives them of the full benefit of their education.

The Paragraph 1 of the Article 37 of the Labour Law provides that it is prohibited to employ children in permanent work. Within the meaning of this Law, a child shall mean a person who is under 15 years of age and who until reaching the age of 18 continues to acquire a basic education.

Furthermore the Paragraph 2 of the Article 37 of the Labour Law states that in exceptional cases children from the age of 13, if one of the parents (or guardian) has given written consent, may be employed outside of school hours doing light work not harmful to the safety, health, morals and development of the child. Such employment shall not interfere with the education of the child. Work in which children may be employed from the age of 13 shall be determined by the Cabinet of Ministers. The Regulation of Cabinet of Ministers No.109 of 8 January, 2002 “Regulations regarding Work in which Employment of Children from the Age of 13 is permitted” prescribe work in which employment of children from the age of 13 years is permitted if one of the parents (or guardian) has given written consent. The list of the work in which children from the age of 13 may be employed is already mentioned in the Part 1 of the Article 7 Paragraph 1 of this Report.

The Paragraph 3 of the Article 37 of the Labour Law provides that in exceptional cases if one of the parents (or guardian) has given written consent and a permit from the SLI has been received, a child as a performer may be employed in cultural, artistic, sporting and advertising activities if such employment is not harmful to the safety, health, morals and development of the child. Such employment shall not interfere with the education of the child. The procedures for issuing permits for the employment of children as performers in cultural, artistic, sporting and advertising activities, as well as the restrictions to be included in such permits with respect to working conditions and employment conditions, shall be determined by the Cabinet of Ministers. The Regulation of 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” prescribe the procedures by which the SLI shall issue permits for the employment of children as performers in cultural, artistic, sporting and advertising activities, as well as determine the restrictions to be included in permits with respect to working conditions and employment conditions. The conditions of the mentioned regulations are already described in the Part 1 of the Article 7 Paragraph 1 of this Report.

The Paragraph 4 of the Article 37 of the Labour Law provides that 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 age 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 shall be determined by the Cabinet of Ministers. The Regulation of 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” prescribe work in which the employment of adolescents is prohibited and exceptions when employment in such work is permitted in connection with vocational training of the adolescent. The conditions of the mentioned regulations are already described in the Part 1 of the Article 7 Paragraph 2 of this Report.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

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

N/A

***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;”***

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

According to the Paragraph 1 of the Article 132 of the Labour Law for persons who are under 18 years of age a working week of five days shall be specified. Also the Paragraph 2 of the mentioned Article provides that children who have reached the age of 13 years may not be employed:

1) for more than two hours a day and more than 10 hours a week if the work is performed during the school year; and

2) for more than four hours a day and more than 20 hours a week if the work is performed during a period when there are holidays at educational institutions.

Furthermore adolescents may not be employed for more than seven hours a day and more than 35 hours a week (Paragraph 3, Article 132, Labour Law). 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 (Paragraph 4, Article 132, Labour Law). If persons who are under 18 years of age are employed by several employers, the working time shall be summed (Paragraph 5, Article 132, Labour Law).

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

According to the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

**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.**

N/A. There are no exceptions from the provisions of the Article 132 of the Labour Law. Thereby employers who break the provisions of the Labour Law are punished by the SLI.

***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.**

According to the Paragraph 1 of the Article 63 of the Labour Law the monthly salary for adolescents employed within the limits of the working time set out in Paragraphs 1 and 3 of Article 132 of this Law shall not be less than the minimum monthly salary within the scope of normal working time as specified by the Cabinet of Ministers. The Paragraphs 1 and 3 of the Article 132 is already described in the Part 1 of the Article 7 Paragraph 4 of this Report. For its part the Regulation of Cabinet of Ministers No.665 of 27 August, 2013 “Regulations on minimum monthly wage and minimum hourly wage rate”(came into force on 1 January, 2014) determines that the minimum monthly salary within the scope of normal working time is 320 EUR.

Furthermore the Paragraph 2 of the Article 63 of the Labour Law provides that if an adolescent also works, in addition to pursuing secondary or occupational education, the adolescent shall be paid for the work done in conformity with the time worked. In such case, the hourly wage rate specified for the adolescent may not be less than the minimum hourly wage rate specified by the Cabinet of Ministers for work within the scope of normal working time. In pursuance with the before mentioned Regulation of Cabinet of Ministers No.665 the minimum hourly wage rate for adolescents is 2,209 EUR.

According to the Paragraph 3 of the Article 63 of the Labour Law children shall be paid for work in conformity with the work done.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information provided in the Part 2 of the Article 7 Paragraph 1 of this Report.

In addition the Paragraph 3 of the Article 41 of the Latvian Administrative Violations Code determines that in the case of not ensuring the State specified minimal monthly wage, if the person is employed for a normal working time, or not ensuring the minimal hourly tariff rates – a fine shall be imposed on the employer – for a natural person or an official in an amount from EUR 430 up to EUR 570, and for a legal person – from EUR 850 up to EUR 7100. In the cases of the violations provided for in the Paragraph 3 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 570 up to EUR 700, and for a legal person – from LVL 7100 up to LVL 14 000 (Paragraph 6, Article 41, Latvian Administrative Violations Code).

**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.**

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

**Table No.2**

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

|  |  |  |
| --- | --- | --- |
|  | 2013 | 2014 |
| 1st quarter | 689 | 742 |
| 2nd quarter | 716 | - |
| 3rd quarter | 722 | - |
| 4th quarter | 737 | - |

Data source: CSB

Prior employment legal relationships, the employer registers each employee with the State Revenue Service (hereinafter – SRS). The object of mandatory social insurance contributions of an employer and employee shall be all calculated employment income from which personal income tax must be deducted without deduction of the non-taxable minimum, tax concessions and eligible expenses for which the taxpayer has the right to reduce the taxable income.

Mandatory state social insurance contributions are made of the object assessed from the salaried work and generally these amount to 34.09% of which 23.59% are paid by the employer and 10.50% are paid by the employee. The employee pays its share via the employer.

An employee who has not reached the age providing the right to receive the state old-age pension (or an employee to whom the state old-age pension is granted at an earlier age) is insured for all types of social insurance, in particular, the state pension insurance, the maternity and sickness insurance, the parents’ insurance, the disability insurance, the occupational accident insurance and the occupational diseases insurance, as well as unemployment insurance.

***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.**

The Paragraph 2 of the Article 137 prescribes 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 the Paragraph 4 of the Article 132 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.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

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

N/A

***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.**

According to the Paragraph 1 of the Article 149 of the Labour Law every employee has the right to annual paid leave. Such leave may not be less than four calendar weeks, not counting public holidays. Persons under 18 years of age shall be granted annual paid leave of one month.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

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

N/A

***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.**

The Paragraph 6 of the Article 138 of the Labour Law provides that it is prohibited to employ at night persons who are under 18 years of age.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

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

N/A

***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.**

The Paragraph 6 of the Article 37 of the Labour Law specifies that persons under 18 years of age shall be hired only after a prior medical examination and they shall, until reaching the age of 18, undergo a mandatory medical examination per year. Procedure for organization and settlement of health care are determined by the Regulation of Cabinet of Ministers No.1529 of 17 December, 2013 “Procedure for organization and financing of health care” (came into force on 31 December, 2014).

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection (Subparagraph 1, Paragraph 2, Article 3, State Labour Inspectorate Law). For detailed information about the SLI please see the information described in the Part 2 of the Article 7 Paragraph 1 of this Report.

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

N/A

***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.**

In pursuant with Paragraph 1 of the Article 15 of the Protection of the Rights of the Child Law of 19 June, 1998 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. A child has the right to be protected from physical and mental exploitation, from sexual exploitation and seduction, and from any other forms of exploitation, which may in any way harm the child (Paragraph 2, Article 15, Protection of the Rights of the Child Law).

In accordance with the Protection of the Rights of the Child Law (Article 20), the State shall ensure that specialists who have special knowledge in this field shall examine matters related to the protection of the rights of the child in all State and municipality institutions. The Cabinet of Ministers shall determine the procedures by which special knowledge in the field of protection of the rights of the child shall be acquired, and the content of such knowledge.

The Protection of the Rights of the Child Law (Paragraph 1 of the Article 65) states that the State Inspectorate for Protection of Children’s Rights shall supervise and control compliance with regulatory enactments in the field of protection of the rights of the child. Inspectors of the State Inspectorate for Protection of Children’s Rights have the right to conduct negotiations and to interview children without the presence of other persons.

Paragraphs 2, 3 and 4 of the Article 37 of the Labour Law allow to employ a child and adolescents in light work, not harmful to the safety, health, morals and development. Such employment shall not interfere with the education of the child.

According to the State Labour Inspectorate Law of 19 June, 2008 the function of the SLI is the implementation of state supervision and control in the field of employment legal relationships and labour protection.

The Criminal Law and the Latvian Administrative Violations Code provides liability for the actions connected with cause of physical and moral harm to a child. Article 41 of the Latvian Administrative Violations Code provides administrative liability for violation of the regulatory enactments regulating employment legal relations to labour. For its part, the Article 280 of the Criminal Law determines liability for violation of persons`, for example, child’s employment rules.

In accordance with the Regulation of Cabinet of Ministers No.898 of29 November 2005 “By-law of the State Inspectorate for Protection of Children’s Rights”, the State Inspectorate for Protection of Children’s Rights is an institution of direct administration supervised by the Ministry of Welfare that provides the supervision and control of the observance of regulatory enactments in the field of protection of the rights of the child.

The Inspectorate shall have the following functions:

• to supervise and control the observance of the Protection of the Rights of the Child Law and other regulatory enactments that regulate the protection of the rights of the child;

• to analyse the situation in the field of protection of the rights of the child;

• to ensure the operation of a hotline telephone service in the field of protection of the rights of the child;

• to provide suggestions to the State and municipality institutions and other institutions in order to ensure and improve the protection of the rights of the child;

• to co-operate with the officials of the State and municipality institutions, as well as non-governmental organisations in the field of protection of the rights of the child;

• to perform other functions determined in the regulatory enactments that regulate the protection of the rights of the child.

**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 Internet Association has established Latvian Safer Internet Centre:

<http://www.drossinternets.lv/page/116>. The work of the Centre is in three directions:

1) Informing and education children, adolescents, teachers and parents on the safety of Internet content, i.e. the potential threats on the Internet (incitement to hate, racism, child pornography and paedophilia, emotional harassment on the Internet, identity theft and data abuse);

2) Reporting about illegal online content and breaches online (any report can be anonymous). The reports are processed and, if appropriate, send for examination to the State Police;

3) Ensuring a helpline 116111 of the State Inspectorate for Protection of Children’s Rights, a possibility for everyone, but especially children and youngsters for help on any matter, including internet matters.

Centre's Planned Activities 2012 - 2014:

* Celebration of Safer Internet Day in Latvia;
* Development of educational materials on internet safety for all target groups – children, adolescents, parents, teachers and social workers;
* Organization of different seminars, training sessions and other activities;
* Organization of social campaigns on current topics;
* Training of specialists, teachers, librarians and trainers;
* Involvement of kindergartens and universities in the activities on internet safety;
* Development of closer cooperation with mobile operators and internet service providers;
* Development of more educational materials in Russian, and organizing of events for Russian auditory;
* Stronger involvement of Youth Panel in development of informative materials and in the awareness work of Centre.

Latvia as a Member of the Council of Baltic Sea States Expert Group for Cooperation on Children at Risk is participating in an international project “PROTECT children on the move”, implemented in 2014 and 2015 (http://www.childcentre.info/). In this project Latvia is represented by State Borderguard. The aim of the PROTECT children on the move project is to identify child rights standards and key agencies responsible for protecting children exposed to exploitation and trafficking in cross-border situations. The outcomes will include a report and an online tool.

Protection of the Rights of the Child Law Paragraph 14 of the Article 1 defines street children – 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.

Paragraph 1 of the Article 66 establishes that 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. Paragraph 2 of the same Article provides that in conformity with the law, the municipality shall:

1) provide assistance and support to families in which there are children, guaranteeing shelter, warmth and clothing, and nutrition appropriate to his/her age and state of health, for each child residing in the territory of municipality;

2) ensure out-of-family care for those children, who for a time or permanently are without their own family, or who for their own best interests may not be left in their own family;

3) ensure the rights of the child to acquire a general secondary education and provide children with assistance in vocational training;

4) organise primary health care for mothers and children;

5) organise parental education;

6) provide for primary schools and extracurricular child institutions, public libraries, and organisation of child recreation;

7) draw up and implement programmes for work with street-children;

8) carry out other measures ensuring the rights of the child.

According to the data provided by Orphan’s courts (municipalities’ institutions ensuring protection of children’s rights in the respective administrative territory) in 2013 there were 3238 who were living in families that did not ensure decent development of rearing of the children. The respective data: in 2012 – 3494; in 2011 – 3661; in 2010 – 3851. The Orphan’s courts have informed municipalities’ social services in order to ensure that those children receive the necessary support.

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

**Table No.3**

**Reports about illegal online content and breaches online**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2007** | **2008** | **2009** | **2010** | **2011** | **2012** | **2013** | **2014** |
| Erotic/pornographic content without placed warning | 16 | 27 | 72 | 617 | 65 | 61 | 92 | 39 |
| Paedophilia/prostitution of minors/and containing child sexual exploitation | 5 | 19 | 36 | 106 | 49 | 137 | 220 | 79 |
| Materials containing violence | 0 | 7 | 5 | 29 | 10 | 8 | 12 | 5 |
| Attacks upon his honour and reputation | 0 | 13 | 50 | 27 | 18 | 30 | 34 | 7 |
| Kindle of hate /racism | 0 | 16 | 51 | 21 | 23 | 15 | 9 | 5 |
| Consultations/advice | 8 | 63 | 83 | 47 | 90 | 91 | 135 | 61 |
| Other | 13 | 37 | 24 | 52 | 115 | 33 | 48 | 161 |
| Total: | 42 | 182 | 321 | 899 | 370 | 375 | 550 | 357 |

# 

# ***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.**

According to the Paragraph 1 of the Article 154 of the Labour Law prenatal leave of 56 calendar days and maternity leave of 56 calendar days shall be summed and 112 calendar days granted irrespective of the number of days prenatal leave has been utilised prior to child-birth. Thereby the Labour Law guarantees the right of employed women to take leave before and after childbirth up to a total of at least 16 weeks. Furthermore the Paragraph 2 of the Article 154 specifies that a woman who has initiated pregnancy-related medical care at a preventive medical institution by the 12th week of pregnancy and has continued for the whole period of pregnancy shall be granted a supplementary leave of 14 days, adding it to the prenatal leave and calculating 70 calendar days in total. At the same time the Paragraph 7 of the Article 37 of the Labour Law prescribes that it is prohibited to employ a pregnant woman two weeks prior to the expected birth and a woman two weeks after childbirth. The time of the expected birth and the fact of birth shall be certified by a doctor’s opinion.

The mentioned provisions of the Labour Law was drafted in accordance with the Article 8 of the 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), thereby transposing the Directive`s requirements into the Labour Law. In compliance of Article 8 (1) of Directive Member States shall take the necessary measures to ensure that workers within the meaning of Article 2 (pregnant workers, workers who have recently given birth, workers who are breastfeeding) are entitled to a continuous period of maternity leave of a least 14 weeks allocated before and/or after confinement in accordance with national legislation and/or practice. The maternity leave stipulated in the Paragraph 1 of this Article must include compulsory maternity leave of at least two weeks allocated before and/or after confinement in accordance with national legislation and/or practice (Article 8 (2) of Directive).

Taking into account the requirements of the Directive, Latvia chose to transpose into the national regulatory enactment (Labour Law) the minimum employment prohibition of two weeks of women after childbirth with a purpose not to restrict a woman rights and possibilities to return at her work sooner, if her state of health, particular working conditions allow for that and if she wants it by herself. In case a woman needs a longer time period to recover after childbirth and be able to perform her work completely, she has the right to use full maternity leave that in accordance with the mentioned provisions of the Article 154 of the Labour Law is 56 calendar days. In case of complications in pregnancy, childbirth or postnatal period, as well as if two or more children are born, a woman shall be granted a supplementary leave of 14 days, adding it to the maternity leave and calculating 70 calendar days in total (Paragraph 3, Article 154, Labour Law). Thus by the relevant rule of the Labour Law it is achieved that women during a period after childbirth are not only sufficiently protected in order the work to be performed would not cause any threats to her and child's safety and health, but also the right to return at work earlier is not restricted, if her health, working conditions allow it and she wants it by herself.

In addition the Paragraph 4 of the Article 150 of the Labour Law provides that a woman at her request shall be granted annual paid leave (not be less than four calendar weeks) before prenatal and maternity leave or immediately after irrespective of the time the woman has been employed by the relevant employer. Besides according to the Paragraph 1 of the Article 156 of the Labour Law every employee has the right to parental leave in connection with the birth or adoption of a child. 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, Article 156, Labour Law). Thereby the Labour Law also allows employed woman to add her annual paid leave before prenatal and maternity leave or immediately after it, as well to take paid parental leave at the end of the maternity leave.

According to the Article 10 of the Law on Maternity and Sickness Insurance maternity benefit and paternity benefit is granted in an amount of 80% of the average insurance contributions wages upon which contributions have been paid during previous 12 months.

Starting from 1 January 2013 according to the law “On Payment of State Benefits during the Time Period from 2009 to 2014” on a temporary basis – until 31 December 2014 parent who is caring for a child born after 2 November 2010 receives full sum of benefits (maternity, paternity and parental benefit) with a precondition that the benefit’s amount per day is lower or equal to 32,75 EUR (23,02 LVL). If the amount of the benefit per day is higher than 32,75 EUR (23,02 LVL), the parent will get full sum of that part of the benefit, which does not exceed 32,75 EUR (23,02 LVL) per day and half (50%) of the sum of that part of the benefit, which exceeds 32,75 EUR (23,02 LVL) per day.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as control how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements (Subparagraphs 1, 2, Paragraph 2, Article 3, State Labour Inspectorate Law). The State Labour Inspectorate Law, the Labour Law and the Latvian Administrative Violations Code regulate the procedure how it shall be done.

In accordance with the Paragraph 1 of the 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 the 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 35 EUR up to 350 EUR, and for a legal person – from 70 EUR up to 1100 EUR. 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 350 EUR up to 700 EUR, and for a legal person – from 1100 EUR up to 2900 EUR.

The SLI also provides consultations free of charge to employers and employees regarding the requirements of regulatory enactments with respect to employment legal relationships and labour protection, examines received claims and provides replies on questions at presence and by advisory phone.

Officials of the Labour Inspectorate have the right toissue warnings and orders to employers in order to ensure the observance of the requirements of the regulatory enactments regulating employment legal relationships and labour protection, as well as to impose administrative fines on employers, as well as on other persons for the examination of administrative violations in accordance with the procedures prescribed (Subparagraphs 6, 9, Paragraph 2, Article 5, State Labour Inspectorate Law).

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

**Table No.4**

**Maternity benefit**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **2008** | **2009** | **2010** | **2011** | **2012** | **2013** |
| Average duration on 1 benefit recipients (in days) | 100,07 | 102,64 | 105,33 | 106,33 | 108,52 | 107,31 |
|
| int.al. |  |  |  |  |  |  |
| *pregnancy leave* | 69,47 | 69,50 | 69,57 | 68,30 | 69,60 | 68,96 |
| *childbirth leave* | 57,69 | 58,10 | 60,30 | 59,62 | 60,53 | 59,15 |
| The proportion of the number of maternity benefit recipients to the number of alive born children (per year) | 81% | 78% | 74% | 75% | 75% | 80% |
| Average age of maternity leave recipients (in years) | 28,91 | 29,37 | 29,71 | 29,97 | 30,03 | 30,14 |
|
| int.al. |  |  |  |  |  |  |
| *female* | 28,91 | 29,37 | 29,71 | 29,96 | 30,03 | 30,14 |
| *male* | 37 | 0 | 39 | 43 | 40 | 0 |
| Replacement rate of maternity benefit to average insurance wage per day | 100% | 100% | 99% | 71% | 68% | 74% |
| Total expenditure for maternity benefit as % of GDP | 0,2% | 0,3% | 0,2% | 0,1% | 0,1% | 0,13% |

***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.**

The Paragraph 1 of the Article 109 of the Labour Law 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 except in cases set out in subparagraphs 1, 2, 3, 4, 5 and 10 of the Paragraph 1 of the Article 101 of this Law. Furthermore the Paragraph 3 of the Article 109 of the Labour Law specifies that an employer does not have the right to give a notice of termination of an employment contract during a period of temporary incapacity of an employee, except the case specified in Subparagraph 11 of the Paragraph 1 of the Article 101 of this Law, as well as during a period when an employee is on leave or is not performing the work due to other justifiable reasons. The referred to restrictions shall not apply to the case specified in Subparagraph 10 of the Paragraph 1 of the Article 101 of this Law.

Subparagraphs 1, 2, 3, 4, 5, 10 and 11 of Paragraph 1 of the Article 101 of the Labour Law prescribes 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:

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;

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 three years, if the incapacity repeats 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 or occupational disease.

According to the Paragraph 5 of the Article 154 of the Labour Law a woman who makes use of pregnancy or maternity leave shall have ensured her previous work. If this is not possible, the employer shall ensure the woman similar or equivalent work with not less favourable conditions and employment provisions.

The Chapter 29 of the Labour Law (the Articles 122 until 127) regulates protection of employees when terminating employment legal relationships. In pursuant with the Article 122 of the Labour Law an employee may bring an action in court for the invalidation of a notice of termination by an employer within one month from the date of receipt of the notice of termination. In other cases, when the right of an employee to continue employment legal relationships has been violated, he/she may bring an action in court for reinstatement within one month from the date of dismissal.

If an employer as a result of justified cause has missed the time period for bringing an action specified in Article 122 of this Law, a court may renew such time period on the basis of an application by the employee (Paragraph 1, Article 123, Labour Law). An application regarding renewal of a missed time period shall state the causes as a result of which the time period was missed, and the application shall be accompanied by appropriate evidence. Concurrently with the submission of such application, an employee has a duty to bring in court also the action specified in Article 122 of this Law (Paragraph 2, Article 123, Labour Law). An application for the renewal of a missed time period for an action shall be submitted not later than within a two-week period from the day when the basis for the missed time period for an action has ended. Such application may not be submitted if more than one year has elapsed from the expiry of the missed time period for an action (Paragraph 3, Article 123, Labour Law).

If a notice of termination by an employer has no legal basis or the procedures prescribed for termination of an employment contract have been violated, such notice in accordance with a court judgment shall be declared invalid (Paragraph 1, Article 124, Labour Law). An employee, who has been dismissed from work on the basis of a notice of termination by an employer which notice has been declared invalid or also as otherwise violating the rights of the employee to continue employment legal relationships, shall in accordance with a court judgment be reinstated in his/her previous work (Paragraph 2, Article 124, Labour Law).

The employer has a duty to prove that a notice of termination of an employment contract has a legal basis and complies with the specified procedure for termination of an employment contract. In other cases when an employee has brought an action in court for the reinstatement in work, the employer has a duty to prove that, when dismissing the employee, he/she has not violated the right of the employee to continue employment legal relationships (Article 125, Labour Law).

An employee who has been dismissed illegally and reinstated in his/her previous work shall in accordance with a court judgment be paid average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be paid in cases where a court, although there exists a basis for the reinstatement of an employee in his/her previous work, upon the request of the employee terminates employment legal relationships by a court judgment (Paragraph 1, Article 126, Labour Law). An employee who has been transferred illegally to other lower paid work and afterwards reinstated in his/her previous work shall in accordance with a court judgment be paid the difference in average earnings for the period when he/she performed work at lower pay (Paragraph 2, Article 126, Labour Law).

A court upon the request of an employee may determine that a court judgment, which provides for the reinstatement of an employee in work and for recovery of average earnings for the whole period of forced absence from work, shall be executed without delay (Paragraph 1, Article 127, Labour Law). If an employer has delayed the execution of a judgment referred to in Paragraph 1 of this Article, the employee shall be paid average earnings for the whole period of delay from the date of proclamation of the judgment until the day of its execution (Paragraph 2, Article 127, Labour Law).

Besides, the Paragraph 8 of the Article 29 of the Labour Law provides 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. Direct discrimination exists if in comparable situations the treatment of a person in relation to his/her belonging to a specific gender is, was or may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Paragraph 5, Article 29, Labour Law). If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Paragraph 3, Article 29, Labour Law).

Moreover according to the Article 1779 of the Civil Law everyone has a duty to compensate for losses they have caused through their acts or failure to act.

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as control how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements (Subparagraphs 1, 2, Paragraph 2, Article 3, State Labour Inspectorate Law). For details information about the SLI please see the information described in the Part 2 of the Article 8 Paragraph 1 of this Report.

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

Officials of the Labour Inspectorate have the right toissue warnings and orders to employers in order to ensure the observance of the requirements of the regulatory enactments regulating employment legal relationships and labour protection, as well as to impose administrative fines on employers, as well as on other persons for the examination of administrative violations in accordance with the procedures prescribed (Subparagraphs 6, 9, Paragraph 2, Article 5, State Labour Inspectorate Law).

**Table No.5**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **The number and amount of the SLI`s imposed administrative fines and the number of issued warnings** | | | | |
|  | **2010** | **2011** | **2012** | **2013** |
| Number of imposed administrative fines | 1033 | 1 565 | 1 770 | 1 710 |
| Amount of imposed administrative fines (LVL) | 528 455 | 1 077 076,50 | 1 449 397,50 | 803 556,50 |
| Number of issued warnings | 544 | 553 | 545 | 419 |

Data source: SLI

**Table No.6**

|  |  |  |
| --- | --- | --- |
| **Claims on reinstatement in 2010** | | |
|  | In the first instance in Latvian courts | In the appeal instance in regional courts |
| Number of received cases during the reference period | 447 | 241 |
| Number of completed cases during the reference period | 560 | 195 (including reviewed side claims**)** |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.7**

|  |  |  |
| --- | --- | --- |
| **Duration of the proceedings of the claims on reinstatement in months in 2010** | | |
|  | In the first instance in Latvian courts | In the appeal instance in regional courts |
| Until 3 (including) | 243 | 104 |
| 3 - 6 (including) | 200 | 80 |
| 6 – 12 (including) | 91 | 10 |
| 12 – 18 (including) | 16 | 0 |
| 18 – 24 (including) | 4 | 0 |
| 24 – 30 (including) | 2 | 0 |
| 30 – 36 (including) | 2 | 0 |
| 36 and more | 2 | 1 |
| Number of completed cases | 560 | 195 |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.8**

|  |  |  |
| --- | --- | --- |
| **Claims on reinstatement in 2011** | | |
|  | In the first instance in Latvian courts | In the appeal instance in regional courts |
| Number of received cases during the reference period | 263 | 223 |
| Number of completed cases during the reference period | 337 | 231 (including reviewed side claims**)** |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.9**

|  |  |  |
| --- | --- | --- |
| **Duration of the proceedings of the claims on reinstatement in months in 2011** | | |
|  | In the first instance in Latvian courts | In the appeal instance in regional courts |
| Until 3 (including) | 116 | 110 |
| 3 - 6 (including) | 113 | 92 |
| 6 – 12 (including) | 74 | 27 |
| 12 – 18 (including) | 20 | 2 |
| 18 – 24 (including) | 7 | 0 |
| 24 – 30 (including) | 4 | 0 |
| 30 – 36 (including) | 1 | 0 |
| 36 and more | 2 | 0 |
| Number of completed cases | 337 | 231 |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.10**

|  |  |  |
| --- | --- | --- |
| **Claims on reinstatement in 2012** | | |
|  | In the first instance in Latvian courts | In the appeal instance in regional courts |
| Number of received cases during the reference period | 174 | 126 |
| Number of completed cases during the reference period | 217 | 146 (including reviewed side claims) |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.11**

|  |  |  |
| --- | --- | --- |
| **Duration of the proceedings of the claims on reinstatement in months in 2012** | | |
|  | In the first instance in Latvian courts | In the appeal instance in regional courts |
| Until 3 (including) | 76 | 64 |
| 3 - 6 (including) | 58 | 44 |
| 6 – 12 (including) | 49 | 30 |
| 12 – 18 (including) | 15 | 5 |
| 18 – 24 (including) | 5 | 3 |
| 24 – 30 (including) | 1 | 0 |
| 30 – 36 (including) | 2 | 0 |
| 36 and more | 11 | 0 |
| Number of completed cases | 217 | 146 |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.12**

|  |  |  |
| --- | --- | --- |
| **Claims on reinstatement in 2013** | | |
|  | In the first instance in courts of Latvia | In the appeal instance in regional courts |
| Number of received cases during the reference period | 175 | 101 |
| Number of completed cases during the reference period | 176 | 110 (including reviewed side claims**)** |

Data source: TIS (<http://tis.ta.gov.lv/>)

**Table No.13**

|  |  |  |
| --- | --- | --- |
| **Duration of the proceedings of the claims on reinstatement in months in 2013** | | |
|  | In the first instance in courts of Latvia | In the appeal instance in regional courts |
| Until 3 (including) | 66 | 56 |
| 3 - 6 (including) | 63 | 37 |
| 6 – 12 (including) | 38 | 16 |
| 12 – 18 (including) | 4 | 1 |
| 18 – 24 (including) | 2 | 0 |
| 24 – 30 (including) | 0 | 0 |
| 30 – 36 (including) | 0 | 0 |
| 36 and more | 3 | 0 |
| Number of completed cases | 176 | 110 |

Data source: TIS (<http://tis.ta.gov.lv/>)

***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:***

***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.**

The Article 146 of the Labour Law regulates breaks for feeding a child. According to the Paragraph 1 of the Article 146 an employee who has a child under one and a half years of age shall be granted additional breaks for feeding the child. The employee shall in good time inform the employer of the necessity for such breaks.

Breaks of not less than 30 minutes for feeding a child shall be granted not less than every three hours. If an employee has two or more children less than one and a half years of age, a break of at least one hour shall be granted. The employer shall determine the length of breaks after consultation with employee representatives. When determining the procedure for granting a break, the wishes of the relevant employees shall be taken into consideration as far as possible (Paragraph 2, Article 146, Labour Law).

Breaks for feeding a child may be added to breaks in work or, if such is requested by the employee, transferred to the end of the working time thus shortening the length of the working day accordingly (Paragraph 3, Article 146, Labour Law).

Breaks for feeding a child shall be included as working time, retaining work remuneration for such time. Employees for whom a piecework salary has been specified for such time shall be average earnings (Paragraph 3, Article 146, Labour Law).

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as control how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements (Subparagraphs 1, 2, Paragraph 2, Article 3, State Labour Inspectorate Law). For details information about the SLI please see the information described in the Part 2 of the Article 8 Paragraph 1 of this Report.

***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.**

Paragraph 6 of the Article 138 of the Labour Law provides that it is prohibited to employ at night persons who are less than 18 years old, pregnant women and women for a period following childbirth up to one year, but if a woman is breastfeeding then during the whole period of breastfeeding if there is a doctors’ opinion that the performance of the relevant work causes a threat to the safety and health of the woman or her child.

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 (Paragraph 1, Article 138, Labour Law). A night-employee shall mean an employee who normally performs night work in accordance with a shift schedule, or for at least 50 days in a calendar year (Paragraph 2, Article 138, Labour Law).

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as control how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements (Subparagraph 1, 2, Paragraph 2, Article 3, State Labour Inspectorate Law). For details information about the SLI please see the information described in the Part 2 of the Article 8 Paragraph 1 of this Report.

***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.**

According to the Paragraph 7 of the Article 37 of the Labour Law an employer, after receipt of a doctors’ opinion, is prohibited from employing pregnant women and women for a period following childbirth not exceeding one year, but if the woman is breastfeeding – during the whole period of breastfeeding if it is considered that performance of the relevant work poses a threat to the safety and health of the woman or her child. In any case, it is prohibited to employ a pregnant woman two weeks prior to the expected birth and a woman two weeks after childbirth. The time of the expected birth and the fact of birth shall be certified by a doctors’ opinion.

Also the Paragraph 1 of the Article 99 of the Labour Law determines that in order to prevent any risk, which may negatively affect the safety and health of a pregnant woman, an employer, after receipt of a doctors' opinion, has a duty to ensure such working conditions and working time for the pregnant woman as would prevent her exposure to the risk referred to. If it is not possible to ensure such working conditions or working time for a pregnant woman, the employer has a duty to temporarily transfer the pregnant woman to a different, more appropriate job. The amount of work remuneration after making amendments to the employment contract may not be less than the previous average earnings of the woman. Paragraph 2 of the Article 99 of the Labour Law provides that if such transfer to another job is not possible, the employer has a duty to grant the pregnant woman leave. During the period of such granted leave the previous average earnings of the pregnant woman shall be maintained. Furthermore the Paragraph 3 of the Article 99 the provisions of this Article shall also apply to a woman following the period after birth up to one year, but if a woman is breastfeeding, during the whole period of breastfeeding.

The Regulation of Cabinet of Ministers No.660 of 2 October 2007 “Procedures for the Performance of Internal Supervision of the Work Environment” (hereinafter – Regulation No.660) (please see the Appendix No.3 of this Report) determines evaluation of the work environment risk, which shall be ensured for work performed by pregnant women and women who have recently given birth. The Annex 2 of the Regulation No.660 points out work environment factors and jobs which may cause risk to safety and health of pregnant women and breastfeeding women, for its part, the Annex 3 of the Regulation No.660 points out work environment factors and jobs the exposure to which of pregnant women and breastfeeding women is prohibited. According to the Annex 3 of the Regulation No.660 it is prohibited to employ pregnant women and breastfeeding women in work in underground (shafts), as well as to expose them to separate physical, biological and chemical work environment factors.

In addition, the Paragraph 2 of the Article 134 provides that 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. In pursuant with the Paragraph 1 of the mentioned Article 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. 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 (Paragraph 3, Article 134, Labour Law).

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

In compliance with the Paragraph 1 of the Article 3 of the State Labour Inspectorate Law the function of the SLI is the implementation of the state supervision and control in the field of employment legal relationships and labour protection. In order to ensure the implementation of the function referred to in the Paragraph 1 of this Article, the SLI shall supervise and control observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as control how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements (Subparagraphs 1, 2, Paragraph 2, Article 3, State Labour Inspectorate Law). For details information about the SLI please see the information described in the Part 2 of the Article 8 Paragraph 1 of this Report.

# ***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.**

In accordance with the Constitution of the Republic of Latvian – Article 110 the State shall protect and support marriage – a union between a man and a woman, the family, the rights of parents and rights of the child. The State shall provide special support to disabled children, children left without parental care or who have suffered from violence.

In turn various legal acts define concept of “family” concretising this notion in relation to sphere and civil relations that are regulated by the concrete legal act. The Civil Law (Article 214) defines that in the narrow sense of its definition, a family consists of the spouses and their children while they are still part of a common household. Protection of the Rights of the Child Law (Article 1) defines the term “large family”, which is a family, who cares for three or more children, including children placed in a foster family and children under guardianship. The Protection of the Rights of the Child Law (Article 33) states that a child who has been placed under guardianship or with a foster family or has been placed in a child care institution, has the right to maintain personal relationship and direct connection with parents, as well as with brothers, sisters, grandparents and persons with whom the child has lived for a longer period of time in a common household.The Law On Residential Tenancy (Article 9) states who may be considered as a tenant's family, for example, his/her spouse, parents (adopters), brothers and sisters incapable of work and adult children who do not have their own family and underage children.

Law on Social Services and Social Assistance, the Article 33, regarding the recognition of a family (person) to be in need, prescribes that the Cabinet of Ministers shall determine the level of income and material situation of a family. If a family, consisting of spouses, persons who have common expenses for food and who live in one dwelling or a person living separately, fails to exceed this level, this family (person) is recognised to be needy. The Cabinet of Ministers also determines the procedures by which a family (person) shall be recognised to be in need. Criminal Procedure Law (Article 12), guaranteeing the civil rights, defines that a natural person has the right to request that a criminal case does not include information regarding the private life, commercial activities, and financial situation of such person or the betrothed, spouse, parents, grandparents, children grandchildren, brothers or sisters of such person, as well as of the person with whom the relevant natural person is living together and with whom he/she has a common (joint) household (hereinafter – the immediate family), if such information is not necessary for the fair regulation of criminal legal relations.

The Guidelines of the State Family Policy in 2011-2017 and the relevant Action Plan for its implementation in 2012-2014 prescribes that in accordance with historical and legal aspects the notion “family” is possible to interpret as a family which consist of parents, children and grandparents. Is necessary to underline that in the Civil Law (Article 179, 188, 214) via the parent’s responsibility to ensure maintenance means for a child and children responsibility to maintain older parents the notion “family” has been interpreted within the wider meaning.

Latvia has a long tradition of public provision of childcare (supervision as translated in legal texts) services but it does not meet all the demand for such services. Therefore private provision is operating alongside in the form of private kindergartens and nannies. According to the Law on Protection of the Rights of the Child, Paragraph 6 of the Article 24 parents have to ensure that children under 7 are looked after during the absence of parents either by a person they trust or by a service provider.

Protection of the Rights of the Child Law, Article 1, Paragraph 17 (amendments of the Protection of the Rights of the Child Law, adopted on 30 May 2013) define legal framework for baby-sitter services in Latvia. The child supervision service is a qualified supervision and care service, the purpose of which is to ensure that an adult is present with the child and to ensure safe, informative and useful spending of time with a child, contributing to comprehensive development of a child.

Protection of the Rights of the Child Law, Paragraph 3¹ of the Article 50, prescribes safety requirements upon provision of child supervision services, i.e.

(1) If parents or a person under whose care a child has been transferred is not able to ensure that a child up to seven years of age is in the presence of a reliable person during their absence, they have a duty to ensure supervision of the child at the place of residence of a provider of child supervision services or another place provided for supervision of a child, or at a provider of child supervision services who implements a pre-school educational programme or an interest educational programme for children.

(2) The restrictions laid down in Article 72 of this Law shall be also applicable to the provider of child supervision services (its employees).

(3) A provider of child supervision services shall ensure at the place where the service is provided an environment corresponding for the child, which does not cause threats to his/her safety, life, health, morals and comprehensive development, as well as ensure the legal representative of the child with an opportunity to become acquainted with documentation certifying conformity with the requirements laid down in Paragraph 3 Article 72 of this Law.

(4) A provider of child supervision services is registered with the Register of Providers of Child Supervision Services. The requirements for providers of child supervision services, the regulations for registration thereof, the administrator of the Register of Providers of Child Supervision Services and the information to be included in the Register shall be stipulated by the Cabinet of Ministers.

Protection of the Rights of the Child Law, Paragraph 3 Article 72, (amendments of the Protection of the Rights of the Child Law, adopted on 12 June 2009; 4 March 2010; 1 July 2011) provides safety requirements when providing child supervision services. According to the Law persons shall not work as managers or employees of childcare, educational, health care, and other such institutions as children are found, who:

1) have allowed violations of regulatory enactments regarding protection of the rights of the child;

2) have allowed immoral behaviour at work or outside work, as determined by a court judgment or other decision of a competent authority;

3) have been convicted of criminal offences that are associated with violence or threats of violence – irrespective of whether or not the conviction is extinguished or set aside;

4) have been convicted of criminal offences against morals and sexual inviolability – irrespective of whether or not the conviction is extinguished or set aside;

5) the court has applied the compulsory measures of a medical nature specified in the Criminal Law for criminal offences provided for in the Criminal Law committed while being in a state of incapacity.

In accordance with amended Article 50.3 of the Protection of the Rights of the Child Law, the Regulation of Cabinet of Ministers No.404 have been elaborated and adopted on 16 July 2013 “Requirements for Providers of Child Supervision Services and Procedures for Registration of Providers of Child Supervision Services”.

The Regulation prescribes the professional qualification and safety requirements for provision of child supervision services, procedures for the registration of services providers in Child Supervision Services Providers registry. The Regulation requires that a provider of child supervision services must meet the following requirements:

1) the restrictions specified in Article 72 of the Protection of the Rights of the Child Law shall be applicable to the provider of child supervision services: “(3) Persons shall not work as managers or employees of childcare, educational, health care, and other such institutions as children are found, who:

• 1) have allowed violations of regulatory enactments regarding protection of the rights of the child;

• 2) have allowed immoral behaviour at work or outside work, as determined by a court judgment or other decision of a competent institution;

• 3) have been convicted of criminal offences that are associated with violence or threats of violence – irrespective of whether or not the conviction is extinguished or set aside;

• 4) have been convicted of criminal offences against morals and sexual inviolability – irrespective of whether or not the conviction is extinguished or set aside; or

• 5) the court has applied the compulsory measures of a medical nature specified in the Criminal Law for criminal offences provided for in the Criminal Law committed while being in a state of incapacity.”;

2) a care or protection rights of child must not have been taken away;

3) a person must have the necessary skills to provide first aid;

4) when full time child supervision services (more than 4 hours per day) are provided a person must have acquired a basic knowledge of nanny, if a person previously has not obtained the nanny profession or has not obtained professional or higher education of teacher.

The Regulation sets requirements for the provider of child supervision services, so this service is obliged to register into the Child Supervision Services Providers registry.

The Regulations allows that child supervision services can be provided at the childs' home, the service providers' home, as well as outside of the residence of the child and the provider. The contract in writing should be concluded between service provider and the recipient of the service (parent).

Child supervision services provider - legal person, public or local authority - must meet the following requirements:

• have a State Fire and Rescue Service confirmation that fire safety requirements have been met if the service is provided outside the child's home;

• regular health inspections for persons engaged in the supervision of children;

• have a license from Food and Veterinary Service, if a full-time service is provided outside the child's home, for catering of meals for children;

• approve the working procedure regulations and regulations on protection of safety at work;

• to ensure fire safety, labour protection, hygiene and first aid during time of service.

A provider of child supervision service - an individual – must be registered as a tax payer and must meet the following requirements:

• performing of a regular health inspections;

• obtaining a license from the Food and Veterinary Service, if a full-time service is provided outside the child's or service provider’s home;

• ensuring fire safety, labour protection, hygiene and first aid during time of service.

The regulations prescribe the following limits for the supervision of children:

1) in case of short time supervision (less than 4 hours per day) – one person is allowed to monitor up to 10 children;

2) in case of full time supervision (8 hours per day) – one person is allowed to monitor up to five children, unless they are siblings;

3) any legal person, public or local authority may at the same time provide full-time supervision outside child's home - no more than 25 children;

4) service for children with special needs is provided, if the provider is specially trained to work with children with special needs and the place of service is adopted according to child's health and developmental disorders.

The purposes of the provisions are mainly to protect children, but also consumers and service recipients in general. Provisions have been prepared according to interests of society. The Regulations does not include requirements which could discriminate service provider or service recipient and it does not restrict the scope of the bodies entitled to provide child supervision services. The requirements are suitable for attaining its objective because it ensures that children are professionally supervised and cared of. Child-minders must have certain skills and should be trained to take care of a child as well as helping parents develop and educate children from early days. Consequently, all children are given the opportunity to acquire pre-school education programme, regardless of the opportunities to attend local pre-school education institutions.

After 2012, which is considered to be the starting year of the economic crisis end-point, Latvia carried out an assessment of the social security system[[1]](#footnote-1). During economic crisis the social security system had an important role in stabilising the situation, but its positive impact has diminished[[2]](#footnote-2) and a question of the social security system and its ability to provide a certain level of protection of the household income and to contribute to the stabilization and development of the economic cycle has become a pending issue. Therefore a detailed analysis on the necessary improvements in the social security system was carried out. Before launch a review of the social security system and ensure objectively justified decision making by offering measures for the sector development and the courses of action, the World Bank study „Latvia: who is unemployed, inactive or in need?” (hereinafter referred to as WB study) was implemented in 2013.

Along with assessment of the common system, the WB study results highlight it`s disadvantages and identifies the main problems in social assistance system, labour market policy, the state social benefits and tax policy, as well as highlights the main risk groups. The most relevant overall social security system problematic fields outlined in this study include:

* the lack of targeting and the need for improvement of the support provided by national and municipality to the poorest people;
* the need to implement measures to provide an even transition from social assistance to employment;
* the need to distinguish target groups which shall be given prior support;
* the need to improve implementation of individual active employment measures.

The main target groups to whom support shall be improved by implemented measures and new initiatives are low income families with children, low work intensity households, elderly people, especially with the addiction problems, chronic diseases or disabilities.

WB study[[3]](#footnote-3) pointed to the need for Latvia to implement a wide debate on the adequacy of the minimum income support, as well as mechanisms, which are based on rights to certain benefits and amounts thereof, while highlighting the need to carefully analyze the incentives for the transition from passive support towards active participation in the labour market[[4]](#footnote-4).

For more than ten years the relatively high risk of poverty in Latvia has remained constant, especially for families with children. The minimum income from paid work (taxes, wages, etc.) and social protection system (the guaranteed minimum income level, state social security benefit, etc.) is not enough to have an impact on poverty in the country. Therefore on December 10, 2013 the Latvian government approved a report „Proposals for improving the social security system”, where one of the main measures required is a commitment to develop a new, methodologically sound and adequate minimum income level according to existing socio-economic situation in the country. The newly set minimum income level shall serve as the reference point to develop support measures set within the social security system (the state social benefits, social insurance, and social assistance). The concept paper „On defining the minimum income level” was announced in the State Secretary meeting on August 7, 2014.

Mediation services

On 18 June, 2014 the Law on Mediation is in force and has been approved by the Parliament. On 5 August, 2014 the Regulations of Cabinet of Ministers No.433 “On certified mediators” has been adopted. From 1 January, 2015 the court related mediation module will be implemented in Latvia. To ensure the implementation of this module, the first mediator’s certification took place on 1 October, 2014. Mediation for child protection issues as a free service from August 2007 is available at Riga Orphans' Court. Riga Orphans' Court has 2 mediators. In Orphan's Court of Riga in 2012 those 2 mediators have been conducted 386 mediation sessions, but in 2013 - 319 mediation sessions. According to the Law on Mediation this service is accessible to every person on their free agreement on fee. Unfortunately Ministry of Justice has no data regarding the fact that Law on Mediation has entered in force comparatively recently.

Housing for families

Providing assistance to residents in solving apartment matters is one of the autonomously performed functions of municipalities, pursuant to the Law on Assistance in Solving Apartment Matters of 22 December 2001. This Law stipulates that municipalities, first of all, rent the residential space to persons with low-income, who live with and in whose care there is at least one minor child.

Paragraph 1, Article 36 of the Law on Residential Tenancy stipulates that municipalities shall provide assistance to a poor-income tenant who lives with and in whose care there is at least one minor child in the event of eviction due to the failure to pay the rent on residential space or a fee for general services, demolition of the residential house or capital repairs conducted on a house denationalised or returned to its lawful owner.

If the low-income tenant is evicted due to the failure to pay the rent on a residential space or a fee for general services and if the tenant lives with and in his/her care there is at least one minor child, the execution of the court order regarding eviction from the residential space is suspended until the municipality provides the tenant with another residential space fit for living. If the tenant is evicted as a result of the demolition of the residential house, a renter (owner) of the house has the duty to provide the tenant and his/her family members with another equivalent residential space. The duty to provide the tenant with another residential space also applies in the event of conducting repairs of a house denationalised or returned to its lawful owner or in the event of transforming the residential house into a non-residential house.

Paragraph 1, Article 14 of the Law on Assistance in Solving Apartment Matters in turn stipulates that the municipality, first of all, provides residential space to low-income persons who live with and in whose care there is at least one minor in the event of these persons being evicted from the apartment which the municipality owns if the apartment property is burdened with debt as a result of payments for services (related to residential space use, building maintenance, exploitation, and repairs).

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 from 3 November 2009 On State Assistance in Purchasing or Constructing Residential Space, the State joint stock company Mortgage and Land Bank of Latvia issues a guarantee, including to a person in whose care there is at least one minor child, to secure a loan. In 2014 guarantees will be granted for 1 thousand families with children. Funding for the program is 1 330 715 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. According to the evaluation provided by the Ministry of Economics, approximately 5,000 families with children will receive assistance within the framework of the planned measures for the insulation of 500 multi-apartment residential houses.

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

The following fundamental legal acts of the Republic of Latvia were passed or amended during the reference period:

1. Personal Income Tax non-taxable minimum and tax allowance for dependent person.

In period 2010-2013 two amendments were made in the Regulations of the Cabinet of Ministers on tax allowance for dependent person:

* in 2011 the allowance for dependents was increased from 89,64 EUR (63 LVL) to 99,60 EUR (70 LVL) per month;
* from 01.07.2013 the allowance for dependents was increased from 99,60 EUR (70 LVL) to 113,83 EUR (80 LVL) per month.

For detailed information please see the figures in Paragraph 3 of this Article.

In period 2010-2013 one amendment was made in the Regulations of the Cabinet of Ministers on non-taxable minimum.

In 2010 non-taxable minimum was 49,80 EUR (35 LVL) per month (597,61 EUR a year). In 2011 non-taxable minimum was increased to 64,03 EUR (45LVL) per month 768,35 EUR a year).

For detailed information please see the figures in Paragraph 3 of this Article.

For the period of 2010 – 2013, labour tax was: reduction in personal income tax rate, increase in rate of employee’s social security contributions as well as for increase in personal income tax allowances.

Taking into account Latvia’s flat income tax, the main instrument to influence low-wage workers is tax reliefs – the basic allowance and an allowance for dependants. Change in the tax rate is more beneficial to better paid workers.

Latvia received similar opinions also from the European Commission (hereinafter - EC) and the International Monetary Fund (hereinafter - IMF). In 2013 the EC through country-specific recommendations indicated a need for appropriate calibration of tax policy in order to stimulate employment for the low-skilled people in Latvia (European Commission, 2013). The IMF pointed out that while some reduction in the tax wedge on labour would be desirable, untargeted cuts in the statutory PIT rate are not first-best from an efficiency or equity perspective (IMF, 2013).

Taking into account these views and debates between the government and its social partners (employers organisations and trade unions) an agreement was reached that a reduction of income inequality and support to employees with children (dependants) should be equally important goals of the labour tax reform alongside with decrease of labour costs. Thus, the reform was significantly adjusted for 2014-2016 (approved on August 20, 2013 in the Cabinet of Ministers):

* as from 2014, increase the tax relief for dependents form 114 to 165 EUR per month;
* as from 2014, raise the non-taxable minimum from 64 to 75 EUR per month;
* as from 2014, reduce employee social insurance contributions from 11% to 10,5%, and employer social insurance contributions from 24,09% to 23,59%;
* maintain the personal income tax at 24% in 2014, reducing it to 23% in 2015 and 22% in 2016.

1. Vehicle Operation Tax Relief a person who has three or more minors as dependents.

Law on the Vehicle Operation Tax and Company Car Tax came into force on 1 January 2011 and the law establishes the Vehicle Operation Tax Reliefs a person or husband/spouse, who has three or more minors as dependents, shall pay the vehicle operation tax for the relevant calendar year in the amount of 80% for one of the vehicles registered in the ownership, holding or possession thereof.

1. Immovable Property Tax Exemption for families with 3 or more children under the age of 18.

From 1 January 2013 according to the Law “On Immovable Property Tax”there are exemptions for families with 3 or more children under the age of 18 (as well for those being in guardianship or foster families). The amount of immovable property tax should be reduced by 50% from the calculated tax amount, but not more than 427 EUR (300 LVL) for residential houses, for parts of residential houses, space groups for non-residential buildings which are used for living and underlying land, if the person or its spouse has declared place of residence together with at least three of the above mentioned children. The exemption also applies in case when the owner of the real estate or legal possessor is one of the above mentioned children.In the same way, based on the Law On Immovable Property Tax a municipality can grant a 90% reduction of calculated tax amount for taxpayers – indigent and low-income persons for the period in which taxpayer qualifies for the status of an indigent  person or low-income person.

Domestic violence

In 2013 (accepted by the Parliament) amendments to the Civil Procedure Law entered into force, as well as relevant other acts as the Criminal Law, the Law on Orphan’s Court, the Law on Police, and the Law on Child’s Rights Protection. These amendments provide a right of a person suffering from violence or being stalked to ask protection from violence from the court to issue restraining order against the perpetrator (under the Civil Procedure Law) on her/his own initiative.

Amendments to the Law on Police expand police powers in intervening in domestic violence cases. In cases of high risk situations of domestic violence the police have the right to vacate the aggressor from his/her place of residence for up to eight days. Formally, emergency protection order is taken on the request of a victim (the victim should sign an application asking the police to take emergency protection order).  Upon the request of the victim of violence police is also able to forward all the materials of particular violence case to the civil court in order to de facto prolong the ban set by the police to the aggressor.

Amendments to the Civil Procedure Law introduce the following restraining orders against perpetrators available under civil proceedings (such protection measures shall be imposed by Court), which are:

* obligation to the defendant to leave and prohibition to return and stay in the house (place of residence);
* prohibition to the defendant to be closer than the distance specified by the court to the house (place of residence);
* prohibition to the defendant to stay at specified places;
* prohibition to the defendant to meet/have physical or visual contact  with the claimant;
* prohibition to the defendant to communicate with the claimant by any means;
* prohibition to the defendant to organize meeting by using the mediation of other persons;
* prohibition to the defendant to use personal data of claimant;
* other types of restrictions and obligations to the defendant specified by the court.

Temporary protection measures under the Civil Procedure Law are available before the action is brought or during litigation e.g. on family, property, or damage related actions.

The amendments to the Civil Procedure Law includes detailed provisions for submission of the action application, the procedure for examination of application (two types of procedures, depending on the urgency of the situation); the procedure for cancellation or replacement the temporary protection measures against violence, the procedure how to challenge court decisions taken as regards temporary protection measure against violence and other questions.

Roma rights

According to the Council Conclusions on an EU Framework for National Roma Integration Strategies up to 2020, as well as given the specific national situation and conditions, such as the small Roma population, in 2011 Latvian state has developed a set of national Roma integration policy measures[[5]](#footnote-5) (hereinafter – measures), which have been included in the National identity, civil society and integration policy guidelines 2012 – 2018. Experts and representatives from the responsible state bodies and local authorities, as well as representatives from the Roma community were involved in the process of design of the measures.

Representatives of Roma non-governmental organizations (thereafter – NGO) are involved in the process of designing, implementation and evaluation of Roma integration policy by the participation in the Council supervising the implementation of Roma integration policy measures (hereinafter – the Council). The main aim of the Council is to assess and foster the policy for Roma integration, as well as to promote civil participation of the Roma community and to strengthen cooperation between the Roma community and national authorities, in accordance with the National identity, civil society and integration policy guidelines for 2012 -2018. The main tasks of the Council are ensuring an effective implementation and evaluation of results of the policy for Roma integration and particular the measures; providing recommendation to the authorities in order to improve the implementation of the policy for Roma integration especially in field of education, employment, health care and housing; fostering the cooperation between Roma community, authorities, stakeholders, social partners, NGO and experts; evaluating the possibility of effective use of EU structural funds to implementation of the measures.

The Ministry of Culture as a responsible Governmental body for the coordination of Roma integration policy, actively uses the Councilas a platform to analyse and discuss the results of the Roma integration policy implementation, to present and share initiatives and challenges for development of Roma integration, to plan future policy measures. For instance, at the moment (2014 April-July) the action plan of the Roma integration policy for next period is being discussed and elaborated within the cooperation with the Council. Since the Council was established in 2012, six Roma representatives, who are involved in the Council, had an active participation and made many proposals and suggestions to improve Roma integration policy at national level.

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

According to the Regulations of Cabinet of Ministers No.404 adopted on 16 July 2013 “Requirements for Providers of Child Supervision Services and Procedures for Registration of Providers of Child Supervision Services” the conformity of the service provider with the requirements laid down in the Law on Protection of the Rights of the Child, this Regulation and other legal acts according to the competence shall be controlled by the State Inspectorate for Protection of Children’s Rights, the State Fire and Rescue Service, the Health Inspectorate and the Food and Veterinary Service. The State Inspectorate for Protection of Children’s Rights shall not less than once a year verify the conformity of the service provider and the persons involved in provision of the service with the requirements laid down in these Regulations. In turn the municipality, in the administrative territory of which the service is provided, has the right to assess the conformity of operation of the service provider with the requirements laid down in this Regulation and in case if a non-conformity is detected inform the State Inspectorate for Protection of Children’s Rights, the State Fire and Rescue Service, the Health Inspectorate or the Food and Veterinary Service thereof according to the competence.

Child care facilities

On 8 August 2011 Education Law prescribes that municipalities shall ensure in their administrative territory the equal access to pre-school educational services for all children at the 1,5-5 years of age due to the lack of infrastructural base or intensive inter-regional migration (rapid increase of children registered in Riga) many municipalities have been contiguous with long waiting lists problem.

Since the beginning of 2013 all the municipalities provide co-funding for children attending private kindergartens. The average support coming from the municipalities per child were 95 LVL or 135,17 EUR per month. The state is providing co-funding from the 1st September, 2013. In this way adding together the co-funding of the state and the co-funding paid by the municipality the child will be able to attend kindergarten free of charge either private or public. As an alternative to that the parent may choose to apply for nanny’s services, which is also co-funded by the state.

In 2013 Ķekava municipality has also created a nannies’ data base, training courses are being organized for nannies; for children from the age of one and a half who have not been provided with places in pre-school educational institutions of the municipality, support if provided by the municipality to finance the nanny’s service. The amount of the municipalities financial support is 118,70 LVL or 168,89 EUR per month for 160 hours of work performed by the nanny. The support provided for the child’s parents is provided if: the child or one of the parents is declared in the administrative territory of the municipality of Ķekava; the child has been registered in the waiting list for a place in municipality’s pre-school education institutions; a contract has been concluded between the parents and the nanny. In order to receive such support the parents shall have to choose a nanny from the municipality’s data base of nannies.

In 2011 14% of children less than three years of age received formal child care services for 30 hours or more. At the same time 66% from age of 3 until reaching the minimum compulsory school age received formal child care services. An additional 1% of children under age of 3 and 7% of children from age of 3 until the age when it is compulsory to attended child care services on a part-time basis (30 hours or less).

From the year 2013 for children with disability in the age group 5-18 with assistance services in municipalities are available. Steadily the school infrastructure (elevators, classrooms, floors, doors etc.) are being adjusted for the needs of pupils with physical disorders. Also the work of specialists is being improved so that they get more involved in the support of the child with special needs.

To facilitate the access to medical services for families and children the Ministry of Health has established new policies on the development of the human resources who are working in the health care system and on the financing of the health care system. New policies are being introduced to improve the care for pregnant women and new-borns, infertility treatment and cross-sector cooperation in the reproductive health sector.

The state changed the situation with long waiting lists to public kindergartens by providing co-funding that is available from the 1st September, 2013. In this way summing together the co-funding of the state and the co-funding paid by the municipality the child is able to attend kindergarten free of charge either private or public.

Main reasons of further were: 1) low availability of municipal pre-school educational institutions (long waiting lists); 2) high cost of private pre-school educational services and the lack of municipal support: according to the information provided by 43 private pre-school educational institutions in Riga, the average cost of one child in preschool educational institution in 2012 was EUR 243. Most of the families do not use the private preschool educational services because they cannot cover the difference between the allowance paid by the municipality for this service and the actual cost of the private pre-school educational institution services; 3) deficiency of professional alternative child care services: the child health and safety before September 2013 had not been sufficiently ensured within alternative services in contrast with hard-line requirements proposed to the pre-school educational institutions (there were no special requirements to providers of child care and child-minders services, including registration and supervision regulations, as well as special educational and hygiene requirements). Child minders services were established only in few municipalities – Liepāja, Jēkabpils and Ķekava; 4) large proportion of illegal providers: in most cases individual nurses have been employed illegally, without contracts and taxpaying, as a result these nurses haven’t been socially insured and qualified for work with small children (without education, professional skills and sanitary certificate). It has had negative impact on protection of the child health and protection of the service recipients, as well as labour market legalisation.

Starting from September 1st, 2013 the Latvian Government began a pilot project to provide financial support for parents who need child care support for their children aged 1,5 to 4 years who are not benefiting from public childcare (as from the age of 5 municipalities have a legal obligation to provide primary education to children). Parents choose the provider. It is expected that developing childcare services will help to solve the problem of long waiting lists for public kindergarten registration and will also help parents to return to work at the same time providing safe conditions for the child.

The State financial support for parents who need child care support for their children aged 1,5 to 4 years who are not benefiting from public childcare is provided in accordance with agreement among political parties represented in the governmental coalition approved in 23 October 2012. The agreement prescribes that purposeful financing will be provided for three years – till the end of 2015 in order to solve the problem of long waiting lists for public kindergarten registration and help parents to return to work at the same time providing safe conditions for the child. The co-funding of the state and the co-funding paid by the municipality to the child summed together should be able to decrease parents’ expenditures for attendance of private kindergarten or child-minders service.

On the basis of this agreement the amendments to the Education Law (Article 14 Paragraph 36) have been adopted on 24 July 2013 and relevant Regulations of Cabinet of Ministers No.1523 “Regulations on what municipality in accordance with its defined average expenditures covers expenses of pre-school education program in private institution of pre-school education” has been adopted on 17 December 2013.

State support (cash transfer to the provider) is provided to private service providers that are registered within the Education Register (private kindergartens) or Child Supervision Services Providers Registry (nannies, child care centres and other forms of child care except private kindergartens) providing service for at least 8 hours per working day.

The monthly amount of state support for full time service is up to 100 LVL or 70,28 EUR with meeting the condition that total of state and municipal support (most municipalities already now provide some support towards addressing such situations) per one child does not exceed:

1) 228 EUR in Riga planning region;

2) 185 EUR outside

*\*amounts based on average costs of child care services* the *state funding in 2013 is 3,2 mill. LVL (4,5 mill. EUR). The state funding for 2014 and 2015 is 9,5 mill. LVL (13,6 mill. EUR) in each year.*

In order to get the state support parents have to sign a written contract with the provider. Parents have to inform the respective municipality of the place of residence of the child about the fact that the child is benefitting from such private services. Municipalities and providers have to inform about services provided Ministry of Education and Science each month and Ministry of Education and Science makes the respective payments to the providers within 10 days.

Introduction of child-minders service and state support scheme have been diminished the number of children in waiting lists from 7,9 thousands of children in 2012 to 5000 in the beginning of 2014 and therefore have proved effectiveness of policy intervention on childcare services diversification and legalization of private services’ providers. Simultaneously parents have been assisted in work and family life. Parents are enabled to faster return to work after parental leave and earn incomes, thereby reducing the potential risk of unemployment and poverty. Therefore this intervention have proved high demand among employed parents with children for flexible subsidized child-care arrangements (in 2013 during September, November and December the number of the state support receivers has been sufficiently increased – please see Table No.42, page 83 in this Report; in January 2014 the number state support receivers was approximately 5000); the number of registered child-minders for 10 months has been increased to 874 persons and continues to grow.

After the completion of the state financial support program in 2015 there is planned that state and municipal support will be provided on the permanent basis within the modified framework.

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 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 quite numerous.

According to Article 3 of Maintenance Guarantee Fund Law the Maintenance Guarantee Fund (hereinafter – the Fund) holds the amount of resources provided for in the State budget for ensuring a child with child support, if the execution of a court adjudication regarding the recovery of child support in accordance with the procedures prescribed in the Civil Procedure Law is recognised as impossible, or a debtor fulfills a court adjudication regarding the recovery of child support, but does not ensure such minimum amount of child support, which has been determined by the Cabinet of Ministers on the basis Paragraph 5 Article 179 of the Civil Law.

Article 8, 1st and 2nd paragraph of Maintenance Guarantee Fund Law stipulates thatchild support from the resources of the Fund shall be disbursed after an examination of a submission of a submitter, if he/she provides care for a child who has been assigned child support in accordance with a court adjudication, and one of the conditions referred to in Article 3, Paragraph 1 of this Law has set in. If the execution of a court adjudication regarding the recovery of child support has been recognised as impossible in accordance with the procedures laid down in the Civil Procedure Law, or if a debtor fulfills a court adjudication regarding the recovery of child support in an amount that is less than the amount specified in Article 179, Paragraph 5 of The Civil Law, the Fund Administration shall, on the basis of a submission of a submitter and the documents attached thereto, disburse child support to the submitter from the resources of the Fund for each child in an amount determined by the Cabinet of Ministers on the basis of Article 179, Paragraph 5 of The Civil Law, but not more than the amount specified in the court adjudication.

Currently, the draft law "Amendments to the Law on the Maintenance Guarantee Fund" (Nr.1186/Lp11) (hereinafter - the Draft Law), covering amendments related to creation of publicly available databases, which will include a list of maintenance payment debtors, is directed to the Parliament.The purpose of debtors’ disclosure is to provide the protection of children rights, to promote parental duties by paying maintenance payments, as well as promoting responsible and honest fulfillment of obligations.The disclosure of debtor data will promote effective recovery of maintenance payments, and as well will provide preventive function - debtors will be more willing to settle their maintenance payer's obligations, including debts to the Maintenance Guarantee Fund Administration, as unwilling that their personal data would be made ​​public.As well, data disclosure might motivate debtors to settle their maintenance payments before other payments.

Starting from 1 January 2010 it's 30 LVL for child until age of 7, each child aged 7-17 years receives 35 LVL, unless it's been resolved to be smaller by the court decision. According amendments to Law “Maintenance Guarantee Fund Law” (adopted on 15 November 2012): starting from 1 January 2013 till 31 December 2013 it's 35 LVL (49,80 EUR) for child until age of 7, each child aged 7-17 years receives 40 LVL ((56,91 EUR), but not more than the amount specified in the court adjudication, as well as not exceeding the amount determined by the Cabinet of Ministers in accordance with Article 179, Paragraph 5 of the Civil Law."

In 2014, financial support state guaranteed maintenance payment for a child has been additionally increased (71,14 EUR for 0-7 years old child and 78,26 EUR for 7-18 years old child) - in accordance with the Regulations of Cabinet of Ministers No.37 adopted on 15 January 2013 "Regulation on the amount guaranteed maintenance payment for a child.

Participation of associations representing families

On the 12th April 2011 the Council of Demographic affairs has been established in accordance with the Regulation of Cabinet of Ministers No.293 approved in the 12th April 2011 “Statute of the Council of Demographic affairs”. The Council works under the supervision of the President of Ministers and the functions of Secretariat has been fulfilled by the Ministry of Welfare.

The Council is the coordinated advisory state institution which main function is to facilitate state demographic and fertility policy and implements demographic priorities at all stages of the state government. The Council regularly evaluate and coordinate the implementation of state demographic; fertility and family policy as also inform society and mass-media about demographic priorities. In the composition of the Council many NGO representing families have been represented, i.e. association “Family”, Association of Latvian Unions for large families, NGO “Fund for the Future”, Union “Latvian Children Forum”, Latvian Confederation of Employees, Free Trade Union Confederation of Latvia.

Marriage contract

If one of the betrothed or spouses has restricted legal capacity, he/she enters into a marriage contract itself to the extent in which the court has not restricted his/her capacity, but in the rest of marriage contract - with consent of the guardian. If the person whose legal capacity is restricted, and who cannot act independently, and betrothed or spouse in the same time is also the trustee, entering into a contract of marriage is decided by the Orphans' Court.

Dissolution of the marriage

Besides the reasons mentioned in the previous national Report for the dissolution of marriage can be also 1) spouse's physical, sexual, psychological or economic violence against the spouse who request to dissolve a marriage or to his children or spouses of children” and 2) one spouse consents to the request of the other spouse for the dissolution of the marriage.

Since 1 February 2011 marriage may be divorced also by a sworn notary. A sworn notary shall commence a divorce matter when a joint submission of both spouses regarding divorce is received. A sworn notary shall divorce a marriage if spouses have agreed thereon and if spouses do not have a joint minor child and joint property or spouses have a joint minor child or joint property and spouses have entered into a written agreement regarding custody of the joint minor child, rights of access, child’s means of support and division of the joint property.

Parental right

A sworn notary shall divorce a marriage only if spouses have agreed into a written agreement regarding custody of the joint minor child, rights of access, child’s means of support and division of the joint property.

Maintenance

If spouses lives separate, one spouse has the right to ask from other spouse in commensurate with his/her financial state if it is necessary to ensure the previous level of welfare. The duty to ensure the previous level of welfare of the former spouse terminates if:

1. the same amount of time has passed, subsequent to the dissolution of the marriage or the declaration of the annulment of the marriage, as the duration of the relevant dissolved marriage or cohabitation in the marriage, which has been declared annulled;
2. the former spouse has entered into a new marriage;
3. the income of the former spouse ensures the previous maintenance;
4. the former spouse avoids obtaining means for maintenance through his/her own work;
5. the former spouse who is obliged to maintain the other former spouse does not have sufficient means of subsistence or he/she has become incapable of work;
6. the former spouse has committed a criminal offense against the other previous spouse or his ascending or descending kin’s health, liberty, property or honor;
7. the former spouse has left the other former spouse in helpless situation, when it was possible to help him;
8. the former spouse has initiated a knowingly false accusation of a criminal offense against  any of the persons referred to in paragraph 6;
9. the former spouse has lived a dissolute or wasteful lifestyle;
10. the former spouse who is obliged provide maintenance to the other

former spouse, or his/her former spouse dies or is declared dead;

11)   there are other important circumstances.

Since the amendments introduced in the Civil Law in 2012 it does not matter, whether the spouse by his/her actions has promoted the breakdown of the marriage for obligation to provide the means for previous level of welfare to be applicable.

Domestic violence

A planned policy towards reducing violence against women and domestic violence has been in place since 2008. In 2008, the Cabinet of Ministers approved the Programme for Reducing Domestic Violence 2008-2011 that was aimed to prevent criminal offenses connected to domestic violence and to reduce the negative consequences caused to a victim. During these years, essential changes in the legal provisions concerning domestic violence have been introduced, also different activities were organised in order to attract attention to the issue of domestic violence. After implementing the aforementioned programme, the prevention of domestic violence was set as one of the directions of the State guidelines for the Family Policy 2011-2017 initiative. Convention on preventing and combating violence against women and domestic violence of the Council of Europe (Istanbul convention) has also become a roadmap for Latvia to determine the areas where changes, improvements and legal amendments should be made.

In May 2009 the Parliament approved amendments to the Law on Social Services and Social Assistance stating legal provisions for state funded social rehabilitation services for both adult victims of violence and persons who have committed an act of violence. Because of limited financial resources the establishment of both services have been delayed many times since then. The Ministry of Welfare has drafted Regulations of the Cabinet of Ministers on the proceedings by which the services are provided. It is planned that the social rehabilitation services shall be available as of 1 January 2015.

Since 2011 profound legal amendments have been initiated in Latvia to make gender neutral legislation friendlier towards women victims of violence. Traditional gender neutral language is preserved in the Latvian laws, but legislative changes are made to address those situations where women find themselves in much more often than men. Practical implementation of these legal amendments is followed by regular gender impact assessment.

Until 2011, in the case of intentional slight injuries, a victim could initiate criminal proceedings, except if an offence was qualified as a case of domestic violence. In some cases criminal proceedings were not initiated only because the perpetrator and the victim hadn’t registered their partnership as a marriage or didn’t share a household. By excluding the private prosecution institute from the Criminal Procedure Law, a situation where victims who are discriminated because of the chosen model of partnership are no longer possible and legal protection of victims has become more effective.

Besides in 2011, a new aggravating circumstance was introduced in the Criminal Law to punish more severe those violent crimes and crimes against morals and sexual inviolability (rape and sexual violence) that are committed against a relative, intimate partner or a former intimate partner.

Since 2011 the Latvia Administrative Violations Code envisages a possible administrative penalty in the case of causing insignificant injuries, defined as those injuries which have led to short-term, insignificant consequences without causing health disorders or a general loss of workability. Administrative punishment is more severe if an injury is done to a relative, intimate partner or former intimate partner.

Since 2013, emotional, physical, sexual, and economic violence against a spouse or his/her child, or a child of both spouses, is clearly mentioned in the Civil Law as a reason to request a divorce without observing a mandatory reconciliation period for spouses. Before the amendments, the language of the law was quite vague in this respect and there was a great deal of room for interpretations.

Since 2013 the Rights of the Child Protection Law defines violence against a close relative of a child in the presence of the child as emotional violence towards the child himself/herself. The practical impact of these recent changed on the notion of emotional violence against a child is being evaluated to prevent those possible situations where women would be afraid to report cases of domestic violence.

In 2014, Latvia introduced new legal instruments to guarantee protection orders in cases of domestic violence. These amendments provide the right of a person suffering from violence or stalking to ask a court on his/her own initiative, or with the intermediation of the police, to take appropriate protection measures against the perpetrator within civil proceeding. Such measures, for instance, can be a prohibition for the perpetrator to approach or communicate with the victim, as well as an order for the perpetrator to be removed from the housing, and a prohibition to approach, return to, or stay in a housing unit which is the permanent residence of the perpetrator or victim. Such protection measures shall be imposed by the Court. In order to ensure an effective implementation of the protection measures, criminal liability for a malicious violation of a protection measure ordered by the Court is envisaged.

Regulation of Cabinet of Ministers No.161 adopted 25 March 2014 “Procedures for the elimination of the threats of violence and providing temporary protection against violence” establishes legal protection against domestic violence. State and Municipal Police in the framework of its competence carries out activities to ensure execution of the mentioned procedures, providing practical protection for the persons exposed to violence.

In addition to the protection measures mentioned before, an ad-hoc group under the Ministry of Justice is currently drafting the Law on coercive preventive measures. The aim of this law is to change the focus from the consequences of violence to the prevention of causes of violence and to develop adequate responses to the situations of potential violence.

Since 2008, administrative data on cases of domestic violence are collected from medical institutions, state and municipal police, courts, and crisis centres and published in an annual “Informative report on prevalence and dynamics of domestic violence cases” that is prepared by the Ministry of Welfare. There were no national research studies on the prevalence of violence against women, therefore data from international surveys is very useful.

In 2010, a report of the research conducted by the Eurobarometer Domestic Violence against Women[[6]](#footnote-6) was published; results of the research shows that only 66% of the citizens of Latvia see violence against women as unacceptable and support its criminal liability, and 29% see domestic violence as unacceptable, but not always requiring punishment. Thus, Latvia was placed as the most tolerant country towards domestic violence against women among the 27 EU countries.

The survey conducted by the EU Agency for Fundamental Rights in 2014[[7]](#footnote-7) is considered as the most significant review of the situation in Latvia. The survey is the first of its kind on violence against women covering all 28 member states of the EU. According to the survey in Latvia:

- 32% (corresponds to approx. 269 000 women) aged from 15 to 75 years of age, have suffered from physical and/or sexual violence;

- about 60% (corresponds to approx. 504 000 women in Latvia) have suffered from psychological violence in forms of insult, control, threat, and economic violence by a partner or former partner;

- about 14% (approx. 117 000 women in Latvia) have suffered from stalking in forms of unwelcomed phone calls, property damage, and tracking, mostly as long-term behaviour and performed mostly by former partners;

- about 47% of women in Latvia have suffered from sexual harassment in forms of physical (unwanted touching or kissing), verbal (insulting comments or jokes) or non-verbal harassment (insulting e-mails, SMSs or comments in social networks);

- about 70% of women in Latvia have never reported cases of violence – only one tenth of all cases are reported to the police. The reason for that is a lack of faith in a positive result, shame, and fear.

The administrative data published in the annual “Informative report on prevalence and dynamics of domestic violence cases” considerably differ from the conclusions of the EU Agency for Fundamental Rights survey. However the available administrative data confirm that women are subjected to domestic violence to a greater extent than men. According to the “Informative report on prevalence and dynamics of domestic violence cases” in 2012, the number of men who have looked for medical treatment because of experiencing violence is much higher than the number of women in the same situation. However the report shows that only 5% of men in 2012 (4% in 2008 and 2009 and 5% in 2010 and 2011) have suffered from domestic violence by a spouse, partner, parents or other relatives, whereas women suffer from domestic violence by a spouse, partner, parents or other relatives about nine times more (33% in 2008, 32% in 2009, 42% in 2010, 44% in 2011 and 46% in 2012). This data confirm that men are most likely subjected to violence committed by same sex perpetrators, while the women are most likely subjected to violence committed by close persons of the opposite sex. The report also shows that in the case of domestic violence, the perpetrator is mainly a spouse or partner when the victim is a woman; or other relatives rather than spouse or partner if the victim is a man.

NGOs are the most important actors in providing support to women who have suffered from violence. The state provides social rehabilitation services only for minors until the age of 18 who have suffered from unlawful acts – criminal offense, exploitation, sexual harassment, violence or any other unlawful, cruel or derogatory act. According to the Regulations of the Cabinet of Ministers No.1613, of 22 December 2009, a family member or a person who takes care of a child (hereinafter – attendant) can accompany a minor in the social rehabilitation institution, if a psychologist or a social worker advises so. During 2010-2013 almost all of the attendants were women – during the four years only three men stayed in the social rehabilitation institution as an attendant of a minor. Most of the attendants are mothers, also siblings, or other relatives or legal representatives of a minor; statistics show that at least 35% of them have suffered from violence committed by the same person that has been violent towards a minor. Although there are no legal provisions that prescribe the social service provider a duty to provide psychosocial support to the attendant, it is done in practice.

In 2009 and 2010 state financed support groups for women who have suffered from domestic violence were organised: 56 women attended support groups in Riga, Cēsis, Rēzekne and Talsi in 2009; 113 women attended support groups in Talsi, Kuldīga, Valmiera, Cēsis, Lielvārde, Dobele, Madona, Balvi, Rēzekne, Daugavpils, Liepēja, and Saldus. Also 15 support group leaders in 2009 were trained. Additionally, a pilot project for developing a model for providing support to persons who have committed violence against a spouse or a partner was initiated in 2011. As a result, several support groups across the country were established and specialists in different regions were trained. The pilot project will continue until the state funded social rehabilitation services will be introduced on 1 January, 2015.

During the first three months of 2014, approx.100 people have already used their rights to ask the courts to take appropriate protection measures against the perpetrator within a civil proceeding; in at least 24 cases the decision on separation was made by the police (the State Police and municipality police) and in 76 cases by the court. In most cases, the court orders prescribe an order for the perpetrator to be removed from the housing, and a prohibition to approach, return to, or stay in a housing which is a permanent residence of the perpetrator or victim. Also, five cases of criminal liability for a malicious unfulfilling of a protection measure ordered by the Court were initiated. The number of orders and activity of victims is evidence that there is a need for such protection measures. In order to implement the legislation on protection measures, significant attention towards training police officers, social workers and health carers and other relevant specialists must be paid.

Since 2005, annual state financed trainings on the issues of domestic violence have been provided to different kinds of professionals, including investigators, judges, police, medical personnel, social workers, employees of educational institutions. Training needs for each group of professionals are being evaluated regularly. Several multidisciplinary trainings were led by international specialists and organised with the assistance of embassies.

To provide trainings for specialists on a regular basis, amendments to the Protection of the Rights of the Child Law were made in 2013 to clearly name 20 groups of different professionals (e.g., police officers, judges, prosecutors, social workers, pedagogues, etc.) that should acquire regular knowledge on the issues of the rights of the child, violence against children and domestic violence. The course on the rights of the child consists of 40 hours of initial training and 24 hours of advanced training every 5 years.

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

A crisis center may be established by local municipality, NGO or other type of providers. Persons’ staying in crisis center is paid from the local municipality’s budget where person lives.

Social protection

Please see also the information provided on pages 182. – 185. in this Report.

In accordance with the Article 3 of the Law on State Social Benefits there are following benefits paid for facilitation of family welfare in the country: family state benefit and benefit for child care; guardian’s benefit for a dependent child; remuneration for the fulfilment of a guardian’s duties; remuneration for the fulfilment of a foster family’s duties; an benefit for the compensation of transport expenses for disabled persons who have difficulties in movement; State social security benefit; remuneration for the care of an adopted child; disabled child care benefit; child birth benefit; remuneration for adoption.

**Family state benefit** (Article 6 of the Law on State Social Benefits)shall be granted to a person raising a child. Benefit shall be granted for each child who: 1) is in the age from one year to 15 years; 2) is older than 15 years, studies in a general education or vocational training institution and has not entered into marriage. In such case an allowance shall be granted for the time period during which a child attends an educational institution and up to, but not after, the day when he or she has reached 19 years of age or entered into marriage. If a child who has been under guardianship has reached 18 years of age, an allowance shall be granted directly to the child who has reached the age of legal majority. An allowance shall not be granted for a child who, in accordance with the number of places financed by the State or municipality, has been admitted to a vocational education programme and receives a scholarship in accordance with the procedures set out in regulatory enactments.

A supplement to the family state benefit shall be granted for a disabled child who has not reached 18 years of age in the amount specified by the Cabinet of Ministers. The right to this supplement for a person raising a disabled child is from the day of granting of the status of a disabled child regardless of the payment of the State family allowance until the disabled child has reached 18 years of age. The amount of benefit is 11,38 EUR per child.

**Child care benefit** (Article 7 of the Law on State Social Benefits)

Till the 20November 2013 in accordance with the Article 7 of the Law on State Social Benefits child care benefit shall be granted to a person taking care for a child:

1) up to one year of age, if this person was not been employed on the day of the granting of the benefit (is not deemed to be an employee or self-employed person in accordance with the Law on State Social Insurance);

2) from one year up to two years of age.

The benefit for child care shall not be granted for the child in relation to the birth of whom a maternity benefit or parent’s benefit has been granted during the same period of time.

In accordance with amendments to the Article 7 of the Law on State Social Benefits adopted by the Parliament on 17 October 2013 on the 20 November 2013 child care benefit shall be granted to a person taking care for a child up to two years of age without any restrictions in relations to employed or self-employed person. The benefit for child care shall not be granted for the child in relation to the birth of whom a maternity benefit or parent’s benefit has been granted during the same period of time.

In turn in accordance with amendments to the Article 7 and Transitional regulation of the Law on State Social Benefits adopted by the Parliament on 11 November 2013 on 1st October 2014 the new system of childcare and parent’s benefit will be introduced and child care benefit will be granted simultaneously with parent’s benefit.

Since January 1, 2013, the amount of childcare benefit:

• for persons who are raising children under 1,5 year of age LVL 100 (142 EUR) per month;

• for persons who are raising children between 1,5 to 2 years of age LVL 30 (42,69 EUR) per month.

The amount of the supplement is:

• to persons who are raising children under 1,5 year of age: LVL 100 (142 EUR) per month for each forthcoming child;

• to persons who are raising children between 1,5 to 2 years of age: LVL 30 (42,69 EUR) per month for each forthcoming child.

On 1st January 2014 amounts of childcare benefit and supplement will be increased to persons who are raising children under 1,5 year from LVL 100 (142 EUR) to LVL 120 (171 EUR).

**Child birth benefit** (Article 8 of the Law on State Social Benefits)

Child birth benefit shall be granted in case of child birth to one of the parents of a child; or to a person who has taken guardianship of the child under one year of age. The right to the child birth benefit arises from the eighth day of the child’s life or from the day of the establishment of guardianship. The amount of child birth benefit is LVL 296 as well as the supplement for every child is paid. In the period until 4 April 2010 - 296 LVL and thesupplement, but after 4 April 2010 only benefit is paid, without supplements. The amount of benefit is 421,17 EUR per child.

**Remuneration for adoption** (Article 8.1 of the Law on State Social Benefits)

Remuneration for adoption shall be granted to an adopter after the coming into effect of the court decision regarding the approval of adoption. Remuneration for adoption shall be disbursed for each adopted child who has been in extra-familial care in the amount specified on the day when the judgment of a court regarding the approval of the adoption entered into effect. The Cabinet of Ministers shall determine the procedures for the granting, disbursement and review of the remuneration for adoption, as well as the amount of the remuneration. The amount of remuneration is 1422,87 EUR.

**Guardian’s benefit for a dependent child** (Article 9 of the Law on State Social Benefits)

An allowance for a dependent child shall be granted to a person who, in accordance with the procedures specified in the Law, has been appointed as guardian. An allowance shall be granted for each child under guardianship. A person has the right to receive this allowance from the day when he/she has been appointed as guardian. If guardianship is cancelled, the disbursement of this allowance shall be terminated from the day of the cancellation of guardianship. An allowance shall not be granted if the reason for the establishment of guardianship, in accordance with the decision of the Orphan’s court, is the working conditions of the parents, due to which they cannot take care of the child. The amount is 45,53 EUR.

**Remuneration for the fulfilment of a guardian’s duties** (Article 10 of the Law on State Social Benefits)

Remuneration for the fulfilment of guardian’s duties shall be granted to a person who, in accordance with the procedures specified by law, has been appointed as guardian. A person has the right to receive this remuneration from the day when he/she has been appointed as guardian. If guardianship is cancelled, the disbursement of this remuneration shall be terminated from the day of the cancellation of guardianship. The amount of remuneration is not dependent on the number of children under guardianship. Remuneration shall not be granted to kin in a direct line, if the reason for the establishment of guardianship, in accordance with the decision of the Orphan’s court is the working conditions of the parents, due to which they cannot take care of the child. The amount is 54,07 EUR.

**Remuneration for the fulfilment of a foster family’s duties** (Article 11of the Law on State Social Benefits)

Remuneration for the fulfilment of foster family duties shall be granted to a family or person who, in accordance with the procedures specified by the Cabinet, has obtained the status of a foster family and in which, in accordance with the decision of Orphan’s court and the agreement entered into by the municipalty and the foster family, a child has been placed for upbringing for a period of time longer than one month. A member (person) of a foster family who has entered into an agreement with a municipality has the right to receive this remuneration from the day on which a child has been placed in a foster family for upbringing. The disbursement of this remuneration shall be terminated when the time period specified in the agreement has expired, as well as if a child’s stay in a foster family is terminated before the time period. Remuneration shall be granted to a foster family regardless of the number of children placed therein for upbringing. The amount is 113,83 EUR.

The government has taken certain steps to alleviate the financial pressure to families with children by introducing certain improvements in the social benefit system, tax incentives, also increasing the availability of child minding services, increasing the minimum wage, amending the social insurance system. In 2013, state social benefits for families with children have been increased: increased financial support for child care up to 1 and a half years of age both for parents who receive the benefit from the state social insurance system and for parents who have not made sufficient social insurance payments until the child is born; the supplement has been increased for twins or several children born in one pregnancy aged 0-18 months.

In accordance with the law on State social benefits (Article 6) a State family allowance shall be granted to a person raising a child. A State family allowance shall be granted for each child who: 1) is in the age from one year to 15 years; 2) is older than 15 years, studies in a general education or vocational training institution and has not entered into marriage. In such case an allowance shall be granted for the time period during which a child attends an educational institution and up to, but not after, the day when he/she has reached 19 years of age or entered into marriage. If a child who has been under guardianship has reached 18 years of age, an allowance shall be granted directly to the child who has reached the age of legal majority. An allowance shall not be granted for a child who, in accordance with the number of places financed by the State or municipality, has been admitted to a vocational education programme and receives a scholarship in accordance with the procedures set out in regulatory enactments.

Till 2 May 2010 the family state benefit was provided for all children from the day of birth. In accordance with amendments adopted by the Parliament on 16 June 2009 to the law “On state social benefits”, for children born after 2 May 2010 the benefit is allocated only after child reaches the age of one.

In the period from 1 July 2009 to 31 December 2014 family state allowance has been defined in constant amount – 11,38 EUR per month for each children in family. In 2012 reposing on the decision of government and informative report “On evaluation of social security norms which should come in force in 2013 -2015” has been approved to continue the temporary payment of the family state benefit in reduced flat rated amount of 8 LVL or 11,38 EUR per month per each children in 2013 and 2014 (Amendments to law on State social benefits, Paragraph 16 of Transitional regulation adopted on 15 November 2012).

In turn on the 1st January 2015 the Article 15 Paragraph 3 of the law on State social benefits will come into force prescribing that the state family allowance for the second child shall be 2 times, for the third and the next children – 3 times more than for the first child in a family. Therefore the differentiation of benefit’s amount in dependence from the number of children in a family and pay benefit in doubled amount for the second child in family and tripled amount for the third and each subsequent child in family will be introduced. Therefore in 2015 the system of family state benefit will be optimized, targeting the support to large families with children.

In order to provide additional support for families caring for children with disabilities with serious functional disorders, and to ensure more wholesome development of such children and safer care at home, the state provides for those families **disabled child care benefit**. The benefit shall be granted to the person caring for the child up to the age of 18 or until the end of term of established disability or the statement for need of special care. The person may receive the benefit even if he/she is working.

Till the 20th November 2013 in accordance with the Article 7 of the Law on State Social Benefits **child care benefit** shall be granted to a person taking care for a child:

1) up to one year of age, if this person was not been employed on the day of the granting of the benefit (is not deemed to be an employee or self-employed person in accordance with the Law on State Social Insurance);

2) from one year up to two years of age.

In accordance with amendments to the Article 7 of the Law on State Social Benefits adopted by the Parliament on 17 October 2013 on the 20 November 2013 **child care benefit** is granted to a person taking care for a child up to two years of age without any restrictions in relations to employed or self-employed person. The benefit for child care shall not be granted for the child in relation to the birth of whom a maternity benefit or parent’s benefit has been granted during the same period of time.

In turn in accordance with amendments to the Article 7 and Transitional regulation of the Law on State Social Benefits adopted by the Parliament on 11 November 2013 on 1st October 2014 the new system of childcare and parent’s benefit was introduced and child care benefit is granted simultaneously with parent’s benefit.

From 1 October 2014 following provisions came into force:

• person could choose length of parental benefit payment – up to 1 year of child age (in amount of 60% from social insurance contribution wage) or up to 1,5 year of child age (in amount of 43,75% from social insurance contribution wage);

• person could receive parental benefit and work at the same time (in amount 30% from granted benefit);

• simultaneously with parental benefit person could receive also child care benefit 171 EUR per month;

• the minimum amount of parental benefit is not applied.

If the child care benefit or parent’s benefit has been granted for twins or more children born during one birth, a supplement shall be granted for each next child in the amount specified by the Cabinet of Ministers.

The childcare benefit and supplement to the care benefit or parent’s benefit is granted in accordance with Regulations of Cabinet of Ministers No.1609 of 22 December 2009 “Regulations regarding the amount of the allowance for child care and supplement to the allowance for child care and parent’s benefit for the birth of twins or more children born during one delivery, its review, granting and disbursement procedure of the allowance and the supplement”.

The amount of childcare benefit in 2009-2012 was:

• for persons who are not employed and who are raising children under 1 year of age LVL 50 (71,14 EUR) per month;

• for persons who are raising children between 1 to 2 years of age LVL 30 (42,69 EUR) per month.

The amount of the supplement:

• to persons who are raising children under 1 year of age: LVL 50 ( 71,14 EUR) per month for each forthcoming child;

• to persons who are raising children between 1 to 2 years of age: LVL 30 (42,69 EUR) per month for each forthcoming child.

Since January 1, 2013, the amount of childcare benefit:

• for persons who are raising children under 1,5 year of age LVL 100 (142 EUR) per month;

• for persons who are raising children between 1,5 to 2 years of age LVL 30 (42,69 EUR) per month.

The amount of the supplement is:

• to persons who are raising children under 1,5 year of age: LVL 100 (142 EUR) per month for each forthcoming child;

• to persons who are raising children between 1,5 to 2 years of age: LVL 30 (42,69 EUR) per month for each forthcoming child.

On 1st January 2014 amounts of childcare benefit and supplement will be increased to persons who are raising children under 1,5 year from LVL 100 ( 142 EUR) to LVL 120 (171 EUR).

**Parent’s benefit** in accordance with the Law On Maternity and Sickness Insurance of 1 January 2008 is paid to persons who are on child care leave or continued to work during child care period (after 3 May 2010 only to persons who are on child care leave) and who are raising children under 1 year of age, if this person has been employed on the day the benefit is granted (is considered to be an employee or self–employed person in accordance with the Law on State Social Insurance). The benefit shall be granted to one of the parents or a person who has taken guardianship of a child.

The amount of parental benefit is 80% of the average insurance contributions wages upon which contributions have been paid during 12 months, but not less than LVL 63 per month. This 12-month period applies from two months before the month of the child's birth. For children born till 2 May 2010, one of the parents who actually works during the children care period is being paid 50% of the allocated parents benefit. For the children born in the period from 3 May 2010, only the parents who during the child care period is on leave for child care and thus do not receive any income from his/her status of an employee or self-employed can receive the parents benefit. For the children born in the period after 2 November 2010 - if the calculated amount of benefit exceeds 11,51 LVL (16,38 EUR) per day, the maximum amount of the payable benefit per day is 11,51 LVL (16,38 EUR) + 50% of the sum over 11,51 LVL (16,38 EUR).Average insurance contribution wage and benefit amount is calculated in accordance with the Regulations of Cabinet of Ministers No.270 of July 28 1998 Average insurance contribution wage calculation procedure and procedure for granting, calculation and payment of state social insurance benefits.

Since 1 January, 2013 until 31 December, 2014 a socially insured person who is on the leave for child care or does not gain income as self-employed person due to taking care of the child receives the parental benefit for child, to the following amount:

1) if the amount of allocated benefit per one calendar day does not exceed 32,85 EUR (including) - in the allocated amount;

2) if the amount of allocated benefit per one calendar day exceeds 32,85 EUR and 50% from the sum of allocated benefit exceeding 32,85 EUR are granted per one calendar day.

If parental benefit is granted for twins or more children born in a single delivery then besides the benefit state grants an additional payment for each additional child.

One of child's parents taking care of the child up to 1,5 year of age receives an additional payment to parental benefit – 142,8 EUR per month for each additional child. One of parents taking care of the child from 1,5 to 2 years of age receives the additional payment in the amount of 42,85 EUR per month for each additional child.

From October 1, 2014 following provisions come into force:

• person could choose length of parental benefit payment – up to 1 year of child age (in amount of 60% from social insurance contribution wage) or up to 1,5 year of child age (in amount of 43,75% from social insurance contribution wage);

• person could receive parental benefit and work at the same time (in amount 30% from granted benefit);

• simultaneously with parental benefit person could receive also child care benefit 171 EUR per month;

• the minimum amount of parental benefit will not be applied.

Also within state budget for 2013 and 2014 the decisions were taken to implement different income support measures for families with children at school age:

* on 1st September 2013 state financed free school meals have been provided for the 1st and 2nd grade pupils, but on 1st September 2014 state financed free school meals have been provided for the 1st and 2nd and 3rd grade and the state earmarked subsidy will be increased form 1,14 till 1,42 EUR per day per one pupil. In the Guidelines of the State Family Policy in 2011-2017 and the relevant Action Plan for its implementation in 2012-2014 the provision of the state financed free school meals also for the 4th grade is prescribed and would be implemented in further period;
* in 2013 the state funding was assigned to ensure the availability of schooling supplies (schooling books) in schools, thus significantly reducing the costs of schooling of child and allowing family to redirect their incomes to cover the more essential expenses of family (total funding in 2014 – 2015 1,4 mill EUR per year for more than 230 000 pupils;
* from the year 2013 for children aged 5 to 18 with disability assistance services in municipalities is available. Steadily the school infrastructure (elevators, classrooms, floors, doors etc.) is being adjusted for the needs of pupils with physical disorders. Also the work of specialists is being improved so that they get more involved in the support of the child with special needs;
* an assistant for the child with disability aged 5 to 18 is provided for 40 hours a week in municipalities to promote efficient inclusion of children with disabilities into education, labour market, day care institution or any other place a child has to reach. It enables children to integrate into society and also for parents to reconcile their work and family life.

Roma rights

Education is the national priority of Roma integration policy, including the support for the Roma NGOs and other NGO to promote educational inclusive activities, providing material support to Roma students for learning aids acquisition, motivational activities for Roma pupils and youth, who want to continue their education. The policy is focused on providing early-education, primary and secondary education to Roma and to motivate Roma parents to send their children in the school and to follow their achievement in the process of education.

During the period 2010 – 2013 there are many activities implemented which provide the important achievement in Roma education within the framework of the state policy of Roma integration and different European programmes. The most significant achievement in last three years is the continuation the practice of involving teacher assistants with Roma background into the mainstream education system as well as other activities to improve education level of Roma.

In the frame of Latvian - Swiss cooperation programme project “School and Community for inclusion of Roma children” (total amount 112 563 EUR) many activities were organised in period 2011-2012 aimed at improving Roma situation in education field, including foster the cooperation between school staff and Roma parents:

(i) The Support centres for parents are established in regional schools (Vlademārpils, Jelgava, Jūrmala, Jēkabpils and Valmiera), to improve involvement of Roma parents into their children’s education process. As well as three auditoriums were established for inclusive classes.

(ii) 120-150 pre-school and school teachers of structures of municipalities are trained for work with Roma children and families. Teachers and educational specialists are also received advisory support to promote provision of inclusive education for Roma children. Pedagogues specialized in work with Roma children are trained to work in multiethnic groups (inc. to foster collaboration with Roma teacher’s assistants).

(iii) The exibition „School un Society to inclusion of Roma children” was organised aiming at fostering the inclusion of Roma children and their family into society and developingintercultural dialogue between Roma community and rest population. During the exhibition six discussions on Roma culture and history in Latvia were organised in several municipalities.

(iv) Based on practice and recommendations of specialists from municipalities, schools and NVO, which they had been obtained during the project, the guidance for action was worked out.

Moreover, in year 2011-2012 seven Roma representatives were employed as teacher assistants in the regional schools and pre-schools through financing support by Latvian - Swiss cooperation programme project, „Soros Fund - Latvia” and several municipalities. Total there were 109 Roma children included in schools’ inclusive classes in 2011/2012 school year.

In order to promote teacher’s intercultural competences the guide “To Integrate Roma pupils” was published in 2012 by NGO “Center for Education Initiatives” and granted by Ministry of Culture.[[8]](#footnote-8) Many informative and practical materials are included in the guide, for example, description of Roma culture features and sensitive tradition practice, pedagogical programmes for work with Roma pupils in the inclusive groups. The material has distributed to schools and other educational structures.

The guidelines for Roma teacher assistants was published in 2012 by NGO “Center for Education Initiatives” supported by The Soros Foundation – Latvia.[[9]](#footnote-9)

In 2013/2014 the project “Different people. Various experiences. One Latvia” is implemented by the Society Integration foundation in the cooperation with the Ministry of Culture in the framework of the European Union Programme for Employment and Social Solidarity PROGRESS 2007 – 2013. There are several activities aimed at raising awareness of Roma and supporting their integration which were implemented during this project.[[10]](#footnote-10) For example, (i) sharing of good practice of Latvia on Roma integration in field of education on international level (partner countries: Sweden and Slovakia); (ii) organising round table discussions at regional level to strengthen Roma integration in field of education (5 discussions were being held); (iii) organising informative campaign on equality issues for general public (special events to promote Roma culture in the society; the commemoration event in memory of the Roma victims of the Holocaust during World War II; publication of informative material about the situation of Roma in Latvia[[11]](#footnote-11)). Roma representatives, including Roma teacher assistants and Roma NGO leaders, as well as governmental experts and local authorities were included in the implementation of all measures for Roma of the project.

It should be specially mentioned the several European Social Fund (thereafter – ESF) projects, which are implemented to provide social rehabilitation activities and services for Roma population, especially children and young people, during period 2011-2013.[[12]](#footnote-12)

In a framework of ESF project “Development and Implementation of Social Rehabilitation Program in the Day Centre for Roma Residing in Jūrmala city” implemented by Healthand Social Care Centre **–** Sloka, 419 Roma persons have received social rehabilitation services in the day centre for Roma. There were many activities included in social rehabilitation services package such as Healthy Life School, Health Care Centre services, Life-skills development workshops, Illiteracy Reduction Program, individual consultation with the experts, cultural, art and sport activities etc.

Here are main outcomes of the project such as:

1. providing opportunity for Roma, who residing in Jūrmala city, to regular visit Day care centre regardless of their gender, age, health condition and social status; Day Care centre’ for Roma activity and services are provided also after the end of the project by the municipality of Jūrmala - Jūrmala city council has allocated 53 418 EUR for this purpose in 2013, and 52 284 EUR in 2014;
2. providing collaboration with the NGO “Latvian Roma Member Association and Supreme Roma Council”, NGO “the Latvian Roma National Culture Society” and with Mežmala Secondary School of Jūrmala city is established and maintained;
3. Jūrmala municipality employed three Roma representatives (as a cleaning person, an event organizer and a sports organizer) for at least the period of two years after the finishing of the project. There are also Roma music band established with support of the Day Care centre specialists.

In Jelgava, the Social Affairs Department of Jelgava City has set up a social rehabilitation service 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.

During this project Roma families were offered the following support measures:

1. support to ensure inclusion of Roma children in the school environment (300 individual consultations were provided to help children in their preparations for the next day learning);
2. advisory specialist support to Roma parents (40 individual consultations and group work with a social worker and psychologist);
3. non-formal classes for Roma pupils with their parents (for instance, woodworking classes) (10 non-formal classes);
4. trainings for Roma families to improve reading, writing, hygiene, self-care and other daily needed skills, as well as professional skills in clothing and shoe repairing, music, gardening and agriculture, arts & crafts (170 trainings);
5. opportunities to apply Roma acquired skills into practice and collaboration with potential employers to get a positive experience in the practice of these skills.[[13]](#footnote-13)

Information about measures (projects) aimed at the improving the situation of Roma since 2011:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Organization** | **Project** | **Period of the project** | **Allocated funds, EUR** | **Programme and area** |
| Health and Social Care Centre **–** Sloka | Development of social rehabilitation programs and implementation in the Day care centre for Roma people in Jurmala city (419 Roma were involved in the project).  After the project the Day care centre for Roma are financed by Jurmala city council. | 01.04.2011.- 31.03.2013. | 142 450 | ESF sub-activity „Development of social rehabilitation and community-based social care services in regions”; health and social care, employment |
| Social Affairs Department of Jelgava City | Social rehabilitation program for Roma families with preschool or school-age children living in Jelgava” (60 Roma are involved in the project) | 01.01.2012.-31.12.2013. | 112 150 | ESF sub-activity „Development of social rehabilitation and community-based social care services in regions”;  health and social care, education |
| LLC „Corporate Services” in cooperation with Ventspils secondary evening school | Set of Alternative social rehabilitation services and support services for children and young people, including Roma in Ventspils secondary evening school (200 persons, including Roma were involved in the project; 86 Roma were involved in the project)  (Roma is only one of the target groups of the project) | 01.04.2011.-  30.09.2012. | 142 450 | ESF sub-activity „Development of social rehabilitation and community-based social care services in regions”;  health and social care, education |
| Latvian Red Cross | Set of social rehabilitation services of Latvian Red Cross in the Centre of hygiene in Jurmala (87 Roma are involved in the project)(Roma is only one of the target groups of the project) | 02.01.2012.- 31.12.2013. | 142 450 | ESF sub-activity „Development of social rehabilitation and community-based social care services in regions”  health and social care |
| Society Integration foundation | Several activities of the project aimed at sharing of good practice of Latvia on Roma integration in field of education on international level; as well as the round table discussions to strengthen Roma integration in field of education, within the framework of the project “Different people, various experiences, one Latvia” (Roma is only one of the target groups of the project) | 01.08.2013.-30.07.2014. | 304 117,56 | Programme for Employment and Social Solidarity PROGRESS 2007 – 2013; Section 4“Anti-discrimination and diversity”;  education; anti-discrimination |
| Organization “Me Roma” | Youth Summer School “Let's loud and ding all around” | 01.03.2012.-31.08.2012. | 5 026 | EU Programme “Youth in Action” for young people aged 13-30;  education, anti-discrimination |
| Organization „ROMANE ČHAVE” | Integration of Roma young people in society | 01.05.2011.-31.10.2011. | 6 006 | EU Programme “Youth in Action” for young people aged 13-30;  anti-discrimination |
| Roma NGO „Nēvo Drom D” | We are so different, but are together! | 01.09.2011.-31.01.2012. | 3 430 | EU Programme “Youth in Action” for young people aged 13-30;  education, anti-discrimination |
| Informal group “Viļaka’s Youth” | Get to know the Roma culture! | 01.07.2011-30.11.2011. | 9 047 | EU Programme “Youth in Action” for young people aged 13-30;  education, anti-discrimination |
| Roma NGO “Nēvo Drom D” | The Challenges for the social and economic integration of Roma in Daugavpils district | 01.01.2013.-30.09.2013. | 1 424,5 | Call for project proposal „Support for fostering the participation of Roma community” by Ministry of Culture;  regional cooperation; anti-discrimination |
| The Roma Cultural Centre | The Course of five practical seminars for Romu representatives in 5 Latvian cities” aimed at fostering the participation of Roma community, ensuring the cooperation between Roma and public administration (municipalities and other stakeholders). | 01.01.2013.-30.09.2013. | 3 561,25 | Call for project proposal „Support for fostering the participation of Roma community” by Ministry of Culture;  employment; anti-discrimination |
| Centre for Education Initiatives | “Laču Dives, draugi!” - the guide “To Integrate Roma pupils” to promote teacher’s intercultural competences | 01.01.2012.-31.08.2012. | 3 775 | Call for project proposal „Integration measures 2011” by Ministry of Culture;  education, anti-discrimination |
| Traditional Culture Society „Mantojums”” in cooperation with Elementary school of Ladezers City, Ventspils Evening School | To become friends working together (Roma is only one of the target groups of the project) | 17.08.2012. - 20.11.2012. | 10 531,5 | The Programme of Latvian NGO fund for cohesion of society „Programme of Extracurricular activities”;  education, anti-discrimination |
| The Roma Cultural Centre | Project “Learn more aboutLatvian Roma - brake the stereotypes and open for joint dialogue”.  Main activities: 1) Measures focused on young people and on human rights and intercultural dialogue threads;  2) Measures are aimed at the general public, educating the Roma Holocaust of World War II, raising the question in Latvian context. | 01.08.2013. - 31.12.2015. | 42 500 | EEA Financial Mechanism 2009-2014; Grants programme “NGO fund”;  education, anti-discrimination |
| Roma NGO “Nēvo Drom D” | „Step by step” the program of the competitiveness for Roma children and Roma young people.  Formal and non-formal education activities for Roma children. | 01.08.2013. - 31.07.2014. | 15 150 | EEA Financial Mechanism 2009-2014; Grants programme “NGO fund”;  education |
| Centre for Education Initiatives in cooperation with Roma NGO “Alternativas” | Project “Integration incubator to support Roma children and youth”. Training on diversity management and non-discrimination in education, training of Roma mediators and action, instalment of resource centres for Roma children, implementation of innovative inter-cultural events, development of informative support materials, consultations of professionals and development of NGO cooperation network, etc. | 01.10.2013. – 30.09.2015. | 97 039 | EEA Financial Mechanism 2009-2014; Grants programme “NGO fund”; education, anti-discrimination |
| Organization “Me Roma” | Project ”I – Latvian roma”. Main activities:Roma and Latvian culture and history evenings, Latvian and roma language training, workshops and Latvian roma crafts exploring cross-cultural events, concerts and roma and Latvian celebrations, shooting a film about the project activities implemented. | 01.10.2013. - 30.09.2014. | 17 276,40 | EEA Financial Mechanism 2009-2014; Grants programme “NGO fund”;  education, anti-discrimination |
| Centre for Education Initiatives | Project “School and Community for inclusion of Roma children”. Measures aimed at improving Roma situation in education field, including foster the cooperation between school staff and Roma parents, for example, establishing support centres in regional schools to improve involvement of Roma parents into their children’s education process. | 01.01.2011. - 30.06.2012. | 112 243,5 | Latvian - Swiss cooperation programme “NGO fund”;  education, employment, regional cooperation; |

Data source: The Ministry of Culture, 2014

There are active consultations provided to the representatives of Roma NGO by experts of the Ministry of Culture to improve their capacity and skill to work out and implement the project. During 2010-2013 cooperation between the Roma NGO, non-Roma and municipality’ organizations are becoming much fruitful, as well as the number of Roma NGO project is increased. The quality of these projects is tended to improve.

Latvia has no specific measures targeted on Roma aimed at the inclusion in housing field, but Roma is included in mainstreaming measures as one of target group. At the same time the issues of housing are included in set of policy measures. For instance, the measure “Support measures in solving apartment matters for Roma families” is planned to be implemented in next period. But the implementation of this measure is depend on the results of quantitative survey “The situation of Roma in Latvia: their access to education, employment, healthcare and housing”, which is planned to be conducted in 2015.

According to the Article 91 of the Constitution of the Republic of Latvia all human beings in Latvia shall be equal before the law and the courts and human rights shall be realised without discrimination of any kind, consequently, discrimination on the basis of ethnicity is prohibited also in housing policy sector. Laws and regulations on housing policy do not provide a distinction between individuals based on their ethnicity.

For instance, Roma have the right to apply for assistance in solving apartment matters in the general procedure. According to the Article 15, Point 9 of the law “On Local Governments” one of the autonomous functions of municipalities is to provide assistance to residents in resolving issues regarding housing. The Law on Assistance in Solving Apartment Matters prescribes which persons have the right to receive assistance in solving residential space matters, as well as the procedures by which the assistance is provided for inhabitants in solving apartment matters.

The Article 2 and the Paragraph 1 Article 4 of the Law on Assistance in Solving Apartment Matters provides the categories of persons who have the right to receive the assistance in solving apartment matters - persons who have declared the place of his/her residence in the respective administrative territory (except the cases referred to Law) and who have been recognised as entitled to receive assistance by a decision of a municipality council or a delegated institution thereof in accordance with the provisions of this Law and the binding regulations of the municipality council, for example:

(i) Persons to whom assistance shall be provided in accordance with the Law on Residential Tenancy in cases if they are evicted from a rented residential space and if they are: low-income persons, who have reached retirement age or who are disabled; low-income persons, who live with and in whose care is at least one underage child, a person under guardianship; other persons living in the territory of a municipality, who belong to the category of persons specified by the municipality council to whom a municipality provides assistance if they are evicted from the rented residential space;

(ii) Politically repressed persons;

(iii) Orphans and children left without parental care and brought up in a child care and instructional institution;

(iv) Low-income persons who have been released from prison after serving their sentence;

(v) Other persons specified by the binding regulations of the municipality council.

Taking into account the above mentioned information it can be concluded that the Law on Assistance in Solving Apartment Matters provides that the municipality support in solving apartment matters is available for all persons who have declared the place of his/her residence in the respective administrative territory and who according to the Law on Assistance in Solving Apartment Matters and binding regulations of the municipality council have the right to receive assistance in solving apartment matters. The assistance is provided irrespective of ethnic origin, therefore the Roma have equal rights with others to receive the assistance in solving apartment matters.

In 2011 the Roma origin specialist of judicial issues has started to work in the Ombudsman’s office, providing legal consultation to representatives of the Roma community on issues related human rights, social protection and prohibition of discrimination.

There are several regional meetings with Roma community are organised by the Ombudsman’s office aimed at development cooperation between Roma community and Ombudsman, as well as monitoring the situation of Roma regarding protection of human and social rights. The Cooperation memorandum on the elimination of discrimination of the Roma is signed between the Ombudsman and the International Roma Union’s commissioner in 2011 aimed at strengthening the cooperation to promote Roma rights and social inclusion, and at the same time to preserve Roma tradition and culture.

**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.14**

**Marriages registered in Latvia in the time period from the year 2006 to the year 2014**

|  |  |
| --- | --- |
| **Year** | **Number of registered marriages** |
| 1st half of 2014 | 4319 |
| 2013 | 11436 |
| 2012 | 11244 |
| 2011 | 10760 |
| 2010 | 9290 |
| 2009 | 9925 |
| 2008 | 12946 |
| 2007 | 15486 |
| 2006 | 14616 |

Data source: Central Statistical Bureau

**Table No.15**

**Claims for dissolution of the marriage (at the court of first instance) in the time period from the year 2010 to the year 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | Number of received cases | Cases finished in first instance court | Case received in the appellation court | Case finished in the appellation court |
| 2010 | 5221 | 5475 | 150 | 142 |
| 2011 | 2802 | 3507 | 170 | 172 |
| 2012 | 2368 | 2636 | 181 | 181 |
| 2013 | 2074 | 2287 | 163 | 168 |

Data source: Central Statistical Bureau

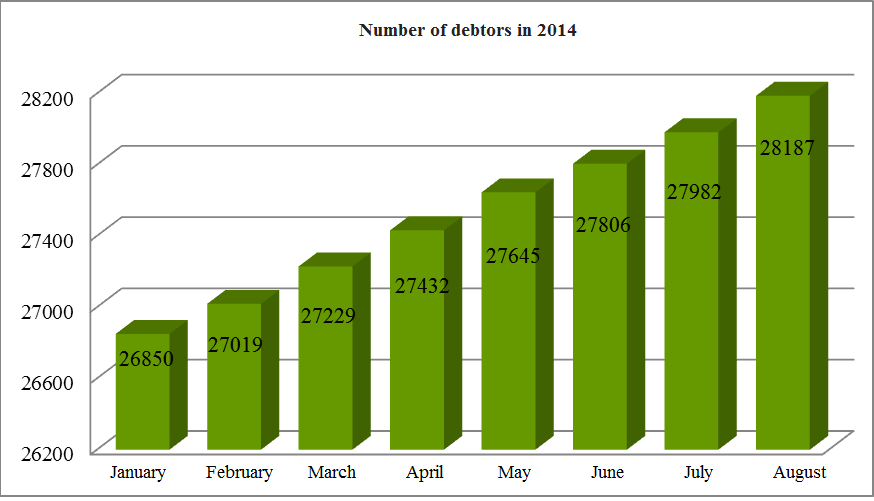
**Table No.16**

**Claims for acknowledging the marriage to be invalid in the time period from the year 2010 to the year 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | Number of received cases | Cases finished in first instance court | Case received in the appellation court | Case finished in the appellation court |
| 2010 | 8 | 5 | 1 | 2 |
| 2011 | 3 | 4 | 0 | 0 |
| 2012 | 7 | 7 | 0 | 0 |
| 2013 | 7 | 6 | 1 | 1 |

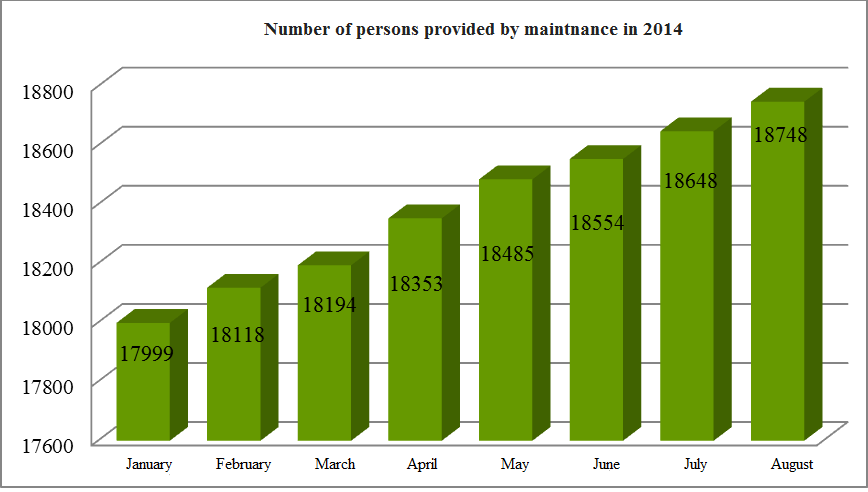
Data source: Central Statistical Bureau

**Table No.17**

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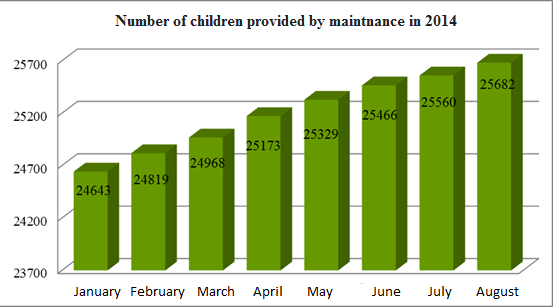
Data source: Maintenance Guarantee Fund

**Table No.18**

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Data source: Maintenance Guarantee Fund

**Table No.19**

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Data source: Maintenance Guarantee Fund

**Table No.20**

**Amount of Households in Latvia (in thousands)**

|  |  |
| --- | --- |
| 2006 | 879.5 |
| 2007 | 872.0 |
| 2008 | 868.7 |
| 2009 | 857.2 |
| 2010 | 837.1 |
| 2011 | 825.6 |
| 2012 | 817.0 |
| 2013 | 822.0 |

Data source: Central Statistical Bureau

**Table No.21**

**Average size of a household (in persons)**

|  |  |
| --- | --- |
| Year | Average number of  member |
| 2006 | 2.50 |
| 2007 | 2.50 |
| 2008 | 2.49 |
| 2009 | 2.49 |
| 2010 | 2.50 |
| 2011 | 2.48 |
| 2012 | 2.47 |
| 2013 | 2.43 |

Data source: Central Statistical Bureau

**Table No.22**

**Composition and structure of household consumption expenditure**

**by socio-economic group in 2010**

(average per household member per month)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2010 | | | | | | | |
| EUR | | | | % | | | |
| Wage and salary earners | Self-employed | Pensioners | Other | Wage and salary earners | Self-employed | Pensioners | Other |
| **Total** | **260.54** | **294.22** | **215.69** | **189.26** | **100** | **100** | **100** | **100** |
| Food and non-alcoholic beverages | 70.01 | 73.73 | 76.42 | 57.97 | 26.9 | 25.1 | 35.4 | 30.6 |
| Alcoholic beverages, tobacco | 9.13 | 10.00 | 6.49 | 8.00 | 3.5 | 3.4 | 3.0 | 4.2 |
| Clothing and footwear | 16.23 | 25.90 | 7.07 | 10.09 | 6.2 | 8.8 | 3.3 | 5.3 |
| Housing, water, electricity, gas and other fuels | 40.01 | 36.72 | 44.85 | 39.71 | 15.4 | 12.5 | 20.8 | 21.0 |
| Furnishings, household equipment and routine household maintenance | 11.55 | 13.79 | 7.66 | 4.33 | 4.4 | 4.7 | 3.5 | 2.3 |
| Health | 11.90 | 10.09 | 26.48 | 6.57 | 4.6 | 3.4 | 12.3 | 3.5 |
| Transport | 35.70 | 38.22 | 13.06 | 18.40 | 13.7 | 13.0 | 6.1 | 9.7 |
| Communications | 13.35 | 14.50 | 9.65 | 10.52 | 5.1 | 4.9 | 4.5 | 5.6 |
| Recreation and culture | 18.55 | 24.07 | 14.02 | 14.50 | 7.1 | 8.2 | 6.5 | 7.7 |
| Education | 5.85 | 5.93 | 0.78 | 2.99 | 2.2 | 2.0 | 0.4 | 1.6 |
| Restaurants, cafes and hotels | 11.70 | 20.75 | 2.08 | 7.24 | 4.5 | 7.1 | 1.0 | 3.8 |

Data source: Central Statistical Bureau, Household Budget Survey

**Table No.23**

**Composition and structure of household consumption expenditure**

**by socio-economic group in 2011**

(average per household member per month)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2011 | | | | | | | |
| EUR | | | | % | | | |
| Wage and salary earners | Self-employed | Pensioners | Other | Wage and salary earners | Self-employed | Pensioners | Other |
| **Total** | **274.93** | **303.44** | **236.50** | **184.53** | **100** | **100** | **100** | **100** |
| Food and non-alcoholic beverages | 74.26 | 79.97 | 85.46 | 60.10 | 27.0 | 26.4 | 36.1 | 32.6 |
| Alcoholic beverages, tobacco | 9.92 | 8.91 | 7.04 | 9.63 | 3.6 | 2.9 | 3.0 | 5.2 |
| Clothing and footwear | 16.63 | 17.54 | 7.97 | 8.84 | 6.1 | 5.8 | 3.4 | 4.8 |
| Housing, water, electricity, gas and other fuels | 43.23 | 41.33 | 50.11 | 38.08 | 15.7 | 13.6 | 21.2 | 20.6 |
| Furnishings, household equipment and routine household maintenance | 11.80 | 13.49 | 7.90 | 5.22 | 4.3 | 4.4 | 3.3 | 2.8 |
| Health | 12.39 | 13.74 | 30.48 | 4.84 | 4.5 | 4.5 | 12.9 | 2.6 |
| Transport | 36.92 | 51.86 | 14.41 | 19.86 | 13.4 | 17.1 | 6.1 | 10.8 |
| Communications | 13.84 | 14.47 | 10.42 | 9.38 | 5.0 | 4.8 | 4.4 | 5.1 |
| Recreation and culture | 19.44 | 23.65 | 12.08 | 8.59 | 7.1 | 7.8 | 5.1 | 4.7 |
| Education | 5.07 | 5.12 | 0.77 | 3.47 | 1.8 | 1.7 | 0.3 | 1.9 |
| Restaurants, cafes and hotels | 14.11 | 16.09 | 2.76 | 6.22 | 5.1 | 5.3 | 1.2 | 3.4 |

Data source: Central Statistical Bureau, Household Budget Survey

**Table No.24**

**Composition and structure of household consumption expenditure**

**by socio-economic group in 2012**

(average per household member per month)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2012 | | | | | | | |
| EUR | | | | % | | | |
| Wage and salary earners | Self-employed | Pensioners | Other | Wage and salary earners | Self-employed | Pensioners | Other |
| **Total** | **286.42** | **370.57** | **240.17** | **206.93** | **100** | **100** | **100** | **100** |
| Food and non-alcoholic beverages | 75.81 | 93.01 | 85.43 | 64.14 | 26.5 | 25.1 | 35.6 | 31.0 |
| Alcoholic beverages, tobacco | 9.55 | 12.75 | 6.92 | 8.18 | 3.3 | 3.4 | 2.9 | 4.0 |
| Clothing and footwear | 15.75 | 22.21 | 7.10 | 12.61 | 5.5 | 6.0 | 3.0 | 6.1 |
| Housing, water, electricity, gas and other fuels | 46.06 | 46.66 | 52.50 | 45.01 | 16.1 | 12.6 | 21.9 | 21.8 |
| Furnishings, household equipment and routine household maintenance | 12.46 | 14.51 | 8.18 | 7.09 | 4.4 | 3.9 | 3.4 | 3.4 |
| Health | 13.69 | 15.18 | 29.48 | 6.33 | 4.8 | 4.1 | 12.3 | 3.1 |
| Transport | 44.01 | 73.43 | 14.80 | 15.42 | 15.4 | 19.8 | 6.2 | 7.5 |
| Communications | 14.00 | 14.26 | 10.70 | 9.50 | 4.9 | 3.8 | 4.4 | 4.6 |
| Recreation and culture | 19.55 | 27.39 | 13.55 | 12.61 | 6.8 | 7.4 | 5.6 | 6.1 |
| Education | 5.29 | 8.21 | 0.43 | 6.09 | 1.8 | 2.2 | 0.2 | 2.9 |
| Restaurants, cafes and hotels | 14.16 | 24.84 | 2.83 | 9.83 | 4.9 | 6.7 | 1.2 | 4.7 |

Data source: Central Statistical Bureau, Household Budget Survey

**Table No.25**

**Composition and structure of household consumption expenditure**

**by socio-economic group in 2013[[14]](#footnote-14)**

(average per household member per month)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2013 | | | | | | | |
| EUR | | | | % | | | |
| Wage and salary earners | Self-employed | Pensioners | Other | Wage and salary earners | Self-employed | Pensioners | Other |
| **Total** | **306.61** | **368.09** | **256.60** | **233.57** | **100** | **100** | **100** | **100** |
| Food and non-alcoholic beverages | 81.32 | 100.36 | 91.30 | 69.01 | 26.5 | 27.3 | 35.6 | 29.5 |
| Alcoholic beverages, tobacco | 10.81 | 12.41 | 6.19 | 8.86 | 3.5 | 3.4 | 2.4 | 3.8 |
| Clothing and footwear | 19.06 | 24.35 | 8.06 | 20.81 | 6.2 | 6.6 | 3.1 | 8.9 |
| Housing, water, electricity, gas and other fuels | 47.85 | 48.24 | 55.56 | 51.57 | 15.6 | 13.1 | 21.7 | 22.1 |
| Furnishings, household equipment and routine household maintenance | 13.63 | 15.75 | 9.21 | 4.28 | 4.4 | 4.3 | 3.6 | 1.8 |
| Health | 14.76 | 13.38 | 34.64 | 10.78 | 4.8 | 3.6 | 13.5 | 4.6 |
| Transport | 44.26 | 61.78 | 14.81 | 23.83 | 14.4 | 16.8 | 5.8 | 10.2 |
| Communications | 13.47 | 14.08 | 9.88 | 8.82 | 4.4 | 3.8 | 3.8 | 3.8 |
| Recreation and culture | 22.39 | 29.12 | 14.92 | 8.88 | 7.3 | 7.9 | 5.8 | 3.8 |
| Education | 4.89 | 8.30 | 0.40 | 4.44 | 1.6 | 2.3 | 0.2 | 1.9 |
| Restaurants, cafes and hotels | 15.26 | 21.46 | 2.46 | 8.77 | 5.0 | 5.8 | 1.0 | 3.8 |

Data source: Central Statistical Bureau, Household Budget Survey

**Table No.26**

**Consumption expenditure by number of children in household**

(average per household member per month, EUR)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013**[[15]](#footnote-15)** |
| Households with 1 child | 232.81 | 261.71 | 271.34 | 285.83 |
| Households with 2 children | 198.42 | 197.42 | 211.57 | 250.49 |
| Households with 3 and more children | 153.07 | 158.05 | 160.4 | 161.76 |
| Households without children | 281.71 | 298.5 | 316.12 | 335.21 |

**Table No.27**

**Consumption expenditure by household type**

(average per household member per month, EUR)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 20132 |
| One person | 343.95 | 363.52 | 381.23 | 391.99 |
| One adult with children | 231.16 | 252.36 | 237.82 | 278.81 |
| Couple without children | 310.44 | 330.99 | 363.71 | 384.75 |
| Couple with children | 231.15 | 256.10 | 260.73 | 288.09 |
| Other households with children | 186.24 | 186.28 | 207.60 | 215.10 |
| Other households without children | 237.78 | 247.55 | 255.48 | 277.72 |

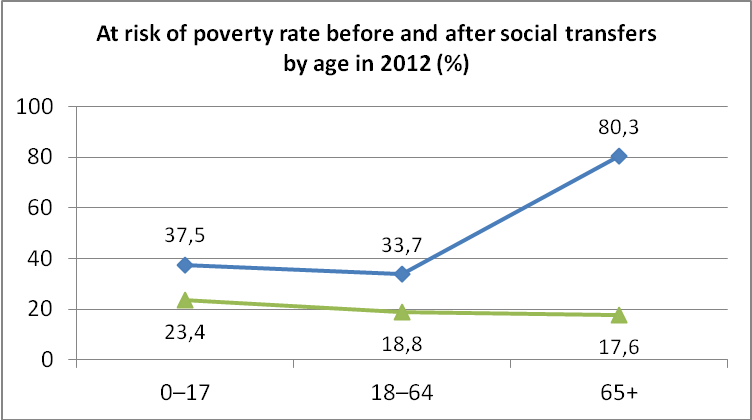
**Table No.28**

**Poverty risk index by household type**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| All households without children | 24.8 | 26.2 | 33.3 | 31.8 | 18.9 | 16.5 | 17.5 | 18.4 |
| 1 person  households | 55.5 | 56.7 | 61.4 | 59.1 | 32.5 | 20.5 | 27.6 | 31.3 |
| 2 adults without  children (both  younger than  65) | 21.6 | 18.7 | 18.7 | 18.2 | 17.3 | 20.2 | 18.8 | 18.7 |
| All households  with children | 22.5 | 17.4 | 20.1 | 21.8 | 22.6 | 21.2 | 20.7 | 20.1 |
| One-parent  household with  at least 1 children | 43.8 | 37 | 37.1 | 38.7 | 39 | 37.6 | 41.5 | 38.3 |
| 2 adults with 1  child | 16.7 | 15.3 | 13.8 | 14.8 | 17.4 | 17.5 | 16.8 | 14.3 |
| 2 adults with 2  children | 20.3 | 13.4 | 22.5 | 23.6 | 18.4 | 17.9 | 18.7 | 16 |
| 2 adults with 3  children | 56.2 | 39.7 | 33.9 | 41.2 | 37.6 | 37.1 | 35.9 | 32.6 |
| 3 or more adults | 11.6 | 10.4 | 12.3 | 14.4 | 13.5 | 13.7 | 10.6 | 9.2 |
| 3 or more adults  with children | 16.5 | 12.6 | 16.5 | 17 | 20.4 | 16.6 | 14.5 | 17.9 |

Data source: Central Statistical Bureau

**Table No.29**



Data source: Central Statistical Bureau

**Table No.30**

**Personal income tax, basic personal allowance and tax allowance for dependent person in 2010-2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| **Personal income tax rate** | 26% | **25%** | 25% | **24%** |
| Basic allowance, *EUR per month*  *(LVL per month)* | 49,80 (35) | **64,03 (45)** | 64,03 (45) | 64,03 (45) |
| Allowance for dependents, *EUR per month*  *(LVL per month)* | 89,64 (63) | **99,60 (70)** | 99,60 (70) | 99,60  from 01.07.2013 |
| **113,83 (80)** |

Data Source: Ministry of Finance of the Republic of Latvia

Changes of non-taxable minimum and tax allowance for dependent person are illustrated in diagram below.

**Table No.31**

**Basic personal allowance and tax allowance for dependent person, 2010-2013**

Data Source: Ministry of Finance of the Republic of Latvia

**Table No.32**

**Tax allowance for dependent person in 2010-2013**

|  |  |  |
| --- | --- | --- |
| Year | Number of recipients | Tax allowance, EUR |
| 2010 | 256 049 | 324 164 661,45 |
| 2011 | 250 552 | 347 798 585,49 |
| 2012 | 242 090 | 335 654 799,48 |
| 2013 | 233 936 | 340 829 685,73 |

Data source: The State Revenue Service of the Republic of Latvia

**Table No.33**

**Vehicle Operation Tax Relief a person who has three or more minors as dependents in 2011-2013**

|  |  |  |
| --- | --- | --- |
| **Year** | **Number of recipients** | **Tax Relief, EUR\*** |
| **2011** | 9 239 | 209 683,19 |
| **2012** | 9 369 | 217 421,72 |
| **2013** | 10 063 | 233 949,25 |

\*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 of the Republic of Latvia

**Table No.34**

**Crisis centres**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Year | | 2010 | 2011 | 2012 | 2013 |
| Number of crisis centres in the end of year | | 11 | 15 | 12 | 13 |
| Number of clients | total | 1079 | 1098 | 1267 | 1442 |
| adult women | 211 | 205 | 260 | 320 |
| children ( under age of 18) | 840 | 863 | 978 | 1074 |

Data source: Yearly Statistical reports of Municipal social offices

**Table No.35**

**Benefits for facilitation of family welfare in the country**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| Family State benefit |  |  |  |  |  |  |
| Total expenditure for family State benefit (LVL) | 44 514 882 | 40178428 | 34 906 490 | 31 969 832 | 30 632 061 | 30 335 674 |
| % from GDP | 0.3% | 0.3% | 0.3% | 0.2% | 0.2% | 0.2% |
| Supplement to family State benefit |  |  |  |  |  |  |
| Expenditure of supplement to family State benefit (LVL) | 4 557 777 | 6 711 853 | 6 654 422 | 6 563 002 | 6 567 255 | 6 693 553 |
| % from GDP | 0.03% | 0.05% | 0.05% | 0.05% | 0.04% | 0.04% |
| Child care benefit |  |  |  |  |  |  |
| Total expenditure for child care benefit (LVL) | 11 430 158 | 11 074 070 | 11 281 469 | 11 000 432 | 10 515 145 | 22 521 167 |
| % from GDP | 0.07% | 0.08% | 0.09% | 0.08% | 0.07% | 0.14% |
| Parent’s benefit |  |  |  |  |  |  |
| Total expenditure for parent’s benefit (LVL) | 66 718 553 | 76 196 667 | 56 911 831 | 37 637 184 | 33 019 861 | 43 070 191 |
| % from GDP | 0.4% | 0.6% | 0.4% | 0.3% | 0.2% | 0.3% |
| Child birth benefit (together with supplements) |  |  |  |  |  |  |
| Expenditure on 1 benefit recipient per month (LVL) | 429.46 | 431.01 | 347.23 | 296.00 | 296.10 | 296.00 |

**Table No.36**

**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 |
| 2010/2011 | 529 | 73294 | 62 | 2685 |
| 2011/2012 | 527 | 74486 | 78 | 3309 |
| 2012/2013 | 526 | 75381 | 79 | 4003 |

Data source: Central Statistical Bureau

**Table No.37**

**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 |
| 2010/2011 | 370 | 11713 | 13 | 534 |
| 2011/2012 | 386 | 12482 | 14 | 582 |
| 2012/2013 | 387 | 13249 | 14 | 660 |

Data source: Central Statistical Bureau

**Table No.38**

Data source: Central Statistical Bureau

**Table No.39**

Data source: Central Statistical Bureau

**Table No.40**

**The number of institutions what were carrying out pre-school education programmes**

Data source: Central Statistical Bureau

**Table No.41**

**The number of interest related educational institutions in period 2010-2013 and the number of students in interest related educational institutions, including children with special needs, are as follows:**

|  |  |  |  |
| --- | --- | --- | --- |
| Academic year | Number of interest related educational institutions | Number of students in interest related educational institutions | Including children with special needs |
| 2012/2013 | 75 | 63246 | 618 |
| 2011/2012 | 80 | 62914 | 947 |
| 2010/2011 | 77 | 60100 | 651 |

Data source: Central Statistical Bureau

Child care facilities

In 2012-2013 municipalities consequently implemented many measures in order to increase the enrolment of children in formal child care system:

* investments in pre-school educational groups organizing in basic and secondary education schools;
* building the new kindergartens within EU structural funds financing;
* optimizing cooperation between municipalities and private kindergartens, increasing municipalities’ co-financing or purchasing places for children, which are in waiting lists.

Ķekava municipality in 2012 created a nannies’ data base and organized training courses for nannies for children from the age of one and a half who have not been provided with places in pre-school educational institutions of the municipality, support if provided by the municipality to finance the nanny’s service. The amount of the municipality’s financial support is 118,70 LVL (170 EUR per month) for 160 hours of work performed by the nanny. The support provided for the child’s parents is provided if: the child or one of the parents is declared in the administrative territory of the municipality of Ķekava; the child has been registered in the waiting list for a place in municipality’s pre-school education institutions; a contract has been concluded between the parents and the nanny. In order to receive such support the parents shall have to choose a nanny from the municipality’s data base of nannies.

On September 1st, 2013 the Latvian government started the pilot project to provide financial support for parents who need child care support for their children aged 1,5 to 4 years who are not benefiting from public childcare (\*as from 5 years on municipalities have a legal obligation to provide primary education to children).

The purposeful financing is provided for three years – till the end of 2015 in order to solve the problem of long waiting lists for public kindergarten registration and help parents to return to work at the same time providing safe conditions for the child. The co-funding of the state and the co-funding paid by the municipality to the child summed together should be able to decrease parents’ expenditures for attendance of private kindergarten or child-minders service.

The monthly amount of the state support for full time service is up to or 142,3 EUR with meeting the condition that total of state and municipal support (most municipalities already provide some support towards addressing such situations) per one child does not exceed:

- 228 EUR in Riga planning region;

- 185 EUR \*amounts based on average costs of child care services.

State support (cash transfer) will be provided to private service providers that are registered within the Education Register (private kindergartens) or Child Supervision Services Providers Registry (nannies, child care centres and other forms of child care, except private kindergartens) providing full-time service (at least 8 hours per working day).

In order to get state support parents have to sign a written contract with the provider. Parents have to inform the respective municipality of the place of residence of the child about the fact that the child is benefitting from such private services. Municipalities and providers have to inform about services provided the Ministry of Education and Science by the 5th day of each month; the respective payments will be made to the providers within 10 days.

**Table No.42**

**The number of receivers of the state support in September, November and December 2013**

**Table No.43**

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

|  |  |
| --- | --- |
| Year | Number of children |
| 2006 | 427396 |
| 2007 | 412467 |
| 2008 | 400184 |
| 2009 | 388449 |
| 2010 | 375015 |
| 2011 | 360216 |
| 2012 | 351552 |
| 2013 | 347018 |
| 2014 | 345837 |

Data source: Central Statistical Bureau

**Table No.44**

**Number of births**

|  |  |
| --- | --- |
| Year | per 1000 inhabitants |
| 2006 | 10.3 |
| 2007 | 10.9 |
| 2008 | 11.2 |
| 2009 | 10.3 |
| 2010 | 9.4 |
| 2011 | 9.1 |
| 2012 | 9.8 |
| 2013 | 10.2 |

Data source: Central Statistical Bureau

**Table No.45**

**Families where the child’s development and rearing is insufficiently**

**provided**

**(families on whom Orphan’s courts have reported to local governments’**

**social service boards or other responsible institutions)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | 2010 | 2011 | 2012 | 2013 |
| Number of families | 2237 | 2061 | 2018 | 1872 |
| Number of children in  these families | 3851 | 3661 | 3494 | 3238 |

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

An Orphan's court shall inform a social service office of the municipality or other responsible institutions regarding the families, in which the development and upbringing of a child is not ensured sufficiently and which need assistance (Paragraph 5 Article 17 of Law On Orphan’s Courts).

**Table No.46**

**Families expelled from their places of residence with minors**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 |
| Number of verdicts on expelling in which together with defendant also minors should be expelled | 74 | 58 | 68 | 48 |

Data source: Central Statistical Bureau

**Table No.47**

**Residential spaces and social apartments rented out by municipalities**

**(2010 – 2013)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| Number of persons renting municipality-owned or leased residential spaces on an immediate basis | 118 | 123 | 183 | 157 |
| Number of persons renting municipality-owned or leased residential spaces on a first basis | 1474 | 2830 | 1343 | 2308 |
| Number of persons renting municipality-owned or leased residential spaces under a general procedure | 1813 | 2101 | 1762 | 1691 |
| Number of persons renting social apartments | 1658 | 1821 | 5151 | 4929 |
| Number of children living in social apartments | 1437 | 1593 | 1365 | 1340 |
| Number of children with disabilities out of the total number of children living in social apartments | 74 | 88 | 112 | 71 |

Data source: Ministry of Economics

**Table No.48**

**Number of persons renting municipality-owned or leased residential spaces**

**(2010-2013)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| Low-income persons who live with and in whose care is at least one minor child that have been provided with assistance in the event of being evicted from a rented residential space | 64 | 71 | 149 | 136 |
| Low-income persons who live with and in whose care is at least one minor child that have been evicted from their own apartment if the apartment property is burdened with debt as a result of payments for services | 23 | 30 | 22 | 33 |

Data source: Ministry of Economics

**Table No.49**

**Allowance to cover payment for residential tenancy and payment for services associated with usage of the residential space, 2010 – 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| 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 | 89826 | 95398 | 86006 | 82643 |
| The total amount of benefits (EUR) | 8 462 594 | 8 946 326 | 9 482 312 | 8 455 952 |

Data source: Ministry of Economics

Since 2012 The Ministry of Culture regularly monitors the situation and elaborates Annual Informative Report on the implementation of the Roma integration policy at the national level. The information such as statistical data, a description and outcomes of initiatives and activities, as well as future planning measures which are accumulated in the report, is provided by co-responsible governmental institutions, local authorities and NGO. The previous report was published and presented at the Council meeting in April 2014.

The results of the survey “Roma Rights to Education: Implementing Situation in Latvia” (2011) conducted by the NGO “Center for Education Initiatives” indicate the opinions of Roma parents about the importance of providing the education to their children - 80% of ethnic Roma believe the Roma should have at least 9 years of mandatory schooling.

The evaluation of the project clearly showed that teachers’ assistants of Roma background foster the educational achievements of Roma children and help to change the attitude of Roma parents about the necessity to include their children into educational processes at schools. The number of Roma children attending inclusive classes of pre-school and secondary school educational institutions has increased. The project and it measures will continue and fund by the state and municipalities, also using the financing from ES structural funds.

There is a lot of effort being 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.

According to the information provided by the Ministry of Education and Science, from total number of 1012 Roma pupils in mainstream education during 2013.-2014. school year:

29 - Roma pupils learn in secondary schools (10-12 classes);

77 - Roma children learn within compulsory programme for teaching children from 5 years for the acquisition of primary education;

165 - Roma study a vocational educational program (tourism, crafts, etc.)

250 - Roma pupils attend the classes not corresponding to their age;

14,4 % of the total number of Roma pupils were provided with additional training activities;

13,6% of Roma children did not obtain required primary education;

22,4% of all Roma children of educational age learn within special educational programme for children with special needs/correction classes.

In the framework of the project “Different people. Various experiences. One Latvia II” which are going to be implemented in 2015, the quantitative survey “The situation of Roma in Latvia: their access to education, employment, healthcare and housing” is planning to monitor the situation of Roma in Latvia in the education, employment, health care and housing areas using qualitative methods, to understand particular needs of Roma population and identify best practises. This activity will be aimed at the monitoring the situation of Roma in Latvia in the key areas, to identify best practises, and to provide better elaboration and implementation of Roma inclusion policy in Latvia. In order to identify current problems, needs and efforts of Roma communities at local and regional level the quantitative approach will be used focused on gathering primary data directly from target group. Based on this qualitative study results the consultation process will be organised 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 as healthcare.

**Table No.50**

**Level of education of Roma**

|  |  |  |
| --- | --- | --- |
| **Level of education** | **2000** | **2011** |
| Tertiary education | 0.4 % | 0.8% |
| Specialized secondary | 1.2 % | 3.5% |
| General secondary | 6.7 % | 10.3% |
| Elementary school (including primary school) (1–9) | 42.1% | 36.5% |
| Lower than Elementary school (including cases when level of education is not specified) | 50.4% | 45.3 % |
| Illiterate persons | 3.5% |
| All Romani people aged 15 and above: | 5 985 | 4 901 |

Data source: The Central Statistical Bureau, 2012

**Table No.51**

**Number of Roma pupils in mainstream educational system**

**Table No.52**

**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 2011 – 2013**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of training activity** | **Number of Roma participated in training** | | |
| **2011** | **2012** | **2013** |
| **Training** | | | |
| Non-formal training (including in official language) | 125 (0,5% from all participants) | 77 (0,8% from all participants) | 95 (0,5% from all participants) |
| Vocational training, requalification, qualification improvement[[16]](#footnote-16) | 19 | 20 | 17 |
| Training at employer's[[17]](#footnote-17) | 2 (0,2% from all participants) | 0 | 0 |
| Measures to increase competitiveness[[18]](#footnote-18) | 604 (1,2% from all participants) | 309 (0,6% from all participants) | 229 (0,6% from all participants) |
| **Employment measures** | | | |
| Workplaces with stipend emergency public works programme (until 2011) | 495 (1,0 % from all participants) | - | - |
| Public works programme / Paid temporary public works (started in 2012)[[19]](#footnote-19) | - | 345 (1,1% from all participants) | 401 (1,2% from all participants) |
| Subsidised employment measures for the most vulnerable groups of unemployed[[20]](#footnote-20) | 1 (0,1% from all participants) | 1 (0,1% from all participants) | 3 (0,2% from all participants) |
| Supporting voluntary work of young people[[21]](#footnote-21) | 2 (0,2% from all participants) | 2 (0,3% from all participants) | 2 (0,1% from all participants) |
| Workplace for a young unemployed (started in 2011)[[22]](#footnote-22) | 2 (0,5% from all participants) | 0 | 0 |
| **Complex inclusion measures** | | | |
| Complex inclusion measures[[23]](#footnote-23) - training in groups | 14 | 25 (0,8% from all participants) | 15 (0,5% from all participants) |
| Complex inclusion measures - consultations | 25 | 76 (0,9% from all participants) | 43 (0,6% from all participants) |
| Total number of Roma participants in different trainings and supporting measures (one person could participate in different training programmes) | **1289** | **855** | **805** |

Data source: State Employment Agency, 2014

**Table No.53**

**Statistical portrait of unemployed Roma (31.03.2014.)**

|  |  |  |
| --- | --- | --- |
| Range by specific characteristics | | Percentage of unemployed Roma, % |
| Unemployment duration | Less than 6 months | 38 |
|  | 6 -12 months | 14 |
|  | 1-3 years | 23 |
|  | 3 years and longer | 24 |
| Education level | Tertiary education | 0 |
|  | Specialized secondary | 3 |
|  | General secondary | 4 |
|  | Elementary school (including primary school) (1–9) | 24 |
|  | Lower than Elementary school (including cases when level of education is not specified) | 66 |
|  | Not specified | 2 |
| Age | 15-24 | 11 |
|  | 25-39 | 34 |
|  | 40-54 | 39 |
|  | 55 and older | 16 |
| Gender | Male | 40 |
|  | Female | 60 |

Data source: State Employment Agency, 2014

**Table No.54**

**Number of registered Roma in Latvia 2011 – 2013**

|  |  |
| --- | --- |
| **Year** | **Number of Roma** |
| 2010 | 8581 |
| 2011 | 8564 |
| 2012 | 8482 |
| 2013 | 8401 |

Data source: The Office of Citizenship and Migration Affairs, 2014

**Table No.55**

**Number of Roma permanent residents in Latvia 2000 – 2013**

|  |  |
| --- | --- |
| **Year** | **Number of Roma** |
| 2000 | 8205 |
| 2011 | 6643 |
| 2012 | 6106 |
| 2013 | 5906 |

Data source: The Central Statistical Bureau, 2014

Statistical data on health care and public health indicators is collected in Latvia. Specific statistical data about public health and health care indicators related to ethnicity is not collated separately. Information related to ethnicity is available only in the Register of Patients with Particular Diseases, Patients with Drug Use Disorders.

**Table No.56**

**Data by ethnicity in 2009-2011, total numbers and percentage**

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Ethnicity** | | **Latvians** | **Russians** | **Roma** | | **Other** | **Unknown/**  **Not Specified** | | **Total** | |
| **2009** | **Total numbers** | 1695 | 1081 | 21 | | 23 | 99 | | 2919 | |
| **Percentage** | 58,1 | 37,0 | 0,7 | | 0,8 | 3,4 | | 100,0 | |
| **2010** | **Total numbers** | 1522 | 872 | 22 | | 73 | 722 | | 3211 | |
| **Percentage** | 47,4 | 27,2 | 0,7 | | 2,3 | 22,5 | | 100,0 | |
| **2011** | **Total numbers** | 1601 | 831 | 22 | | 50 | 935 | | 3439 | |
| **Percentage** | 46,6 | 24,2 |  | 0,6 | 1,5 | 27,2 | 100,0 | |

Data source:Register of Patients with Particular Diseases, Patients with Drug Use Disorders, 2013

***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:***

1. ***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;***
2. ***to protect children and young persons against negligence, violence or exploitation;***
3. ***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.**

In 2011, Ministry of Welfare in cooperation with the World Health Organisation Regional Office for Europe has conducted a study “Adverse Childhood Experience of Young Adults in Latvia”.

As the basic instrument for the study the Adverse Childhood Experience questionnaire (developed by US Centre for Disease Control and Prevention) was used. The study was conducted in 5 cities of Latvia, questioning 2000 respondents aged between 18 and 25 on their experience of violence in childhood. The results showed a high prevalence of adverse childhood experience within the selected group:

* Only 16.9% of the total respondents had not had any adverse/ traumatic experience during childhood;
* More than a quarter (26.9%) of respondents had has serious adverse experience during their childhood;
* Almost one third (31.5%) of respondents had been victims of childhood emotional abuse from their parents or other adult family member living within home;
* 16.4% of respondents had experienced physical violence from their parents or another adult living within the household;
* One in ten respondents (10.3%) had experienced childhood sexual abuse from an adult, an older relative, family friend or stranger;
* 35.9% of respondents had been victims of emotional neglect while physical neglect had been experienced by 27% during childhood;
* 46.4% of children had lived in families which had had problems with alcohol or drugs;
* 42.3% of respondents had experienced their parents having divorced or had lived separately during their childhood;
* 12.6% or respondents had experienced violence by a father or stepfather during their childhood where the violence was directed at the mother or stepmother;
* Respondents who had experienced higher levels of cumulative stress during childhood, reported a wide range of health complaints within the previous six months. They reported that they had suffered the complaints at least once a week. The complaints included headaches, abdominal pain, backache, depression, anxiety, irritability, dizziness, sleeping problems, difficulty in concentration.

On 7 March 2013 Latvia has signed Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. Before the Convention was signed, significant legislative changes had been adopted.

Definitions of rape, sexual violence, corruption of children, etc. were amended in the Criminal Law. It was clearly stated that the participation of a child in pornographic performances and having recourse to child prostitution are criminalised. These amendments to the Criminal law came into force on 14 June 2014.

In the Criminal Procedure Law terms on provision of legal assistance to minor victims were enhanced. Thus, it was stated that legal assistance to a minor victim of violent act or a crime against sexual inviolability and morality is mandatory. If a minor or his/her representative has not retained an advocate, a state financed advocate shall be provided.

An article on special features of an interrogation a minor was altered to clearly state that an interrogation of a minor may be conducted only by a specially trained performer of an investigative action in the presence of a psychologist on a pedagogue if necessary. Section 5.1 of the Protection of the Rights of the Child Law obliges police officers, prosecutors, judges, psychologists, pedagogues and other professionals to attain special knowledge on the rights of the child (for more information on the training please see Article 16 of this Report).

Terms of arrest for a person who is suspected of, or accused of, the committing of a less serious crime against sexual inviolability and morality, if it has been committed against a minor, were also altered to avoid situations that the suspected or accused person endangers the child or manipulates him/her. So, usual term of arrest for a person who is suspected of, or accused of, the committing of a less serious crime shall not exceed nine months, of which the person shall be permitted to be held under arrest during pre-trial proceedings not longer than four months. But terms of arrest for a person who is suspected of, or accused of, the committing of a less serious crime against sexual inviolability and morality, if it has been committed against a minor, shall not exceed 12 months, of which the person shall be permitted to be held under arrest during pre-trial proceedings not longer than six months. The investigating judge in pre-trial proceedings and a higher-level court judge during a trial may extend the term by one more month, if a person directing the proceedings has not allowed for unjustified delay, or if the person who performs defence has intentionally delayed the progress of proceedings, or if the faster completion of proceedings has not been possible due to the particular complexity thereof.

Provisions of the Protection of the Rights of the Child Law were altered to strengthen the responsibility and the rights of employer to annually check information of existing convictions for sexual and violent offences against children of all employers. This refers to all persons newly recruited for professional or organised voluntary activities involving direct and regular contacts with children, as well as to all other employees.

Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/TI (hereinafter - the Directive)sets out minimum standards in relation to the offense formations and penalties associated with child sexual abuse, sexual exploitation of children and child pornography.According to Paragraph 3 Article 23, Member States shall promote regular trainings for officials who may come into contact with children who have been sexually abused, in order to be able to identify the victims of sexual exploitation and potential victims, and to work with them.

Information regarding the minimum age for admission to employment is provided in the Part 1 of the Article 7 Paragraph 1 and Article 7 Paragraph 3 of this Report.

Concerning protection of children and young persons against labour exploitation - the Labour Law and regulatory enactments connected with it strongly regulate the provisions for the work which could be performed by children and young persons. According to the Paragraph 1 of the Article 37 of the Labour Law it is prohibited to employ children in permanent work. Within the meaning of this Law, a child shall mean a person who is under 15 years of age and who until reaching the age of 18 continues to acquire a basic education. The Paragraph 2 of the Article 37 specifies that in exceptional cases children from the age of 13, if one of the parents (guardian) has given written consent, may be employed outside of school hours doing light work not harmful to the safety, health, morals and development of the child. Such employment shall not interfere with the education of the child. Work in which children may be employed from the age of 13 shall be determined by the Cabinet of Ministers. For its part, the Paragraph 3 of the mentioned Article of the Labour Law prescribes that in exceptional cases if one of the parents (guardian) has given written consent and a permit from the SLI has been received, a child as a performer may be employed in cultural, artistic, sporting and advertising activities if such employment is not harmful to the safety, health, morals and development of the child. Such employment shall not interfere with the education of the child. The procedures for issuing permits for the employment of children as performers in cultural, artistic, sporting and advertising activities, as well as the restrictions to be included in such permits with respect to working conditions and employment conditions, shall be determined by the Cabinet of Ministers. Also 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 shall be determined by the Cabinet of Ministers (Paragraph 4, Article 37, Labour Law).

For more information please see the answers already provided in the Part 1 of the Article 7 Paragraph 1 and Article 7 Paragraph 2 of this Report.

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

Protection against negligence, violence or exploitation

In order to implement the Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/TI in Republic of Latvia, Ministry of Justice amended the Law of Protection of Children Rights, as amended it was determined that special knowledge in the field of children's rights is also necessary for advocates. To implement the Directive, the Criminal Procedure Law has been amended as well.These changes in conjunction with pre-defined framework of the Criminal Procedure Law currently determine that participation of advocate in criminal proceedings is mandatory, if a minor person has the rights of the defense.

According to Paragraph 5 Article 104, of Criminal Procedure Law,if the rights of a minor and the protection of the interests thereof are encumbered or otherwise not ensured, or the representatives referred to in Paragraph 2 of this Article submit a substantiated request, a person directing the proceedings shall take a decision on retaining of an advocate as the representative of a minor victim. In exceptional cases, the person directing the proceedings shall take a decision on retaining of the representative – advocate of a victim – poor or low-income person of legal age, if it is otherwise not possible to ensure the protection of the rights and interests of the person in criminal proceedings. In such cases, the Cabinet of Ministers shall determine the amount of payment for the provision of legal assistance ensured by the State and reimbursable expenses related to the provision of legal assistance ensured by the State, the amount thereof and procedures for payment. According to Paragraph 5 Article 108, of Criminal Procedure Law, legal assistance to the juvenile victim and the victim's representative is mandatory in criminal proceedings for an offense of violence, caused by the person from whom the victim is financially or otherwise dependent, or for a sexual offense or offense against virtue.However, Article 108, Paragraph 6 of Criminal Procedure Law provides that, if the minor victim or his representative has not entered into an agreement with an attorney, in the case mentioned in Paragraph 5**,** a person directing the proceedings shall decide on inviting an advocate as a provider of legal aid, according to order provided in Article 104, Paragraph 6 of Criminal Procedure Law.

Moreover in order to implement the Directive in Republic of Latvia, Ministry of Justice amended the Law On State Compensation to Victims. Article 1 prescribes, that the purpose of this Law is to provide a natural person who, in accordance with the procedures laid down in the Criminal Procedure Law, has been recognised a victim (hereinafter – victim) with the right to receive a State compensation for moral injury, physical suffering or financial loss (hereinafter – injury) resulting from an intentional criminal offence. The State compensation is paid by the Legal Aid Administration.

According to the Article 3 of the Law On State Compensation to Victims, the victim has the right to the State compensation. The victim has the right to the State compensation also if a perpetrator of a criminal offence or a joint participant thereof has not been identified or he/she in accordance with the Criminal Law shall not be held criminally liable. If the death of a person has occurred as a result of a criminal offence or the victim has died and has not requested the State compensation or has requested, but has not received the State compensation, the person who has been recognised a victim in the relevant criminal proceedings has the right to receive the State compensation. The right to the State compensation shall exist, if as a result of an intentional criminal offence:

1) the death of the person has occurred;

2) severe or moderate bodily injuries to the victim have been caused;

3) morality or sexual inviolability of the person has been violated;

4) the victim is a victim of trafficking in human beings;

5) the victim has been infected with human immunodeficiency virus, Hepatitis B or C.

Pursuant to the Article 7 of the Law On State Compensation to Victims the maximum amount of the State compensation to be paid to one victim of a criminal offence shall be five minimum monthly wages laid down in the Republic of Latvia. The amount of the State compensation to be paid shall be calculated, taking into account the amount of the minimum monthly working wage determined at the time when the person was recognised a victim. The compensation shall be paid:

1) if the death of the person has occurred – in the amount of 100%;

2) if severe bodily injuries have been caused to the victim or the criminal offence has been classified as rape or violent sexual act of gratification in an unnatural way, or morality or sexual inviolability of the victim has been violated, or the victim is a victim of trafficking in human beings – in the amount of 70%;

3) if moderate bodily injuries have been caused to the victim or morality or sexual inviolability of the victim has been violated, except the cases referred to in second point, or the victim has been infected with human immunodeficiency virus, Hepatitis B or C – in the amount of 50%.

The person, who has been recognised a victim of a criminal offence that has been qualified according to Articles 120, 121, 122, 127, 128 or 129 of the Criminal Law, the State compensation shall be paid in the amount of 50% from the amount of the State compensation laid down in Article 7.

Besides that the project “Net-Safe Latvia”, which is carried out by the Latvian Internet Association in partnership with The State Inspectorate for Protection of Children’s Rights is prolonged until October, 2014. This 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 of infringements found on the Internet. The reports received on the website www.drossinternets.lv are processed by competent experts and, where appropriate, the information about possible violation is forwarded to the State Police.

- The State Inspectorate for Protection of Children’s Rights through Child Hotline (116111) provides anonymous psychological consultations for children and young persons who have experienced online violence and other kinds of abuse.

In addition The State Inspectorate for Protection of Children’s Rights through Child Hotline regularly organizes campaigns to draw attention to the problem of violence.

During 2010 the following campaigns were organized:

• The campaign “Parents’ hotline” in May - during which 576 children parents were consulted about improving mutual relations and about conflict solving with children.

• On 21st - 22nd December was organized the campaign "Talks of my heart" - during which the pastor and the gestalt therapist answered to callers questions. Overall, the experts responded to 60 calls during which the children asked for psychological help, but adults were consulted in matters of child-rearing;

• From 24th December till 26th December, during Christmas time was organized the campaign "Put your trust. You will be heard and understood". During the campaign were answered on 954 calls and in 100 cases for children and adults was provided psychological assistance. During the campaign hotline worked around the clock.

During 2011 the following campaigns were organized:

• On 25th May was held hotline campaign for foster families and guardians. During this campaign 10 foster families and guardians received psychological support and assistance;

• In August was held hotline campaign for parents and teachers, during which were received 646 calls and in 123 cases was provided psychological counselling.

• In December was held Christmas campaign "Put your trust. You will be heard and understood", during which were answered on 384 calls and in 64 cases for children and adults was provided psychological assistance.

During 2012 the following campaigns were organized:

• On 11th and 12th May was held hotline campaign for foster families and guardians. During this campaign were received 425 calls and in 69 consultations were provided for adults and children who live in foster care.

• From 27th August to 2nd September was organized campaign for parents and teachers, during which were received 1133 calls and in 244 cases was provided psychological counselling.

•On 25th and 26th December was held Christmas campaign "Put your trust. You will be heard and understood", during which were received 254 calls and in 38 cases for children and adults was provided psychological assistance.

•From 10th till 15th April and from 28th May till 3rd June was organized hotline campaign "Do you see, do you hear? Do not stay indifferent!” During the campaign were received 3563 calls and for 782 specialists was provided psychological counselling. In 189 cases callers was consulted about violence-related issues (in 14 cases about potentially serious cases of violence).

During 2013 the following campaigns were organized:

• In 2013 were prepared the campaign "Violence is not a little secret! Let’s talk about it!” and 10,000 hand-outs “Violence is not a little secret! Let’s talk about it!”. The action took place from 22nd till 28th April and from 6th till 12th May. In general, were answered 3098 calls and in 710 cases was provided psychological counselling. In 149 cases was provided psychological counselling in cases of violence. In 7 cases was received information about domestic violence or violence at school.

•From 10th till 12th June was organized hotline campaign for parents, foster parents and guardians, during which were answered on 404 calls and in 102 cases was provided psychological counselling.

•From 26th August till 1st September was organized hotline campaign for teachers, during which were received 840 calls and in 204 cases was provided psychological counselling. In 54 cases to parents and teachers was provided the psychological assistance and support.

•From 24th till 26th December was held a Christmas campaign "Put your trust. You will be heard and understood". In 95 cases was provided psychological counselling.

In turn, during the campaigns about potential violation of the rights of children in families, foster families or guardians, received information in 44 cases in 2010, in 24 cases in 2011, in 63 cases in 2012 and in 70 cases in 2013 was sent to institutions (the orphans' court, social services, police, etc.) for further action.

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.

Support for young people in childcare institutions

The Ministry of Welfare has provided financial support for municipalities for establishment of a network of group homes for young people living in out-of-family care to allow teenagers to develop necessary life skills for independent life after leaving the childcare institution. During the 2010 – 2013 Ministry of Welfare has provided financial support for expanding of the youth homes in the municipalities of Liepaja (2010), Koknese, Jelgava and Ventspils (2011), Krāslava (2012) and Smiltene (2013). The aim of the projects has been to develop an environment in child care institutions which is closer to family than the institution, thus improving the possibilities to learn skills and abilities, which are necessary for the young person’s future life.

In all “youth home” is possible for young persons (living at child care institutions) aged from 15 to 17 to learn independent life skills. Additionally training of specialists and youth has been carried about regarding learning of social skills. Usually in the framework of those projects the child care institution has been partly changed – one part of group rooms, separate building or flat, which belongs to child care institution, has been turned into a flat with the necessary equipment. In this flat (“youth home”) is possible to live and learn independent life skills for 10 youth. In the “youth home” are bedrooms and common room so that the children would not have to live in one room; kitchen premises have been specially adapted; toilet facilities have been established. Also all the rooms have been thoroughly renovated.

According to Law on Social Services and social Assistance orphans and children left without parental care shall be provided with care in a family-like environment -foster family, with a guardian, and only if this is not possible care shall be provided at a long-term social care and social rehabilitation institution.

Long-term social care and social rehabilitation institution is a social institution which provides orphans and children left without parental care with housing, full care and rehabilitation. In a childcare institution social workers, social educators, social care takers, nurses registered in the register of nurses entitled to practice and care takers shall work with clients. During the stay of an orphan or a child left without parental care at a long-term social care and social rehabilitation institution, the municipality social service office and Orphan’s court, in co-operation with the employees of the institution, shall take measures to promote the return of the child to the family, to maintain contact between the child and parents or, if this is not possible, to seek a possibility to ensure care for the child in another family.

**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.57**

**The payment of maintenance in the time period from the year 2010 to the year 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | Applications received in the Maintenance Guarantee Fund | The number of taken decisions as regards the payment of maintenance | The number of refusals as regards the payment of maintenance | The number of finished cases (the payment has been finished) |
| 2013 | 3422 | 3641 | 140 | 2960 |
| 2012 | 3153 | 3432 | 118 | 2507 |
| 2011 | 3651 | 4162 | 122 | 2310 |
| 2010 | 4500 | 5177 | 122 | 1796 |

Data source: Central Statistical Bureau

**Table No.58**

**Claims for determination of paternity in the time period from the year 2010 to the year 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | The cases received in first instance court | Cases finished in the first instance court | Case received for appellation | Case finished in appellation instance of the district courts |
| 2013 | 473 | 555 | 28 | 27 |
| 2012 | 661 | 671 | 34 | 39 |
| 2011 | 657 | 657 | 36 | 40 |
| 2010 | 632 | 605 | 52 | 49 |

Data source: Central Statistical Bureau

**Table No.59**

**Total number of adopted children in Latvia and abroad**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Year | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 |
| Number of children adopted: | 199 | 204 | 186 | 246 | 235 | 259 | 252 | 243 |
| in Latvia | 88 | 90 | 103 | 105 | 99 | 128 | 110 | 112 |
| abroad | 147 | 114 | 83 | 141 | 136 | 131 | 142 | 131 |

Data source: Ministry of Welfare

**Table No.60**

**Indicators characterising guardianship at the end of the year**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 |
| Number of children under guardianship | 5565 | 5203 | 5051 | 4945 |
| Number of guardians | No information available | 4390 | 4083 | 4132 |

Data source: Central Statistical Bureau

**Table No.61**

**Number of foster families (Information at the end of the year)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 |
| Number of families to which the status of a foster family is assigned | 531 | 585 | 582 | 594 |
| Children placed in foster families | 884 | 1099 | 1155 | 1262 |

Data source: Central Statistical Bureau

**Table No.62**

**Social rehabilitation for children who have suffered from illegal acts**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Tear | 2010 | 2011 | 2012 | 2013 |
| Number of children received social rehabilitation in institution | 1125 | 1317 | 1322 | 854 |
| Number of children received social rehabilitation in the place of residence | 1017 | 1329 | 1416 | 1181 |

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

For information on the number of children used services in crisis centers – please see Article 16 Paragraph 3, Table No.34, page 79 on crisis centres.

**Childcare in the institutions for care and upbringing outside the family**

**Table No.63**

**State social care centres[[24]](#footnote-24) at the end of the year**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 |
| Number of institutions | 17 | 15 | 15 | 15 |
| Number of children at institutions | 602 | 585 | 544 | 500 |

Data source: Central Statistical Bureau

**Table No.64**

**Social care centres of local governments and other organisationsat the end of the year**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 |
| Number of institutions | 41 | 37 | 33 | 34 |
| Number of children at institutions | 1268 | 1365 | 1402 | 1354 |

Data source: Central Statistical Bureau

**Table No.65**

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | 2010 | 2011 | 2012 | 2013 |
| Number of children in long-term social care and social rehabilitation institution | 1873 | 1956 | 1952 | 1854 |
| State financed institutions for children 0-3 years of age | 276 | 274 | 245 | 222 |
| Local municipalities financed orphanages for children 2-18 years of age | 1268 | 1365 | 1402 | 1354 |
| State financed institutions for children with severe mental impairments 4-18 years of age | 326 | 311 | 299 | 278 |

Data source: Yearly Statistical reports from long-term social care and social rehabilitation institutions

**Table No.66**

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

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Year | | 2010 | 2011 | 2012 | 2013 |
| Total | | 900 | 1124 | 1006 | 1017 |
| Orphans | | 23 | 20 | 17 | 19 |
| Children left without parental care | total | 877 | 1104 | 989 | 998 |
| due to disease | 30 | 30 | 20 | 21 |

Data source: Yearly Statistical reports from long-term social care and social rehabilitation institutions

**Table No.67**

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Year | 2010 | 2011 | 2012 | 2013 |
| Total | 1033 | 1045 | 980 | 1122 |
| Return to parents | 201 | 291 | 322 | 341 |
| Adopted | 130 | 130 | 142 | 127 |
| Foster family | 126 | 129 | 113 | 156 |
| Under guardianship | 78 | 64 | 97 | 113 |
| Reached the full age | 220 | 173 | 136 | 130 |

Data source: Yearly Statistical reports from long-term social care and social rehabilitation institutions

**Table No.68**

**The number of convicted minors as regards the length of imprisonment**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| For the  date of: | 01.01.2011 | 01.01.2012 | 01.01.2013 | 01.01.2014 |
| Total number of convicted minors | 48 | 38 | 25 | 24 |
| 3-6 month (incl.) | 1 | 2 | - | - |
| 6 month-1 year (incl.) | 12 | 4 | 3 | 3 |
| 1-3 years (incl.) | 16 | 13 | 8 | 11 |
| 3-5 years (incl.) | 14 | 16 | 12 | 5 |
| 5-10 years (incl.) | 4 | 3 | 2 | 5 |
| 10-20 years incl. | 1 | - | - | - |

Data source: Central Statistical Bureau

**Table No.69**

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

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| For the  date of: | 01.01.2011 | 01.01.2012 | 01.01.2013 | 01.01.2014 |
| Total number of minors taken into custody | 40 | 30 | 30 | 22 |

Data source: Central Statistical Bureau

**Table No.70**

**State Compensation to Victims in 2013**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **I** | **II** | **III** | **IV** | **V** | **VI** | **VII** | **VIII** | **IX** | **X** | **XI** | **XII** | **Total** |
| **Number of Applications** | **52** | **45** | **59** | **44** | **59** | **31** | **45** | **40** | **40** | **40** | **46** | **43** | **544** |
| **Decisions on payment of compensation, total** | **43** | **41** | **41** | **60** | **33** | **37** | **36** | **42** | **37** | **24** | **62** | **40** | **496** |
| int.al., death of the person | 11 | 10 | 7 | 12 | 7 | 3 | 11 | 6 | 10 | 9 | 12 | 10 | 108 |
| int.al., violated sexual inviolability | 10 | 6 | 8 | 13 | 9 | 10 | 2 | 9 | 8 | 2 | 10 | 7 | 94 |
| int.al., severe bodily injuries | 8 | 8 | 7 | 10 | 5 | 5 | 14 | 14 | 9 | 3 | 14 | 11 | 108 |
| int.al., moderate bodily injuries | 14 | 17 | 19 | 25 | 12 | 19 | 9 | 13 | 10 | 10 | 26 | 12 | 186 |
| **Refusals of the state compensation payment** | **9** | **4** | **7** | **7** | **13** | **5** | **3** | **4** | **3** | **3** | **2** | **4** | **64** |

Data source: Legal Aid Administration

**Table No.71**

**Funds Paid to State Compensation to Victims, LVL in 2013**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Total** | **26892,19** | **22420,00** | **20087,69** | **31440,00** | **19140,00** | **19000,00** | **20520,00** | **20160,00** | **21700,00** | **13760,00** | **33699,00** | **22423,00** | **271241,88** |
| int.al., death of the person | 9700,00 | 7600,00 | 5600,00 | 8600,00 | 5600,00 | 3000,00 | 8800,00 | 4000,00 | 7000,00 | 6400,00 | 9600,00 | 8000,00 | 83900,00 |
| int.al., violated sexual inviolability | 5320,00 | 3780,00 | 3920,00 | 7840,00 | 5040,00 | 5600,00 | 1120,00 | 4880,00 | 3360,00 | 560,00 | 6160,00 | 3920,00 | 51500,00 |
| int.al., severe bodily injuries | 5460,00 | 4340,00 | 3920,00 | 5400,00 | 2800,00 | 2800,00 | 6440,00 | 7280,00 | 6140,00 | 2800,00 | 7840,00 | 6160,00 | 61380,00 |
| int.al., moderate bodily injuries | 6412,19 | 6700,00 | 6647,69 | 9600,00 | 5700,00 | 7600,00 | 4160,00 | 4000,00 | 5200,00 | 4000,00 | 10099,00 | 4343,00 | 74461,88 |

Data source: Legal Aid Administration

**Table No.72**

**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** |  |  |  | **478** |
| **Decisions on payment of compensation, total** | **21** | **58** | **45** | **51** | **50** | **29** | **51** | **40** | **47** |  |  |  | **392** |
| int.al., death of the person | 6 | 15 | 16 | 8 | 5 | 6 | 19 | 9 | 11 |  |  |  | 95 |
| int.al., violated sexual inviolability | 6 | 9 | 2 | 9 | 16 | 11 | 8 | 7 | 15 |  |  |  | 83 |
| int.al., human trafficking | 0 | 1 | 0 | 0 | 0 | 0 | 1 | 0 | 0 |  |  |  | 2 |
| int.al., severe bodily injuries | 3 | 9 | 9 | 13 | 11 | 4 | 5 | 8 | 8 |  |  |  | 70 |
| int.al., moderate bodily injuries | 6 | 24 | 18 | 21 | 18 | 8 | 18 | 16 | 13 |  |  |  | 142 |
| int.al., HIV, type B or C hepatitis | 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** |  |  |  | **37** |

Data source: Legal Aid Administration

**Table No.73**

**Funds Paid to State Compensation to Victims, EUR in 2014**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Total** | **22338,83** | **46875,65** | **31164,91** | **41663,98** | **49767,43** | **49815,75** | **41191,98** | **49794,23** | **49602,27** |  |  |  | **382215,03** |
| int.al., death of the person | 8537,10 | 14121,10 | 12002,84 | 18314,25 | 9245,70 | 11200,00 | 13867,60 | 14666,66 | 15022,84 |  |  |  | 116978,09 |
| int.al., violated sexual inviolability | 5976,00 | 8964,00 | 996,00 | 5815,43 | 9960,00 | 18245,14 | 8836,00 | 10456,00 | 16676,00 |  |  |  | 85924,57 |
| int.al., human trafficking | 0,00 | 996,00 | 0,00 | 0,00 | 0,00 | 0,00 | 996,00 | 0,00 | 0,00 |  |  |  | 1992,00 |
| int.al., severe bodily injuries | 2988,00 | 6972,00 | 7966,00 | 7220,00 | 14936,00 | 8190,60 | 3360,00 | 11337,28 | 7592,00 |  |  |  | 70561,88 |
| int.al., moderate bodily injuries | 4837,73 | 15822,55 | 10200,07 | 10314,30 | 15625,73 | 12180,01 | 14132,38 | 13334,29 | 10311,43 |  |  |  | 106758,49 |
| 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 |

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.**

As prescribed by the Education Law, preparing children from the age of five for acquisition of basic education and acquisition of basic education or continuation of basic education up to the age of 18 is mandatory.

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

During the period under review, there were improved general education standards and programmes in the segment of secondary education and in teaching natural sciences, mathematics, information technology, state language and foreign languages at the second level of basic education. Ditto, educational content in biology, chemistry, mathematics, physics and science in the secondary education level has been modernized, as well as methodological support for secondary school teachers for integration of educational content and the Latvian language has been ensured. Altogether 850 science classes were upgraded, of which 136 were equipped with devices, substances, supplies, etc., and 132 classes are equipped with information technologies. System for evaluation learning achievement was improved, as well as overall quality of general education was ensured through the reform of content of secondary education and quality assessment of the improved educational content, analysis of the assessment and preparation of proposals for improvement of the quality.

In order to balance the number of centralized exams in the natural sciences and the humanities, as planned, mathematics has been established as mandatory centralized exam starting from 2008-2009. To reduce the study load and stress of secondary education on pupils during exams in late May and early June, as well as to increase the number of days between state examinations in general secondary education, amendments were made to the legislature and already in 2012-2013 the English exam was arranged in March.

When comparing with the beginning of the review period, the number of school days in the general education has decreased by 15.8%, while the number of pupils in day schooling programmes by 20%. The number of evening (shift) schools has decreased by 26.5%, while the number of pupils in these schools by 9.8%. As regards the actual number of students in the respective school years, the total number of young people who had obtained their secondary education in day schools during the period under review has decreased by 21.9%. At the same time, the number of pupils in evening (shift) schools (5.3%) and in vocational education establishments (23.9%) have increased.

While young people in Latvia have enough opportunities to obtain education, some young people face socio-economic problems in the process of education and quit schooling without obtaining their age-appropriate education. Proportional deduction of such young people aiming at achieving of no more than 10% of premature early school leavers by 2030 was outlined in the development programming document "Latvija 2030" and "Europe 2020". Given the positive trend, the NDP for 2014 - 2020 includes the rate of early school leavers: 10.2% by 2017 and 10% by 2020. Since 2009, the share of early school leavers in Latvia has decreased, in 2012 the respective rate reached as little as 10.5%, which is significantly better than the mean percentage in Europe (12.8%).

Providing educational and methodological aids needed for implementation of educational content, set of educational editions was elaborated; textbooks and educational aids, including Braille books, books with enlarged letters, textbooks for pupils acquiring special educational programmes were published. Teachers were supported through various actions, like seminars, conferences, workshops. The work of the library information system SKOLU ALISE was promoted fully ensuring functionality of libraries, including textbook organisation, registration, financial and inventory recording, obtaining statistical data etc.

It is a modular system that covers all of the library processes. Library information system ALISE is used Latvia-wide in all types of libraries: in total 846 libraries, including 329 libraries of general and vocational educational establishments.

In 2010 there were approved "Guidelines for optimisation of professional education net for 2010 -2015"[[25]](#footnote-25), aimed at ensuring further structural reform of vocational education system through improvement of the number and distribution in regions of vocational education institutions, as well as through their differentiation, at developing modern material and technical support appropriatefor today's requirements, at promotion of the use of all kinds of resources through elevation of the quality and accessibility of the vocational education. Vocational education institutions are differentiated as follows: vocational education competence centre; specialised vocational education institution; vocational education institution for acquisition of basic skills and educational institutions with integrated general education and vocational education programmes. The network of institutions has been improved through establishment of vocational education competence centres (six) and assessment of the possibility to transfer vocational education institutions to supervision by local municipalities. At the same time steps for clarification of types of vocational education institutions were taken. In line with amendments to the Vocational Education Law Article 16.[[26]](#footnote-26) the following types of professional education institutions have been established: vocational elementary school, vocational school, vocational secondary school, technical college, college.

Currently there are 38 vocational education schools under the Ministry of Education and Science (hereinafter – MES). It is expected that by 31 December 2015, 30 vocational education institutions will remain under the MES. Development determining factors are the following: demographic situation, number of current students and the expected number of pupils, school capacity and the expected filling, technical condition of school buildings, desire of municipalities to take over educational institutions under their subordination, creating educational institutions to exercise general education and vocational education programmes together in one place.

The goal was defined during the review period: to reach 6% increase in proportion of students in vocational education programmes, as well as to ensure that the percentage of vocational school graduates does not exceed 4% of the total number of unemployed. The proportion of pupils in vocational education programmes has increased by 5.7%, which means that the performance indicator has been nearly reached. In the 1st quarter of 2013, 32.3% of all unemployed people were with vocational education or professional secondary education. However, it should be stressed that the above groups are composed of people aged 25 years and older.

Twelve (12) Sector Expert Councils were created, as well as new vocational education programmes were developed or the existing ones were improved: in 2011: 137 programmes, in 2012: 194 programmes, thus meeting the performance indicators on preparation of educational programmes. Until 1 June 2013, 48 occupational standards and professional qualification requirements have been elaborated. In order to promote professional development of students, field practice places were ensured in all regions: Within the framework of the ESF sub-activity 1.2.1.1.3 "Support for implementation and quality improvement of the initial vocational education programmes” of the programming period 2007-2013, 9949 students carried out their field practice outside educational institutions.

Regulations of Cabinet of Ministers of 20 November 2012 No 785 "Order for organising andinsuring field practice"[[27]](#footnote-27) were developed updating issues on organisation of field practices, as well as determining professional qualifications requiring mandatory insurance of the pupils against any accidents during field practices. Promoting youth employment and faster integration into the labour market, new vocational programmes were developed or the existing ones (1–1.5 academic year programmes) were improved.

In December 2012, the Memorandum on cooperation in vocational education and training in Europe was signed between the Federal Ministry for Education and Research of the Federal Republic of Germany, the Ministry of Education and Science of the Republic of Latvia, the Ministry of Education, Culture and Sports of the Kingdom of Spain, the Ministry of Education and Science of the Portuguese Republic, the Ministry of Education, Religious Affairs, Culture and Sports of the Republic of Greece, the Ministry of Education, Science, Research and Sports of the Slovak Republic and the Ministry of Education of the Republic of Italy.

When assessing the proportion of pupils in general secondary education and in vocational secondary education, it clear that more and more elementary school graduates choose to continue education in vocational education institutions: In the 2007-2008 school year the proportion (%) of pupils in general and vocational education was 70.47 against 29.53, but in 2012-2013 it reached 60.86 against 39.14.

Inclusive education seeks to make education more accessible and to ensure that all the students, including students with special needs, participate and are able to obtain education, particularly due to the fact that persons with special educational needs have less chance of finding a job and be economically active in the future.

In order to facilitate integration of students with special needs into the education system and fostering obtaining education according to their abilities, health condition and level of development, the National Centre for Special Education was established on 2 April 2007. Its mission was to coordinate the work of a special education support system in Latvia. According to the Order of Cabinet of Ministers No. 357 “On Restructuring the Centre for Curriculum Development and Examinations, the National Youth Initiative Centre and the National Centre for Special Education, and Establishing the National Centre for Education”, adopted 29 May 2009[[28]](#footnote-28), the National Centre for Special Education was restructured and its functions were taken over by National Centre for Education.

The State Pedagogically Medical Commission meetings were held, opinions on educational programs were prepared, consultations were provided, guidance materials published by the European Agency for Development in Special Needs Education material were distributed, participation in international projects and conferences was encouraged, as well as cooperation with non-governmental organizations took place during the reporting period. Special general education programs and teacher professional development programs were developed.

With the support of the ESF co-financed project in Daugavpils, Jēkabpils Balvi, Jelgava, Jūrmala, Liepāja, Riga and Valmiera, inclusive education support centres fulfilling the functions of the Pedagogically Medical Commission have been opened.

Education programs were licensed in order to provide appropriate study programs for students with special needs, moreover, integration of students with special needs in general educational establishments was promoted, thus ensuring that each student has appropriate education possibilities either in comprehensive school general education programs, or in special education programmes or special classes in general educational establishments. From this perspective, in the 2012-2013 period 139 students with special needs were obtaining general secondary education.

Using information communication technologies (hereinafter – ICT), students with special needs can get class note printouts from the teacher, and to use the individual ICT during studies, for example, audio recording devices, digital study and examination materials (in MS Word format). During studies and in the examination papers it is possible to use a voice synthesizer, adjust the amount of text per page, change the font size and background colour. Speech synthesizer or screen reading programs in student’s mother tongue and in foreign languages may be used (in Latvia such programs as JAWS and ZoomText are used), so the student can listen to the amount of text that he or she cannot read by themselves. In the school year 2009-2010 the number of students, who have used support measures in centralized examinations was 30, but in 2012-2013 the number has increased to 53. In turn, in the year 2008-2009 the share of students who took State examinations using support measures was 0.9% - 3.03%, and in 2012-2013 - 0.05%-3.46% (depending on the class and the subject).

Support for teachers is provided by implementing further education courses, thus ensuring that teachers obtain a 2nd qualification required to work with children with special needs. Assistant services are integrated into the existing support system and the role of special teachers in educational institutions has been increased.

In order to ensure that young people with special needs are able to acquire job skills and common skills, special education establishments have implemented 51 vocational education programmes.

During the reporting period, using the European Regional Development Funds co-financing from the 2007-2013 programming period, renovation of classrooms and school premises was done in 50 special education institutions, and adjustment of school premises was done in 36 general education institutions.

Until 2009 Latvia had two social correction establishments: "Naukšēni" and "Strautiņi". At the beginning of the reporting period 110 students have acquired the study programme. On 16 November 2009 the social correction establishment "Strautiņi" controlled by the the MES was merged with the social correction establishment "Naukšēni".

The social correction establishment "Naukšēni" has 2 study programmes. In 2012, the average number of students in the social correction establishment "Naukšēni" was 34. In order to improve the social circumstances for those acquiring vocational education, students of vocational education institutions are provided a grant. At the end of the reporting period the amount of a grant allocated from the state budget was up to LVL 10.

Since 2006, the number of inmates obtaining education in prison has increased by 21% on average (the 15% effective rate has been exceeded).

In the school year 2012-2013, 1833 students have acquired pedagogic correction programs.

Education opportunities are provided for the children of persons obtaining the refugee and asylum seeker status and migrant workers’ children of age of compulsory education: in 2007 such opportunity was given to one asylum seeker, in 2008 to five asylum seekers, in 2009 to seven asylum seekers, in 2010 to eight asylum seekers and in the first half of 2011 to seven asylum seekers. In the 2011-2012 academic year 10 underage asylum seekers were studying in general education institutions.

Economic migration affected the number of children registered in Latvia, but which are not registered in any educational institution. In the 2011-2012 academic year of all children of age of compulsory education 95.1% were registered in an educational institution.

Improving teachers' competences needed to work with different target audiences (incl. people with special needs, people from prisons, refugees, immigrants), has provided further education courses for teachers to be able to work with students with special needs or in pedagogical correction classes, as well as courses on pedagogy, computer science, education programme development, communication.

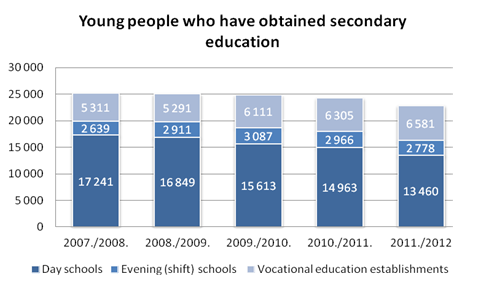
Improvement of the education level of Roma children and expanded possibilities to engage in the education process for those members of Roma community that have exceeded the mandatory school age were provided. The teaching guide “Latvian teacher experience of working with Roma children" was published and teachers’ assistants of Roma origin were trained for working in pre-school and general educational institutions. To promote improvement of Roma students' quality of education, the MES, in cooperation with the city and regional Education departments, has implemented corresponding monitoring.

According to the 2011 population census, 6 489 Roma were registered in Latvia, including 2 103 children and young people under 19. 6 515 Roma were registered in 2012. During the reporting period the number of Roma children integrated into general education in 2010-2011 school year dropped to 1 182 students, but in 2011-2012 school year there was a slight increase up to 1 213 children. Since in the 2009-2010 academic year the share of Roma children of the total number of students studying the general education programmes has increased.

According to the EU Council Directive 2004/114/EC Latvia provides integration of third country citizens into student exchange programmes, internship and volunteering. Several European third-country citizen integration fund projects were implemented.

**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.**

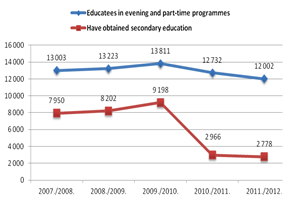
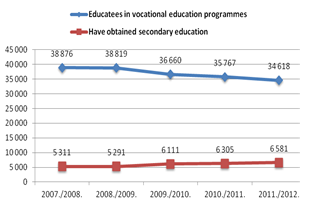
**Table No.74**

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Data source: Ministry of Education and Science

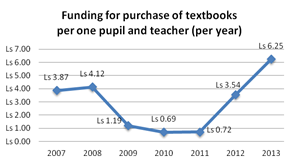
Total decrease of pupils having obtained secondary education is assessable within the framework of overall demographic trends: there are less pupils involved in day educational programmes, as well as evening, part-time and vocational training programmes.

**Table No.75**

* *

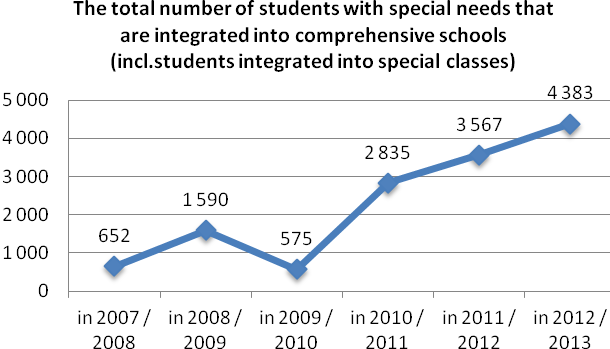
Data source: Ministry of Education and Science

**Table No.76**



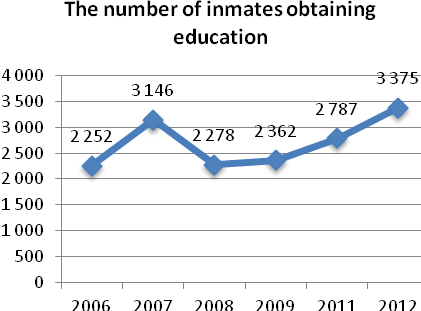
Data source: Ministry of Education and Science

**Table No.77**



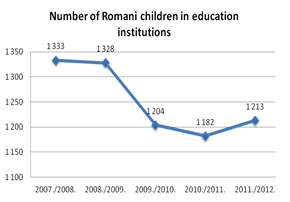
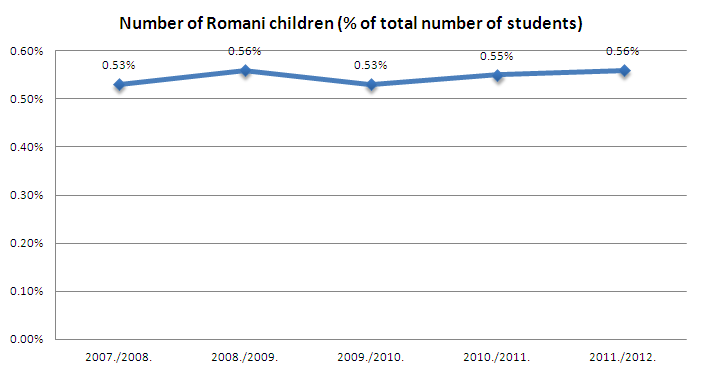
Data source: Ministry of Education and Science

**Table No.78**

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Data source: Latvian Prison Administration

**Table No.79**

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Data source: Ministry of Education and Science

**Table No.80**

**Network of municipal pre-school educational institutions**

**Network of municipal pre-school educational institutions**

Groups relating to other institutions are excluded

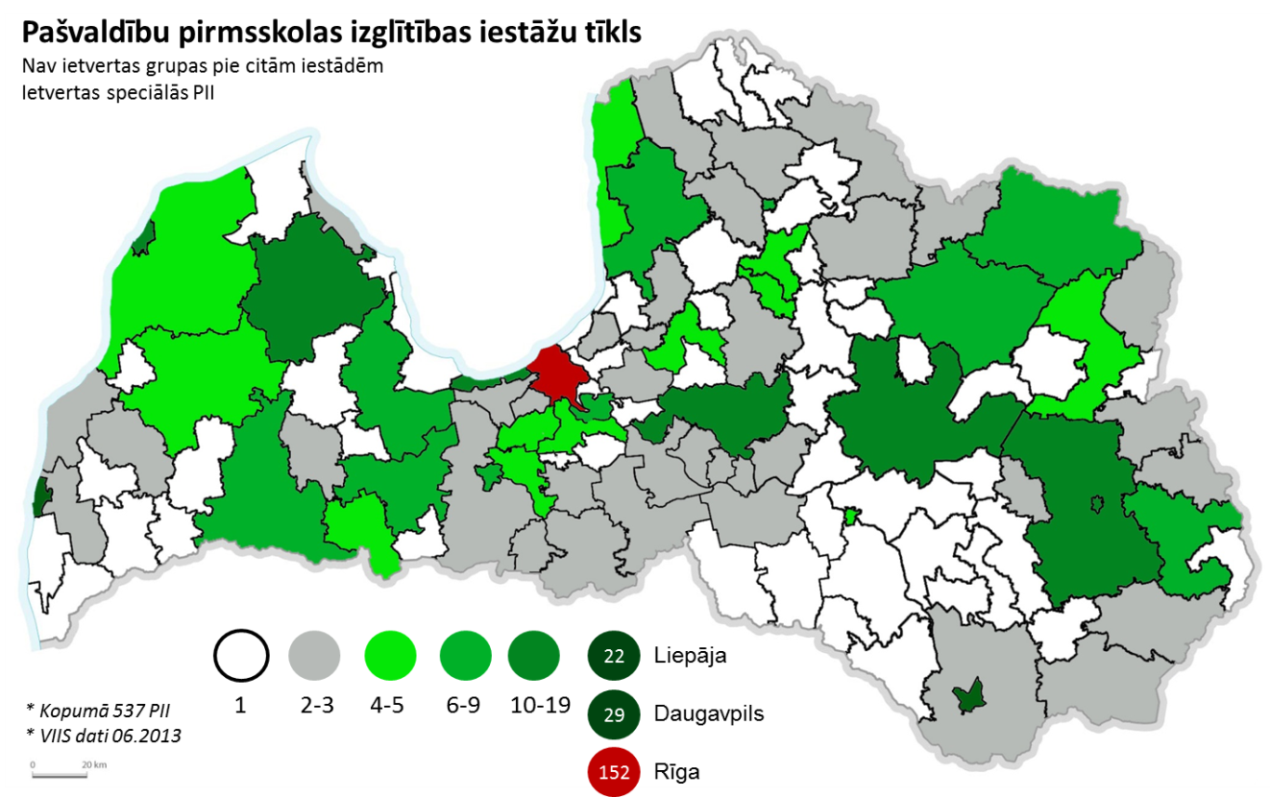
Special PEI included

**Network of municipal pre-school educational institutions**

Groups relating to other institutions are excluded

Special PEI included

Groups relating to other institutions are excluded. Special pre-school education institutions included



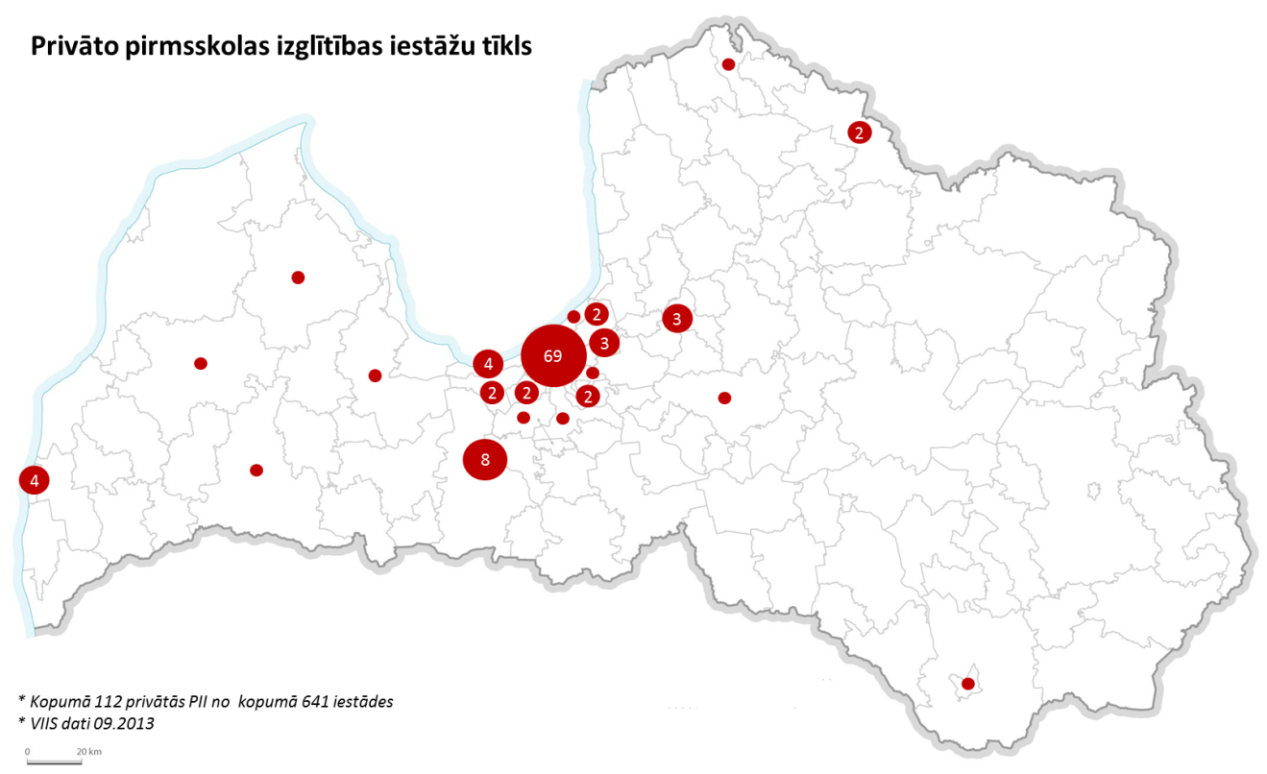
\*537 PEIs in total

Data source: Ministry of Education and Science, State Education Information System (hereinafter - SEIS)

In Riga pre-school education area there are almost 30% of the pre-school education institutions (hereinafter – PEI network). The smallest PEI network coverage is in the Latgale region, where the corresponding services are currently centred in Daugavpils and Rēzekne districts/cities. During reorganization of the existing general education institution network, is necessary to harmonise the availability of PEI, considering the availability of services as close to home as possible.

**Table No.81**

**Network of private pre-school educational institutions**



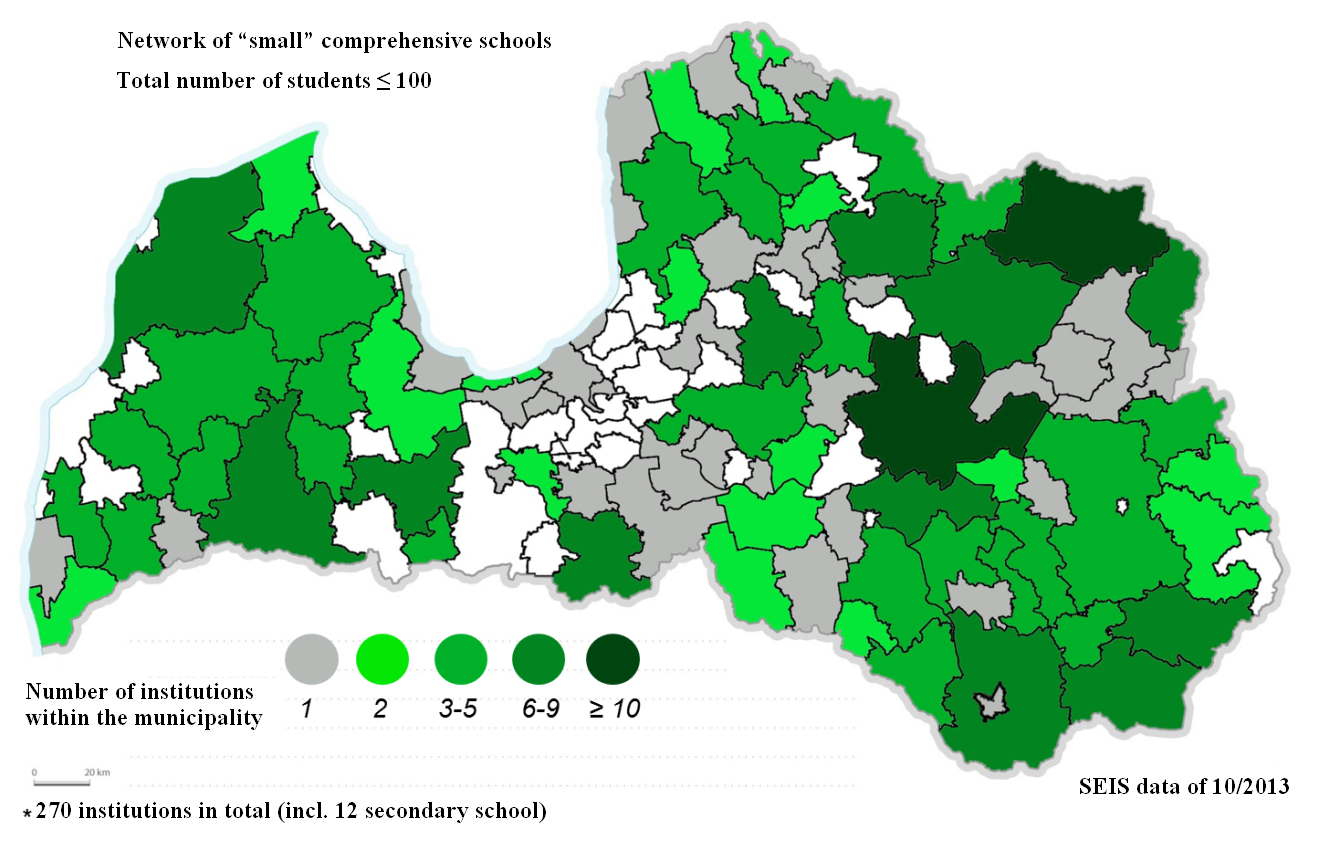
**Network of private pre-school educational institutions**

\* 112 private PEIs in total from all 641 institutions.

Data source: Ministry of Education and Science, SEIS

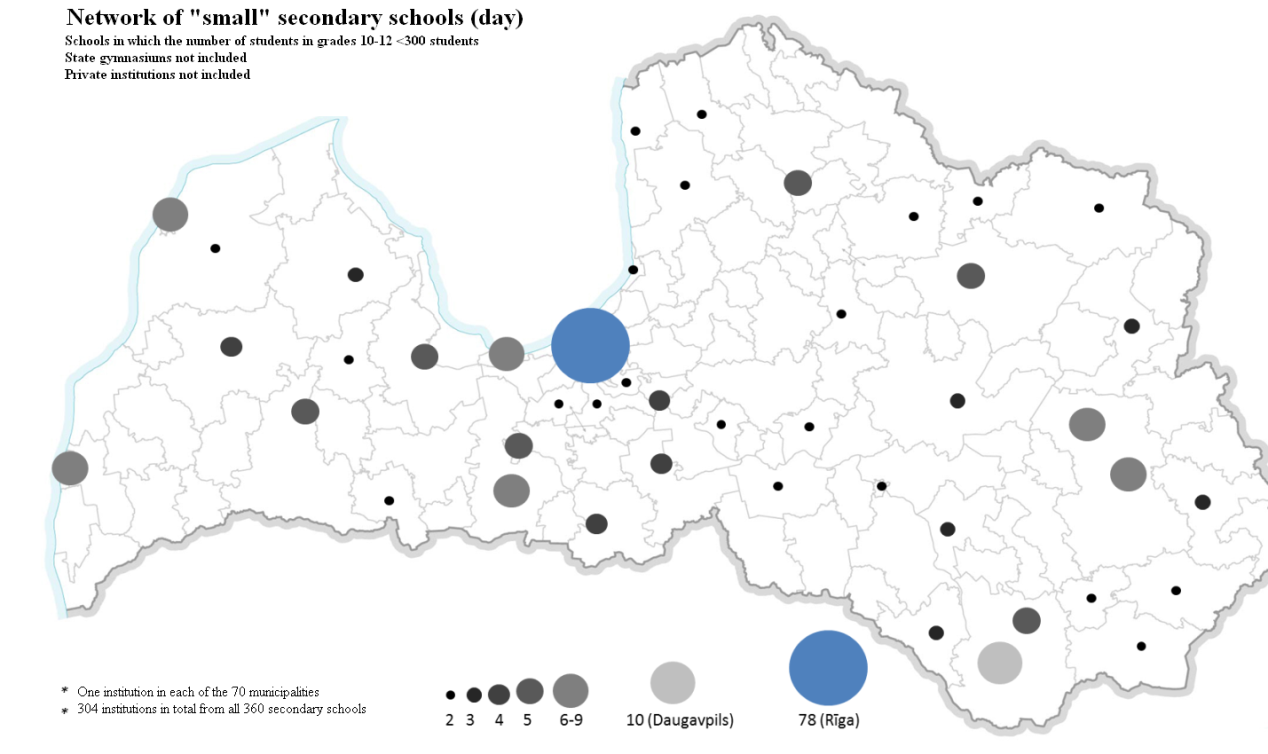
Within the framework of the existing policy a private PEI services are mostly concentrated in the Riga region, considering the demographic indices and municipality PEI network coverage, such business investments currently are unprofitable. It is expected that the situation is subject to change after the network of educational institutions is properly coordinated.

**Table No.82**



Data source: Ministry of Education and Science, SEIS

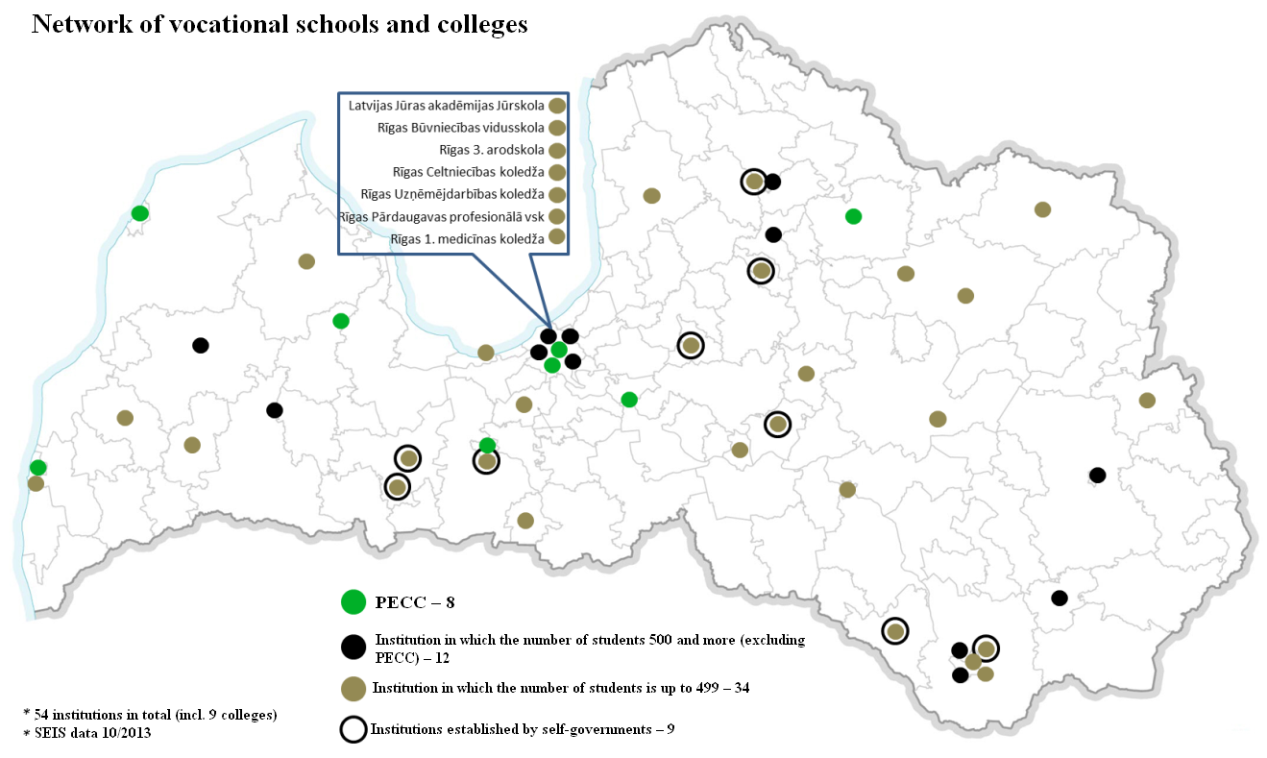
**Table No.83**



Data source: Ministry of Education and Science, SEIS

The "small" secondary school network map makes it possible to conclude that the placement of these institutions is relatively even (i.e. on average 25 students per class and per two parallel classes).

**Table No.84**



Data source: Ministry of Education and Science, SEIS

***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.**

Law On Official Publications and Legal Information and Regulation of Cabinet of Ministers No. 171 of 6 March 2007 „Procedures by which Institutions Place Information on the Internet”, which prescribes the procedures, by which institutions of direct administration and to derived public persons shall place information on the Internet in order to ensure availability thereof. Therefore, in accordance with mentioned regulation each institution shall develop a home page for the placing of information on the Internet.

Information about job opportunities (job vacancies) can be obtained in all 28 regional State Employment Agency’s (hereinafter – SEA) branch offices. Information about job vacancies is also available online (<http://cvvp.nva.gov.lv>).

The SEA also provides support for unemployed persons, persons seeking employment and persons subject to the risk of unemployment in order to facilitate their ability to compete in the labour market. In accordance to *Support for Unemployed Persons and Persons Seeking Employment Law* support is provided to a Latvian citizen or Latvian non-citizen, or a person who has a permanent residence permit in Latvia or the spouse of the referred to person who has a temporary residence permit in Latvia; a citizen of the Member States of the European Union or a state of the European Economic Zone, or the Swiss Confederation, or a family member of the referred to person who have a European Union citizen family member residence permit or European Union citizen family member permanent residence permit in Latvia; a person who has a temporary residence permit in relation to the granting of alternative status in Latvia, or a family member of the referred to person who has a temporary residence permit in Latvia; a person who has a permanent residence permit in relation to the granting of refugee status in Latvia, or a family member of the referred to person who has a permanent residence permit in Latvia; a person who has a European Community long-term resident residence permit in relation to the granting of European Community long-term resident status in Latvia, or the spouse of the referred to person who has a temporary residence permit in Latvia; a person who has a temporary residence permit in relation to the granting of temporary protection status in Latvia; a person who has a temporary residence permit in relation to the performance of scientific work in Latvia; a person who has a temporary residence permit in relation to the granting of victim of traffic of human beings status in Latvia; a person who is a holder of a European Union blue card, residing in Latvia during the validity term of the card (hereinafter – person, who is a holder of a European Union blue card).

When implementing active employment measures and preventative measures for unemployment reduction, differential treatment due to the gender, race and ethnic origin of a person is prohibited.

Information about working and living conditions can also be obtained on EURES portal and is also provided by EURES consultants in several SEA’s branch offices. Main objectives of EURES is to inform, guide and provide advice to potentially mobile workers on job opportunities as well as living and working conditions in the European Economic Area, to assist employers wishing to recruit workers from other countries and to provide advice and guidance to workers and employers in cross-border regions. Information about job opportunities abroad, living and working conditions is also available online ([http://www.nva.gov.lv/eures/](http://www.nva.gov.lv/eures/index.php?&new_lang=en)).

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

All legislative acts of the Republic of Latvia are available online at www.likumi.lv, translation in English is added, if available. The Ministry of Foreign Affairs of the Republic of Latvia and the Ministry of the Interior of the Republic of Latvia (Office of Citizenship and Migration Affairs) ensure different information channels to introduce potential immigrants with conditions of the entry and residence in the Republic of Latvia. Information regarding the receipt of the visa is placed on the web page of The Ministry of Foreign Affairs of the Republic of Latvia and every diplomatic and consular representations of the Republic of Latvia. Information regarding the residence permit and the right to employment – home page of the Office of Citizenship and Migration Affairs. The above mentioned institutions have informative phone numbers, and information can be obtained in person for both the employer and potential employee.

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

Information on employment statistics for years 2010-2013 is provided in the attachment of this Report. Please see files: 1.attachment\_2010; 2.attachment\_2011; 3.attachment\_2012 and 4.attachment\_2013.

***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)** 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). Moreover, in the case of the violation of employment rights employee has a possibility to apply to court or to the SLI.

The Paragraph 1 of the Article 7 of the Labour Law determines that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Paragraph 1 of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person’s race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Paragraph 2, Article 7, Labour Law).

Article 29 of the Labour Law regulates prohibition of differential treatment in the employment legal relations. Besides that Paragraph 1 of the Article 29 provides that differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. According to the Paragraph 9 of the Article 29 the provisions of this Article, as well as Article 32, Paragraph 1 and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee.

Differential treatment based on the gender of employees is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment (Paragraph 2, Article 29, Labour Law).

If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Paragraph 3, Article 29, Labour Law).

Harassment of a person and instructions to discriminate against him/her shall also be deemed to be discrimination within the meaning of this Law (Paragraph 4, Article 29, Labour Law). Direct discrimination exists if in comparable situations the treatment of a person in relation to his/her belonging to a specific gender is, was or may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Paragraph 5, Article 29, Labour Law). Indirect discrimination exists if apparently neutral provisions, criterion or practice cause or may cause adverse consequences for persons belonging to one gender, except in cases where such provisions, criterion or practice is objectively substantiated with a legal purpose the achievement of which the selected means are appropriate (Paragraph 6, Article 29, Labour Law). Harassment of a person within the meaning of this Law is the subjection of a person to such actions which are unwanted from the point of view of the person, which are associated with his/her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person’s dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive environment (Paragraph 7, Article 29, Labour Law).

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 (Paragraph 8, Article 29, Labour Law).

In addition the Paragraph 1 of the Article 32 of the Labour Law stipulates thata job advertisement (a notification by an employer of vacant work places) may not apply only to men or only to women, except in cases where belonging to a particular gender is an objective and substantiated precondition for the performance of relevant work or for a relevant employment.

If, when establishing employment legal relationships, an employer has violated the prohibition of differential treatment, an applicant has the right to bring an action to a court within three months from the date of receipt of refusal of the employer to establish employment legal relationships with the applicant (Paragraph 1, Article 34, Labour Law). If employment legal relationships have not been established due to the violation of the prohibition of differential treatment, the applicant does not have the right to request the establishment of such relations on a compulsory basis (Paragraph 2, Article 34, Labour Law).

If an employer when giving a notice of termination of an employment contract during the probation period has violated the prohibition of differential treatment, an employee has the right to bring an action to a court within one month from the date of the receipt of a notice of the termination from the employer (Article 48 of the Labour Law).

An employer has a duty to specify equal work remuneration for men and women for the same kind of work or work of equal value (Paragraph 1, Article 60, Labour Law). If an employer has violated the provisions of Paragraph 1 of this Article, the employee has the right to request the remuneration that the employer normally pays for the same work or for work of equal value (Paragraph 2, Article 60, Labour Law). An employee may bring the action referred to in Paragraph 2 of this Article to court within a three-month period from the day he or she has learned or should have learned of the violation of the provisions of Paragraph 1 of this Article (Paragraph 3, Article 60, Labour Law).

If an employer when determining working conditions, occupational training or the raising of qualifications has violated the prohibition of differential treatment; the relevant employee has the right to request the termination of such differential treatment (Paragraph 1, Article 95, Labour Law). If an employer in determining working conditions, occupational training or the raising of qualifications or promotion of an employee, has violated the prohibition of differential treatment, the relevant employee has the right to bring an action in a court within a three-month period from the day he/she has learned or he/she should have learnt of the violation of the prohibition of differential treatment (Paragraph 2, Article 60, Labour Law).

As regards third-country nationals, we would like to note that the Regulation of Cabinet of Ministers No.550 of 21 June, 2010 “Regulations regarding the Amount of Necessary Financial Means for a Foreigner and Procedures for the Determination of the Existence of Financial Means”prescribe the amount of financial means necessary for a foreigner to enter and reside in the Republic of Latvia or other Schengen Agreement Member States, 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 Regulations, 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 Statistics Bureau), if a foreigner wants to receive a visa and work permit in relation to employment (in 2014 – EUR 640 gross). This provision does not apply to the European Union citizens.

This means that employer has responsibility to pay the salary according to 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.

In accordance with the Regulation of 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.

Regulation of Cabinet of Ministers No.550 of 21 June 2010 “Regulations regarding the Amount of Necessary Financial Means for a Foreigner and Procedures for the Determination of the Existence of Financial Means” prescribes 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.

**b)** In pursuant with the Paragraph 1 of the Article 8 of the Labour Law employees, as well as employers have the right to freely, without any direct or indirect discrimination in relation to any of the circumstances referred to in Article 7, Paragraph 2 of this Law, unite in organisations and to join them in order to defend their social, economic and occupational rights and interests and use the benefits provided by such organisations. Affiliation of an employee with the organisations referred to in Paragraph 1 of this Article or the desire of an employee to join such organisations may not serve as a basis for refusal to enter into an employment contract, for termination of an employment contract or for otherwise restricting the rights of an employee (Paragraph 2, Article 8, Labour Law).

According to the Paragraph 1 of the Article 2 of the Law On Trade Unions of 13 December, 1990 the inhabitants of the Republic of Latvia who work or study have the right to form trade unions. Thereby foreigners also have the right to form trade unions. On 6 March, 2014 the Parliament of the Republic of Latvia adopted the new Trade Unions Law, which 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.

Furthermore, in pursuant with the Article 102 of the Constitution of the Republic of Latvia everyone has the right to form and join associations, political parties and other public organisations. According to the Article 2 of the Associations and Foundations Law of 30 October, 2003 an association is a voluntary union of persons founded to achieve the goal specified in the articles of association, which shall not have a profit-making nature. Natural persons and legal persons may be founders of an association, as well as partnerships with legal capacity. The number of founders may not be less than two (Article 23 of the Associations and Foundations Law).

**c)** According to the Article 97 of the Constitution of the Republic of Latvia everyone residing lawfully in the territory of Latvia has the right to freely move and to choose his/her place of residence.

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

**a), b)** In the case of the violation of employment rights employee has a possibility to apply to the court or to the SLI. The SLI supervises and controls observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as controls how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements. The State Labour Inspectorate Law, the Labour Law, the Latvian Administrative Violations Code and the Civil Procedure Law regulate the procedure how it shall be done.

**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.**

According to the data of the Office of Citizenship and Migration Affairs there were issued 3198 work permits to third-countries nationals in 2013. In total on 1st January 2014 there were 6517 persons, who had temporary residence permits related to employment.

***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.**

1.1. As regards the mandatory state social insurance payments – employees according to the general terms.

Paragraph 1 Article 18 of the Law On State Social Insurance, stipulates that if an employee has been insured for all types of social insurance, the mandatory contribution rate shall be 34.09 per cent from which an employer shall pay 23.59 per cent and an employee shall pay 10.50 per cent. Paragraph 2 of this Article stipulates that the Cabinet of Ministers shall determine the mandatory contribution rate for persons subject to mandatory social insurance and the distribution thereof according to the types of social insurance for the following year. Regulation of Cabinet of Ministers No. 1503 of 17 December 2013 Regulations Regarding the Distribution of State Social Insurance Contribution Rate by State Social Insurance Types for 2014.

Paragraph 1 of Article 14 of the Law On State Social Insurance stipulates that the object of mandatory contributions of an employer and employee shall be all calculated employment income from which personal income tax must be deducted without deduction of the non-taxable minimum, tax concessions and eligible expenses for which the taxpayer has the right to reduce the taxable income.

Paragraph 4 of Article 5 of the Law On State Social Insurance provides that a person is socially insured for occupational accident insurance, insurance against unemployment, invalidity insurance, maternity and sickness insurance and parents’ insurance, and he or she must make mandatory contributions (regarding thereof) from the day when such person has acquired the status referred to in Paragraph 1 of this Article, except for the status of a self-employed person. A person shall be socially insured for pension insurance if mandatory contributions have been actually made.

Paragraph 1 and 2 of Article 6 of the Law On State Social Insurance stipulates that employees shall be socially insured in conformity with all types of social insurance.

Employees, who have reached the age that gives the right to receive the state old-age pension or whom the state old-age pension has been granted (including before term) shall be subject to pension insurance, maternity and sickness insurance, parents’ insurance and occupational accident insurance. Employees who receive a service pension or are disabled and of state special pensions – shall be subject to pension insurance, invalidity insurance, maternity and sickness insurance, parents’ insurance and occupational accident insurance.

Paragraph 1 of Article 12 of the Law On State Social Insurance stipulates that a mandatory insurance contribution is a mandatory payment specified by Law into the account of a special budget, which gives the right to a socially insured person to receive social insurance benefits prescribed by Law.

Paragraph 1 of Article 13 of the Law On State Social Insurance provides that employers and self-employed persons shall be registered with the Taxpayer Register of the SRS in accordance with the procedures specified by the Cabinet of Ministers. Regulation of Cabinet of Ministers No. 827 of 7 September 2010 Regulations regarding the registration of the payers of the mandatory state social insurance contributions and reports on the mandatory state social insurance contributions and the personal income tax.

1.2. Micro-enterprises

Paragraph 4 of Article 1 of the Micro-enterprise Tax Law stipulates that the micro-enterprise tax is a tax, which includes:

a) mandatory state social insurance contributions, personal income tax and state fee of the business risk for micro-enterprise employees,

b) enterprise income tax, if the micro-enterprise conforms to the features of the enterprise income taxpayer,

c) personal income tax of the micro-enterprise owner for the part of the micro-enterprise revenue from the economic activity.

Paragraph 1 of Article 6 of the Micro-enterprise Tax Law stipulates that the rate of the micro-enterprise tax shall be 9%.

Paragraphs 1, 2 and 5 of Article 9 of the Micro-enterprise Tax Law stipulates that an employee of a micro-enterprise paying the micro-enterprise tax shall be socially insured, beginning from the day when he/she has acquired the status of the employee of a micro-enterprise paying the micro-enterprise tax.

According to the calculated sum of the mandatory state social insurance contributions, the SSIA shall calculate the object of the mandatory state social insurance contributions for a full calendar month (except the case when an employee of a micro-enterprise paying the micro-enterprise tax commences or terminates working in the micro-enterprise) for each employee of the micro-enterprise paying the micro-enterprise tax in proportion to the number of employees indicated in the micro-enterprise tax declaration in each month and their actual income, applying the rate of the mandatory state social insurance contributions, which has been specified accordingly to an employee who has been insured according to all types of social insurance, to an employee who has reached the age giving the right to receive state old-age pension and to an employee who is the recipient of a service pension or a disabled person – the recipient of the state special pension.

An employee of a micro-enterprise paying the micro-enterprise tax may voluntarily join the state social insurance, performing social insurance contributions from freely selected income, which do not exceed the limit specified in Paragraph 4 Article 2of this Law. The employee of the micro-enterprise shall perform voluntary state social insurance contributions according to all types of social insurance, but such employee of a micro-enterprise paying the micro-enterprise tax who has reached the age giving the right to receive state old-age pension shall perform voluntary state social insurance contributions for insurance of state old-age pensions, maternity and illness insurance, parental insurance and occupational accident insurance; in his/her turn an employee of a micro-enterprise paying the micro-enterprise tax who is the recipient of service pension or a disabled person – the recipient of state special pension shall perform voluntary state social insurance contributions for insurance of state pensions, occupational accident insurance, disability insurance, maternity and illness insurance and parental insurance.

1.3. Self-employed persons

Paragraphs 3 and 3¹ of Article 6 of the Law On State Social Insurance stipulates that self-employed persons whose income reaches the minimum amount of the object for mandatory contributions specified by the Cabinet of Ministers shall be subject to pension insurance, invalidity insurance, maternity and sickness insurance, and parents’ insurance, but self-employed persons who have reached the age which gives the right to receive the state old-age pension or whom the state old-age pension has been granted (including before term) shall be subject to pension insurance, maternity and sickness insurance, and parents’ insurance.

Self-employed persons who pay the fixed personal income tax and whose revenue reaches the minimum amount of the object for mandatory contributions determined by the Cabinet of Ministers that is multiplied by the coefficient 3.3 shall be subject to pension insurance, invalidity insurance, maternity and sickness insurance, and parents’ insurance, but self-employed persons who have reached the age that gives the right to receive a state old-age pension or whom the state old-age pension has been granted (including before term) shall be subject to pension insurance, maternity and sickness insurance, and parents’ insurance.

Paragraph 2 of Article 14 of the Law On State Social Insurance provides that the object of mandatory contributions of a self-employed person shall be the freely selected income (or revenue of the payers of fixed personal income tax) from the production of goods, performance of work, provision of services, creative and professional activity and other income from economic activity, except for the income that is obtained by a natural person, who has been referred to in Paragraph 7, 11 or 13 of the Article 6 of this Law, from agricultural (fish) farming, his/her immovable property, self-produced production in an individual subsidiary farm or household farm, copyright and related rights. A person may make such choice only once per report quarter. The Cabinet of Ministers shall determine the minimum amount of the object for mandatory contributions and procedures for determination thereof.

Paragraph 2 of Regulation of Cabinet of Ministers No.1478 of 17 December 2013 Regulations regarding the minimum and the maximum amount of the object of the mandatory and the voluntary state social insurance contributions stipulates that the minimum annual amount of the object of the state social insurance contributions for self-employed persons and voluntarily insured persons equals 12 minimum monthly wages as set by the Cabinet of Ministers.

Paragraph 3 of Article 5 of the Law On State Social Insurance provides that persons who have reached 15 years of age, whose permanent place of residence is in the Republic of Latvia, and who are not subject to state mandatory social insurance in the Republic of Latvia may join the state social insurance voluntarily in accordance with the procedures specified by the Cabinet of Ministers. A person who has not been granted a state old-age pension in accordance with the Law On State Pensions may join voluntarily the pension insurance and a spouse of a self-employed person who has not reached the age giving the right to receive the state old-age pension or whom the state old-age pension has not been granted (including before term) may join the pension insurance, invalidity insurance, maternity and sickness insurance, and parents’ insurance voluntarily.

1.4. Payers of the patent fee

Paragraphs 1 and 2 of Article 1110 of the Law On Personal Income Tax stipulates that a patent fee shall be a uniform fixed payment specified by the State, which includes personal income tax and state social insurance contributions for the economic activity of a natural person.

Instead of personal income tax and state social insurance contributions, a payer may choose to pay a licence fee, if his/her revenue in the pre-taxation year does not exceed the threshold specified in the Law On Value Added Tax, which stipulates for an obligation to register with the SRS Register of Value Added Tax Taxable Persons, and if he/she conforms to the conditions specified in Paragraph 5 of this Article 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 32 of Article 6 of the Law On State Social Insurance stipulates that natural persons which are performing economic activity and paying patent fee for it, shall be subject to pension insurance and invalidity insurance, but the persons who have reached the age giving the right to receive state old age pension or whom the state old-age pension has been granted (including before term), shall be subject to pension insurance.

1.5. Payers of the income tax of seasonal agricultural workers

Paragraph 1 of Article 1112 of the Law On Personal Income Tax stipulates that the income of seasonal agricultural workers for the purpose of this law is the income obtained by the payer of the income tax of seasonal agricultural workers during the period from the 1st April to the 30th November of the taxation year from jobs of a seasonal nature related to sowing or planting of fruit trees, bushes and vegetables, taking care of fields, harvesting, sorting of fruit, berries and vegetables for the benefit of the entity paying the income of seasonal agricultural workers.

Paragraph 10 of Article 15 of the Law On Personal Income Tax stipulates that the rate of the income tax of seasonal agricultural workers shall be 15%.

Paragraph 8 of Article 26 of the Law On Personal Income Tax stipulates that the income tax of seasonal agricultural workers is transferred to the budget according to the following distribution:

1) if the total amount of the income obtained by the payer of the tax of seasonal agricultural workers during a calendar month from one or several payers of the income of seasonal agriculture workers does not exceed 70 EUR, the payer of the income of seasonal agriculture workers shall transfer the income tax of seasonal agriculture workers to the personal income tax distribution account;

2) if the total amount of the income obtained by the payer of the tax of seasonal agricultural workers during a calendar month from one or several payers of the income of seasonal agriculture workers exceeds 70 EUR, the payer of the income of seasonal agriculture workers shall transfer the income tax of seasonal agriculture workers to the budget according to the following distribution:

a) 90% to the account of the mandatory state social insurance contributions,

b) 10% to the personal income tax distribution account.

Paragraph 22 of Article 6 of the Law On State Social Insurance stipulates that the employee who pays the income tax of seasonal agriculture workers and whose income during a calendar month from one or several payers of the income of seasonal agriculture workers (employers) exceeds 70,00 EUR, is subject to the pension insurance.

Paragraph 31 of Article 5 of the Law On the State Social Insurance stipulates that the persons who pay the income tax of seasonal agriculture workers may voluntarily join the pension insurance according to the procedure defined by the Cabinet of Ministers.

1.6. Paragraph 2 of Article 15 of the Law On Personal Income Tax stipulates that the payer of the salary tax shall pay a rate of tax in the amount of 25% from the monthly taxable income.

Article 90 of the Transitional Terms of the Law On Personal Income Tax stipulates that the amendments to Paragraphs 2 and 21 of Article 15, Paragraphs 17 and 19 of Article 17 as regards the replacement of the number “25” by the number “22” shall enter into force on 1 January 2016. In taxation years 2014 and 2015 the tax rate for the application of Paragraphs 2 and 21 of Article 15, Paragraphs 17 and 19 of Article 17 of this Law is as follows:

1) in taxation year 2014 — 24% and this rate shall be applied in calculating the personal income tax for taxation year 2014;

2) in taxation year 2015 — 23% and this rate shall be applied in calculating the personal income tax for taxation year 2015.

According to the Law On Personal Income Tax non-taxable minimum is not applicable for non-residents, except for a non-resident, which is a resident of other European Union member state or European Economic Area state and which in a taxation period has gained in Latvia more than 75 percent of his 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 laws of the Republic of Latvia and those non-residents, who are residents of other European Union member state or European Economic Area state that have gained in Latvia at least 75 percent of their annual taxable income.

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

2.1. An employee who has not reached the age providing the right to receive the state old-age pension (or an employee to whom the state old-age pension is granted at an earlier age) is insured for all types of social insurance, in particular, the state pension insurance, the maternity and sickness insurance, the parents’ insurance, the disability insurance, the occupational accident insurance and the occupational diseases insurance, as well as unemployment insurance.

Upon an insurance case a person is entitled to receive an insurance benefit. As regards short-term benefits, in the course of evaluating whether a person is eligible, the condition of whether the mandatory state social insurance contributions have actually been made is not taken into account. They are assessed from the wage stated in the employer’s reports submitted by the employer to the SRS on monthly basis. The only exception refers to the old-age pension which is assessed on the basis of actually paid mandatory state social insurance contributions as from 1 January 2011.

Thus, the Law On State Social Insurance does not provide different conditions for residents and non-residents, for the citizens of third countries as regards the mandatory state social insurance contributions to be made and the types of insurance applicable to a person.

2.2. The rate of the micro-enterprise tax is 9% of the turnover. The micro-enterprise tax comprises the mandatory social insurance contributions and the personal income tax.

An employee of a micro-enterprise who has not reached the age required for granting the pension is insured for all types of insurance. An employee of a micro-enterprise who has reached the age required for granting the pension (or to whom the state pension has been granted at an earlier age) is subject to the state pension insurance, the maternity and disease insurance, the parental insurance and the occupational accident insurance.

An employee of a micro-enterprise paying the micro-enterprise tax may voluntarily join the state social insurance, performing social insurance contributions from freely selected income, which do not exceed 720 EUR per month.

Thus, the Micro-enterprise Tax Law does not provide for a different rate of the micro-enterprise tax depending on the nationality of employees. No restrictions as regards becoming of an employee of a micro-enterprise exist for the citizens of third countries. Similar to employees who pay taxes according to the general procedure, also the employees of micro-enterprises are insured for all types of insurance. The amount of a social insurance service does not depend of the salary of an employee of a micro-enterprise as much as it depends on the turn-over of the micro-enterprise, because an employee of a micro-enterprise does not pay labour taxes from the salary and the employer pays the micro-enterprise tax from the turnover of the micro-enterprise.

2.3. A self-employed person is obliged to register with the SRS when his/her monthly income exceeds the minimum wage set in the country (320 EUR in 2014, for the persons paying a fixed personal income tax this amount equals the minimum wage x 3.3 coefficient).

The object of the contributions by a self-employed person is a freely selected income obtained from the production of goods, the performance of works, the provision of services, creative and professional activities and other income from economic activities, except certain types of income defined by the law. A self-employed person shall commence the payment of the mandatory state social insurance contributions when his/her income reaches the minimum wage set in the country (320 EUR in 2014, for the persons paying a fixed personal income tax this amount equals the minimum wage x 3.3 coefficient) from an amount which is not below this minimum (except the months when there have been sickness leaves, maternity leaves).

Self-employed persons are subject to the pension insurance, the disability insurance, the maternity and sickness insurance and parental insurance, and self-employed persons who have reached the age entitling them to the state old-age pension or to whom the state old-age pension has been granted (including at an earlier age) are subject to the pension insurance, the maternity and sickness insurance and the parental insurance.

Moreover, also the spouse of a self-employed person who has not reached the age entitling him/her to the state old-age pension or to whom the state old-age pension has not been granted (including at an earlier age) can also join the pension insurance, the disability insurance, the maternity and sickness insurance and the parental insurance.

Thus, the Law On the State Social Insurance does not provide different conditions for residents and non-residents, the citizens of third countries as regards the mandatory state social insurance contributions to be made and the type of insurance applicable to a person.

2.4. Law On Personal Income Tax does not provide any restrictions to the citizens of third countries for selecting the payment of the patent fee for their economic activities. Neither the Law On the State Social Insurance provides a different treatment of the citizens of third countries.

2.5. If the monthly income of the payer of the seasonal agriculture workers does not reach the amount of 70 EUR, the person is not subject to the social insurance. The payers of the income tax of the seasonal agriculture workers are subject to the social insurance if a person’s income exceeds 70 EUR per month. The above referred persons are only subject to the pension insurance.

The payer of the income tax of the seasonal agriculture workers is entitled to voluntarily join the pension insurance.

Thus, any person, including the citizens of third countries, whose monthly income of seasonal agriculture workers exceed 70 EUR is subject to the pension insurance.

2.6. 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 rate (24% in 2014) is 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% of his/her total income in Latvia during a taxation year.

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

In July 2014 the number of employees paying mandatory state social insurance contributions according to the general terms was 731 960 but the number of employees in micro-enterprises was 65 021.

In June 2014 there were 7 858 self-employed persons as well as persons who made economic activity and for that paid the patent fee was 589 (from which 18 persons who have reached the pension age or to whom the old age pension was granted).

In June of 2014 there were 265 persons who were obtaining the income of seasonal agriculture workers and who were socially insured (this new regime of tax payments is valid as from 1 June 2014).

***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 – Regulation of Cabinet of Ministers No.564 of 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 to the norms of international law and the state interests of Latvia. Regulation of Cabinet of Ministers No.564 of 21 June 2010 Regulations Regarding Residence Permits stipulates the procedures for issuance, registration and cancellation of temporary residence permits and permanent residence permits. Council Directive 2003/86/EC of 22 September 2003 on the right to family reunification is implemented within the above mentioned legislation acts.

**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 (except state administrative staff training) 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 regarding refusals of residence permits is not collected. Level of refusals is not higher than 1% of the total amount of applications. In the year 2010, 61 first temporary residence permits were issued to foreigner employees’ family members, in 2011 – 113, in 2012 – 223, in 2013 – 225 temporary residence permits.

***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.**

According to Article 92 of [the Constitution of the Republic of Latvia](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Constitution.doc) everyone has the right to defend his/her rights and lawful interests in a fair court. Everyone shall be presumed innocent until his/her guilt has been established in accordance with law. Everyone, where his/her rights are violated without basis, has a right to commensurate compensation. Everyone has a right to the assistance of an attorney.

Every person who is located in Republic of Latvia, including, a citizen of Latvia, a non-citizen of Latvia, a stateless person, as well as other citizens have the right to legal aid. No one can prohibit persons to exercise these rights, because they are determined in the Constitution of Republic of Latvia.

For a legal aid person chooses a specific attorney or a law firm, consults about its legal situation, and if the person is satisfied with the attorney’s or the law firm’s offer, the person enters into an agreement of legal services, where parties agree on the legal service scope, the amount of assistance, payments and other essential components of the contract.

According to the Article 1 of State Ensured Legal Aid Law, the purpose of this Law is to promote the right of a natural person to a fair court protection by ensuring state-guaranteed financial support for the receipt of legal aid. According to Article 3 Paragraph 1 of State Ensured Legal Aid Law the following persons have the right to legal aid:

1) a citizen of Latvia;

2) a non-citizen of Latvia;

3) a stateless person;

4) a European Union citizen who is not a citizen of the Republic of Latvia, but resides legally in the Republic of Latvia;

5) a third-country national (including a refugee and a person who has been granted the alternative status in the Republic of Latvia) who is not a citizen of a European Union Member State, if he or she legally resides in the Republic of Latvia and has received a permanent residence permit;

6) a person who has the right to legal aid ensured by the Republic of Latvia in accordance with the international agreements entered into by the Republic of Latvia;

7) an asylum seeker;

8) a person whose permanent place of residence or domicile is one of the European Union Member States, in cross-boundary disputes; and

9) a foreigner who is subject to the forced return procedure in the cases and by the procedure specified by the Immigration Law (hereinafter – foreigner to be forcibly returned).

Article 3, Paragraph 2 of the State Ensured Legal Aid Law states that natural persons referred to in Paragraph 1, Parts 1, 2, 3, 4 and 5 of this Article have the right to request legal aid if:

1) they have obtained the status of a low-income or needy person in accordance with the procedures specified in the regulatory enactments regarding the recognition of a natural person as a low-income or needy person; or

2) they find themselves suddenly in a situation and material condition which prevents them from ensuring the protection of their rights (due to a natural disaster or *force majeure* or other circumstances beyond their control), or are on full support of the State or municipality (hereinafter – special situation).

Article 5 of the State Ensured Legal Aid Law determines that the state shall ensure legal aid for the out-of-court and in-the-court settlement of matters of legal nature or for the protection of infringed or contested rights of a person or his/her interests protected in the cases, ways and amounts provided for by this Law. The state shall ensure legal aid for an asylum seeker in the appeals procedures during the process of granting an asylum. The institution 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, shall 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 referred to in Article 331. of this Law. 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.

The Article 9 of the State Ensured Legal Aid Law stipulates that the state shall ensure legal consultations and the drawing up of procedural documents:

1) for the protection of the infringed or contested rights of a person or his/her interests protected by the law in a civil legal dispute;

2) in order to prepare an application or a claim to the court or a settlement document, if a person is involved in a dispute of legal nature, in which legal proceedings are possible.

The state shall ensure the following legal aid during legal proceedings in a civil matter:

1) legal consultations;

2) the drawing up of procedural documents; and

3) representation in court.

The state shall ensure legal aid in cross-border disputes outside the court and in the court (including legal consultations and interpreter service). The Legal Aid Administration shall not ensure legal aid to foreign applicants and applicants in the cases specified in Council Regulation (EC) No 4/2009 of 18 December 2008 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations and the Hague Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance. In such cases legal aid shall be ensured by the Maintenance Guarantee Fund administration in accordance with the procedures and amount specified by the Maintenance Guarantee Fund Law.

The state shall ensure the following in administrative matters:

1) legal consultations;

2) the drawing up of procedural documents; and

3) representation in court.

The state shall ensure the following in criminal matters:

1. the drawing up of procedural documents;
2. defense and representation in criminal matters.

**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.**

**Table No.85**

**State Ensured Legal Aid in 2013**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **I** | **II** | **III** | **IV** | **V** | **VI** | **VII** | **VIII** | **IX** | **X** | **XI** | **XII** | **Total** |
| Number of Applications | 233 | 213 | 253 | 214 | 169 | 182 | 187 | 194 | 197 | 227 | 205 | 169 | 2443 |
| Decisions on Ensuring Legal Aid | 168 | 150 | 212 | 183 | 140 | 142 | 147 | 154 | 136 | 161 | 168 | 140 | 1901 |
| Refusals of Ensuring Legal Aid | 24 | 12 | 35 | 27 | 22 | 14 | 19 | 20 | 18 | 21 | 23 | 27 | 262 |
| Adjournment of Ensuring Legal Aid | 92 | 46 | 51 | 67 | 44 | 53 | 59 | 53 | 41 | 37 | 28 | 9 | 580 |
| Requests of Legal Aid for Asylum Seekers | 2 | 0 | 0 | 1 | 1 | 1 | 1 | 1 | 0 | 0 | 2 | 3 | 12 |

Data source: Legal Aid Administration

**Table No.86**

**Funds Paid for Legal Aid, LVL in 2013**

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Total** | **57599,66** | **47870,67** | **49398,27** | **54044,13** | **48947,83** | **49762,99** | **51534,06** | **37114,99** | **46380,81** | **47151,42** | **51851,26** | **31974,27** | **573630,36** |
| int.al., administrative cases | 163,56 | 52,43 | 0,00 | 0,00 | 0,00 | 171,24 | 0,00 | 90,00 | 0,00 | 80,00 | 200,88 | 71,22 | 829,33 |
| int.al., civil cases | 3909,33 | 4418,52 | 4358,59 | 5103,57 | 4760,79 | 4174,69 | 3098,99 | 3717,42 | 3429,30 | 3180,77 | 4679,09 | 3093,58 | 47924,64 |
| int.al., criminal cases upon assignment of LAA | 0,00 | 0,00 | 51,70 | 0,00 | 0,00 | 40,98 | 40,98 | 0,00 | 0,00 | 0,00 | 50,60 | 0,00 | 184,26 |
| int.al., criminal cases upon request of person directing the proceedings | 53411,27 | 43247,72 | 44925,98 | 48833,81 | 44130,04 | 45376,08 | 48174,09 | 33199,57 | 42794,51 | 43803,65 | 46796,69 | 28784,47 | 523477,88 |
| int.al., according to Article 681 of the Medical Treatment Law | 115,50 | 152,00 | 62,00 | 106,75 | 57,00 | 0,00 | 220,00 | 108,00 | 157,00 | 87,00 | 124,00 | 25,00 | 1214,25 |

Data source: Legal Aid Administration

**Table No.87**

**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 |  |  |  | 1788 |
| Decisions on Ensuring Legal Aid | 175 | 163 | 227 | 161 | 144 | 138 | 153 | 134 | 132 |  |  |  | 11427 |
| Refusals of Ensuring Legal Aid | 25 | 25 | 21 | 14 | 21 | 13 | 24 | 26 | 10 |  |  |  | 179 |
| Adjournment of Ensuring Legal Aid | 56 | 28 | 42 | 28 | 19 | 22 | 36 | 40 | 58 |  |  |  | 329 |
| Requests of Legal Aid for Asylum Seekers | 0 | 1 | 0 | 1 | 1 | 1 | 0 | 0 | 0 |  |  |  | 4 |

Data source: Legal Aid Administration

**Table No.88**

**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** |  |  |  | **832988,84** |
| int.al., administrative cases | 483,56 | 216,99 | 0,00 | 218,92 | 202,89 | 211,00 | 127,27 | 99,92 | 0,00 |  |  |  | 1560,55 |
| int.al., civil cases | 5754,50 | 9057,83 | 4807,54 | 14052,57 | 6167,33 | 11214,49 | 5412,34 | 7160,98 | 7483,18 |  |  |  | 71110,76 |
| 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 |  |  |  | 756712,58 |
| int.al., according to Article 681 of the Medical Treatment Law | 83,24 | 621,55 | 294,57 | 330,84 | 459,64 | 61,90 | 416,94 | 549,48 | 786,79 |  |  |  | 3604,95 |

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 the provisions of Paragraph 6¹. of Article 1, Article 4, Article 41 and Article 46 of Immigration Law a voluntary return decision or a removal order may be adopted only if staying of foreigner in the Republic of Latvia is illegal.

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

To satisfy mentioned legal provisions of the Immigration Law there are no additional measures used, for example, 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.**

Pursuant to the Paragraph 1 of Article 3 of Regulation (EC) 1889/200523 of the European Parliament and the Council of 26 October 2005 on controls of cash entering or leaving the EU (hereinafter referred to as Council Regulation No. 1889/2005) any natural person entering or leaving the Community and carrying cash of a value of EUR 10 000 or more shall declare that sum to the competent authorities of the Member State through which he is entering or leaving the Community in accordance with this Regulation. The obligation to declare shall not have been fulfilled if the information provided is incorrect or incomplete.

Paragraph 6 of Preamble of Council Regulation No. 1889/2005 stipulates that in view of its preventive purpose and deterrent character, the obligation to declare should be fulfilled upon entering or leaving the Community. Also, it should be specified that the obligation to declare applies to the natural person carrying the cash regardless of whether that person is the owner.

Pursuant to the subparagraph of paragraph 2 of Article 2 of Council Regulation No. 1889/2005 cash is currency (banknotes and coins that are in circulation as a medium of exchange).

Pursuant to Paragraph 1 of Article 5 of the Law on Declaration of Cashat the State Border a natural person who in compliance with Article 3 of the Council Regulation No. 1889/2005 has obligation to declare cash by completing cash declaration form in writing.

Article 2 of Regulations of Cabinet of Ministers No. 414 of 19 June 2007 Regarding the Form of Declaration of Cash, the Procedures for Filling in and Submission Thereof and Verification of the Provided Information stipulates that a natural person whose duty is to declare cash pursuant to Council Regulation No. 1889/2005 shall fill in a declaration (in two copies, on self-copying paper) and submit it to an authorised official of the competent authority at the State border crossing location.

**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.89**

**Submitted cash declarations**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Month** | **Year of 2013** | | **Year of 2014** | |
| **Total amount (EUR)** | **Number** | **Total amount (EUR)** | **Number** |
| January |  |  | 3 501 706,46 | 43 |
| February |  |  | 2 770 377,18 | 42 |
| March |  |  | 6 148 559,18 | 74 |
| April |  |  | 2 622 925,83 | 58 |
| May | 7 300 151,92 | 58 | 3 007 706,62 | 46 |
| June | 2 264 365,34 | 47 | 2 564 151,79 | 55 |
| July | 9 061 332,84 | 75 | 3 405 102,99 | 67 |
| August | 2 047 774,75 | 38 |  |  |
| September | 6 226 036,05 | 54 |  |  |
| October | 5 682 890,77 | 63 |  |  |
| November | 5 900 478,86 | 52 |  |  |
| December | 3 479 304,92 | 54 |  |  |
| Total: | 41962335 | 441 | 24020530 | 385 |

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 provided in the Paragraph 5 of the Article 19 (subparagraph 1.3., 2.3. and 3.3. Self-employed) 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 provided in the Paragraph 5 of the Article 19 (subparagraph 1.3., 2.3. and 3.3. Self-employed) of this Report.

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

Please see the information provided in the Paragraph 5 of the Article 19 (subparagraph 1.3., 2.3. and 3.3. Self-employed) 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.**

According to the Article 3 of the Education Law the following persons have the right to education:

1) a citizen of Latvia;

2) a non-citizen of Latvia;

3) a citizen of the European Union, a citizen of the European Economic Area or a citizen of Swiss Confederation;

4) a permanent resident of the European Community who has a valid residence permit in the Republic of Latvia;

5) a stateless person who has a valid travel document of the stateless person issued in the Republic of Latvia;

6) a citizen of another state, other than a citizen of the European Union, the European Economic Area or Swiss Confederation (hereinafter – a third-country national) or a stateless person who has a valid residence permit in the Republic of Latvia;

7) a refugee or a person who has acquired alternative status; and

8) a person who has received temporary protection in the Republic of Latvia.

A minor child of an asylum seeker and a minor asylum seeker has the right to basic education and secondary education, as well as the right to continue the commenced education after reaching the age of majority.

A minor third-country national or stateless person who has no legal basis to reside in the Republic of Latvia, has the right to acquire basic education during the time period specified for voluntary exit or during the time period for which the expulsion is suspended, as well as during his/her detention.

Pursuant to Article 3¹ of the Education Law the persons referred to in Article 3 of this Law have the right to acquire education regardless of the material and social status, race, nationality, ethnic belonging, gender, religious and political affiliation, state of health, occupation and place of residence.

Differential treatment towards a person due to the conditions referred to in Paragraph 1 of this Article shall be permitted, if it is objectively substantiated with a legal purpose, the means selected for the achievement of which are proportionate.

An educational institution established by a religious organisation is entitled to base on the person’s religious affiliation, readiness and capability to act in good faith and loyalty in relation to the dogma (doctrine) of the particular religion, as well as a set of moral and behavioural norms, principles and ideals, which form the basis of the conviction of the believers thereof.

It is prohibited to cause directly or indirectly unfavourable consequences for a person, if he or she maintains his/her rights with a view to prevent differential treatment.

If in the case of dispute a person points to factors which could have been the basis for his/her direct or indirect discrimination due to conditions referred to in Paragraph 1 of this Article, the implementer of the educational programme has a duty to prove that the prohibition of differential treatment has not been violated.

If the prohibition of differential treatment or the prohibition to cause unfavourable consequences is violated, a person has the right to request elimination of the violation, to receive legal assistance in according to the Ombudsman Law, as well as to bring an action to the court. A person has the right to request compensation for losses and remuneration for moral detriment. In the case of dispute the amount of moral detriment shall be determined by the court upon preference thereof.

The prohibition of differential treatment in relation to teachers and other persons employed in the education system shall be regulated by other laws.

The term “discrimination” used in this Article and types thereof shall comply with the terms used in the Consumer Rights Protection Law.

In accordance with the Regulation of Cabinet of Ministers No.75 of 25 January, 2011 Regulations Regarding the Procedures for Organising and Financing of Active Employment Measures and Preventative Measures for Unemployment Reduction and Principles for Selection of Implementers of Measuresthe SEA offers occupational training, retraining, raising of qualification and acquisition of non-formal education (training for unemployed persons and persons seeking employment) that include the acquisition of non-formal education programs - the acquisition of social and vocational basic abilities corresponding to the changing requirements of the labour market (including Latvian language courses for foreigners).

Latvian language courses are also provided for employed in training programs for adults in lifelong learning.

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

Assessment of changes introduced to the general secondary education minority education programmes in the 2004-2005 academic year was made. Promoting language learning in pre-school educational institutions that implement minority programs, teaching technique courses for elementary school and pre-school teachers were provided, and further education courses for primary school and pre-school educational establishment principals. Moreover, courses for minority students’ parents were organised, e-programs for learning Latvian and training and guidance materials for teachers were developed.

Increased support for learning Latvian, history and culture in the Latvian Diaspora was provided, ensuring that teachers work at permanent locations, in the Russian Federation and Ireland.

The process of acquisition of minority language and literature in educational institutions, which implement minority education programs were methodically supported. Teaching technique courses for teachers of adults and courses for minority teachers on development of professional competence, when teaching in Latvian or bilingually, were offered.

**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.90**

**Number of participants in lifelong learning programs - language courses for employed (other EU and third country citizens)**

|  |  |
| --- | --- |
| **Year** | **Participants** |
| 2010 | 5 |
| 2011 | 33 |
| 2012 | 7 |
| 2013 | 11 |
| Data source: SEA |  |

**Table No.91**

**Number of participants in informal education programs - national language courses (other EU and third country citizens)**

|  |  |
| --- | --- |
| **Year** | **Unemployed and job seekers** |
| 2010 | 410 |
| 2011 | 318 |
| 2012 | 387 |
| 2013 | 466 |

Data source: SEA

***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 in the Paragraph 2 of the 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 in the Paragraph 2 of the 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.**

N/A

***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)** In Latvia the principle of equal treatment shall be applied in the employment legal relations, including to workers with family responsibilities. The Paragraph 1 of the Article 7 of the Labour Law determines that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Paragraph 1 of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person’s race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Paragraph 2, Article 7, Labour Law).

Furthermore Part 2, Paragraph 2, Article 33 of the Labour Law determines that a job interview may not include such questions by the employer as do not apply to performance of the intended work or are not related to the suitability of the employee for such work, as well as questions which are directly or indirectly discriminatory, in particular questions concerning: family or marital status.

As well as, the Article 29 of the Labour Law regulates prohibition of differential treatment in the employment legal relations. The Paragraph 1 of the Article 29 provides that differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. In accordance with the Paragraph 9 of the Article 29 the provisions of this Article, as well as Article 32, Paragraph 1 and Articles 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee.

Differential treatment based on the gender of employees is permitted only in cases where a particular gender is an objective and substantiated precondition, which is adequate for the legal purpose reached as a result, for the performance of the relevant work or for the relevant employment (Paragraph 2, Article 29, Labour Law).

If in case of a dispute an employee indicates conditions which may serve as a basis for his/her direct or indirect discrimination based on gender, the employer has a duty to prove that the differential treatment is based on objective circumstances not related to the gender of the employee, or also that belonging to a particular gender is an objective and substantiated precondition for performance of the relevant work or the relevant employment (Paragraph 3, Article 29, Labour Law).

Harassment of a person and instructions to discriminate against him/her shall also be deemed to be discrimination within the meaning of this Law (Paragraph 4, Article 29, Labour Law). Direct discrimination exists if in comparable situations the treatment of a person in relation to his/her belonging to a specific gender is, was or may be less favourable than in respect of another person. Less favourable treatment due to granting of a prenatal and maternity leave or a leave to the father of a child shall be considered as direct discrimination based on the gender of a person (Paragraph 5, Article 29, Labour Law). Indirect discrimination exists if apparently neutral provisions, criterion or practice cause or may cause adverse consequences for persons belonging to one gender, except in cases where such provisions, criterion or practice is objectively substantiated with a legal purpose the achievement of which the selected means are appropriate (Paragraph 6, Article 29, Labour Law). Harassment of a person within the meaning of this Law is the subjection of a person to such actions which are unwanted from the point of view of the person, which are associated with his/her belonging to a specific gender, including actions of a sexual nature if the purpose or result of such actions is the violation of the person’s dignity and the creation of an intimidating, hostile, humiliating, degrading or offensive environment (Paragraph 7, Article 29, Labour Law).

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 (Paragraph 8, Article 29, Labour Law).

In the case of the violation of employment rights employee has a possibility to apply to court or to the SLI.

In addition the Paragraph 1 of the Article 32 of the Labour Law prescribes thata job advertisement (a notification by an employer of vacant work places) may not apply only to men or only to women, except in cases where belonging to a particular gender is an objective and substantiated precondition for the performance of relevant work or for a relevant employment.

If, when establishing employment legal relationships, an employer has violated the prohibition of differential treatment, an applicant has the right to bring an action to a court within three months from the date of receipt of refusal of the employer to establish employment legal relationships with the applicant (Paragraph 1, Article 34, Labour Law). If employment legal relationships have not been established due to the violation of the prohibition of differential treatment, the applicant does not have the right to request the establishment of such relations on a compulsory basis (Paragraph 2, Article 34, Labour Law).

If an employer when giving a notice of termination of an employment contract during the probation period has violated the prohibition of differential treatment, an employee has the right to bring an action to a court within one month from the date of receipt of a notice of termination from the employer (Article 48 of the Labour Law).

An employer has a duty to specify equal work remuneration for men and women for the same kind of work or work of equal value (Paragraph 1, Article 60, Labour Law). If an employer has violated the provisions of Paragraph 1 of this Article, the employee has the right to request the remuneration that the employer normally pays for the same work or for work of equal value (Paragraph 2, Article 60, Labour Law). An employee may bring the action referred to in Paragraph 2 of this Article to court within a three-month period from the day he/she has learned or should have learned of the violation of the provisions of Paragraph 1 of this Article (Paragraph 3, Article 60, Labour Law).

If an employer in determining working conditions, occupational training or the raising of qualifications has violated the prohibition of differential treatment; the relevant employee has the right to request the termination of such differential treatment (Paragraph 1, Article 95, Labour Law). If an employer in determining working conditions, occupational training or the raising of qualifications or promotion of an employee, has violated the prohibition of differential treatment, the relevant employee has the right to bring an action in a court within a three-month period from the day he/she has learned or he/she should have learnt of the violation of the prohibition of differential treatment (Paragraph 2, Article 95, Labour Law).

The Paragraph 1 of the Article 109 of the Labour Law 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 except in cases set out in Article 101, Paragraph 1, Parts 1, 2, 3, 4, 5 and 10 of this Law. Besides the Paragraph 3 of the Article 109 of the Labour Law specifies that an employer does not have the right to give a notice of termination of an employment contract during a period of temporary incapacity of an employee, except the case specified in Article 101, Paragraph 1, Part 11 of this Law, as well as during a period when an employee is on leave or is not performing the work due to other justifiable reasons. The referred to restrictions shall not apply to the case specified in Article 101, Paragraph 1, Part 10 of this Law.

Parts 1, 2, 3, 4, 5, 10 and 11, Paragraph 1, Article 101 of the Labour Law prescribes 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:

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;

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 three years, if the incapacity repeats 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 or occupational disease.

According to the Paragraph 5 of the Article 154 of the Labour Law a woman who makes use of pregnancy or maternity leave shall have ensured her previous work. If this is not possible, the employer shall ensure the woman similar or equivalent work with not less favourable conditions and employment provisions.

In pursuant with the Paragraph 6 of the Article 155 of the Labour Law a child’s father, adopter or another person who in fact cares for the child and who makes use of the leave to father of a child, adopters and other personsshall have preserved his/her previous work. If this is not possible, the employer shall ensure the child’s father, adopter or another person who in fact cares for the child similar or equivalent work with not less favourable conditions and employment provisions.

In accordance with the Paragraph 4 of the Article 156 of the Labour Law the previous job of an employee who makes use of parental leave shall be retained. If this is not possible, the employer shall ensure the employee similar or equivalent work with not less favourable conditions and employment provisions.

Concerning Labour Market Policy, Latvia applies general Labour Market policy to workers with family responsibilities addressing those seeking employment or being unemployed, ensuring equal access to the SEA services to all.

The legal framework in regard to employment, including vocational guidance and training is The Support for Unemployed Persons and Persons Seeking Employment Law. The purpose of this Law is to provide support for unemployed persons, persons seeking employment and persons subject to the risk of unemployment.

Although the Paragraph 1 of the Article 3 “Active Employment Measure” of the mentioned Law states different measures for specified groups of persons (including the persons 6 months after the end of parental leave (period of child care) and for persons who care for a family member), the unemployed and persons seeking employment may choose any programme from the list of approved programmes for unemployed and job-seekers.

**b)** The Paragraph 7 of the Article 37 of the Labour Law determines thatan employer, after receipt of a doctor’s opinion, is prohibited from employing pregnant women and women for a period following childbirth not exceeding one year, but if the woman is breastfeeding – during the whole period of breastfeeding if it is considered that performance of the relevant work poses a threat to the safety and health of the woman or her child. In any case, it is prohibited to employ a pregnant woman two weeks prior to the expected birth and a woman two weeks after childbirth. The time of the expected birth and the fact of birth shall be certified by a doctor’s opinion.

In accordance with the Paragraph 1 of the Article 99 of the Labour Law in order to prevent any risk, which may negatively affect the safety and health of a pregnant woman, an employer, after receipt of a doctor's opinion, has a duty to ensure such working conditions and working time for the pregnant woman as would prevent her exposure to the risk referred to. If it is not possible to ensure such working conditions or working time for a pregnant woman, the employer has a duty to temporarily transfer the pregnant woman to a different, more appropriate job. The amount of work remuneration after making amendments to the employment contract may not be less than the previous average earnings of the woman. Paragraph 2 of the Article 99 of the Labour Law provides that if such transfer to another job is not possible, the employer has a duty to grant the pregnant woman leave. During the period of such granted leave the previous average earnings of the pregnant woman shall be maintained. The provisions of this Article shall also apply to a woman following the period after birth up to one year, but if a woman is breastfeeding, during the whole period of breastfeeding (Paragraph 3, Article 99, Labour Law).

The Regulation of Cabinet of Ministers No.660 of 2 October, 2007 “Procedures for the Performance of Internal Supervision of the Work Environment” (for detailed information please see the Appendix No.3 of this Report) determines evaluation of the work environment risk, which shall be ensured for work performed by pregnant women and women who have recently given birth.

The Paragraph 3 of the Article 62 of the Labour Law specifies that if a piecework salary has been specified 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, and in accordance with a doctor’s opinion her work norms have been reduced, the employer has a duty to pay the employee for such period the previous average earnings.

In pursuance with the Paragraph 3 of the Article 53 of the Labour Law a pregnant woman, a woman for a period following childbirth up to one year and a woman breastfeeding may be sent on an official travel or a work trip if she has given her written consent.

According to the Paragraphs 2 and 3 of the Article 134 of the Labour Law 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. 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.

The Paragraph 7 of the Article 136 of the Labour Law determines 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 may be employed in overtime work if she has given her written consent.

According to Paragraphs 6 and 7 of the Article 138 it is prohibited to employ at night 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 then during the whole period of breastfeeding if there is a doctor’s opinion that the performance of the relevant work causes a threat to the safety and health of the woman or her child. An employee who has a child less than three years of age may be employed at night only with his/her consent.

Paragraph 4 of the Article 143 of the Labour Law prescribes that individual employees with a written order by the employer may be engaged to work during the week's day of rest, granting him/her rest at another time in the following cases: 1) if such is required by the most urgent public needs; 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; and 3) for the completion of urgent, unforeseen work within a specified period of time. For its part, the Paragraph 5 of the mentioned Article 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 then during the whole period of breastfeeding.

The Article 146 regulates breaks for feeding a child. According to the provisions of the mentioned Article an employee who has a child less than one and a half years of age shall be granted additional breaks for feeding the child. The employee shall in good time inform the employer of the necessity for such breaks (Paragraph 1). Breaks of not less than 30 minutes for feeding a child shall be granted not less than every three hours. If an employee has two or more children less than one and a half years of age, a break of at least one hour shall be granted. The employer shall determine the length of breaks after consultation with employee representatives. When determining the procedure for granting a break, the wishes of the relevant employees shall be taken into consideration as far as possible (Paragraph 2). Breaks for feeding a child may be added to breaks in work or, if such is requested by the employee, transferred to the end of the working time thus shortening the length of the working day accordingly (Paragraph 3). Breaks for feeding a child shall be included as working time, retaining work remuneration for such time. Employees for whom a piecework salary has been specified for such time shall be average earnings (Paragraph 4).

Paragraph 5 of the Article 150 of the Labour Law prescribes that employees under the age of 18 years and employees who have a child under three years of age or a disabled child up to 18 years of age shall be granted annual paid leave in summer or at a time of his/her choice.

According to the provisions of the Part 1, Paragraph 1, Article 151 of the Labour Law annual paid supplementary leave shall be granted to employees who have three or more children less than 16 years of age or a disabled child up to 18 years of age – three days.

As well as, Part 2, Paragraph 1, Article 152 of the Labour Law specifies that the time which gives the right to annual paid leave shall include the time during which an employee was actually employed by the relevant employer, and the time during which the employee did not perform work for justified cause, including a period of pregnancy leave and maternity leave.

Also if the employee makes use of leave without retention of work remuneration, the prenatal and maternity leave, the leave to father of a child, adopters and other persons and the parental leave, the previous job of an employee shall be retained. If this is not possible, the employer shall ensure the employee similar or equivalent work with not less favourable conditions and employment provisions (Paragraph 2, Article 153; Paragraph 5, Article 154; Paragraph 6, Article 155; Paragraph 4, Article 156, Labour Law).

According to the Law On State Social Insurance (Article 6) the state covers 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 a disabled child care benefit;

- persons who receive an allowance for the care of an adopted child.

**c)** Starting from August 2011 Education Law prescribes that municipalities shall ensure the equal access to pre-school educational services for all children at the 1.5-5 years of age in their administrative territory. Due to the lack of infrastructural base and/or intensive inter-regional migration (rapid increase of registered children in the capital Riga) many municipalities have been contiguous with long waiting lists problem. Starting the beginning of 2013 the municipalities that are unable to provide pre-school educational services for children declared in their administrative territory, are partly paying for those children who are acquiring education in private pre-school educational institutions. The allowance is between EUR 70 and 260 per month.

In 2012-2013 municipalities consequently implemented many measures in order to increase the enrolment of children in formal child care system, e.g. investments in pre-school educational groups; organisation of basic and secondary education schools; building new kindergartens using EU structural funds; financing, optimising cooperation between municipalities and private kindergartens; increasing municipalities’ co-financing or purchasing of places for children on the waiting lists. In 2012 Ķekava municipality created a nannies’ data base and organised training courses for nannies. For children from the age of one and a half who have not been provided with places in pre-school educational institutions of the municipality, support is provided by the municipality to finance the nanny’s service. The amount of the municipalities’ financial support is EUR 170 per month for 160 hours of work performed by a nanny. The support provided for the child’s parents is provided if: the child or one of the parents is declared in the administrative territory of the municipality of Ķekava; the child has been on the waiting list for a place in a municipalities’ pre-school education institution; a contract has been signed between the parents and the nanny. In order to receive such support the parents shall have to choose a nanny from municipalities’ data base of nannies.

Until 2012 municipalities were rather conservative in provision of child care services; solely pre-school educational institutions were set. The good examples of municipalities’ practice shows that local actors are capable to solve some structural problems of weak early child care and education system by implementing unaccustomed and novel incentives. However, due to the lack of finances and political willingness this problem is still topical or even crucial in many municipalities in Latvia.

Since September 1st, 2013 the Latvian government started the pilot project to provide financial support for parents who need child care support for their children aged 1.5 - 4 years who are not benefiting from public childcare (as from 5 years on municipalities have a legal obligation to provide primary education to children). The purposeful financing will be provided for three years – till the end of 2015 in order to solve the problem of long waiting lists for public kindergarten registration and help parents to return to work at the same time providing safe conditions for the child. The co-funding of the state and the co-funding paid by the municipality to the child summed together should be adequate to decrease parents’ expenditures for attendance of private kindergarten or child-minders service. Monthly amount of the state support for full time service is up to EUR 142 with meeting the condition that total of state and municipal support (most municipalities already provide some support addressing such situations) per one child does not exceed, e.g. EUR 228 in Riga planning region and approximately EUR 185 in other regions and rural territories. The state funding in 2013 is EUR 4,5 million. The state funding for 2014 and 2015 is planned EUR 13,6 million per year.

State support (cash transfer) will be provided to private service providers that are included in the Education Register (private kindergartens) or Child Supervision Services Providers Registry (nannies, child care centres and other forms of child care, except private kindergartens) providing full-time service (at least 8 hours per working day). In order to get state support parents have to sign a written contract with the provider. Parents have to inform the respective municipality of the place of residence of the child about the fact that he/she is benefitting from such private services. Municipalities and providers have to inform about services provided the Ministry of Education and Science by 5th day of each month; the respective payments will be made to the providers within 10 days. The regulation on child-minders registration and professional activity organisation defines qualification and safety requirements for caregivers, who are not registered as educational institutions. Protection of the Rights of the Child Law stipulates: a child may be left in public places for short-term supervision to a provider of child supervision services; provider of child supervision services shall ensure an environment appropriate for a child at the place of provision of the service, which does not threaten his/her safety, life, health, morality and wholesome development; it is a duty of the parents not to leave a child up to seven years of age without adult supervision; parents should ensure child supervision by trustworthy person, child-minder or pre-school educational service provider for the period of their absence; the regulations require that a provider of child supervision services (child-minder) is obliged to register at the Child Supervision Services Providers registry.

Who can become child-minders? Several categories can be discerned: (1) state and municipal institutions (pre-school educational institutions, interest educational institutions and municipal child-minders services); (2) private legal entities (entrepreneurs, cooperative enterprises, NGOs, associations that work in the area of child care and child-minding (child care (day care) centres, playrooms). (3) physical entities (self-employed individuals that work in the area of child care and child-minding (child-minders, babysitters, nannies).

Child-minder’s status cannot be granted to persons who have shown immoral behaviour or have been convicted of criminal offences, or those to whom the court has applied the compulsory measures of medical nature specified in The Criminal Law. Child care or protection rights must not be deprived. A person must have the necessary skills to provide first aid. In the case of provision of full-time child supervision services (more than 4 hours per day), a person must have acquired basic necessary education (professional development programme) for nannies, if a person previously has not obtained the nanny profession or has not obtained professional or higher education of teacher. Furthermore a provider of child supervision services - legal person, public or local authority - must meet the following requirements: (1) State Fire and Rescue Service's acknowledgement that fire safety requirements have been met if the service is provided outside the child's home; (2) regular health inspections for persons engaged in the supervision of children; (3) license from Food and Veterinary Service, if a full-time service is provided outside the child's home, for catering of meals for children; (4) approve the working procedure regulations and regulations on protection of safety at work; (5) a person must be able to ensure fire safety, labour protection, hygiene and first aid during time of services.

Improvements in child care support and child-minders’ service give financial support for parents with children (age of 1.5 - 4) who are not benefiting from public childcare (co-funding of the state, co-funding of municipalities, cash transfer to the private provider of service). It is expected that introduction of child-minders service will improve the quality of childcare and protection of the child health by skilled and educated child-minders which can help to acquire pre-school education programmes, and by the requirements, registration and supervision for all child care services in the country. Alongside promotion of employment and labour market legalisation will be enforced by legalisation of private service providers, involving them in social insurance schemes and ensuring their social security rights. Furthermore, parents are enabled to faster return to work after parental leave and earn income, thereby reducing the potential risk of unemployment and poverty.

In accordance with amended Article 50 3¹ of the Protection of the Rights of the Child Law, in 2013 the Regulation of Cabinet of Ministers No.404 have been elaborated and adopted on 16 July 2013 “Requirements for Providers of Child Supervision Services and Procedures for Registration of Providers of Child Supervision Services”. The Regulation prescribes the professional qualification and safety requirements for provision of child supervision services, procedures for the registration of services providers in Child Supervision Services Providers registry.

To enter or to stay in employment, the workers from families with family members who need a 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 which during the day provides social care and social rehabilitation services, development of social skills, education and opportunities for spending free time for persons. In a day-care centre social workers and social carers shall work with clients. A person may stay at a day-care centre for a full working day or in accordance with entering into agreement.

Both – home care as well as day care centres services are provided by municipalities.

**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 is 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 offices provides career guidance advice and counselling free of charge to jobseekers, the employed and persons in education or planning to return to education that require information or support to achieve their career goals.

Unemployed persons and job-seekers registered with the SEA can choose group or individual career and/or counselling, career guidance, identification of suitable employment goals, job search information, assistance and retraining. Individuals are offered interest, aptitude, personality and psychometric testing, health profiling, role play, coaching and information provision. Group activities involve consultations, seminars and lectures on career management issues, career motivation tests and interpersonal communication training. SEA internet services include online career interest tests, information on careers and training opportunities, storage of CV, motivation letters, as well as responses to user questions by career guidance and/or counsellors.

During the time period from 2010 until 2013 the following programmes were implemented by the SEA:

*1. Placement and job-search assistance***.** The SEA registers vacancies submitted by employers and carries out the placement of unemployed and people seeking employment, helping them to integrate into the labour market.

The SEA records and informs about the vacant workplaces, organizes cooperation and information exchange between employers and unemployed persons, implements and administers ALMP measures, provides consultation on occupational suitability, selection of an appropriate occupation and vocational training, issues licences and supervises legal persons who provide work placement services etc.

*2. Vocational training, requalification, qualification improvement and non-formal training* includes 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 co-operation with educational institutions and employers.

Since 2011, the training of unemployed and job seekers is 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.

The length of training programmes may vary from 60-160 hours for non-formal training programmes to 320/480/960/1120/1280 hours for vocational training programmes. Simple or low-skilled occupations are excluded from the list of training programmes.

The following activity also is carried out within the measure - if an employer could not find an appropriate employee in the labour market, he may request the SEA to select and train an unemployed person for him. Within the activity, an employer is responsible for providing on-the-job training and is obliged to provide a workplace after the training is finished. On-the-job training is also organized for unemployed with obsolete qualification or without a document, certifying the proficiency of a person.

Participants are also receiving financial support during training - monthly training allowance. The following additional expenses are also covered from the state budget: wage supplements for supervisors during on-the-job training, training or working place adaptation for persons with special needs, involvement of different experts, such as assistants, silent language experts etc.

Work-based training measures were expanded in 2013 by launching the ESF-financed activity “Training of unemployed at the employers’ request in the priority branches”initiated by the Ministry of Economics and designed in cooperation with the economic partners. The implementation of a project is similar to on-the-job training.

*3. Measures to enhance competitiveness* – includes 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.

These measures are aimed particularly to improve social and functional skills and to provide psychological support, basic skills and abilities necessary for the labour market, as well as an acquisition of work finding techniques and non-formal education programmes, including knowledge of the state official language, as well as other activities, facilitating the competitiveness of unemployed and persons seeking employment in the labour market.

*4. Career counselling and vocational guidance*includes help in career planning, provides professional suitability tests and acquisition of work finding and maintaining techniques. Vocational counselling and career guidance services are offered to all unemployed and job-seekers.

The services 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 searching for a work, provision of information about the content and requirements of different occupations, information about educational and training opportunities in Latvia and abroad.

*5. Subsidised employment for the most vulnerable groups of unemployed* includes 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. Usually, financial support is provided for maximum period of 12 – 24 months and 36 months for unemployed with special needs, and includes monthly wage subsidy which equals to the amount of minimum monthly wage for unemployed with special needs and 50% of its value for other target groups. The following additional expenses are also covered from the state budget: wage supplements for supervisors during on-the-job training, training or working place adaptation for persons with special needs, involvement of different experts, such as assistants, silent language experts etc.

*6. Measures to support the unemployed to enter self-employment or entrepreneurship* include training programmes, consultations and grants for business start-up or self-employment. 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 SEA (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.), as well as for those, who already developed their business plans and wish to take practical consultations regarding implementation. The financial support is provided for development, evaluation and implementation of a business plan – 2 846 EUR for the implementation and minimum monthly wage subsidy for the first 6 months.

*7. Lifelong learning programmes for adults*– training programmes for employed aged 25 years and more. A particular training programme is chosen by a person in close cooperation with career consultant. After that, maximum 356 EUR training voucher is issued and the SEA covers 90% of its value. If the training programme’s costs exceed 355 EUR, a person may compensate a difference by itself, but vulnerable groups of employed (such as persons with special needs, those with 2 children and more) are released from a 10% starting fee.

*8. National project “Training and working practice for assistants of SEA inspectors”*. The measure is aimed at young unemployed who have higher education in social sciences and a short work experience. Within the measure, young unemployed participate in 5-day theoretical training and then have an internship at the SEA (up to 11 months). The main duty of the trainees is to assist the SEA inspectors and provide matching services – bringing together unemployed with prospective employers, searching for vacancies, consulting both unemployed and employers and similar. Participants are also receiving a monthly training allowance during the participation period.

*9. Public works programme*–the aim of the measure is activation of disadvantaged unemployedby 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 (i.e. avoiding that people rely on subsistence farming and/or social assistance).

The measure targets exclusively the long term unemployed who have been registered with the SEA as unemployed for longer than 6 months. Besides, in order to be eligible for participation in the activity, the unemployed shall not receive unemployment benefits or old-age pensions.

Workplaces are created in municipalities (and their institutions and agencies, except state and municipal enterprises), non-governmental organizations. The jobs are non-commercial activities in areas that are additional to tasks currently carried out by municipalities.

The period of participation in the activity by the long–term unemployed do not exceed 4 months per year. Participants can have 2 days per month off to actively search for a job under the guidance of the SEA or individually having an obligation to inform the SEA on results of the job-search. The 2 days can also be used for participation in the SEA competitiveness measures, individual counselling, group sessions on job search methods and basic skills needed on the labour market.

Compensation is paid to participants - 142 EUR per month. In addition, social insurance contributions are made to cover the pension insurance and participants are insured against accidents at work.

*10. Youth workshops* – the aim is to help young unemployed (aged 15-24 years) with low level of education or without any work experience to make a conscious decision about future education or job field. Within the measure, a young participant has a possibility to try three different vocational fields (maximum 3 weeks for each field), also receiving a monthly allowance of 57 EUR and 85 EUR for young unemployed with special needs.

*11. Support for youth volunteer work* **-** the aim is to support activities of young unemployed aged 18-24 years for the public weal, promoting opportunities and developing a volunteer work in Latvia, taking into account youth potential and current situation in the labour market. The participants work in associations and foundations (up to 6 months) receiving monthly allowance of 57 EUR and 85 EUR for young unemployed with special needs.

*12. Workplace for a young unemployed* – the aim of the measure is to promote a long-term integration into the labour market of vulnerable groups of young unemployed aged 18-24 years (being in unemployment for more than 6 months, unemployed after childcare leave or young unemployed with special needs etc.). Young unemployed have a possibility to gain a working experience for up to 9 months, entering into employment agreement with an employer. Within the measure, an employer receives monthly wage subsidy for an employment of young unemployed. Additional expenses also are covered for supervisors’ involvement, working place adaptation for persons with special needs, involvement of different experts, such as assistants, silent language experts etc.

*13. Measures supporting regional mobility of employees* **-** the support to a person (up to 398 EUR) lasts for the first 4 months of employment, helping to cover expenses for transport and/or housing for people taking up permanent jobs with less than average pay and within a distance of at least 20 km from their place of residence. The measure is financed from the state central budget.

*14. Minnesota programme for unemployed with addiction problems*-includessupport to long-term unemployed with addictions. The measure fills the gap in SEA services, focusing on those long term unemployed, who, in order to integrate in the labour market, need a prior intervention to tackle alcohol or drug addiction. The access to Minnesota treatment method consists of 12 steps linking medical, psychological and psychotherapy approaches.

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

**Table No.92**

**Employment rate of women aged 15-64 years without children (%)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| EU 28 countries | 61.4 | 61.4 | 61.6 | 62.1 |
| Latvia | 62.8 | 63.7 | 65.7 | 65.3 |

Data source: Eurostat

**Table No.93**

**Employment rate of women aged 15-64 years with 1 child (%)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| EU 28 countries | 68.0 | 68.1 | 67.9 | 67.7 |
| Latvia | 72.7 | 73.3 | 73.1 | 72.6 |

Data source: Eurostat

**Table No.94**

**Employment rate of women aged 15-64 years with 2 children (%)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| EU 28 countries | 67.6 | 67.8 | 67.8 | 67.7 |
| Latvia | 71.1 | 70.5 | 71.9 | 71.9 |

Data source: Eurostat

**Table No.95**

**Employment rate of women aged 15-64 years with 3 children and more (%)**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| EU 28 countries | 53.7 | 53.9 | 54.3 | 54.0 |
| Latvia | 58.3 | 63.2 | 59.0 | 60.3 |

Data source: Eurostat

**Table No.96**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of unemployed 31.12.2010.** | **162463** | **Total number** | **% of total number of unemployed** |
| **Groups at risk of**  **unemployment** | Long term unemployed (longer than 1year) | 61331 | 37.8 |
| Youth ( 15-24 years ) | 23203 | 14.3 |
| Unemployed at a pre-retirement age | 17109 | 10.5 |
| Persons with special needs | 9345 | 5.8 |
| Persons after childcare leave | 3344 | 2.1 |
| Persons released from the places of imprisonment | 526 | 0.3 |

**Groups at risk of unemployment, including persons after childcare leave (% of total number of registered unemployed, at the end of the year) 2010-2013**

Data source: SEA

**Table No.97**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of unemployed 31.12.2011.** | **130296** | **Total number** | **% of total number of unemployed** |
| **Groups at risk of**  **unemployment** | Long term unemployed (longer than 1year) | 56934 | 43.7 |
| Youth ( 15-24 years ) | 15387 | 11.8 |
| Unemployed at a pre-retirement age | 16053 | 12.3 |
| Persons with special needs | 9939 | 7.6 |
| Persons after childcare leave | 3052 | 2.3 |
| Persons released from the places of imprisonment | 411 | 0.3 |

Data source: SEA

**Table No.98**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of unemployed 31.12.2012.** | **Total number of unemployed** | **Total number** | **% of total number of unemployed** |
|  | **104052** |  |  |
| **Groups at risk of**  **unemployment** | Long term unemployed (longer than 1year) | 45981 | 44.2 |
| Youth ( 15-24 years ) | 10449 | 10.0 |
| Unemployed at a pre-retirement age | 13993 | 13.4 |
| Persons with special needs | 9799 | 9.4 |
| Persons after childcare leave | 2963 | 2.8 |
| Persons released from the places of imprisonment | 401 | 0.4 |

Data source: SEA

**Table No.99**

|  |  |  |  |
| --- | --- | --- | --- |
| **Number of unemployed 31.12.2013.** | **Total number of unemployed** | **Total number** | **% of total number of unemployed** |
|  | **93321** |  |  |
| **Groups at risk of**  **unemployment** | Long term unemployed (longer than 1year) | 33038 | 35.4 |
| Youth ( 15-24 years) | 8873 | 9.5 |
| Unemployed at a pre-retirement age | 12985 | 13.9 |
| Persons with special needs | 9254 | 9.9 |
| Persons after childcare leave | 2692 | 2.9 |
| Persons released from the places of imprisonment | 335 | 0.4 |

Data source: SEA

**Table No.100**

**Number of persons who received home care or service of day care center**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Year** | **2010** | **2011** | **2012** | **2013** |
| Home care | 9369 | 10197 | 10824 | 11325 |
| Day care centre for children with disability | 233 | 320 | 236 | 359 |
| Day care centre for disabled persons | 303 | 342 | 270 | 246 |
| Day care centre for persons with mental impairments | 802 | 823 | 938 | 782 |
| Day care centre for children from needy families and families with circumstances unfavorable to the development of the child | 2959 | 2271 | 2123 | 4149 |
| Day care centre for persons of pensionable age | 3547 | 5110 | 12081 | 5443 |

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.**

The Paragraph 1 of the Article 154 of the Labour Law determines that prenatal leave of 56 calendar days and maternity leave of 56 calendar days shall be summed and 112 calendar days granted irrespective of the number of days prenatal leave has been utilised prior to child-birth. A woman who has initiated pregnancy-related medical care at a preventive medical institution by the 12th week of pregnancy and has continued for the whole period of pregnancy shall be granted a supplementary leave of 14 days, adding it to the prenatal leave and calculating 70 calendar days in total (Paragraph 2, Article 154). In case of complications in pregnancy, childbirth or postnatal period, as well as if two or more children are born, a woman shall be granted a supplementary leave of 14 days, adding it to the maternity leave and calculating 70 calendar days in total (Paragraph 3, Article 154).

The Article 155 of the Labour Law regulates leave to father of a child, adopters and other persons. According to the provisions of the mentioned Article the father of a child is entitled to leave of 10 calendar days. Leave to the father of a child shall be granted immediately after the birth of the child, but not later than within a two-month period from the birth of the child (Paragraph 1). If a mother has died in childbirth or within a period up to the 42nd day of the postnatal period, or in accordance with the procedures prescribed by law up to the 42nd day of the postnatal period has refused to take care and bring up the child, the father of the child shall be granted leave for the period up to the 70th day of the child’s life. The leave referred to shall be granted also to another person who actually takes care of the child (Paragraph 2). If a mother cannot take care of the child up to the 42nd day of the postnatal period due to illness, injury or other health-related reasons, the father or another person who actually takes care of the child shall be granted leave for those days on which the mother herself is not able to take care of the child (Paragraph 3). For a family, which has adopted a child up to three years of age, one of the adopters shall be granted 10 calendar days of leave (Paragraph 5). A child’s father, adopter or another person who in fact cares for the child and who makes use of the leave referred to in this Article shall have preserved his/her previous work. If this is not possible, the employer shall ensure the child’s father, adopter or another person who in fact cares for the child similar or equivalent work with not less favourable conditions and employment provisions (Paragraph 6).

The provisions of parental leave are regulated by the Article 156 of the Labour Law. In pursuant with the Paragraph 1 of the mentioned Article every employee has the right to parental leave in connection with the birth or adoption of a child. 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. The Paragraph 2 of the Article determines thatparental 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.Besides the Paragraph 3 of the Article prescribes thatthe time spent by an employee on parental leave shall be included in the total length of service.The previous job of an employee who makes use of parental leave shall be retained. If this is not possible, the employer shall ensure the employee similar or equivalent work with not less favourable conditions and employment provisions (Paragraph 4).

During a period after maternity leave it is possible for either parent to obtain parental leave to take care for a child.

For detailed information on parental benefit please see Paragraph 2 Article 16 of this Report.

In addition, in accordance with the Paragraph 3 of the Article 153 of the Labour Law an employer, upon the request of an employee, may grant him/her leave without retention of work remuneration.

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

In the case of violation of employment rights employee has a possibility to apply to court or to the SLI. The SLI supervises and controls observance of the requirements of the regulatory enactments regarding employment legal relationships and labour protection, as well as controls how employers and employees mutually fulfil the obligations specified in employment contracts and collective labour agreements. The State Labour Inspectorate Law, the Labour Law, the Latvian Administrative Violations Code and the Civil Procedure Law regulate the procedure how it shall be done.

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

N/A

***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.**

The Paragraph 1 of the Article 7 of the Labour Law determines that everyone has an equal right to work, to fair, safe and healthy working conditions, as well as to fair work remuneration. The rights provided for in Paragraph 1 of this Article shall be ensured without any direct or indirect discrimination – irrespective of a person’s race, skin colour, gender, age, disability, religious, political or other conviction, ethnic or social origin, property or marital status, sexual orientation or other circumstances (Paragraph 2, Article 7, Labour Law).

Article 29 of the Labour Law regulates prohibition of differential treatment in the employment legal relations. Besides that Paragraph 1 of the Article 29 provides that differential treatment based on the gender of an employee is prohibited when establishing employment legal relationships, as well as during the period of existence of employment legal relationships, in particular when promoting an employee, determining working conditions, work remuneration or occupational training or raising of qualifications, as well as when giving notice of termination of an employment contract. In accordance with the Paragraph 9 of the Article 29 the provisions of this Article, as well as Article 32, Paragraph 1 and Article 34, 48, 60 and 95 of this Law, insofar as they are not in conflict with the essence of the relevant right, shall also apply to the prohibition of differential treatment based on race, skin colour, age, disability, religious, political or other conviction, national or social origin, property or marital status, sexual orientation or other circumstances of an employee.

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 (Paragraph 8, Article 29, Labour Law).

The Article 1779 of the Civil Law provides that everyone has a duty to compensate for losses they have caused through their acts or failure to act. According to the Paragraph 1 and Paragraph 2 of the Article 1635 every delict, that is, every wrongful act *per se,* as a result of which harm has been caused (also moral injury), shall give the person who suffered the harm therefrom the right to claim satisfaction from the infringer, insofar as he/she may be held at fault for such act. By moral injury is understood physical or mental suffering, which is 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.

If an employer when giving a notice of termination of an employment contract during the probation period has violated the prohibition of differential treatment, an employee has the right to bring an action to a court within one month from the date of receipt of a notice of termination from the employer (Article 48 of the Labour Law).

If an employer in determining working conditions, occupational training or the raising of qualifications has violated the prohibition of differential treatment; the relevant employee has the right to request the termination of such differential treatment (Paragraph 1, Article 95, Labour Law). If an employer in determining working conditions, occupational training or the raising of qualifications or promotion of an employee, has violated the prohibition of differential treatment, the relevant employee has the right to bring an action in a court within a three-month period from the day he/she has learned or he/ she should have learnt of the violation of the prohibition of differential treatment (Paragraph 2, Article 95, Labour Law).

The Article 101 of the Labour Law prescribes a list of concrete conditions that can serve as a basis for notice of termination by an employer. This list of conditions does not cover the notice of termination connected with employees` family responsibilities. According to the Paragraph 1 of the mentioned Article 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; or

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 three years, if the incapacity repeats 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 or occupational disease.

As well as, the Paragraph 5 of the mentioned Article determines that on an exceptional basis, an employer has the right within one month to bring an action for termination of employment legal relationships in court in cases not referred to in Paragraph 1 of this Article if he/she has good cause. Any condition which does not allow the continuation of employment legal relationships on the basis of considerations of morality and fairness shall be regarded as such cause. The issue whether there is good cause shall be settled by court at its discretion.

In pursuance with the Paragraph 1 of the Article 124 of the Labour Law if a notice of termination by an employer has no legal basis or the procedures prescribed for termination of an employment contract have been violated, such notice in accordance with a court judgment shall be declared invalid. An employee, who has been dismissed from work on the basis of a notice of termination by an employer which notice has been declared invalid or also as otherwise violating the rights of the employee to continue employment legal relationships, shall in accordance with a court judgment be reinstated in his/her previous work (Paragraph 2, Article 124, Labour Law).

According to the Paragraph 1 of the Article 126 of the Labour Law an employee who has been dismissed illegally and reinstated in his/her previous work shall in accordance with a court judgment be paid average earnings for the whole period of forced absence from work. Compensation for the whole period of forced absence from work shall also be paid in cases where a court, although there exists a basis for the reinstatement of an employee in his/her previous work, upon the request of the employee terminates employment legal relationships by a court judgment. The Paragraph 2 of this Article provides that an employee who has been transferred illegally to other lower paid work and afterwards reinstated in his/her previous work shall in accordance with a court judgment be paid the difference in average earnings for the period when he/she performed work at lower pay.

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

In the case of violation of the notice of termination by an employer employee has a possibility to apply to court.

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

Please see Part 3 of the 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.**

There are two main legal acts which regulate the housing allowances awarded by the municipalities - [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc) (–regulates the accommodation allowance) and Law on Social Services and Social Assistance (–regulates the housing allowance).

The Law on Local Governments, Article 15 ensures 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). An obligation to ensure the assistance to persons to solve apartment matters is an autonomous function of the municipalities. Article 7 of Law on Local Governments lays down that the autonomous functions of municipalities shall be performed in accordance with procedures laid down in relevant laws and regulations of Cabinet of Ministers. Accordingly, social assistance is provided by the procedure laid down in the Law on Social Services and Social Assistance, while procedure by which residents are given assistance in solving apartment matters is laid down in the [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc).

According toLaw on Social Services and Social Assistance social assistance is defined as a benefit in cash or in kind, the granting of which is based on the evaluation of the material resources of persons (families) who lack the means to satisfy basic needs (Paragraph 17, Article 1). The aim of social assistance is to provide material support to needy and low-income families (persons) in a crisis situation in order to satisfy their basic needs and promote the participation of able-bodied persons in the improvement of their situation (Article 32). While the basic needs according to this Law are food, clothing, housing, health care, compulsory education (Paragraph 11, Article 1).

Law on Social Services and Social Assistance lays down the following types of social assistance benefits (Article 35):

1. benefit for provision of the guaranteed minimum income level;
2. housing allowance;
3. a single benefit in an emergency situation if, due to a natural

disaster or unforeseen circumstances he/she is not able to satisfy his/her basic needs[[29]](#footnote-29);

1. if a justified demand of residents of the municipality for a benefit for the provision of the guaranteed minimum income level and a housing allowance has been satisfied, the municipalities, upon evaluation of the income of a family (person), is also entitled to pay other benefits to families (persons) for satisfying basic needs, from the basic budget of the municipality.

[Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc) do not include neither definition of the concept „assistance in solving apartment matters”, nor an aim for provision of this assistance. Therefore the provision of assistance in solving apartment matters may be considered as assistance by municipalities[[30]](#footnote-30), if it is provided according to types of assistance set in Article 3 of [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc). Article 3 „Types of assistance” of the [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc) defines the following 10 types of assistance:

1) rent of municipalities’-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;

51) allocation of housing benefit to child-orphan and child left without parental care;

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; and

10) assistance in the renovation and restoration of residential housing.

While the objective of this assistance can be interpreted as a provision of housing as one of the basic needs. According to types of assistance prescribed for housing in the Law, the housing as a basic need may be provided as such by ensuring the housing accessibility basing on expenditure and ensuring the validity of the dwelling to live.

Assessment of the material resources of persons (families) is not a basic criterion in all cases when assistance according to [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc) is provided. In this case the main criterion for providing the assistance is the compliance of the person concerned with the category of persons, which are specified in the Law or binding regulations of the municipality which is entitled to assistance in housing matters. The [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc) provides ten types of assistance in solving apartment matters, where the housing allowance is one of them.

According to [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc), Article 3, Paragraph 5 the housing allowance is the type of assistance that is intended to, fully or partially, cover payment for residential tenancy and for services associated with usage of the residential space.

Housing allowance shall be paid to persons:

1. who in a denationalised house or a house returned to a lawful owner use residential space, which he/she has used up to the restoration of ownership rights;
2. other person categories if they according to Law or municipal binding regulations have the right to rent of municipalities’-owned or leased thereof residential spaces (Article 25).

Furthermore, that Article 2 and the Article 4 Paragraph 1 of the Law on Assistance in Solving Apartment Matters provides the categories of persons who have the right to receive the assistance in solving apartment matters - persons who have declared the place of his/her residence in the respective administrative territory (except the cases referred to Law) and who have been recognised as entitled to receive assistance by a decision of a municipality council or a delegated institution thereof in accordance with the provisions of this Law and the binding regulations of the municipality council, for example:

1) Persons to whom assistance shall be provided in accordance with the Law on Residential Tenancy in cases if they are evicted from a rented residential space and if they are:

* low-income persons, who have reached retirement age or who are disabled;
* low-income persons, who live with and in whose care is at least one underage child, a person under guardianship;
* other persons living in the territory of a municipality, who belong to the category of persons specified by the municipality council to whom a municipality provides assistance if they are evicted from the rented residential space;

2) Politically repressed persons;

3) Orphans and children left without parental care and brought up in a child care and instructional institution;

4) Low-income persons who have been released from prison after serving their sentence;

5) Other persons specified by the binding regulations of the municipality council.

Law on Social Services and Social Assistance (Article 1, Paragraph 5) prescribes that the amount of housing allowance, the procedures for payment and persons which are entitled to receive this allowance, shall be regulated by the binding regulations of the municipality. [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc), Article 14, Paragraph 1 prescribes that the residential space of municipality shall be ensured for low-income persons. A person shall be recognised as a person with low-income if his/her income and material conditions do not exceed the level specified by the relevant municipality council, which may not be less than the level of income and material conditions of a needy person, which the Cabinet of Ministers has specified on the basis of the Law on Social Services and Social Assistance (the needy person level during 2010-2013 was 128,06 EUR per person per month).

As regards the funding of social benefits and housing allowances Article 7, Paragraph 2 of the Law on Local Governments, generally prescribes that the performance of the autonomous functions shall be financed from the budget of the relevant municipality if the law does not specify it otherwise. The Article 35 of the Law on Social Services and Social Assistance stipulates the obligation of municipality to pay the housing allowance from the municipal basic budget.

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

In order to provide the support to people in a situation that resulted from financial and economic crisis, as well as due to structural reforms in several sectors, on September 8, 2009 the Cabinet of Ministers approved The Strategy on Social Safety Net 2009 – 2011 (hereinafter – the Strategy), in the framework of which from 1 October, 2009 there was launched implementation of emergency safety measures in a number of areas. One of the measures was focused on the provision of state support (co-financing) to municipalities for payment of the housing allowance costs. From 1 October 2009 to 30 April 2012 the state co-financed the housing allowance, covering actual expenditure of the housing allowance in amount of 20%. From 1 May 2012 the state co-financing shall no longer be granted and expenses of housing allowance shall be covered by municipalities from their budget in a full amount, as it was before the crisis.

Housing allowance was paid to 209 239 persons in 2010, 211 476 persons in 2011 and 185 146 persons in 2012. The proportion of persons of total number of population receiving housing allowance increased from 2,27% in the first half of 2010 to 3,02% in the first half of 2011, then gradually declined to 1,83% in the second half of 2012. The proportion of needy persons who received housing allowance of total number of needy people ranged between 20 - 27% during the Strategy implementation period. The largest number of housing allowance recipients was in March 2011, when housing assistance received 80,7 thousand people, of which 57,1 thousand were persons which have been granted the status of a needy person.

After 2012, which is considered to be the starting year of the economic crisis end-point, Latvia carried out an assessment of the social security system[[31]](#footnote-31). During economic crisis the social security system had an important role in stabilising the situation, but its positive impact has diminished[[32]](#footnote-32) and a question of the social security system and its ability to provide a certain level of protection of the household income and to contribute to the stabilization and development of the economic cycle has become a pending issue. Therefore a detailed analysis on the necessary improvements in the social security system was carried out, including about the housing allowance. It was concluded that due to different amounts of housing allowances and different criteria for eligibility of housing allowance, it creates an unequal situation for people in the poorest and the wealthiest municipalities. Thus, there was set a task to determine key common minimum standards for granting the housing allowance by applying the principle of income assessment and define expenses related to the use of a residential space, for which the housing allowance is assigned:

* expenditure necessary for the mandatory residential tenancy or payment of rent;
* expenses for heating supply or the costs of heating and hot water if it uses thermal energy or natural gas;
* the costs of water consumed;
* expenditure on drainage and sanitation provision;
* expenditure on municipal waste management;
* expenditure on electricity.

According to Decision of Cabinet of Ministers on 10 December, 2013[[33]](#footnote-33) it is prescribed that within one year after the Concept Paper On defining the minimum income level was adopted by the government, there shall be submitted changes in legal rules regarding planned changes in social assistance system i.e., housing allowance. These changes in laws on social assistance system are foreseen to enter into force from 2017.

**3. Please provide pertinent figures,** **statistics or any other relevant information to demonstrate effective access to adequate housing, including the length of waiting periods.**

There may be distinguished three methods for determining the housing allowance in municipalities:

* method which provides to cover a certain percentage of the invoice submitted by service provider or customer;
* method by which the housing allowance is calculated using the formula;
* method which provides to grant a certain (fixed) amount of the allowance to the household or a person in the household each month or once during a heating season.

Within the framework of a housing allowance municipalities pay for different services. Municipalities which use formula for determination of the housing allowance in most cases pay for the following services:

* rent or management (administration) fee;
* heating energy (fuel);
* water;
* drainage or sanitation;
* waste taking-out;
* electricity.

Municipalities which pay the housing allowance as a fixed amount usually cover a narrower range of services, which are, in most cases, rent or management (administration) fee and part of expenses related to the purchase of heat or fuel.

Municipalities have different procedures for payment of housing allowance – some pay the allowance to the person directly, while some pay to service providers and managers.

**Table No.101**

**Number of housing allowance recipients and ratio of housing allowance recipients of total number of population, resources spent during 2010 - 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Indicators | **2010** | **2011** | **2012** | **2013** |
| Number of population in total in the beginning of year *(source: CSB)* | 2 254 653 | 2 236 910 | 2 217 058 | 2 201 196 |
| Number of housing allowance recipients (**persons**), total (needy and low-income persons) | 209 239 | 211 476 | 185 146 | 158 893 |
| *Ratio of housing allowance recipients from total number of population %* | *9.28* | *9.45* | *8.35* | *7.22* |
| *Ratio of housing allowance recipients from total number of declared persons, %* | *9.87* | *10.19* | *9.05* | *7.85* |
| Undeclared persons | 134 149 | 162 305 | 172 245 | 177 371 |
| *Ratio of undeclared %* | *5.95* | *7.26* | *7.77* | *8.06* |
| Number of housing allowance recipients (**households**), total (needy and low-income persons) | 98 044 | 99 562 | 90 978 | 84 018 |
| Resources spent for housing allowance , *EUR* | 24 556 721 | 28 527 951 | 26 743 486 | 23 422 685 |
| incl. state co-funding, *EUR* | 3 035 832 | 3 992 150 | 2 091 065 | 0 |
| Average amount of housing allowance for household per year, *EUR* | 250.47 | 286.53 | 293.96 | 278.78 |
| Average amount of housing allowance for household per month, *EUR* | 20.87 | 23.88 | 24.50 | 23.23 |
| Average amount of housing allowance for person per year, *EUR* | 117.36 | 134.90 | 144.45 | 147.41 |
| Average amount of housing allowance for person per month, *EUR* | 9.78 | 11.24 | 12.04 | 12.28 |

Data source: Ministry of Welfare

**Table No.102**

**Categories of persons who received housing allowance during 2010 - 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Indicators | **2010** | **2011** | **2012** | **2013** |
| **Number of housing allowance recipients (persons), total (needy and low-income persons)** | **209 239** | **211 476** | **185 146** | **158 893** |
| incl. children | 55 173 | 56 528 | 49 683 | 40 559 |
| incl. employed persons | 31 376 | 31 903 | 27 816 | 22 022 |
| incl. unemployed persons | 59 852 | 58 136 | 43 549 | 29 750 |
| incl. persons in child care leave | 6 212 | 6 900 | 5 882 | 4 652 |
| incl. persons with disability | 12 252 | 14 082 | 14 949 | 16 133 |
| incl. persons at retirement age | 44 374 | 43 927 | 43 267 | 45 777 |

Data source: Ministry of Welfare

There are approximately 15, 500 flats in the housing fund of Riga municipality.

**Table No.103**

**Report on persons registered for the receipt of aid for the solution of housing issues as on 1 March 2013 in Riga municipality**

|  |  |  |  |
| --- | --- | --- | --- |
| Number of persons registered for tenancy of the residential space on a first-priority basis | | | |
| Register 1 | Persons evicted from leased or owned residential space, on the basis of a court judgment. | | 35  (tenants of 13 denationalised houses) |
| Register 3 | Orphan children and children left without parental care. | | 576 |
| Register 5 | Persons registered on a first-priority basis, who are released from prison after serving a sentence. | | 28 |
| Register 6 | Low income large families meeting the conditions mentioned in the binding regulations of the municipality. | | 103  (tenants of 42 denationalised houses) |
| Register 7 | * 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. | | 2, 399  (tenants of 2, 389 denationalised houses) |
| Register 72 | Tenants of denationalised houses meeting the conditions mentioned in the binding regulations of the municipality. | | (tenants of 2 denationalised houses) |
|  | | | Total: 3, 154  (tenants of 2, 446 denationalised houses) |
| Number of persons registered for the tenancy of residential space | | | |
| Register 8 | Persons, who are:   * 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 282 of the law On Tenancy of Residential Space. | | 157 |
| Register 9 | Owners of denationalised houses (their heirs), who under the procedure prescribed by Article 285 of the law On Tenancy of Residential Space are willing to take over the flat into their ownership as a housing estate. | | 0 |
| Register 10 | Persons, who had owned the house and their house is dismantled due to the transfer of the land plot for the needs of the State or public. | | 0 |
| Register 14 | 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. | | 23 |
|  |  | | Total: 180 |
| Number of persons registered for tenancy of residential space under the general procedure | | | |
| Register 12 | Persons, who are registered for the receipt of aid till 31 December 2001, and low income persons meeting the conditions mentioned in the binding regulations of the municipality. | | 216  (tenants of 89 denationalised houses) |
| Number of persons registered for  the tenancy of a social flat or social residential space | | | |
| Register 13 | Persons registered for the tenancy of a social flat or social residential space | | Total: 1922  (tenants of 1, 183 denationalised houses) |
| Number of tenants of denationalised houses registered for the receipt of benefit for the vacation of residential space | | | |
| Register 41 | | For the receipt of benefit for the vacation of residential space on a first-priority basis | 260 |
| Register 4 | | For the receipt of benefit for the vacation of residential space | 711 |
|  | | | Total: 971 (tenants of denationalised houses) |
| As on 1 March 2013 there are 6, 432 families registered in total (tenants of 4, 689 denationalised houses) | | | |
| Register 11 | | Registered applications of persons to privatise a non-leased municipal flat in a house located on a land plot owned by them. | 66 |

Report on persons registered for the receipt of aid for the solution of housing issues as on 1 August 2014

|  |  |  |  |
| --- | --- | --- | --- |
| Number of persons registered for the tenancy of residential space on a first-priority basis | | | |
| Register 1 | Persons, who are evicted from leased or owned residential space, on the basis of a court judgment. | | 31  (tenants of 16 denationalised houses) |
| Register 3 | Orphan children and children left without parental care. | | 540 |
| Register 5 | Persons registered on a first-priority basis, who are released from prison after serving a sentence. | | 13 |
| Register 6 | Low income large families meeting the conditions mentioned in the binding regulations of the municipality. | | 164 |
| Register 7 | * 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. | | 1, 704  (tenants of 1, 697 denationalised houses) |
| Register 72 | Tenants of denationalised houses meeting the conditions mentioned in the binding regulations of the municipality. | | 1 tenant of denationalised houses |
|  | | | Total: 2, 453  (tenants of 1, 714 denationalised houses) |
| Number of persons registered for the tenancy of residential space | | | |
| Register 8 | Persons, who are:   * 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 282 of the law On Tenancy of Residential Space. | | 146 |
| Register 9 | Owners of denationalised houses (their heirs), who under the procedure prescribed by Article 285 of the law On Tenancy of Residential Space are willing to take over the flat into their ownership as housing estate. | | 0 |
| Register 10 | Persons, who had owned the house and their house is dismantled due to the transfer of the land plot for the needs of the State or public. | | 0 |
| Register 14 | 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 |
|  |  | | Total: 168 |
| Number of persons registered for the tenancy of residential space under the general procedure | | | |
| Register 12 | Persons, who are registered for the receipt of aid till 31 December 2001, and low income persons meeting the conditions mentioned in the binding regulations of the municipality. | | 205 |
| Number of persons registered for  the tenancy of a social flat or social residential space | | | |
| Register 13 | Persons registered for the tenancy of a social flat or social residential space | | Total: 1, 514  (tenants of 539 denationalised houses) |
| Number of tenants of denationalised houses, registered for the receipt of benefit for the vacation of residential space | | | |
| Register 41 | | For the receipt of benefit for the vacation of residential space on a first-priority basis | 175 |
| Register 4 | | For the receipt of benefit for the vacation of residential space | 476 |
|  | | | Total: 651 (tenants of denationalised houses) |
| As on 1 August 2014 4, 991 families are registered in total (tenants of 2, 904 denationalised houses) | | | |
| Register 11 | | Registered applications of persons to privatise a non-leased municipal flat in a house located on a land plot owned by them. | 44 |

Data source: Riga City Council Housing and Environment Department

**Table No.104**

**Report on persons (families), to whom the space owned or leased by the municipality is leased out (from 1 March 2013 till 1 August 2014)**

|  |  |
| --- | --- |
| Registers | Number of families |
| 1 | 26 |
| 3 | 99 |
| 5 | 27 |
| 6 | 31 |
| 7 | 202 |
| 72 | 1 |
| 8 | 103 |
| 13 | 440 |
| 14 | 34 |
| Total | 963 |

Data source: Riga City Council Housing and Environment Department

# ***Responses to Queries raised by the European Committee of Social Rights in its Conclusions XIX-4 (2011) (Latvia)***

**Article 8 - Right of employed women to protection**

*Paragraph 1 - Maternity leave*

*Right to maternity leave*

**Query:** The Committee asks what legal safeguards exist to avoid any undue pressure from employers to shorten their maternity leave. It also asks 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. In addition, it asks for information on the general legal framework surrounding maternity (for instance, whether there is a parental leave system whereby either parents can take paid leave at the end of the maternity leave).

The Committee asks whether the same regime applies to women employed in the public sector.

**Response:** The Paragraph 1 of the Article 154 of the Labour Law determines that prenatal leave of 56 calendar days and maternity leave of 56 calendar days shall be summed and 112 calendar days granted irrespective of the number of days prenatal leave has been utilised prior to child-birth. Also in some certain cases the supplementary leave of 14 days shall be granted. At the same time the Paragraph 7 of the Article 38 of the Labour Law prescribes that an employer, after receipt of a doctor’s opinion, is prohibited from employing pregnant women and women for a period following childbirth not exceeding one year, but if the woman is breastfeeding – during the whole period of breastfeeding if it is considered that performance of the relevant work poses a threat to the safety and health of the woman or her child. In any case, it is prohibited to employ a pregnant woman two weeks prior to the expected birth and a woman two weeks after childbirth. The time of the expected birth and the fact of birth shall be certified by a doctor’s opinion.

The minimum time period of the prenatal leave and maternity leave that shall be granted to employed woman is 112 calendar days in total (prenatal leave - 56 calendar days and maternity leave - 56 calendar days). That means that employer is not entitled to shorten this period of the leave. Only in the cases when employed woman wants by herself to return at her work sooner and her state of health, particular working conditions allow for that, she has possibility to use the shorter time period of the mentioned leave, however it shall be taken into account that in any case, it is prohibited to employ this woman two weeks prior to the expected birth and two weeks after childbirth. Thus by the relevant rule of the Labour Law it is achieved that women during a period before and after childbirth are not only sufficiently protected in order the work to be performed would not cause any threats to her and child's safety and health, but also the right to return at work earlier is not restricted, if her health, working conditions allow it and she wants it by herself.

The mentioned provisions of the Labour Law was drafted in accordance with the Article 8 of the 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), thereby transposing the Directive`s requirements into the Labour Law. In compliance of Article 8 (1) of Directive Member States shall take the necessary measures to ensure that workers within the meaning of Article 2 (pregnant workers, workers who have recently given birth, workers who are breastfeeding) are entitled to a continuous period of maternity leave of a least 14 weeks allocated before and/or after confinement in accordance with national legislation and/or practice. The maternity leave stipulated in Part 1 of this Article must include compulsory maternity leave of at least two weeks allocated before and/or after confinement in accordance with national legislation and/or practice (Article 8 (2) of Directive).

Concerning legal safeguards, in the case of violation of the provisions of theprenatal and maternity leave (including any actions from employer`s side with an aim to shorten the period of prenatal and maternity leave) an employee is entitled to apply to the SLI or to the court.

In accordance with the Paragraph 1 of the 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 the Paragraph 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.

Furthermore, according to the Paragraph 1 of the Article 9 of the Labour Law it is prohibited to apply sanctions to an employee or to otherwise directly or indirectly cause adverse consequences for him/her because the employee, within the scope of employment legal relationships, exercises his/her rights in a permissible manner, as well as when if he/she informs competent institutions or officials regarding suspicions with respect to the committing of criminal offences or administrative violations in the workplace. If in the case of a dispute, an employee indicates conditions, which could be a basis for the adverse consequences caused by the employer, the employer has a duty to prove that the employee has not been punished or adverse consequences have been directly or indirectly caused for him/her because the employee, within the scope of employment legal relationships, exercises his/her rights in a permissible manner (Paragraph 2, Article 9, Labour Law).

There is no specific agreement with social partners which protects the free choice of women. These provisions of the Labour Law protect women choice to use the prenatal and maternity leave according to their wishes, possibilities and state of health. As well we would like to note that the provisions of the Article 154 of the Labour Law were approved by national social partners as from the initial development stage of the said provisions.

The Paragraph 1 of the Article 17 of the Labour Law provides that 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 duties. Thereby the provisions of collective agreements can contain more favourable conditions for use of the prenatal and maternity leave than provided by the Labour Law and provide additional protection for women.

According to the Paragraph 1 of the Article 156 of the Labour Law every employee has the right to parental leave in connection with the birth or adoption of a child. 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, Article 156, Labour Law). The time spent by an employee on parental leave shall be included in the total length of service (Paragraph 3, Article 156, Labour Law). The previous job of an employee who makes use of parental leave shall be retained. If this is not possible, the employer shall ensure the employee similar or equivalent work with not less favourable conditions and employment provisions (Paragraph 4, Article 156, Labour Law).

Thereby in Latvia parents have possibility to use paid parental leave at the end of the maternity leave. According to the provisions of the Labour Law this leave can be used 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.

Besides, in accordance with the Paragraph 4, Article 150 of the Labour Law a woman at her request shall be granted annual paid leave (not be less than four calendar weeks) before prenatal and maternity leave or immediately after irrespective of the time the woman has been employed by the relevant employer. Thereby the Labour Law also allows employed woman to add her annual paid leave before prenatal and maternity leave or immediately after it.

There are no specific provisions regarding the right to prenatal leave and maternity leave for employed women in the public sector[[34]](#footnote-34) (for both – employees and civil servants). The provisions of the Labour Law regulating prenatal leave and maternity leave shall be applied to women employed in the public sector.

Concerning the general legal framework on a parental leave system please see the information provided on the Paragraph 2 Article 16 in this Report.

**Query:** The Committee already took note of the characteristics of the maternity benefits scheme, in particular that maternity benefits correspond to 100% of the average wages paid over the six months prior to leave. It asks what regime applies to women employed in the public sector.

**Response:** There is no specific regime to be applied to women employed in the public sector. Concerning maternity benefit scheme please see Article 8 in this Report.

**Article 8 - Right of employed women to protection**

*Paragraph 2 - Illegality of dismissal during maternity leave*

*Prohibition of dismissal*

**Query:** Section 109§1 of the Labour Act goes further and states that employers cannot serve a notice of termination of an employment contract on a pregnant woman as well as on a woman following the period after birth up to one year or during the whole breastfeeding period. Section 109§1 provides for a number of exceptions to this prohibition. The Committee already asked for information on the way these exceptions were interpreted in domestic case-law and reiterates its request.

The Committee asks what regime applies to women working in the public sector, in particular those employed in temporary contracts.

**Response:** Paragraph 1 of the Article 109 of the Labour Law prescribes 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 except in cases set out in Paragraph 1 Article 101, Parts 1, 2, 3, 4, 5 and 10 of this Law.

Parts 1, 2, 3, 4, 5 and 10, Paragraph 1, Article 101 of the Labour Law provides 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:

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;

10) the employer – legal person or partnership – is being liquidated.

Furthermore, the Article 125 of the Labour Law determines that the employer has a duty to prove that a notice of termination of an employment contract has a legal basis and complies with the specified procedure for termination of an employment contract. In other cases when an employee has brought an action in court for the reinstatement in work, the employer has a duty to prove that, when dismissing the employee, he/she has not violated the right of the employee to continue employment legal relationships.

Please see also information provided in the Question 3 of the Article 8§2 of this Report.

Currently there are no exhaustive analysis/studies of the practice on employer notice of termination regarding the provisions of the Paragraph 1 of the Article 109 of the Labour Law in Latvia. Moreover Latvia considers that the number of such cases is very small. Employer`s burden of proof which is mentioned in the Article 125 of the Labour Law serves as a safeguard mechanism and security guaranty of the system of the labour relations which deter employers to violate mentioned provisions of the Labour Law.

There are no specific provisions regarding prohibition of dismissal of employed women in the public sector[[35]](#footnote-35) (for both – employees and civil servants) during her prenatal leave and maternity leave. The provisions of the Labour Law regulating prohibition of dismissal shall be applied to women employed in the public sector, including to those women employed in temporary contracts until the end of the last date of employment contract period. The Paragraph 6 of the Article 44 of the Labour Law determines that the same provisions, which apply to an employee with whom an employment contract has been entered into for an unspecified period, shall apply to an employee with whom an employment contract has been entered into for a specified period. Besides in accordance with the Paragraph 4 of the Article 2 of the State Civil Service Law of September 7, 2000 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 insofar as such are not prescribed by this Law. For its part, the Article 41 of the State Civil Service Law provides that the State Civil Service relations shall be terminated:

1) if a civil servant by a decision of the head of an institution, but the head of an institution by a decision of a minister, and the Director of the State Chancellery and the Head of the *Cross*-*Sectoral Coordination Centre*by a decision of the Prime Minister, is dismissed from his/her civil service position:

a) of his/her own free will,

b) in connection with the expiry of his/her term,

c) in connection with their failure to pass probation,

d) in connection with the non-conformity of a civil servant to the position held (with respect to the head of an institution – observing the provisions of Article 14, Paragraph 3),

e) in relation to non-conformity to the mandatory requirements for a civil servant,

f) when reaching the age of retirement determined by the State, except in cases where there is a reasoned order of the head of the institution for the relevant civil servant to remain in his/her position or a minister’s order for the head of an institution to remain in his/her position,

g) in connection with liquidation of the institution, or civil service staff reduction,

h) in connection with the fact that due to temporary incapacity he/she has not performed the duties of the position for more than four consecutive months,

i) where dismissal from the civil service position is applied as a disciplinary sanction,

j) in connection with election to office in a State or municipality institution, and

k) in connection with a court judgment in a criminal matter;

l) due to the fact that he/she is unable to perform his/her duties due to health reasons, and this is confirmed by a doctor's opinion;

m) of his own volition due to the fact that he/she performs duties in the international organization whose Member State is the Republic of Latvia or with whom the Republic of Latvia cooperates, or performs duties in the Member`s institution of such organization

2) in connection with the death of the civil servant; and

3) on the basis of mutual agreement attested by written consent.

*Consequences of unlawful dismissal*

**Query:** The Committee asks what regime applies to women working in the public sector, in particular those employed in temporary contracts.

**Response:** There are no specific provisions for protection of employees, including for protection of women, when terminating employment legal relationships,in the public sector[[36]](#footnote-36) (for both – employees and civil servants). The provisions of the Labour Law regulating protection of employees, when terminating employment legal relationships,shall be applied to women employed in the public sector, including to those women employed in temporary contracts until the end of the last date of employment contract period. Paragraph 6 of the Article 44 of the Labour Law determines that the same provisions, which apply to an employee with whom an employment contract has been entered into for an unspecified period, shall apply to an employee with whom an employment contract has been entered into for a specified period. Besides in accordance with the Paragraph 4, Article 2 of the State Civil Service Law of September 7, 2000 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 insofar as such are not prescribed by this Law.

**Article 8 - Right of employed women to protection**

*Paragraph 3 - Time off for nursing mothers*

**Query:** The Committee however wishes to have confirmation that the same regime applies to women employed in the public sector.

**Response:** There are no specific provisions regarding breaks for feeding a child for employed women in the public sector[[37]](#footnote-37) (for both – employees and civil servants). The provisions of the Labour Law regulating breaks for feeding a child shall be applied to women employed in the public sector. Besides in accordance with the Paragraph 4 of the Article 2 of the State Civil Service Law of September 7, 2000 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 insofar as such are not prescribed by this Law.

**Article 8 - Right of employed women to protection**

*Paragraph 4 -*

**Query:** The Committee asks whether the same protection applies to women employed in the public sector.

**Response:** There are no specific provisions regarding night work of women employed in the public sector[[38]](#footnote-38) (for both – employees and civil servants). The provisions of the Labour Law regulating night work shall be applied to women employed in the public sector. Besides in accordance with Paragraph 4, Article 2 of the State Civil Service Law of September 7, 2000 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 insofar as such are not prescribed by this Law.

**Article 16 – Right of the family to social, legal and economic protection**

*Social protection of the family*

*Housing for families*

**Query:** The Committee refers to its previous conclusions (Conclusions XVII-2 and XVIII-2) for a description of the 2004-2013 action plan on a national family policy with regard to housing for families. The report acknowledges that the implementation of this action plan has been very limited in the years 2008-2009 due to budgetary restrictions. In particular, no special policy planning document aiming at facilitating access to housing for young couples has been adopted. The Committee asks for information on potential negative consequences on young couples, and on whether this policy planning document will be adopted in the near future.

**Response:** Please see the information provided in the Article 16 Paragraph 1 of this Report – Housing for families as well as Response on page 185.

General information about new support measure for mortgage for families with children: According to the support measure families with children who want to take a mortgage for the purchase of housing/flat or renovation of a house/flat will be able to receive state guarantee (Regulations of Cabinet of Ministers from 5 August 2014 “Regulation on state support for purchase and construction of a dwelling”). Therefore the first amount of payment for the mortgage will be smaller which will make the mortgages for families with children more accessible. However one has to mention that the total amount of the mortgage has not been decreased by this measure – only the first payment is smaller, so the family does not have to wait so long until they collect the necessary amount of money for the first payment.

According to the information available for the Ministry of Welfare there is no indication that the suspension of the previous program for purchase and construction of housing has had a significant negative impact on the society and families with children because the target group for this program was fairly small since the number of families that have sufficient financing to buy a new house or renovate the house in the previous years was fairly small, especially during the years of 2008, 2009, 2010, 2011 because many people lost their places of employment. For most of the families with children purchase of a house or a flat was and is still impossible because families' income is not large enough to be able to take a mortgage. For many families it is more realistic to look for a rental apartment or a rental house or to live with their parents who can also help to take care of children. Often owners of the house or flat are unwilling to rent it for family with children because they are afraid that children may damage the property. Currently there is no state support program for rental apartments/houses for families with children. However it is possible for families with children to apply for housing support from the municipality which is means tested support. Such support is available for low income families defined by state and local regulations. There is also a general waiting list which is not means tested for all inhabitants of the municipality but in this list people have to wait very long time (several years) to receive a municipality's rental flat.

**Query:** An Act on Assistance in solving apartment matters was adopted on 30 April 2009. This Act stipulates that State or municipalities shall provide assistance in solving apartment matters to persons living with a dependent minor. The report specifies that municipalities establish the categories of the persons eligible to receive such assistance, which may also include nationals of other states, the amount of the housing allowance, and the procedures for payments. The Committee asks whether such assistance is limited to a financial assistance or whether other kinds of assistance are possible. It also asks for the amounts of money given, the categories of persons eligible, and the number of families which benefit from such assistance.

**Response:** According to the Article 3 of the Law on Assistance in Solving Apartment Matters there are the following types of assistance:

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.

Thus social assistance for housing is provided also in kind, for example, ensuring wood for heating. Persons eligible to receive social assistance for housing are persons whose income is being assessed and persons without income test. Those persons whose income is not taken into account usually belong to certain category of vulnerable persons like orphans, large families, families with child who has been determined a disability a.o.

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

**2010 – 2013**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** |
| The number of persons (families) who have received allowance to cover payment for residential tenancy and payment for services associated with usage of the residential space | 89 826 | 95 398 | 86 006 | 82 643 |
| The total amount of benefits (EUR) | 8 462 594 | 8 946 326 | 9 482 312 | 8 455 952 |

Data source: Ministry of Economics

The procedure according to which Riga municipality grants a **benefit for rent** and/or maintenance charge of **the rented premises** and service fees for the services related to the use of residential premises is defined in Riga Council Binding Regulations No.202 of 15 January 2013 „On Declaring a Family or Individual Person as Needy and Disadvantaged and Social Benefits in Riga Municipality”.

In 2011 the housing allowance was granted to 52 776 persons totaling in EUR 16 139 467 (LVL 11 342 882).

In 2012 the housing allowance was granted to 45 316 persons totaling in EUR 14 498 019 (LVL 10 189 266).

In 2013 the housing allowance was granted to 37 007 persons totaling in EUR 12 089 942 (LVL 8 496 860).

On Riga municipality benefits regarding the marriage, child birth, starting education in school are granted. Riga municipality has not defined a fixed benefit regarding the marriage.

Riga Council Binding Regulations No.147 of 9 December 2008 „On Lump-sum Benefit Regarding a Child Birth” stipulates the procedure according to which Riga municipality grants a lump-sum **benefit regarding a child birth.**

In 2010 – 2013 the amount of benefit was LVL 100 (EUR 142,29) per each newborn. As of 2014 the amount of benefit is EUR 150.

In 2011 the benefit for the needs of newborns was granted to 6139 persons totaling in EUR 873 501 (LVL 613 900).

In 2012 the benefit for the needs of newborns was granted to 6 496 persons totaling in EUR 924 298 (LVL 649 600).

In 2013 the benefit for the needs of newborns was granted to 6 710 persons totaling in EUR 954 747 (LVL 671 000).

Riga Council Binding Regulations No.202 of 15 January 2013 „On Declaring a Family or Individual Person as Needy and Disadvantaged and Social Benefits in Riga Municipality” stipulates the procedure according to which the **benefit for purchase of educational aids** is granted upon starting a school year. From 2010 to 2013 the amount of benefit was LVL 25 (EUR 35,57).

In 2011 the benefit for purchase of educational aids was granted to 6 972 persons totaling in EUR 248 184 (LVL 174 425).

In 2012 the benefit for purchase of educational aids was granted to 5 484 persons totaling in EUR 194 862 (LVL 136 950).

In 2013 the benefit for purchase of educational aids was granted to 3 962 persons totaling in EUR 140 935 (LVL 99 050).

Riga Council binding regulations do not **provide additional support** to orphans and children left without parental care basing on Section 22 of the Regulations of Cabinet of Ministers No. 857 of 15 November 2015 „Regulations Regarding Social Guarantees for an Orphan and a Child Left Without Parental Care who is in Out-of-Family Care as well as After the Termination of Out-of-Family Care”.

Pursuant to Section 43 of the Regulations of Cabinet of Ministers No. 1036 of 19 December 2006 „Regulations for Foster Families” Riga municipality adopted Riga Council Binding Regulations No. 32 of 8 December 2009 „On Support to Foster Families Provided by Municipality”. Therefore foster families have rights to disbursement from Riga municipality for carrying out foster family duty; benefit for child’s aliment and benefit for child’s clothing and soft furnishing.

Benefit for child’s aliment per each child is fixed at 75% from the minimum monthly salary of the Republic of Latvia and total amount of benefit for clothing and soft furnishing per year is fixed at EUR 163,63 (LVL 115).

In 2011 foster family benefits were granted to 215 persons totaling in EUR 505 074 (LVL 354 968).

In 2012 foster family benefits were granted to 249 persons totaling in EUR 635 991 (LVL 446 977).

In 2013 foster family benefits were granted to 247 persons totaling in EUR 642 818 (LVL 451 775).

**Query:** The Cabinet of Ministers' Regulation No. 1253 of 3 November 2009 regulates State assistance for purchase and construction of living quarters. Accordingly, assistance takes the form of warranty for loans in order to purchase or build living quarters. The Committee asks about the specific conditions to benefit from this State assistance and the number of families which receive it.

**Response:** The Mortgage bank in accordance with the conditions of guarantee shall issue a guarantee when a lender has granted a loan or confirmed in writing, that a loan will be granted and Mortgage bank has received an application for a loan guarantee to which a copy of a birth certificate of at least one minor child is appended.

Amount of guarantee shall be expressed as an amount of money in such currency in which a loan has been granted. When a borrower repays a loan, the amount of guarantee granted shall be reduced by the part of the principal amount of the loan repaid. The initial amount of a guarantee shall be determined using the following formula:

G = A – 0,75 x V where

G – amount of guarantee;

A – amount of loan granted;

V – pledge value of the living quarters (housing).

A guarantee shall be issued for a period of time not exceeding 10 years. A borrower in accordance with these Regulations may only receive one guarantee for the acquisition or construction of one set of living quarters (housing). A single payment in the amount of 2,5 % of the amount of guarantee granted shall be specified for the issuance of a guarantee. A borrower or a lender shall pay such payment to the Mortgage bank.

By the end of 2013 loan guarantee for the acquisition or construction of living quarters (housing) is granted for 226 families with children. In 2014 guarantees will be granted for 1 thousand families with children.

**Query:** The Committee notes from the report that a State programme, "Roma in Latvia", was approved for 2007-2009 whose main goal was Roma integration. It asks what concrete measures, if any, were taken in accordance with this programme to ensure access to housing of Roma families, and what the follow-up were.

**Response:** There were measures taken in accordance with the State programme "Roma in Latvia" (2007-2009) to ensure Roma social inclusion and integrations, including access to housing and the economic protection of Roma families, and after the programme.

There were 66 project aimed atthe Roma social inclusion, identity preservation and rights protectionimplementedby Roma and non-Roma NGO in the framework the State programme "Roma in Latvia" (2007-2009), supported by the state budget. Furthermore 77% of these projects were implemented Roma NGOs (11 Roma NGOs from all Latvian regions). For example, Roma NGOs had implemented a wide range of cultural activities for the development and preservation of ethnic identity, a variety of training and educational seminars, including computer trainings, driving courses, the Latvian language learning.

During the period 2008 – 2013 there were many activities implemented which provide the important achievement within the frame of the state policy of Roma integration.

The most significant achievement in last 5 years is the preparation and involving teacher assistants with Roma background into the mainstream education system as well as other activities to improve education level of Roma. In the frame of the project “Teachers’ Assistants of Roma Background” 20 teacher’s assistants with Roma background have been trained to work in inclusive groups, where Roma children are educated together with other children in regular schools were Latvian is language of instruction.The consultations were provided to the teacher’s assistants also after preparatory courses in order to insure their gradual inclusion into school activities.

In school years 2007/2008 – 2009/2010 eight teacher’s assistants of Roma background were working at schools (six granting bygovernment; buttwo were getting salary from municipality budget), in 2011/2012 seven teacher’s assistants of Roma background were working at regional schools (five granting by Latvian and Switzerland programme, and 2 by the Soros Foundation – Latvia**).**

The project “Teachers’ Assistants of Roma Background”fosters the integration of Roma children in mainstream schools. Teaching assistants of Roma background help to create the link between the school, family and society as well aspromote examples of Roma culture in multiethnic group (Roma and non-Roma children) and help Roma pupils emotionally and psychologically incorporate into education process. Teacher assistants coordinate relationship between school and parents of Roma children.

Within the State Program „Roma in Latvia” 2007-2009 several activities were conducted additionally in order to promote inclusion of Roma children into educational activities at school:

* A special training seminar program „Roma child at the School”was developed and realised to improve professional skills of school teachers who educate Roma children.30school teachers participated in the training.
* Seven informative seminars „The work of teacher in a class with Roma children” in Latvian cities with biggest Roma population were conducted for teachers in Latvia who teach in classes with Roma children. There were 113 participants from 40 Latvian towns and cities, which represented about 16 pre-school educational institutions and 55 schools from Latvia.
* The competition “The best teacher – *Lāču Mānuš* (*in Roma language the best friend*)” was launched. The most active teachers were awarded for their contribution in Roma children integration and education.
* Nine public discussions „Roma child at School – a step to the future” were organised in cities with large Roma population such as Riga, Daugavpils, Jelgava, Valmiera, Ventspils, Talsi and Jekabpils. The main target audience was the representatives of Roma community as well as Roma children’s parents, also social workers, psychologists, other professionals. Total 182 participants participated in public discussions.

One of the objectives of the National identity, civil society and integration policy guidelines 2012 – 2018 (thereafter - Guidelines) is to foster the inclusion in society of socially excluded groups and prevent discrimination. This objective also applies to the socio-economic integration of Roma. In addition, the action plan set out in the Guidelines has the following task: to provide support measures for Roma integration, increasing the level of education and employment, as well as access to health and social care and housing services. The action plan of the Guidelines includes policy tasks and measures for integration of the Roma community into Latvian society. Some of the tasks and measures set out in the action plan have a *targeted approach* focused to Roma, but there are also measures that have a *mainstreaming approach*, in order to foster an increase in the level of tolerance in society, protect the rights and interests of ethnic minorities, including Roma, foster civic participation, and provide support for cultural development and the preservation of identity.

The issues of housing are included in set of policy measures, but the hosing policy not specifically oriented on ethnic groups, including Roma. The Guidelines include the measure “Support measures in solving apartment matters for Roma families”, but this measure will be implemented only when the results of survey “The situation of Roma in Latvia: their access to education, employment, healthcare and housing” will be available (probably in 2015; more information about the following survey are available within response on the Article 16 Paragraph 2).

There is no special regulation in solving apartment matters for Roma in Latvia, but the Roma have the right to apply for assistance in solving apartment matters in the general procedure. According to the Article 15, Point 9 of the Law On Local Governments one of the autonomous functions of municipalities is to provide assistance to residents in resolving issues regarding housing. The Law on Assistance in Solving Apartment Matters prescribes which persons have the right to receive assistance in solving residential space matters, as well as the procedures by which the assistance is provided for inhabitants in solving apartment matters. The Article 2 and the Article 4 Paragraph 1 of the Law on Assistance in Solving Apartment Matters provides the categories of persons who have the right to receive the assistance in solving apartment matters - persons who have declared the place of his/her residence in the respective administrative territory (except the cases referred to Law) and who have been recognised as entitled to receive assistance by a decision of a municipality council or a delegated institution thereof in accordance with the provisions of this Law and the binding regulations of the municipality council, for example:

1) Persons to whom assistance shall be provided in accordance with the Law on Residential Tenancy in cases if they are evicted from a rented residential space and if they are:

- low-income persons, who have reached retirement age or who are disabled;

- low-income persons, who live with and in whose care is at least one underage child, a person under guardianship;

- other persons living in the territory of a municipality, who belong to the category of persons specified by the municipality council to whom a municipality provides assistance if they are evicted from the rented residential space;

2) Politically repressed persons;

3) Orphans and children left without parental care and brought up in a child care and instructional institution;

4) Low-income persons who have been released from prison after serving their sentence;

5) Other persons specified by the binding regulations of the municipality council.

Taking into account the above mentioned information it can be concluded that the Law on Assistance in Solving Apartment Matters provides that the municipality support in solving apartment matters is available for all persons who have declared the place of his/her residence in the respective administrative territory and who according to the Law on Assistance in Solving Apartment Matters and binding regulations of the municipality council have the right to receive assistance in solving apartment matters. The assistance is provided irrespective of ethnic origin, therefore the Roma have equal rights with others to receive the assistance in solving apartment matters.

There are no projects/programmes implemented in Latvia focused on housing for Roma.

Detailed information about the measures, which were taken during period 2010-2013 in order to provide social assistance and rehabilitation to Roma as well as other Roma integration measures following the State programme "Roma in Latvia" (2007-2009), is available within response on the Article 16 Paragraph 2*.*

Situation of Roma on housing

In Latvia there is no so-called ghettoisation of the Roma community or segregation at the regional or local level; the Roma have formed a territorially heterogeneous group that communicates actively with the local community.

Although certain surveys that have been undertaken in Latvia on the situation of Roma conclude that a considerable number of the Roma population live in unsanitary conditions, without facilities such as a hot water supply, central heating or gas-fired heating and sewerage. Representatives of the Roma community state that, on the whole, Roma housing conditions are not regarded as being very poor: many Roma live in private houses, blocks of flats and in social housing. According to data from the Central Statistical Bureau, in 2000 49.6% of Roma lived in private homes, 14% live in private houses owned by other people, but 36% of Roma lived in housing granted by local authorities or other organisations.

Data on the social and ethnic origin of home owners, as well the number of homes owned and the size of households is not collated regularly (annually) in Latvia. Data is also not collected on the impact of housing conditions on residents’ health, access to education and employment. Only certain local authorities collate data on demands for housing by and granted to the Roma population.

*Childcare facilities*

**Query:** According to the report, pre-school education was provided in 2009-2010 to 64% of children under the age of 5 and to 100% from the age of 5 to 7. The number of pre-school childcare facilities decreased from 1003 in 2006-2007 to 957 in 2009-2010, whereas the number of children placed in such facilities rose from a total of 77 278 to 83 382 in the same period. This resulted in an increase in the average number of children per childcare facility from 77 to 87. This data show that the number of places does not match the demand for children under the age of 5. The Committee asks for information on measures taken to address this difficulty.

**Response:** During the period from the school years 2008/2009 to 2009/2010, number of those educational institutions and groups providing preschool education programmes decreased by 6%. Then the number grew reaching 1 006 institutions in the school year 2012/2013. Comparing with the beginning of the period under review, the total number of preschool educational institutions has increased by 7%, while the number of groups in general educational institutions and interest-related educational institutions implementing preschool curricula has decreased by 10%.

At the same time, number of children involved in preschool educational programmes, has constantly increased from 79 253 children in the beginning of the period under review to 93 293 in the school year 2012/2013 - by 18% in total, i.e., by 3% exceeding the expected 15% of children involved in preschool educational programmes. Although the total number of children entered into queues for places in preschool educational institutions has increased over the school year 2009/2010 totalling 37 518 children, in 2011/2012 the number fell to 32 553 children. In this context there is an assessable availability of preschool education, partially characterized by the rate of children entered into the queue from the total number of those involved in preschool education and entered into the queue (e.g., in 2007/2008 this rate reached 22.3%, in 2009/2010 – 31%, while in 2011/2012 it was 26,4%).

|  |
| --- |
| Data source: Ministry of Education and Science |

During the period under review, 96% of all five-year old and six-year old children attended pre-school educational groups and therefore were successfully prepared for acquisition of primary education (instead of the expected 80%).

According to *Eurostat* data of 2010, 87.4% of all children from four years of age participated in the preschool education in Latvia (the EU average rate was 92.4%). In 2011, preschool education in Latvia was participated by 92.7% of children of the particular age group. ISCED 0 indicator showing enrolment of children in preschool institutions at the age of four is included in the programming document "Sustainable Development Strategy of Latvia "Latvija 2030" providing to reach 95% enrolment of four-year-old children in preschool institutions by 2030. The goal defined in the National Development plan (NDP) for 2014-2020 also has established requirement to decrease poverty risk through a complex support system promoting combining of family life and work. Support for actions promoting combining of family life and work is foreseen, thus contributing to availability of quality and diverse family support services in municipalities (including ensuring of guaranteed, quality and children age group-appropriate pre-school education for 1.5-4 years old children). The Europe 2020 Strategy also anticipates 95% children enrolment in preschool by 2020.

According to the Regulations of Cabinet of Ministers No.1523 of 17 December, 2013.) and Nr.1462 of 10 December, 2013) there has been set up a national support system which provides funding for children who are not provided with place in municipal kindergartens an receive pre-school education in private kindergartens and child care service providers (nannies). Public support for one child is 142 EUR per month. Total funding allocated to municipalities and state aid must not exceed 228 EUR in Riga planning region and 185 EUR - outside Riga planning region. The average private kindergartens price in 2012/2013.school year was 235 EUR. Outside of Riga Planning Region kindergartens average price in 2012/2013.school year was 188 EUR. Funding:

2013 – 4,5 million EUR;

2014 – 13,6 million EUR;

2015 – 13,6 million EUR.

In October, 2013 there was 5061 children, but in January, 2014 there were 7470 children who received support. Parents can choose for their child to attend a private kindergarten or child care service provider, if there is no place in municipality kindergartens. By providing support, Ministry of Education and Science is working closely with local authorities, which are supervised by Ministry of Environmental Protection and Regional Development. Ministry of Education and Science provides public funding and maintains a register of child care service provider, which is taken to meet the indicators of Education development guidelines: the proportion of the number of children involved in early childhood education at the age of 4 years to compulsory basic education (Grade 1) in 2020 (95%).

**Query:** According to Section 15 §1 of the Local Governments Act, local governments must provide for the education of residents, notably pre-school education. Section17 §1 of the Education Act provides that each local government has to ensure that the children residing within their administrative territory have the opportunity to acquire pre-school education at an educational facility close to his/her place of residence. The Committee asks that the next report give information on how these texts are implemented in practice by local governments.

**Response:** Article 17 of the Law on Education stipulates that each municipality is responsible for providing children, whose place of residence is registered in the administrative territory of municipality, with preschool education and basic education possibilities in the nearest educational establishment or establishment which implements education programme in state language, for providing youth with possibilities to master the secondary education as well as providing an opportunity to participate in extracurricular classes and supporting extracurricular activities, also children camps.

In order to ensure the opportunity of attending educational establishment at one's discretion for a children whose place of residence is registered in administrative territory of municipality but who attends educational establishment located in the administrative territory of other municipality, pursuant to the procedure defined by the Cabinet of Ministers the first municipality must conclude a contract on participating in financing the maintenance costs of the educational establishment under auspices of the respective municipality.

Regulations of the Cabinet of Ministers No.250 of July 13, 1999 "Procedure for municipalities to settle mutual payments for educational establishment or social care centre services" define the procedure for municipalities the registered residents of which use the services rendered by educational establishments or social care centres of other municipality to conclude contracts with the respective municipalities regarding the payment for the services provided to these residents.

**Regarding preschools**

If municipality fails to provide a child, who has reached 1.5 years of age and whose place of residence is registered in the administrative territory of municipality, with a place in preschool education programme (from 1.5 year until the school age) implemented by the municipal educational establishment and child attends the preschool education programme in a private establishment then municipality bears the expenses of such service by private institution according to the procedure defined by the Cabinet of Ministers. Expenses are covered in the amount equal to the average cost per one student in preschool education programme in the respective municipal educational establishment.

Regulations of the Cabinet of Ministers No. 1523 of 17 December 2013 "Procedure for Municipality to Cover Expenses of Preschool Education Programme by Private Educational Establishment According to its Defined Average Costs" (hereinafter referred to as Regulations No. 1523) define the procedure for municipality to bear the costs for preschool education programme (from 1.5 years until the school age) per one student in the private educational establishment according to the average costs in the respective municipal educational establishment in cases stipulated in the Paragraph 21. of Article 17 of the Education Law.

Paragraph 2 of Regulations No.1523 stipulates that municipality aid is intended for the payments to the private educational establishment registered in the Register of Educational Establishments which implements preschool education programme during the working days (not less than 8 hours per day) and implements certified general or special preschool education programme.

Binding Regulation of Riga City Council No.123 of 19 May 2011 "Procedure According to Which Riga City Council Ensures the Preschool Education" (hereinafter referred to as Regulations No.123) 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 municipal educational establishment 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 municipality.

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. one of child's parents is pedagogic employee in preschool education establishment;
2. state or municipal commission has issued an opinion with a recommendation for a child who has mastered special programme to master the general programme.
3. child is left without parental care;
4. child is adopted (except the cases when a person has adopted children of his/her spouse);
5. municipality has suspended the funding of preschool education service for a child in a Private educational establishment;
6. 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.
7. child is a sibling of triples or more births;
8. 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.

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.

In order to ensure the availability of preschool education services, Education, Culture and Sports Department of Riga City Council has concluded cooperation agreements with 107 private educational establishments implementing certified preschool education programmes.

Municipality's co-financing in the amount of 132,33 EUR per month 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.

**Regarding schools**

Regulations of the Cabinet of Ministers No.149 of 28 February 2012 "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. 134 of 2 September 2008 "Procedures for Registration and Enrolment of Children in the 1st Grade in General Educational Institutions of Riga Municipality" define the procedure for starting acquisition of education in general educational establishments (hereinafter referred to as - Establishments) of Riga Municipality.

Parents or custodians (hereinafter referred to as 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.

Until January 1 of each year the Department determines and announces to Establishment the number of 1st grades to be opened.

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 referred to as 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 June 1 Establishment checks whether the place of residence of potential 1st grade student and parent complies with the urban district of Establishment pursuant to the data from the Population Register.

When arranging the 1st grade the Establishment complies with the following order of priority for enrolment of children:

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;

If registration date of place of residence is one and the same for several children then priority factor is earlier registered application by parent for enrolment of child to the 1st grade.

If parents register the children whose place of residence is registered in Establishment's urban district for enrolment to the 1st grade after the Principal of Establishment has issued an order on enrolment of children in the 1st grade and there are no vacant places in Establishment's 1st grade, Department coordinates enrolment of a child in other Establishment with available places possibly closest to the place of residence.

Each year after June 1 Department informs parents whose children are enrolled for starting acquisition of education in the 1st grade within 2 weeks in a written form about inclusion of a child in the list of students to be enrolled in the 1st grade or about refusal.

If a child is not included in the list of students to be enrolled in the 1st grade the Principal of Establishment informs Department about it by submitting the copy of reply to parents. Department provides parents with information about vacant places in other Establishments.

Principal of Establishment confirms by the order the list of students enrolled to Establishment not later than until August 31 by making sure in advance whether the children have not been enrolled in another Establishment.

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 basing 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.

**Statistics**

There are following municipal educational establishments in Riga in school year 2014/2015:

* 117 general educational establishments (schools),
* 150 preschool educational establishments,
* 11 children and youth sport schools,
* 13 children and youth interest centres,
* 9 children and youth art and music schools.

Dynamics of number of students in Riga municipality educational establishments which implement preschool education programme:

academic year of 2010/2011 - 25,925 students;

academic year of 2011/2012 - 25,994 students;

academic year of 2012/2013 - 26,507 students

academic year of 2013/2014 - 26,700 students;

academic year of 2014/2015 - 27,000 (provisional - data are collected until 30.09.2014.).

Dynamics of additionally opened preschool groups: 2009 - 24; 2010 - 40; 2011 - 27; 2012 - 15; 2013 - 6; 2014 - 45.

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 104 private educational establishments. Riga municipality budget has allocated 6,040,517 EUR for programme "Municipal funding for implementation of preschool education programmes in private educational establishments". Riga municipality co-financing in 132,33 EUR per month is allocated for 4610 children (data from July).

Dynamic of number of students in Riga municipal schools:

academic year of 2010/2011 - 67,975 students;

academic year of 2011/2012 - 65,762 students;

academic year of 2012/2013 - 64,951 students;

academic year of 2013/2014 - 64,851 students

academic year of 2014/2015 - 65,270 (provisional - data are collected until 30.09.2014.).

Dynamic of number of first grade students in Riga municipal schools:

academic year of 2010/2011 - 6,138 students;

academic year of 2011/2012 - 5,913 students;

academic year of 2012/2013 - 6,255 students;

academic year of 2013/2014 - 6,550 students

academic year of 2014/2015 - 6,690 (provisional - data are collected until 30.09.2014.).

In Riga municipal budget of 2014 there are 577,382 EUR allocated to Riga municipal schools for purchasing of education textbooks and education materials.

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

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

In order to promote the quality of education process it is intended to continue providing educational establishments with information and communication technologies (interactive whiteboards, tablet PC, electronic education aids etc.)

Riga Education and Informative Methodical Centre ensures the further education of Riga educational establishments as well as lifelong learning of residents. News regarding these issues can be found at 222.riimc.lv.

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.e-skola.lv.

New programmes are established in the Centre of Young Technicians of Riga, M.Muižniece Riga Art School and A.Dombrovskis Second Music School.

Latgale District Music and Art School has obtained additional premises, the number of students has increased by more than 100 children.

Quality evaluation of sport education programmes in Riga professional sport education establishments carried out during the summer season has concluded successfully and State Service for Education Quality has granted accreditation until 2020 to 8 out of 11 sport schools of Riga.

Project - Riga Football Academy - aiming at development of new talented football players has been created and launched and also similar project is expected to be established in ice-hockey by creating a specialized ice-hockey centre Ice-hockey Academy "Riga".

BJBS "Riga" has launched a project to create in Daugava Sport Hall educational environment for basketball and to also keep in mind the creation of basketball museum in the future.

By positioning the field of education as one of priorities of Riga municipality a possibility was found to keep and extend important functions for organizing and arranging of education process which are not mandatory for municipality yet defined as the good will of it:

* monthly increase in salary per one pedagogical rate;
* 99,60 EUR from Riga municipal budget are granted to preschool pedagogues of educational establishments and 71,14 EUR are granted to other pedagogical employees;
* each year in Teachers Day all pedagogues receive a single benefit in the amount of 71,14, with 642,526 EUR total funding;
* municipality subsidized free lunch for first and second grade students by granting 560,745 EUR in 2014, while free lunch for first, second and third grade students will be granted by the state as of September 1, 2014;
* municipality will continue providing the swimming classes for the second grade students by granting 152,005 EUR funding;
* students can use the public transport free of charge while pedagogues receive 50% discount on public transport tickets, and police will continue to be on duty in school territory;
* municipality also provides funding for teachers of additional Latvian language classes for the re-emigrated children; such funds are allocated to those schools where re-emigrating children and newcomers from other countries learn; last year these were 20 schools in which 65 children had opportunity to learn Latvian additionally and not to lag behind the learning process.

**Query:** A pilot project was launched in 2007 in Liepaja to promote availability of qualitative and accessible childminding services, from which 60 childminders have been trained, a website developed, special premises created and the necessary material provided. The Committee asks information on the follow-up given to these measures.

**Response:** Please see the information provided on the Article 16 Paragraph 2 in this Report.

*Legal protection of families*

*Mediation services*

**Query:** An action plan to ensure a gradual implementation of the mediation model had been set up. It envisages the elaboration of a law on mediation and provides for amendments in procedural laws, training of the judges and information on mediation. The Committee asks for information on the implementation of the action plan and possible new developments.

**Response:** On 18 June, 2014 the Law on Mediation is in force and has been approved by the Parliament. On 5 August, 2014 the Regulations of Cabinet of Ministers No.433 “On certified mediators” has been adopted. From 1 January, 2015 the court related mediation module will be implemented in Latvia. To ensure the implementation of this module, the first mediator’s certification took place on 1 October, 2014.

Please see also the information provided on the Article 16 Paragraph 1 in this Report.

**Query:** The Committee asks what concrete measures were taken in particular from the State program "Roma in Latvia" (2007-2009), to ensure the economic protection of Roma families and what the follow-up was.

**Response:** Please see provided information above on Roma rights in the responses to Queries raised by the European Committee of Social Rights in its Conclusions XIX-4 (2011) (Latvia) as well as information provided on Article 16 Paragraph 2 in this Report.

**Article 17 - Right of mothers and children to social and economic protection**

*Status of the child*

**Query:** In its previous conclusion (Conclusions 2007) the Committee asked whether there were any restrictions to the right of an adopted child to know his/her origins. In this respect the report states that according to Article 171 of the Civil Law information regarding the adoption shall not be divulged without the consent of the adopters until the child reaches the age of majority. The Committee asks whether in those cases where the information regarding adoption has already been divulged, there are any restrictions that would apply to the right to know one's origins.

**Response:** According to Article 171 Paragraph 3 of Civil Law information about adoption shall not be divulged without the consent of adopters until child’s becoming of age.

There is no specific restriction about situations after the child has become of age or after the adopters of a minor child have given their consent for divulging information about adoption.

Adopter as the representative of the interests of the adopted child or adopted child himself/herself after the age of 18 has the right to request necessary information. According to Article 15 Paragraph 1 of Personal Data Protection Law data subject has the right to obtain all information that has been collected concerning himself/herself in any personal data processing system.

However if divulging of the secret of adoption has happened in other circumstances than those two previously mentioned (child’s becoming of age or adopters consent) then criminal liability shall set in.

According to Section 169 of Criminal Law for divulging the secret of adoption against the will of adopters – the liable person shall be punished with a short term imprisonment or with community service or with a fine.

*Children in public care*

**Query:** The Committee asks what are the criteria for the restriction of custody or parental rights and what is the extent of such restrictions.

**Response:** A parent may have custody rights removed if:

1) because of parent’s fault (his/her deliberate actions or negligence) child’s health or life is in danger; 2) parent ill-intentioned uses his/her parental rights or does not provide care and supervision for the child and such a situation may endanger child’s physical, mental or moral development. (Civil Law Article 200)

In such a situation the child is legally free and is subject to adoption procedure according to legal enactments on adoption (if the child agrees to be adopted and there is no other relative suitable to take care of the child).

A parent may have custody rights suspended if: 1) there are actual obstacles which interdict parent from caring for the child; 2) the child is in conditions which are dangerous to his/her health or life and that is parent’s fault (parent’s intentional action or negligence); 3) the parent ill-intentioned uses his/her parental rights or does not provide care and supervision for the child; 4) parent has given consent to adoption of the child, with the exception when he/she as a spouse has given consent that the other spouse may adopt the child; 5) parent’s violence against the child has been established or there is well-founded suspicion about parent’s violence against the child.

The suspended custody rights shall be renewed if the orphan’s court acknowledges that there does not exist above mentioned conditions. If in a year since suspension of custody rights it is not possible to renew them the orphan’s court rules to bring an action in civil court on removal of custody rights. An exceptional situation is when it is not possible to renew custody rights because of conditions unrelated to the parent.

The orphan’s court is eligible to rule on bringing an action in civil court on removal of custody rights before setting in of the aforementioned term if it corresponds to the child’s interests. (Civil Law Article 203)

**Query:** The Committee also asks what are the procedural safeguards to ensure that children are removed from their families only in exceptional circumstances.

**Response:** The procedural safeguards are established by the Law on Orphan’s Courts and Regulation of Cabinet of Ministers No.1037 of 19 December, 2006 “Regulations for the Operation of an Orphan's Court”.

An Orphan’s court shall hear cases and take decisions collegially in a meeting of the Orphan’s court (Article 48, Paragraph 1 of the Law on Orphan’s Courts).

Regulation of Cabinet of Ministers No.1037 of 19 December, 2006 “Regulations for the Operation of an Orphan's Court” section VII provide for risk assessment in matters of removal or renewal of custody rights and in matters of releasing of the guardian. Risk assessment shall be implemented before the ruling about suspension of custody rights. An exception is in cases when one-person decision is established according to Law on Orphan’s Courts Article 23. One-person decision shall be reviewed in an orphan’s court sitting where a collegial decision shall be made. The sitting shall be held not later than 15 days after taking the one-person decision.

Orphans’ court shall perform risk assessment by filling in respective forms (appendix no 1 of Cabinets’ regulation) and taking into account certain criteria (appendix no 2 of Cabinets’ regulation).

When carrying out risk assessment the Orphan’s Courts may involve respective specialists and representatives of institutions or request information in hand from them.

The aforementioned risk assessment shall be implemented before renewal of suspended parents’ custody rights and before releasing of the guardian.

**Query:** The Committee further asks whether the national law provides for a possibility to lodge an appeal against a decision to restrict parental rights, to take a child into public care or to restrict the right of access of the child's closest family.

**Response:** The concerned person may appeal an orphan’s court decision in administrative court according to the procedure established by Administrative Procedure Law. Submission of an application into administrative court does not stop the operation of orphan court’s decision.

*Young offenders*

**Query:** The Committee asks whether young offenders may be detained and sentenced together with adults.

**Response:** The Paragraph 2 Article 267 of the Criminal Procedure Law prescribes that law On the Procedures for Holding the Detained Persons of 20 October, 2005 determines the procedures for the holding of a detained person. Pursuant to the Paragraph 3 Article 4 (Accommodation of the Detained Person at the Temporary Place of Detention) of this law the detained minors and the detained persons of legal age shall be placed separately.

According to the Paragraph 3 Article 13 of the Sentence Execution Code of Latvia, male minors who have been sentenced with deprivation of liberty 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.

**Query:** The Committee asks whether young offenders have a statutory right to education.

**Response:** According to the Article 50.7 of the Sentence Execution Code of Latvia, convicted male minors shall serve deprivation of liberty sentences in juvenile correctional institutions. Female minors shall serve sentence in separate isolated section of women’s prisons which have been equipped in conformity with the requirements presented for juvenile correctional institutions. All the provisions provided below shall apply to such persons.

According to a decision of the administrative committee of a deprivation of liberty institution, convicted minors who have attained eighteen years of age may be transferred to deprivation of liberty institutions for adult convicted persons, if the behaviour of the convicted person rules out the possibility of leaving him/her in a juvenile correctional institution or releasing him/her from the serving of sentence before the end of the term. In such a case the convicted person shall be transferred to the highest level of a partly-closed prison.

In order to strengthen the results of resocialisation and provide the possibility of acquiring a general education or vocational preparedness, convicted persons who have attained eighteen years of age may, according to a decision of the administrative committee of a deprivation of liberty institution, be left in a juvenile correctional institution until the end of the academic year or the end of the sentence term, but not longer than until they attain twenty-one years of age. In exceptional cases, with a decision of the administrative committee, the convicted person who has attained twenty-one years of age may be left in the juvenile correctional institution until the end of the academic year.

The education process in juvenile correctional institutions shall be approximated to the requirements for general educational institutions and it shall be governed by an instruction approved by the Minister for Justice which has been harmonised with the Minister for Education and Science. Basic education is mandatory for everyone in Latvia who are younger than 18, including juvenile prisoners.

The head of a juvenile correctional institution may permit that a convicted minor leaves the territory of the institution for a time period necessary for taking examinations in a general or vocational educational institution. During such time period the correctional institution shall ensure the supervision of the convicted minor.

Convicted minors are permitted:  
1) to utilise fifteen long-duration visits from 36 to 48 hours with close relatives per year;  
2) to utilise twelve short-duration visits from one and half hours to two hours per year;  
3) to shop at the institution store without limits to the amount of money;  
4) to use eight telephone calls per month.

***Appendix No. 1- Regulation of Cabinet of Ministers No. 206 of 28 May 2002***

**Annex 1 - Work in which Employment of Adolescents is Prohibited**

1***.*** Work is equivalent to rescue operations in cases of emergency.

2. Work is equivalent to testing work.

3. Work is equivalent to work involving fire and explosion hazard.

4. Work directly related to continuous carrying or moving of heavy loads if it exceeds 10 kg (for boys) and 4 kg (for girls).

5. Work directly related to the servicing and maintenance of ventilation, water, drainage, and treatment equipment systems.

6. Work directly related to the manufacture, testing, storage, use, trade and advertising of weapons and the components thereof, ammunition, explosives, explosive devices, fireworks and special equipment intended for the guaranteeing of public order and safety.

7. Work directly related to the demolition of various objects and structures.

8. Work directly related to the movement of trains (work of a train-driver in trains and other means, traffic controller, guard, wagon and road inspector, attendant).

9. Work directly related to the assembly of various constructions (for example, to assembly of metal, reinforced concrete structures).

10. Work directly related to the care and supervision of infected persons and mentally ill persons (also in hospitals).

11. Work directly related to the extraction of oil and production of petroleum products, as well as work related to drilling.

12. Work directly related to electricity and heat generation, as well as supply to atomic power plants, thermal power stations and hydroelectric power plants.

13. Work directly related to the manufacture of industrial ceramics if at work compounds containing lead are utilised, or glass manufacture.

14. Work directly related to the transportation of passengers and freight (products) (driving of a road transport).

15. Work directly related to the manufacture of pulp, paper and articles thereof.

16. Work directly related to printing, except for a case when the adolescent has appropriate speciality and qualification.

17. Work directly related to the manufacture of rubber and plastic products.

18. Work directly related to the manufacture of chemical substances, products and articles thereof, and chemical fibres.

19. Work directly related to the recycling of metal or base materials thereof.

20. Work directly related to the processing, storage, production and marketing of narcotic substances and plants containing narcotic substances.

21. Work directly related to forestry (tree felling, dismembering, skidding, loading and unloading of logs). Sawing and chopping of firewood, except in cases when the adolescent has the appropriate speciality and qualification.

22. Work directly related to processing and preserving of meat and meat products, except in cases if the adolescent has the appropriate speciality and qualification.

23. Work directly related to wood treatment with circular saws or band-saws and cutters, except cases when the adolescent has the appropriate speciality and qualification.

24. Work directly related to the processing and preserving of fish and products thereof, except cases when the adolescent has the appropriate speciality and qualification.

25. [deleted on 31 July 2007]

26. Work directly related to stone working.

27. [deleted 31 July 2007]

28. Work directly related to the provision of funeral services, except for wreath making, preparation of mourning ribbons and similar work.

29. Work under water, underground, in the air, without supervision on water, in sea and river fleet, aviation (air and water transport).

30. Work in pathologico-anatomical departments, morgues and vivariums.

31. Work in public toilets.

32. Work in places in which the artificial breeding and mating of animals is performed.

33. Work in places of imprisonment.

34. Work in places of the organisation of gambling.

35. Work in places in which erotic and pornographic items are produced, marketed and demonstrated.

36. Work related to the slaughter of animals and poultry and cutting of carcasses.

37. Work related to the capture and destruction of stray dogs and cats.

38. Caring for animals that have contracted infectious diseases and work related thereto.

39. Work in which training materials are made from animals (mice, rats, Guinea pigs).

40. Work in which the life and health of the person performing work is directly endangered by fierce, poisonous or aggressive animals.

41. Work related to the production, storage and utilisation of compressed, liquefied or dissolved gases, as well as the use of relevant equipment.

42. Work in anaesthesia, resuscitation and intensive care departments (wards).

43. [deleted on 31 July 2007]

44. Work during the performance of which earthfalls and drifts are possible (mining and work in quarries).

45. Work during the performance of which the person performing the work may fall from the height of more than one and a half meters.

46. Work during the performance of which the person performing the work may fall from objects (means) in movement.

47. Work during the performance of which there is contact with the processing of dirty laundry, household waste and carrion.

48. Work during the performance of which there is contact with dead bodies, the skin, organs and blood of dead bodies.

49. Work the speed of which is determined by mechanisms and for which a piecework salary is paid.

50. Work with vats, tanks, reservoirs or carboys containing chemical substances referred to in of Annex 2, Sub-paragraph 3.3 of these Regulations.

51. Work directly related with the manufacture, testing, storage, use, trade and advertising of alcoholic beverages and tobacco products.

***Appendix No. 2- Regulation of Cabinet of Ministers No. 206 of 28 May 2002***

**Annex 2- Work Environment Risk Factors the Direct Subjection of Adolescents to which is Prohibited**

It is prohibited to employ adolescents in work in which they are directly subject to the following work environment risk factors.

1. Physical factors:

1.1. objects in movement, rotating, falling and flying objects;

1.2. ionising radiation;

1.3. risk caused by high-voltage electricity;

1.4. increased or decreased pressure (work under water or more than 2000 metres above the sea level);

1.5. a noise level, which in a standardised seven hour accounting period, the value of the level of exposure exceeds 80 dBA;

1.6. palm and hand vibration, which in a standardised seven hour accounting period, the value of the level of exposure exceeds 2 m/s2; and

1.7. whole body vibration, which in a standardised seven hour accounting period, the value of the level of exposure exceeds 0.5 m/s2

2. Biological factors – biological agents of groups 3 and 4 (biological agents dangerous to the employees and there is a risk that they will cause threat to other people).

3. Chemical factors:

3.1. carcinogenic and mutagenic substances;

3.2. substances and products which in conformity with the classification of dangerous preparations are toxic (T), very toxic (Tx), corrosive (C) or explosive (E);

3.3. substances and products which in conformity with the classification are harmful (Xn) and which have one or several of the following disruptions of the effect of the substance:

3.3.1. danger of very serious irreversible effects (R39);

3.3.2. possible danger of irreversible effects (R40);

3.3.3. may cause sensitisation by inhalation (R42);

3.3.4. may cause sensitisation by skin contact (R43);

3.3.5. carcinogenic substance (may cause malignant tumours) (R45);

3.3.6. may cause heritable genetic defects (mutagenic substance) (R46);

3.3.7. after prolonged contact serious harm to health is possible (R 48);

3.3.8. may cause harm to reproductive capacities (R 60);

3.3.9. may cause harm to the development of a foetus (R 61);

3.4. substances and products which in conformity with the classification are irritants (Xi) and which have one or several of the following disruptions of the effect of the substance:

3.4.1. particularly combustible material (R12);

3.4.2. may cause sensitisation by inhalation (R42);

3.4.3. may cause sensitisation by skin contact (R43);

3.5. lead and compounds thereof to the extent the relevant substances are absorbed by the human organism; and

3.6. asbestos.

# ***Appendix No. 3- Regulation of Cabinet of Ministers No. 660 of 2 October 2007***

# **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. These Regulations prescribe 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. These Regulations 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 these Regulations.

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 responsible for the compliance with these Regulations. 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 these Regulations 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 these Regulations 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 these Regulations.

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 products 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.

19. In the cases referred to in Sub-paragraphs 18.1, 18.2, 18.3 and 18.4 of these Regulations 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 these Regulations, 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 these Regulations, 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 these Regulations, a person who performs evaluation shall determine whether the work environment risk factors referred to in Annex 2 to these Regulations 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 these Regulations.

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 these Regulations or, also, that it is affected by the work environment factors referred to in Annex 2 to these Regulations, 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 these Regulations, 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 these Regulations; and

30.2. breastfeeding women – in jobs, which are affected by the work environment factors referred to in Annex 3, Paragraph 2 of these Regulations.

31. If the employer determines that, in addition to the work environment factors or the jobs referred to in Annexes 2 and 3 to these Regulations, 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 these Regulations 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 these Regulations and the lists and documents referred to in Sub-paragraph 33.3 of these Regulations 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 these Regulations 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 these Regulations, which apply directly thereto.

38. The employer shall ensure that the information referred to in Paragraph 36 of these Regulations 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 these Regulations.

**VII. Closing Provision**

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

These Regulations contain 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; and

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).

Prime Minister A. Kalvītis

Minister for Welfare D. Staķe

**Annex 1**

Regulation of Cabinet of Ministers No.660

of 2 October 2007

Inspection of Workplace or Type of Work and Determination of Work Environment Factors Therein and Evaluation Thereof

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 (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 (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 (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 (C0)  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 (specify) |  |  |
| outside work | work in outside conditions |  |  | temperature (C0)  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 (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 (specify) |  |  |
| radiation  (ionising/non-ionising) | x-ray equipment |  |  | quantity of radiation (duration of exposure) |  |  |
| electromagnetic field equipment |  |  |
| ultraviolet radiation equipment |  |  |
| laser radiation equipment |  |  |
| other (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 (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 (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 (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 (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 responsibility | increased responsibility in work |  |  | level of responsibility, the frequency of taking of responsible decisions, the scope of people influenced by the decision, the scope and severity of consequences in case of mistake |  |  |
| taking of important, responsible decisions |  |  |
| 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 (specify) |  |  |
| violence | physical abuse |  |  | 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 (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 (specify) |  |  |
| dust containing carbon and inorganic compounds thereof, lime, chalk dust | utilisation, transport of coal |  |  | 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) |  |  |
| 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 (specify) |  |  |
| dust containing silicon dioxide, silicates | production, processing and utilisation of cement, clay, chamotte |  |  | 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) |  |  |
| 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 (specify) |  |  |
| 5. | Chemical factors | substances and products (specify particular substances and products, evaluate each substance or product individually) | inhalation of substances or products |  |  | possibility of absorption of substances or products through the respiratory tract (how much, duration of exposure, how often),  possibility of absorption of substances or products through the skin (how much, duration of exposure, how often),  possibility of absorption of substances or products through the mouth (how much, duration of exposure, how often),  risk and safety phrases, possible allergic reactions, presence of cancerogenic, mutagenic substances  concentration of chemical substances in air, indicators of biological exposure (IBE) |  |  |
| accidental swallowing |  |  |
| contact with the skin in the work procedures |  |  |
| other (specify) |  |  |
| technological processes of production of substances and products | inhalation of substances or products |  |  |  |  |
| accidental swallowing |  |  |
| contact with the skin in the work procedures |  |  |
| other (specify) |  |  |
| production waste | inhalation of substances or products |  |  |  |  |
| accidental swallowing |  |  |
| contact with the skin in the work procedures |  |  |
| other (specify) |  |  |
| means of medical treatment, antibiotics, enzyme preparations, bio-stimulators | industrial production of means of medical treatment |  |  | possibility of absorption of substances or products through the respiratory tract (how much, duration of exposure, how often),  possibility of absorption of substances or products 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 (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 (specify) |  |  |
| contact with poisonous animals, bites of poisonous animals (snakes) | 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 animals |  |  |
| work in meadows, swamps, forest and other places |  |  |
| work during the time of day-and-night and year when activity of poisonous animals is high |  |  |
| other (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 (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 |  |  | 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) |  |  |
| work in removal of hogweed, mowing |  |  |
| allergens | work involving substances causing allergic reactions |  |  | 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 |  |  |
| inhalation of allergens |  |  |
| contact of allergens with the skin in the work procedures |  |  |
| other biological factors |  |  |  |  |  |  |
| 7. | Traumatic risk factors | machinery, workbenches and devices | rotating and moving parts of machinery, workbenches and devices |  |  | unprotected/enclosed rotating, moving parts, parts under voltage of machines, workbenches, devices and active parts of other nature |  |  |
| mechanised instruments |  |  |
| other (specify) |  |  |
| manual tools | manual tools of chiselling, cutting, drilling and other types of processing |  |  | technical condition of tools, methods of use thereof, storage, conformity of tools to the work to be performed |  |  |
| mechanical manual tools |  |  |
| other (specify) |  |  |
| 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 (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 (specify) |  |  |
| possibility of burning, scalding | hot materials |  |  | temperature (Co) 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 (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 (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 undertaking, whether safety signs are placed correctly, how heavy is the traffic of vehicles and pedestrians |  |  |
| types of transportation and driving up (access) |  |  |
| 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 (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 |  |  | whether risk of accidents exists (finds expression) when dealing (working) with building constructions, in contact with semi-finished parts and materials |  |  |
| work involving 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 |  |  | 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) |  |  |
| work in aviation – piloting of airplanes, helicopters |  |  |
| 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 under ground 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. Staķe

**Annex 2**

Regulation of Cabinet of Ministers No.660

of 2 October 2007

Work Environment Factors and Jobs which may Cause Risk to Safety and Health of Pregnant Women and Breastfeeding Women

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 or therapeutic measures taken to eliminate the consequences caused by such factors, which endanger the health of a pregnant woman and/or the unborn child and have not been referred to in Annex 3 to these Regulations;

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 these Regulations:

1.3.1 substances R40, R45, R46 and R47, which have not been referred to in Annex 3 to these Regulations;

1.3.2. auramine, polycyclic aromatic hydrocarbons;

1.3.3. mercury and substances containing mercury;

1.3.4. antimitotic 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 involving exposure to 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. Staķe

**Annex 3**

Regulation of Cabinet of Ministers No. 660

of 2 October 2007

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. Staķe

1. Informative report „Proposals for improving the social security system” accepted by the Cabinet of Ministers on December 10, 2013. [↑](#footnote-ref-1)
2. European Commission, Social protection budgets in the crisis in the EU, Working Paper 1/2013, Olivier Bontout & Terezie Lokajickova, p. 5 [↑](#footnote-ref-2)
3. World Bank study Latvia: Who is Unemployed, Inactive or Needy? Available at <http://www.lm.gov.lv/upload/aktualitates/latvia_compwbs.pdf>; p.14. [↑](#footnote-ref-3)
4. World Bank study Latvia: Who is Unemployed, Inactive or Needy? Available at <http://www.lm.gov.lv/upload/aktualitates/latvia_compwbs.pdf>; p.20. (accessed on July 8, 2014). [↑](#footnote-ref-4)
5. <http://ec.europa.eu/justice/discrimination/files/roma_latvia_strategy_en.pdf> [↑](#footnote-ref-5)
6. Special Eurobarometer 344. Domestic Violence against Women. Report. http://ec.europa.eu/public\_opinion/archives/ebs/ebs\_344\_en.pdf (accessed on July 16, 2014). [↑](#footnote-ref-6)
7. European Union Agency for Fundamental Rights. Violence against Women: an EU-wide Survey. Main results report. http://fra.europa.eu/en/publication/2014/vaw-survey-main-results (accessed on July 16, 2014). [↑](#footnote-ref-7)
8. <http://issuu.com/iic_daiga/docs/celvedis_izgl_iest?mode=window&backgroundColor=%23222222> [↑](#footnote-ref-8)
9. Available: <http://www.iic.lv/en/projects/support_system.html>. [↑](#footnote-ref-9)
10. <http://www.sif.lv/index.php?option=com_content&view=article&id=9033&Itemid=240&lang=en> [↑](#footnote-ref-10)
11. <http://www.sif.lv/index.php?option=com_content&view=article&id=9174%3ABuklets-%E2%80%9ERomu-kopiena-Latvija-situacija-un-laba-prakse-izglitiba%E2%80%9D&catid=2%3Afonds&Itemid=240&lang=lv> [↑](#footnote-ref-11)
12. <http://ec.europa.eu/justice/discrimination/files/roma_stories_2013/latvia_en.pdf> [↑](#footnote-ref-12)
13. Detailed information available only in Latvian (Informatīvais ziņojums par Latvijas Romu integrācijas politikas pasākumu īstenošanu 2013.gadā, Rīga: KM, 2014.). [↑](#footnote-ref-13)
14. HBS data for 2013 are provisional until 28th of August, 2014. [↑](#footnote-ref-14)
15. HBS data for 2013 are provisional until 28th of August, 2014. [↑](#footnote-ref-15)
16. 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 co-operation with educational institutions and employers. Funding: ESF (80%) and state budget (20%). [↑](#footnote-ref-16)
17. 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%). [↑](#footnote-ref-17)
18. 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. [↑](#footnote-ref-18)
19. 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%) and state budget (20%). [↑](#footnote-ref-19)
20. 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%) and state budget (50%). [↑](#footnote-ref-20)
21. Support for youth volunteer work - the aim is to support activities of young unemployed aged 18-24 years for the public weal, promoting opportunities and developing a volunteer work in Latvia, taking into account youth potential and current situation in the labour market. Funding: state budget (100%). [↑](#footnote-ref-21)
22. Workplace for a young unemployed – the aim of the measure is to promote a long-term integration into the labour market of vulnerable groups of young unemployed aged 18-24 years. Funding: ESF (80%) and state budget (20%). [↑](#footnote-ref-22)
23. 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%) and state budget (50%). [↑](#footnote-ref-23)
24. Until 2010 a state social care centres included

    1. social care centres for orphans;
    2. specialised social care centres for children;
    3. specialised state social care centres, which until 2010 were separate state administration institutions.

    Starting from 1 January 2010, 33 direct state administration institutions under supervision of the Ministry of Welfare (social care centres) were reorganised by merging them and creating five new direct state administration institutions on their basis–regional social care centres. Due to the mentioned reorganisation, starting from 2010 the institutions providing long-term social care and social rehabilitation services to children are not separated from ones providing these services to adults. One institution may provide long-term social care and social rehabilitation services to both children and adults. [↑](#footnote-ref-24)
25. 06 January 2010. Cabinet Order No.5 "Guidelines for the Optimisation of the Network of Vocational Education Institutions 2010-2015", <http://www.likumi.lv/doc.php?id=203373> [↑](#footnote-ref-25)
26. 19 April 2012. “Amendments to the Vocational Education Law”,

    <http://likumi.lv/doc.php?id=247256> [↑](#footnote-ref-26)
27. Regulations of Cabinet of Ministers from 20 November 2012 No.785 "Procedure of Organisation and Securing of Job Training Workshops",<http://likumi.lv/doc.php?id=252862> [↑](#footnote-ref-27)
28. 29.05.2009 Cabinet order No. 357 “On Restructuring the Centre for Curriculum Development and Examinations, the National Youth Initiative Centre and the National Centre for Special Education, and Establishing the National Centre for Education”, <http://www.likumi.lv/doc.php?id=192851> [↑](#footnote-ref-28)
29. This benefit may be granted without assessing the income of a person (family). [↑](#footnote-ref-29)
30. [Law on Assistance in Solving Apartment Matters](http://www.vvc.gov.lv/export/sites/default/docs/LRTA/Likumi/Law_On_Assistance_In_Solving_Apartment_Matters.doc) prescribes also the state support in providing assistance in solving apartment matters. [↑](#footnote-ref-30)
31. Informative report „Proposals for improving the social security system” accepted by the Cabinet of Ministers on 10 December, 2013. [↑](#footnote-ref-31)
32. European Commission, Social protection budgets in the crisis in the EU, Working Paper 1/2013, Olivier Bontout & Terezie Lokajickova, p. 5 [↑](#footnote-ref-32)
33. Informative report „Proposals for improving the social security system” accepted by the Cabinet of Ministers on December 10, 2013. [↑](#footnote-ref-33)
34. Within the meaning of the Concept Paper of Human Resource Development in Public Administration (adopted on 6 February 2013) in Latvia the term ‘public sector’ is used to denote all direct public administration institutions, other than the officials engaged in the institutional system of the Ministry of the Interior, officials of the Prison Administration with special service ranks, as well as to the National Armed Forces and soldiers serving in the system of the Ministry of Defence. Drafting of the human resource development policy for these groups of employees falls within the competence of line ministries. [↑](#footnote-ref-34)
35. Within the meaning of the Concept Paper of Human Resource Development in Public Administration (adopted on 6 February 2013) in Latvia the term ‘public sector’ is used to denote all direct public administration institutions, other than the officials engaged in the institutional system of the Ministry of the Interior, officials of the Prison Administration with special service ranks, as well as to the National Armed Forces and soldiers serving in the system of the Ministry of Defence. Drafting of the human resource development policy for these groups of employees falls within the competence of line ministries. [↑](#footnote-ref-35)
36. Within the meaning of the Concept Paper of Human Resource Development in Public Administration (adopted on 6 February 2013) in Latvia the term ‘public sector’ is used to denote all direct public administration institutions, other than the officials engaged in the institutional system of the Ministry of the Interior, officials of the Prison Administration with special service ranks, as well as to the National Armed Forces and soldiers serving in the system of the Ministry of Defence. Drafting of the human resource development policy for these groups of employees falls within the competence of line ministries. [↑](#footnote-ref-36)
37. Please see the previous footnote. [↑](#footnote-ref-37)
38. Within the meaning of the Concept Paper of Human Resource Development in Public Administration (adopted on 6 February 2013) in Latvia the term ‘public sector’ is used to denote all direct public administration institutions, other than the officials engaged in the institutional system of the Ministry of the Interior, officials of the Prison Administration with special service ranks, as well as to the National Armed Forces and soldiers serving in the system of the Ministry of Defence. Drafting of the human resource development policy for these groups of employees falls within the competence of line ministries. [↑](#footnote-ref-38)